



BOUSFIELDS INC.

Project No. 24106

June 22, 2026

Toronto and East York Community Council
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members of Community Council:

Re: *Liberty for All Regeneration Area Study – Final Report*
Item TE33.10 – Toronto and East York Community Council (May 28, 2026)
233-259 Dufferin Street, 1195-1209 King Street West, 190 Liberty Street and
78-96 Mowat Avenue

We are the planning consultants for 1121568 Ontario Limited, 707932 Ontario Limited, Ironmountain King Inc., Kimillian Holdings Ltd., and Kinglip Holdings Inc., the owners of the lands at 233-259 Dufferin Street, 1195-1209 King Street West, 190 Liberty Street and 78-96 Mowat Avenue (the “subject site”). The site includes the entire block bounded by King Street West to the north, Dufferin Street to the west, Liberty Street to the south and Mowat Avenue to the east.

We have been monitoring the ongoing Regeneration Area Study since 2024. As part of this process, we submitted a letter in May 2025, which provided our comments on the emerging directions from the ongoing study coming out of the landowners meeting on March 12, 2025 and first round of Community Consultation Meetings in April 2025. The letter is attached as **Attachment 1**.

We have reviewed the draft new Garrison Common North Secondary Plan Site and Area Specific No. 3 policies arising from the Liberty for All Regeneration Area Study, as attached to the May 11, 2026 staff report, which was considered by Toronto and East York Community Council on May 28, 2026 (Item TE33.10), as well as the supplementary report dated June 19, 2026. We have not yet had an opportunity to undertake a detailed review of the modifications proposed in the June 19th report; however, it appears that the proposed modifications go some way towards resolving the concerns identified in this letter.

We want to thank staff for their collaborative efforts throughout the Regeneration Areas Study process. While we appreciate the revisions that have made by City staff, we continue to have concerns with some of the proposed policies that had been expressed in our previous letter. As well, in addition to what we previously identified, we have concerns with some of new policies that have been added to the proposed

Official Plan Amendment which were not previously presented during the public consultation process.

Our concerns are summarized below, specifically with respect to land use, housing, streets and sidewalks, public realm and heritage.

1. Land Use

While we appreciate that the non-residential gross floor area (“GFA”) requirement has been reduced from 45% to 15% (and to 20% following the Ontario Line being operational to Exhibition Station), we continue to have concerns with this minimum requirement and the related policies.

Proposed Policy 2.1(b) provides that development should demonstrate that non-residential GFA is both “maintained and enhanced”. This language may suggest a requirement for non-residential replacement on an individual site basis and should be revised or deleted given the policy direction in proposed Policies 2.2 to 2.5 that focuses instead on a minimum percentage.

In this regard, while the proposed language in Policies 2.3 and 2.4 provides that the City may reduce minimum requirements for the provision of affordable housing or non-residential uses, greater certainty would be appreciated (i.e. that the requirements will be reduced if additional non-residential uses or affordable housing are provided).

For those reasons, Proposed Policy 2.5, which would increase the minimum non-residential GFA requirement to 20% upon completion of the Ontario Line, is also problematic, given that it is unclear that the Ontario Line’s opening would support such an increase and given the concerns we have raised with even a 15% non-residential requirement.

For the reasons stated in our previous letter, it continues to be our opinion that the land use policies should be sufficiently flexible to permit a mix of uses that appropriately responds to the built form and market conditions.

2. Housing

Proposed Policy 3.1 requires a minimum 40% two- and three-bedroom units for developments containing more than 80 new residential units. This is new policy direction that was not in the materials previously presented.

We request that more flexibility be included in this policy by instead requiring a minimum of 15% two-bedroom units and 10% three-bedroom units in accordance with the Growing Up Guidelines. Alternatively, the policy could be drafted to allow an

additional 15% of the units (i.e. beyond the 15% two-bedroom units and 10% three-bedroom units) as a combination of two- and three-bedroom units, including units that can be converted to two- and three-bedroom units through the use of accessible or adaptable design measures (similar to Policy 11.13 of the Downtown Secondary Plan and Policy 7.1.c) of the Yonge-Eglinton Secondary Plan).

With respect to affordable housing, we continue to have concerns with the proposed policies (Policies 3.4 to 3.6) for the reasons set out in our previous letter. In our opinion, the affordable housing terms should follow those set out in the Provincial regulation that governs Inclusionary Zoning, including the percentage of affordable housing and the affordability term. The proposed affordable housing policies exceed the Provincial regulation both in terms of the percentage and the term and, accordingly, would place an added burden on development in Liberty Village which will serve to discourage, rather than encourage, redevelopment. There is no apparent planning rationale to require a greater set-aside rate and a significantly longer affordability term than in Protected Major Transit Station Areas elsewhere in the City.

3. Street and Sidewalks

Proposed Policy 4.3 provides that sidewalks and boulevards will be designed to achieve a minimum width of 6.0 metres, where appropriate. We recommend that this language be revised from “will be designed [...], where appropriate” to “will be encouraged” to provide more flexibility, while achieving the intent of the policy.

Furthermore, we recommend that the policy language be explicit that the 6.0 metre dimension pertains to the “sidewalk zone” (i.e. measured from building face to curb including tree planting and landscaping), and not to the sidewalk dimension alone.

4. Public Realm – POPS and Mid-Block Connections

A POPS is shown along Dufferin Street on the subject site on Map 4, with a notation that states “Potential for Open Space (Privately Owned Publicly Accessible)/ Enhancement”. In contrast, Proposed Policy 5.1 states that “the locations of existing and potential new public realm features, including public parks, POPS, and midblock connections, are shown on Map 4: Public Realm” (our emphasis).

We recommend that the policy language indicate that the locations of POPS are conceptually identified in the mapping and that the precise location of a potential POPS will be determined through site-specific development applications.

Furthermore, Map 4: Public Realm Plan shows a legend item for “Future Mid-Block Connections”. This should be revised to “Potential Future Mid-Block Connections” to

preserve flexibility on the exact location. Without clarifying that these are “potential” locations, the locations shown on the map are overly prescriptive.

5. Public Realm – Views

A “character view” is shown on Map 6 looking south-westerly from the east side of Mowat Avenue toward the subject site and beyond. Policy 5.4.1(a) indicates that the view includes “the east elevation of 190 Liberty Street, and the stack of 219 Dufferin Street” and “should be considered in development and, where possible, enhanced”. In our opinion, the policy presupposes the retention of the east elevation of 190 Liberty Street in a future development rather than making that determination through a Heritage Impact Assessment.

As well, it does not recognize that views are dynamic and will change over time as new development occurs. This is particularly the case in terms of views of the chimney stack at the southwest corner of Mowat Avenue and Liberty Street (219 Dufferin Street). The “enhancement” of views needs to be considered and balanced with planning objectives related to regeneration and intensification.

6. Heritage

The heritage policies and mapping are new and were not included in the previously presented materials.

On Map 8 (Cultural Heritage Landscape Plan), the existing building on the subject site is identified as a “built heritage feature”, as are the buildings on the adjacent properties to the north and east (across Mowat Avenue). The identified “built heritage features” include designated and listed properties, as well as properties that were identified through the recently completed Cultural Heritage Resource Assessment as having potential cultural heritage value.

Proposed Policy 8.2 provides that development on or adjacent to “heritage properties” will require a site-specific approach that “conserves their cultural heritage value and achieves a contextually appropriate solution” (including, but not limited to, adaptive re-use and the use of additional setbacks and stepbacks to maintain the prominence and three-dimensional integrity of the heritage resources).

We have a concern with the general principle implied by Policy 8.2 that all properties identified as “built heritage features” on Map 8 are to be treated as “heritage properties”, regardless of whether they have been designated or listed, or merely identified as properties that have potential heritage value, to be confirmed one way or the other through a Cultural Heritage Evaluation Report (CHER).

In this case, only 1195 King Street West on the subject site is listed as a heritage building. The balance of buildings on the subject site are neither designated nor listed and, accordingly, should not be treated as if they were in policy terms. Rather, in keeping with Official Plan Amendment No. 720, the policy framework should first require that the heritage value be confirmed through a CHER. Policy 8.2 should only be applicable if the CHER confirms that the buildings have cultural heritage value.

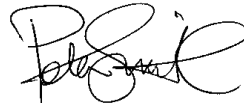
Thank you again for the opportunity to provide these comments.

Yours very truly,

Bousfields Inc.



Caitlin Allan, RPP, MCIP



Peter F. Smith, RPP, MCIP

cc: Joy Lipson, Lipson & Doran Group

Attachment 1:
May 5, 2025 Commenting Letter



May 5, 2025

George Pantazis, Senior Planner
Development Review Division
Community Planning, Toronto & East York District
City of Toronto
100 Queen Street West
Toronto, ON M5H 2N2

Dear Mr. Pantazis,

***Re: Liberty for All Regeneration Areas Study
Comments for Consideration
Lipson & Doran Group***

We are the planning consultants for Lipson & Doran Group, with respect to the lands at 233-259 Dufferin Street, 1195-1209 King Street West, 190 Liberty Street and 78-90 Mowat Avenue (the “subject site”). The site includes the entire block bounded by King Street West to the north, Dufferin Street to the west, Liberty Street to the south and Mowat Avenue to the east.

As you are aware, we have been monitoring the ongoing Regeneration Area Study since 2024, including attending the City’s recent landowner meeting on March 12th, 2025 and the Community Consultation Meeting on April 2nd, 2025, where components of the proposed Secondary Plan were presented.

The purpose of this letter is to provide comments on the emerging directions from the ongoing study. We have some questions and concerns that relate to the required non-residential gross floor area requirements, height-related policies, use of the holding provision related to Liberty New Street, community services and facilities policies setback requirements for heritage buildings, and the Liberty Village Public Realm Strategy plan.

Proposed Regeneration Area Study Comments

We have reviewed the materials provided in advance of the landowners meeting (particularly the presentation dated March 12, 2025) and have the following key questions and concerns about the emerging directions of the Study:

1. Non-Residential Requirement

The proposed 45 percent non-residential gross floor area (“GFA”) requirement reflects the details of the settlement of Official Plan Amendment No. 231 (“OPA 231”). However, in our opinion, it should be reduced.

The 45 percent figure resulted from a negotiation in the context of the appeal of OPA 231 that was filed in 2014, which had proposed a non-residential component of 70 percent based on the market conditions at that time, over 10 years ago. Recognizing the dated nature of the appeal, the City was ultimately willing to reduce that percentage in the context of settling the appeal. However, it was recognized that that percentage was not forward-looking and that there would be the opportunity to revisit that percentage in the context of the new Secondary Plan.

In that regard, Policy 6(iii) of Site and Area Specific Policy 3 (SASP 3) to the Garrison Common North Secondary Plan, as approved through the OPA 231 settlement, provides that amendments to the minimum 45 percent non-residential gross floor area requirement in Policy 6(i) may be considered and incorporated into the adopted Secondary Plan or Community Planning Permit System in order to implement any conclusions, findings and/or recommendations of current or future City studies that are appropriate for the area.

It is our opinion that non-residential GFA requirement policies in the proposed Secondary Plan must be flexible and recognize market realities of today. As acknowledged by the City’s Office Needs Study, there has been a fundamental and ongoing shift across the globe since the outset of the COVID-19 pandemic in 2019; as a result, the ways in which local businesses and their employees are using office spaces continues to evolve materially. As noted in the study, new real estate developments of all kinds have become increasingly challenged by rising interest rates, heightened construction costs and evolving municipal and provincial policy contexts. Since then, additional challenges such as trade tariffs and other international forces have arisen that may further compound this issue.

As such, there is a significant challenge associated with the provision of 45 percent of non-residential space; accordingly, flexibility must be provided through either a significantly reduced percentage of required non-residential GFA or in how the 45 percent non-residential GFA might be met, in order to ensure that development is viable. In this regard, a scan of other recent non-residential policies adopted and proposed by the City in similar circumstances indicates that a percentage of 15 percent is typical.

We appreciate the fact that staff are taking a realistic approach and have expressed willingness to accept flexibility in exchange for a reduced amount of non-residential GFA. In addition to the ideas presented by City staff, which include the provision of affordable housing, cash-in-lieu, cultural and art uses, and community services and facilities, some other potential ideas include:

- providing a larger percentage of 2- and 3-bedroom family-sized units, beyond what is recommended in the Growing Up Guidelines;
- provision of Publicly-Accessible Privately-Owned Spaces (POPS);
- provision of other public realm improvements including contributions to the implementation of elements of the Liberty Village Public Realm Strategy;
- cash contributions toward other City objectives in the neighbourhood;
- additional on-site or off-site heritage conservation and commemoration within Liberty Village; and
- provision of alternative Green P Parking opportunities to, for example, replace the parking being displaced by the planned park at 34 Hanna Avenue.

Our client welcomes further discussion on the implementation of these alternatives in exchange for non-residential gross floor area.

The carefully considered implementation of the new *Regeneration Areas* designation has the potential to unlock new housing in this transit-rich neighbourhood along with achieving other city-building goals. We expect that the currently contemplated 45% approach, with a minimum of 51% of those uses being *Core Employment Areas* uses, will discourage both.

2. Community Services & Facilities and Parkland

We understand that City staff are currently undertaking a Community Services and Facilities study as part of the Regeneration Areas study. We look forward to receiving input from that study, as it may potentially help frame policies related to non-residential gross floor area requirements.

3. Height-Related Policies

We are supportive of the direction City staff are taking to allow for height to be determined on a site-specific basis through Zoning By-law amendment applications. However, we have comments related to the potential shadow impact policies that may be included in the proposed Secondary Plan. It is our opinion that if shadow policies are included within the draft secondary plan, they should not be based on a “no net-new shadow” test but rather on a test

that is more in keeping with Official Plan Policy 3.2.3(3) that focuses on preserving the utility of parks.

Shadow-related policies, if included in the proposed Secondary Plan, should allow for an appropriate balancing of intensification objectives to provide additional housing in proximity to frequent and higher-order transit, given its location within two major transit station areas.

While it is recognized that the Allan A. Lamport Stadium (“Lamport Stadium”) could be repurposed as a park in the future, the park area currently consists of a surface parking lot at the south end, unprogrammed green space along the Jefferson Avenue and Fraser Avenue street frontages, and the stadium itself at the north end. Furthermore, the RFP issued for Lamport Stadium indicates that the stadium use is intended to continue to exist. The current and planned stadium uses are not particularly shadow sensitive, and as such, proposed shadow related policies should be qualitative and allow for a balancing of objectives within the Secondary Plan.

4. Setbacks from Heritage Buildings

Staff had indicated that heritage policies would include a required 10 metre tower setback from heritage buildings along Liberty Street and a 5 metre tower setback along all other streets. In our opinion, the depth of the tower setbacks should be informed by a Heritage Impact Assessment assessing the specific heritage buildings on site, as well as site-specific urban design considerations.

In our opinion, the inclusion of prescriptive numerical standards would blur the relationship between policy and regulation. In my opinion, it is important for the Official Plan to articulate the rationale and objectives associated with a vision (the “why”) rather than how that vision is achieved and regulated (the “how”), leaving the regulation of built form to the zoning by-law.

Given the variety of built form conditions along Liberty Street, a 10 metre setback may not be appropriate or practical on all sites and there may not be a clear heritage basis for requiring a depth of 10 metres. Providing instead for direction that an appropriate setback be provided that is informed by a Heritage Impact Assessment would provide for a more flexible approach that allows for creative responses and context-specific development solutions to better implement the objectives of the Secondary Plan.

5. Holding Provision related to Liberty New Street

The basis for the use of a holding provision related to the completion and operation of Liberty New Street is unclear, given our understanding that the lands required for Liberty New Street have already been acquired through Metrolinx's expropriation of lands as part of the Ontario Line. We have not seen any technical work that would suggest that there is a need for the use of a holding provision for capacity reasons in advance of the implementation of Liberty New Street. Further information needs to be provided regarding the financing, timing and implementation of Liberty New Street.

6. Public Realm Strategy

We have reviewed the Council-adopted Liberty Village Public Realm Strategy documents and understand that the east side of Dufferin Street, west side of Mowat Avenue and north side of Liberty Street have been identified for "potential conversion of boulevard parking to sidewalk/public realm improvement" on Map 19: Transportation Streets Plan.

We note that our client intends to maintain these boulevard parking areas as they are critical to the operation of the existing site and are well-used by tenants and their visitors. As such, these parking spaces are required to support the current employment uses on site. Although our client would be open to discussing the potential removal of boulevard parking as part of a future development scenario, they would not be supportive of the inclusion of any Secondary Plan policies requiring the removal of boulevard parking and would recommend that those discussions be held only as part of the review of any future development applications on the subject site.

With respect to future development scenarios, we understand that staff intend to translate other elements of the Liberty Village Public Realm Strategy into the Secondary Plan as well, where appropriate. In consideration of the future redevelopment potential of the site, we recommend that rather for providing two separate locations of "potential for privately-owned publicly accessible open space (POPS)/enhancement" on the site, it is more appropriate to provide for a larger consolidated POPS or public parkland dedication where the existing potential location for POPS is identified along Dufferin Street. As such, the potential POPS location along Mowat Avenue should be removed from the Public Realm Structure Plan.

Furthermore, the location of the existing mid-block connection identified on the subject site should be removed as it is located through an active surface parking lot that does not currently function as a mid-block connection or public realm feature. We recommend that a "potential" east-west mid-block connection be shown instead, connecting Dufferin Street to Mowat Street, and

would suggest that an additional north-south connection from that connection down to Liberty Street could also be added. This revised location of the potential mid-block connection, together with the proposed POPS/Parkland location, provides an opportunity for a view terminus from Dufferin King Parkette to the Toronto Carpet Factory.

The proposed changes are conceptually illustrated below in **Attachment 1**.

Thank you for your consideration of these comments. We look forward to engaging in further discussions with staff as the draft Secondary Plan evolves.

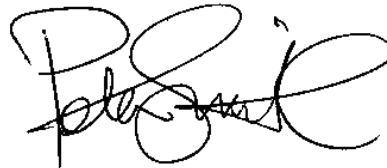
If you require any clarification or wish to discuss these matters further, please do not hesitate to contact the undersigned.

Yours very truly,

Bousfields Inc.



Mike Dror, RPP, MCIP



Peter F. Smith, RPP, MCIP

cc: Joy Lipson, Lipson & Doran Group

Fig. 1 Proposed Modifications to Public Realm Structure Plan

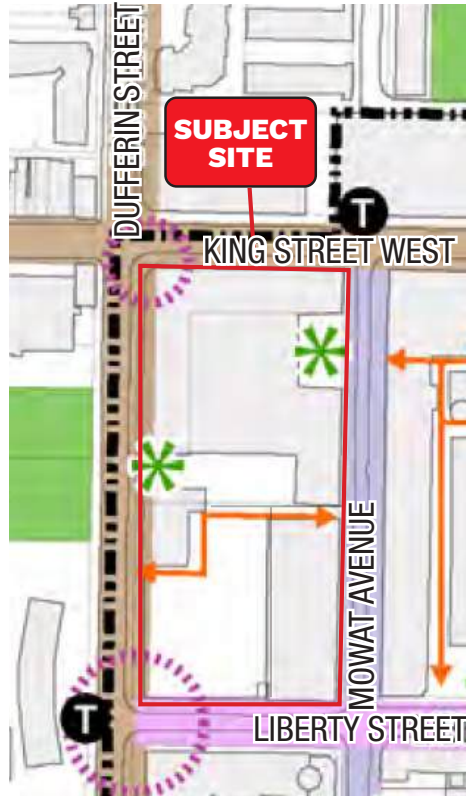
For Discussion Purposes

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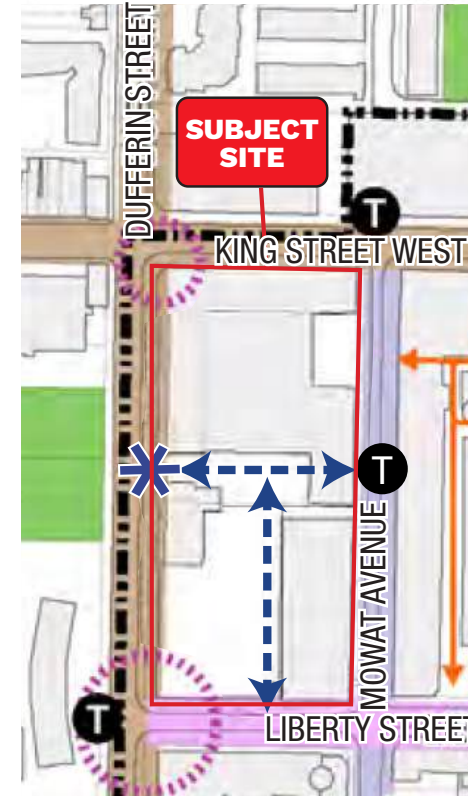
Date
April 29, 2025

Address
233-259 Dufferin Street, 1195-1209 King Street West, 190 Liberty Street and 78-90 Mowat Avenue

- Legend**
- Study Area
 - Existing Parks
 - Existing Privately-Owned Publicly Accessible Open Space / Enhancement
 - Potential for Privately-Owned Publicly Accessible Open Space / Enhancement
 - Potential for Tree Planted Curb Extension with Open Space/Enhancement
 - Potential for Future Parks / Privately-Owned Publicly Accessible Open Space
 - Existing Mid-block Connections
 - Planned Mid-block Connections
 - Future Potential Mid-block Connections: New connections or improvements to existing
 - Enhancement for Key Mid-block Connection
 - View Terminus
 - Major Gateway
 - Minor Gateway
 - Primary Spine Streets
 - Secondary Spine Streets
 - Village Streets
 - Village Streets - Planned
 - Village Streets - Potential
 - Residential Existing Streets
 - Arterial Streets
 - King Liberty Pedestrian Bridge
 - Exhibition GO Tunnel
 - Future Pedestrian and Cycling Bridge
 - Future Liberty New Street: 2022 schematic amended alignment
 - 2016 Environmental Assessment



Public Realm Structure Plan



Proposed Modifications to Public Realm Structure Plan