

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: September 27, 2021

CASE NO(S): PL200629

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1488 Queen Street West Inc.
Appellant: 2090416 Ontario Inc. et al
Appellant: 835 Queen West Inc.
Appellant: B & C Ltd.; and others
Subject: Proposed Official Plan Amendment No. OPA 445
Municipality: City of Toronto
OLT Case No.: PL200629
OLT File No.: PL200629
OLT Case Name: 1488 Queen Street West Inc. v. Toronto (City)

Heard: September 23, 2021 by video hearing

APPEARANCES:

Parties

City of Toronto

Queens and Brock Holdings Inc.,
Timbertin (Queen/Bathurst) LP,
Silver Hotel Management Inc.,
Hullmark Developments Ltd.,
835 Queen West Inc.,
Benjamin Woolfit,
B & C Ltd.,
IG Woolf Textiles Ltd.

BSAR (Queen) LP

Skale Development Inc., High
Rhodes Inc. and Jameson Plaza
Ltd.

Counsel

Matthew Longo
Ben Baena

Laura Dean
Eileen Costello (in absentia)

Michael Foderick

Max Laskin and David Bronskill (in absentia)

Estate of Frances Stein	Laura Dean
1488 Queen Street West Inc.	Alex Lusty Aaron Platt (in absentia)
2090416 Ontario Inc. et al	Laura Dean and Sidonia Tomasella (in absentia)

MEMORANDUM OF ORAL DECISION DELIVERED BY C. HARDY ON SEPTEMBER 23, 2021 AND ORDER OF THE TRIBUNAL

[1] This was the second Case Management Conference (“CMC”) with respect to the appeals by multiple parties under s. 17(24) of the *Planning Act* (the “Act”) arising from the City of Toronto’s (“City”) adoption of Official Plan Amendment No. 445 (“OPA”) implementing Site and Area Specific Policy 566 with respect to Queen Street West, City of Toronto.

[2] The Tribunal was advised that 2090416 Ontario Inc. et al, an Appellant in this matter, has entered into an Agreement of Purchase and Sale with 5042984 Ontario Inc. 5042984 Ontario Inc. attended the CMC as an observer.

[3] The Tribunal received one participant status request from Vera Frenkel who is a resident in the area. Ms. Frenkel did not attend the CMC, however the parties acknowledged receipt of her written request and raised no concerns. On that basis, the Tribunal granted participant status to Ms. Frenkel.

PROGRESS UPDATE

[4] The Tribunal was advised that the Estate of Frances Stein sold its property to the adjacent landowner, Jameson Plaza Ltd. The Tribunal did not receive formal notification of this transaction. Mr. Laskin undertook to confirm that his client would be assuming the status of the Estate of Frances Stein in this appeal and would advise the Tribunal in writing.

[5] Mr. Longo provided the Tribunal with an update on the status of the Issues Lists. He advised the Tribunal that discussions are continuing with Counsel for the parties in an effort to either resolve some appeals, or reduce the number of issues to be adjudicated.

[6] All parties at the CMC concurred with the City's submitted update.

[7] The parties requested that a follow-up CMC be set for February 2022 to allow Counsel the opportunity to continue discussions towards resolving or narrowing the issues or number of participants before the Tribunal.

[8] The Tribunal has scheduled a CMC to be held by video for **Tuesday, February 10, 2022 at 10 a.m.**

[9] Parties and participants are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections:

<https://global.gotomeeting.com/join/472185117>

Access code: 472-185-117

[10] Parties and participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](#) or a web application is available:

<https://app.gotomeeting.com/home.html>

[11] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **(647) 497-9391** or **Toll Free [1-888-455-1389](#)**. The access code is **472-185-117**.

[12] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the hearing by video

to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

[13] There will be no further notice for this further CMC.

MEDIATION

[14] The Tribunal advised parties that Tribunal-assisted mediation is available if it would assist in narrowing issues or working towards settlement of any issues.

ORDER

[15] The Tribunal orders that a third CMC is scheduled to commence at **10 a.m. on Tuesday, February 10, 2022.**

[16] Vera Frenkel has been granted participant status on consent of the parties.

[17] No further notice of the CMC is required.

[18] This Member is not seized.

"C. Hardy"

C. HARDY
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.