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Our File No.: 111812

Via Email: phc@toronto.ca

Planning and Housing Committee
City of Toronto
10th Floor, West Tower
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins, Secretariat

Dear Sirs/Mesdames:

Re: Item PH26.2 – Zoning Conformity for Official Plan Employment Areas

We are solicitors for 2396927 Ontario Inc. (operating as The Toronto Carpet Factory) and a partnership (represented by 2125980 Ontario Ltd.) of York Heritage Properties and Adgar Investments & Development, who are owners of various parcels of land within Area 3 of Liberty Village (“**Liberty Village**”) as defined by Official Plan Amendment 231. We are writing on behalf of our client to express concerns with the alleged “conformity” exercise being conducted for existing zoning permissions within Liberty Village.

As background, Liberty Village is generally zoned as “IC” in Zoning By-law No. 438-86 for the former City of Toronto (“**By-law 438-86**”).¹ Notwithstanding this outdated zoning category, Liberty Village has evolved into a vibrant community that supports a variety of land uses including a number of mixed-use developments.

We understand that the proposed zoning by-law amendments would delete a number of existing permissions for Liberty Village, but restore a limited selection of these existing permissions as a special exception in Section 12(1) of By-law 438-86 of the former City of Toronto. The result appears to be the removal of existing permissions for a day nursery, commercial school, place of worship, place of amusement, place of assembly, union hall, club, community centre, arena/stadium/race track, and commercial and municipal baths.

¹ Liberty Village remains a “hole” in Zoning By-law 569-2013 for the amalgamated City of Toronto.

The proposed zoning by-law amendment(s) would further restrict existing use permissions for Liberty Village. This neither represents a good or an appropriate approach to ensuring a true mix of uses within the area. Our clients have long-noted a concern that the City's approach to Liberty Village is contrary to the growing demand for a true mix of uses in Liberty Village and threatening to contribute the area's stagnation.

The new economy in Toronto, which is based in part on complete communities for people to live and work in the same place, demands a new vision for Liberty Village. The proposed zoning by-law amendment(s) would further tighten land use permissions within Liberty Village and act as a disincentive for investment in a manner contrary to the Official Plan, the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019). The planning framework for Liberty Village as it relates to existing employment uses should be further studied to ensure it adequately responds to the changing needs of the area and its surrounding communities.

Further, the proposed amendment is not required to achieve "conformity" with the official plan designation for the area. The existing permissions proposed for deletion are permitted under existing Official Plan policies for Liberty Village and, as a result of our client's outstanding appeal related to Official Plan Amendment No. 231, the future policy framework for this area has not yet been determined. At a minimum, any proposed zoning by-law amendment(s) to restrict uses within Liberty Village is premature pending resolution of our client's appeal.

Please also accept this correspondence as our client's formal request to receive notice of any decision regarding this matter. Any such notice can be directed to the undersigned.

Yours truly,

Goodmans LLP



David Bronskill
DJB/