

November 20, 2013

Our File No.: 11-1812

Via Email

Planning and Growth Management Committee
Toronto City Hall, 10th Floor, West Tower
Toronto, ON
M5H 2N2

Attention: Nancy Martins, Committee Secretariat

Dear Sirs/Mesdames:

**Re: Planning and Growth Management Committee Item
Municipal Comprehensive Review – Employment Lands**

We are writing on behalf of a group of landowners within the area defined as Liberty Village Area 3 by the proposed official plan amendment resulting from the City's municipal comprehensive review (the "Draft OPA"). This group of landowners, which has been involved in discussions with City staff, is known as the Friends of Liberty Village.

We have reviewed the Draft OPA and we are writing to express this group's concerns regarding the proposed treatment of Liberty Village Area 3 in the Draft OPA. As we understand it, the Draft OPA would designate Liberty Village Area 3 as *Core Employment Areas*, subject to a potential site and area specific policy ("SASP") that would, among other things, remove permissions for live/work uses and permit retail uses up to 6,000 square metres in size.

This group and its representatives have made numerous submissions to the City during the municipal comprehensive review and met with City staff. The thrust of these submissions is that the current policy framework for the Liberty Village 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. Although the City staff report notes historic employment growth within Liberty Village Area 3, in recent years, this growth has not been sustained and more employment will not occur in this area under the policy framework proposed by the Draft OPA.

This new vision is supported by a comprehensive master plan document prepared by Greenberg Consultants Inc. and The Planning Partnership, which was also informed by economic and transportation studies of the area. The comprehensive master plan document, among other things, makes the following recommendations:

- a 70/30 ratio of employment and non-employment uses, along with other policies, to enable a greater mix of uses to stimulate support the employment function of this area; and,
- the replacement of any demolished commercial space.

Contrary to the description in the City report, this vision is **not** based on a request to have Liberty Village Area 3 simply redesignated to *Mixed Use Areas*. Instead, this vision has always been based on a cooperative process to introduce true mixed-use development to Liberty Village Area 3 as a stimulus to the development of employment uses. We note that this vision has the support of area businesses with over 1000 employees and the nearby residents association.

The group's proposed approach is fully consistent with Provincial direction regarding areas of employment. As noted on page 24 of the Province's Background Paper on Planning for Employment in the Greater Golden Horseshoe (2008), "Municipalities need to review their existing employment areas on a regular basis to determine appropriate uses for each area, and to identify which areas, if any, should be reserved entirely for industrial and manufacturing activities and which may be more appropriate for a mix of office, retail, residential and other uses." [Emphasis added]

The response in the staff report is to suggest that there is sufficient residential use in close proximity to Liberty Village Area 3. This misses the point – the alleged proximity of other residential uses neither addresses the need to stimulate investment in Liberty Village Area 3 nor promote Liberty Village Area 3 as a complete community. Further, this response ignores the conclusion in the same staff report that improvements to Liberty Village Area 3's transportation network, streetscapes, public realm, parks and overall urban design are required to ensure it remains an attractive location for employers. Reliance on the alleged proximity of other residential uses will not deliver these needed infrastructure improvements.

Our understanding from our meetings with City staff is that there is general support for the desire to stimulate employment uses and a commitment to true mixed-use development. However, as we understand the staff response, the concern is that any introduction of residential permissions could be viewed as a removal of the protections afforded to areas of employment under the *Planning Act*, the Growth Plan and the Provincial Policy Statement (2005).

We think this concern is misguided in two respects. First, it ignores the critical questions of what is the appropriate policy direction for Liberty Village Area 3 and what represents the best approach to stimulate new employment uses, regardless of the appropriate legal mechanism to ensure implementation. Second, we have repeatedly offered to meet with City legal staff to address the City's concern. To date, our request has not been answered, although we remain willing to meet with City legal staff.

In conclusion, the focus on future "conversions", with respect, misses the key thrust of our client's proposal. The opportunity being presented to the City is a new policy direction, supported by significant landowners in this area, to provide an appropriate stimulus for employment uses while

achieving a balance between employment and non-employment uses. A continuation of the existing strict controls – while preserving the City's ability to argue an application represents a conversion – would protect these lands for employment uses that will not be developed and risk a different approach being pursued on appeal.

We would appreciate receiving notice 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



for David Bronskill
DJB/
cc: Client

\6267040