

November 7, 2012

Our File No.: 11-1812

**Via Email**

Planning and Growth Management Committee  
10<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Merle MacDonald, Secretariat**

Dear Sirs/Mesdames:

**Re: PG19.5 – Official Plan/Municipal Comprehensive Reviews – Draft Policies and Designations for Employment Liberty Village**

We are solicitors for a partnership (represented by 2125980 Ontario Ltd.) of York Heritage Properties and Adgar Investments & Development, who are the owners of various parcels of land within Liberty Village. We are writing because the staff report in the above-noted matter briefly refers to our letter dated January 4, 2012 before reaching a preliminary assessment that the Liberty Village Area 3 lands be designated as *Core Employment Areas*, with the removal of the current policy allowing live-work units.

We submit it is important for Planning and Growth Management Committee to have the complete record before it. As such, we are attaching our above-noted letter. The thrust of our client's submission is that the current policy framework for the Liberty Village Lands (Area 3) is contributing to the stagnation of this area and that the new economy of Toronto, which is based in part on complete communities for people to live and work in the same place, demands a new vision for these lands.

The official plan amendment proposed by our client, which is found in Schedule "A" of our correspondence dated January 4, 2012, is based on four goals:

- preserving existing economic uses;
- preserving existing buildings for economic uses;
- preserving heritage buildings; and,
- stimulating investment on vacant sites through permissions for mixed-use development.

The intention is to permit residential uses in Liberty Village Area 3, but only if a corresponding amount of non-residential uses are being built at the same time. Existing buildings would be reserved for such uses, with no residential use permitted in buildings existing.

Our client has subsequently participated in the master plan process initiated by the Liberty Village BIA and led by The Planning Partnership and Ken Greenberg. Our understanding is that the exercise has resulted in preliminary recommendations, such as:

- a 70/30 ratio of employment and non-employment uses, along with other policies, to enable a greater mix of uses to support the employment function of this area;
- the retention of all significant brick and beam buildings with chimney stacks; and,
- the replacement of any demolished commercial space.

These preliminary recommendations are supported by our client as consistent with its proposed vision for Liberty Village Area 3.

In summary, our client welcomes an ongoing dialogue regarding a new vision for this area that would provide an appropriate stimulus for employment uses while achieving a balance between employment and non-employment uses. By contrast, our client firmly believes that a continuation of the existing strict controls would stifle investment and protect these lands for employment uses that will not be developed.

We would appreciate receiving notice on behalf of our client of any decision or public meetings regarding the above-noted matter. Please do not hesitate to contact us if any additional information is required.

Yours very truly,

**Goodmans LLP**



David Bronskill

DJB/

cc: Client



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January 4, 2012

Our File No.: 11-1812

**Via Email**

Official Plan Review  
Planning, Policy & Research, City of Toronto  
Metro Hall, 23<sup>rd</sup> Floor  
55 John Street  
City of Toronto, ON M5V 3C6

**Attention: Kerri A. Voumvakis, Director**

Dear Sirs/Mesdames:

**Re: City of Toronto Official Plan Review  
Liberty Village**

We are solicitors for a partnership (represented by 2125980 Ontario Ltd.) of York Heritage Properties and Adgar Investments & Development, who are the owners of various parcels of land within Liberty Village. We are writing on behalf of our client to provide our client's vision for Liberty Village so that it can be considered as part of the ongoing City of Toronto Official Plan Review. Our client submits that the vision outlined below represents an appropriate and defensible policy approach to guide the future of this area. Our client's goal is to contribute to an urban development pattern where people live, shop and work within the same few blocks.

**Background – Liberty Village**

As you know, Liberty Village is the name for the area of Toronto bounded at the north by King Street West, the west by Dufferin Street, the south by the Gardiner Expressway, the east by Strachan Avenue and the northeast by the CP railway tracks (the "Liberty Village Lands").

The Liberty Village Lands form part of a larger Employment District on Schedule 2 of the City's Official Plan. The accompanying text in the Official Plan indicates that Employment Districts "are large districts comprised exclusively of lands where the *Employment Area* land use designation applies". However, this Employment District (and, more specifically, the Liberty Village Lands) **are not** "comprised exclusively of lands where the *Employment Area* land use designation applies". For example, a small portion of the lands at the east end of the Employment District are designated as "Neighbourhoods" and, more importantly, a strip of land along the south side of the rail corridor is designated as "Mixed Use Areas".

The Liberty Village Lands are also governed by a secondary Plan (the Garrison Common North Secondary Plan). The Secondary Plan applies two-area specific policies to the Liberty Village Lands:

1. "Area 3" applies to the western portion of the Liberty Village Lands. These policies indicate that "a healthy and vibrant economic district will be maintained by reinforcing existing economic sectors, encourage appropriate new economic activities and establishing an environment conducive to future economic growth." Residential uses (other than live/work units) are not permitted.
2. "Area 4" applies to the eastern portion of the Liberty Village Lands. Unlike the policies for "Area 3", these policies permit commercial and residential uses on certain lands.

#### A New Vision for Liberty Village

Our client believes that the current policy framework for the western portion of the Liberty Village Lands (Area 3) is contributing to the stagnation of this area. Unlike the eastern portion, where residential and commercial uses are permitted on certain lands, the tight land use restrictions for Area 3 act as a disincentive for investment and do not appropriately implement Provincial policy. Our client submits that the new economy of Toronto, which is based in part on complete communities for people to live and work in the same place, demands a new vision for these lands.

Our client believes that this vision should be founded on certain goals and objectives, including:

- preserving existing economic uses;
- preserving existing buildings for economic uses;
- preserving heritage buildings;
- stimulating investment on vacant sites through permissions for mixed-use development.

These goals and objectives are consistent with and conform to Provincial policies and represent an appropriate framework for an amendment to the City's official plan as part of the ongoing City of Toronto Official Plan Review. Our client submits that the area-specific policies in the Garrison Common North Secondary Plan should be amended in accordance with Schedule "A".

The proposed official plan amendment in Schedule "A" conforms with the Growth Plan and is consistent with the Provincial Policy Statement for the following reasons:

- The proposed official plan amendment will not adversely affect the overall viability of the Liberty Village Lands and, instead, will help the City achieve its employment forecasts and its intensification and density targets. It is clear from the City's own documents that many of the City's employment opportunities will be realized in Mixed Use Areas, such as along the Avenues and in high density Urban Growth Centres, while

growth in Employment Districts has declined. The proposed official plan amendment would strengthen the City's ability to accommodate the City's evolving economy. Indeed, this approach has worked in other areas of the City – Maple Leaf Square, for example – where true mixed use development has sparked new purely office development.

- These lands are in close proximity to transit and would enable the provision of a “complete community” in this area. As required by the Growth Plan, the Liberty Village Lands would be able to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing and community infrastructure. The development of a complete community would also animate this area at all hours, providing eyes on the street and greater community vitality.
- There is existing physical infrastructure to accommodate mixed use development in new buildings on vacant lands.
- While the proposed official plan introduces non-employment uses to the western portion of the Liberty Village Lands, it is not doing so at the expense of employment uses. Instead, the proposed official plan amendment would only permit non-employment uses if corresponding employment uses are being built at the same time.
- The proposed official plan amendment is consistent with the approach taken in the balance of the Liberty Village Lands (which is within the same Employment District), which permits residential uses on certain lands.

### **Conclusion**

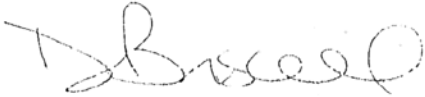
Our client believes that the Liberty Village Lands need a new policy framework to provide an appropriate stimulus to ensure its ongoing evolution and vibrancy. This vision document achieves the appropriate balance between residential, retail and employment uses. A continuation of strict controls will stifle investment in “Area 3” and prevent it from making a meaningful contribution to the City.

At the same time, the municipal comprehensive review represents an opportunity for other landowners to seek full residential permissions without any requirement for the provision of non-residential uses. The proposed official plan amendment outlined above would help achieve additional intensification while ensuring the provision of meaningful jobs within the area.

We hope that our client's vision will be considered as part of the ongoing City of Toronto Official Plan Review and look forward to meeting you at your earliest opportunity to discuss the contents of this letter.

Yours very truly,

**Goodmans LLP**

A handwritten signature in dark ink, appearing to read 'D. Bronskill', written in a cursive style.

David Bronskill

DJB/

cc: Paul Bain  
Councillor Perks  
Client

**SCHEDULE "A"**

**PROPOSED OFFICIAL PLAN AMENDMENT**

**Area 3**

**Certain lands located in the Blocks Bounded by King Street West, Dufferin Street, CNR Railway, and Located West of the Inglis Lands and the Hanna Technology District**

On the lands shown as 3 on Map 14-1, a healthy and vibrant mixed use district will be encouraged by reinforcing economic sectors, encouraging appropriate new economic activities and establishing an environment conducive to mixed use growth. Manufacturing operations, business services, media and communications operations, film, video and recording production, cultural and artistic services, fine art production, live/work units and artist studios are encouraged to locate within this area. Existing buildings will be reserved for such uses, with no residential use permitted in buildings existing as of the date of enactment of this policy.

On vacant lands, mixed use intensification will be encouraged but development for residential use only is prohibited. Major retail uses are also prohibited. Residential uses on vacant lands will be permitted if any new development also contains a corresponding amount of non-residential uses that are consistent with the goals and objectives for this area. The appropriate height, density and mix of uses for new buildings on vacant lands within the lands shown as 3 on Map 14-1, and the appropriate mechanism to secure a minimum amount of non-residential gross floor area, will be determined as part of a rezoning application for such lands.