



BOUSFIELDS INC.

Project No. 23105-1

May 27, 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)
153 Dufferin Street

We are the planning consultants for 939923 Ontario Limited and 1289777 Ontario Limited, the owners of the lands at 153 Dufferin Street, located on the north side of the Rail Corridor/Future New Liberty Street between Dufferin Street and Mowat Avenue (the “subject site”).

We have been monitoring the ongoing Regeneration Area Study since 2024. As part of this process, we submitted a letter in April 2026, which provided our comments on the emerging directions from the ongoing study coming out of the Design Review Panel session on November 19, 2025 and the second round of Community Consultation Meetings in November 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 will be considered by Toronto and East York Community Council on May 28, 2026 (Item TE33.10).

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 significant 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.

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. For the reasons stated in our previous letters, the inclusion of a prescriptive non-residential GFA requirement could preclude creative and beneficial responses and does not appropriately account for either current and future market realities.

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 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

A POPS is shown at the southeast corner of 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.

5. 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). It is noted that Policy 8.1 erroneously refers to this map as Map 7. 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, the building on the subject site and the adjacent buildings 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 building has cultural heritage value.

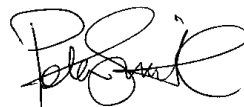
Thank you again for the opportunity to provide these comments.

Yours very truly,

Bousfields Inc.



Caitlin Allan, RPP, MCIP



Peter F. Smith, RPP, MCIP

cc: *Fred Dominelli/Nick Dominelli*

Attachment 1:
April 6, 2026 letter



BOUSFIELDS INC.

April 6, 2026

Project No. 23105-1

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 Area Study
Comments for Consideration
153 Dufferin Street
939923 Ontario Limited & 1289777 Ontario Limited***

We are the planning consultants for 939923 Ontario Limited & 1289777 Ontario Limited, with respect to the lands at 153 Dufferin Street (the “subject site”).

The subject site is bounded by Dufferin Street to the west, the Rail Corridor/Future New Liberty Street to the south and Mowat Avenue to the east. The site is currently occupied by a one- to two-storey commercial building and surface parking.

We have been monitoring the ongoing Regeneration Area Study since 2024. The purpose of this letter is to provide comments on the emerging directions from the ongoing study coming out of the Design Review Panel session on November 19, 2025 and the second round of Community Consultation Meetings in November 2025.

We are supportive of the overall direction of the Liberty For All Plan and are excited to see the final outcomes of the Study. However, we have some comments and questions based on the recent presentation and meetings that relate to land use, streets and sidewalks, built form, community services and facilities, affordable housing, parks and POPS, and general language of the draft policies.

Additional Comments and Questions on the Liberty For All Study:

- **Land Use – Non-Residential GFA Requirement:** We understand that the City has retained N. Barry Lyon Consultants (NBLC) to conduct the economic study, which is targeted to be completed in March 2026. We request that the 45% non-residential gross floor area (“GFA”) requirement that was included in the settlement of Official Plan Amendment No. 231 (“OPA 231”) be reduced

and/or that flexibility be provided to enable the non-residential requirement to be satisfied in a variety of different ways.

In this regard, the SASP arising from the OPA 231 explicitly recognizes that the 45% policy could be amended through work to be undertaken as part of the Secondary Plan study. The non-residential GFA requirement policies in the proposed Secondary Plan/SASP should be flexible and recognize today's market realities.

It is also important to emphasize that, in addition to market considerations, there are practical/functional limitations to achieving a substantial percentage of non-residential GFA as part of new tall building development. While non-residential uses can typically be achieved on the lower floors of buildings, upper-level non-residential space is more difficult to achieve, particularly in the absence of a strong office market. The requirement for a specific non-residential percentage can therefore act as a disincentive to creating more housing because additional residential GFA triggers the requirement for additional non-residential GFA. In the worst case, if the percentage is set too high, it could make redevelopment uneconomic, contrary to the planning objectives for regeneration of the area, transit-supportive intensification and creation of new housing supply.

As a technical matter, we note that the presentation package shared at the November 18th and 20th Community Consultation Meeting indicated that "Economic Development staff have advised NBLC that Liberty Village accounts for 15% of the City's total jobs". This is incorrect - the percentage is in fact less than 1%. The City's Employment Survey 2024 indicates a total of 1,600,300 jobs, of which 13,340 are located in Liberty Village (or about 0.8%).

In addition, the emerging direction for Land Use also speaks to protecting the jobs and non-residential uses that are currently in Liberty Village and enhancing opportunities for job growth. No draft policies are included on this matter. If specific policies are anticipated to implement this identified direction, we would appreciate the opportunity to review and comment.

- **Streets and Sidewalks:** We would like to review the functional road plan for Liberty New Street when it is available, as we will need to evaluate if we are able to provide achieve a minimum sidewalk width of 6 metres.
- **View Terminus:** As shown in the draft mapping on the slide titled "Mid-Block Connections" and "Parks and POPS", there is a view terminus shown on the

west side of the subject site. We request that greater clarification on the policy direction related to view termini be provided so that we can further comment on the appropriateness of any applicable policy for the subject site.

- **Built Form – Views**: As shown in the draft mapping on the slide titled “Built Form – Views”, there is a yellow dot shown on the subject site without a legend. We request a legend be added, and that greater clarification on policy direction be provided so that we can further comment on the appropriateness of any applicable policy for the subject site.

We have reservations about the draft policies related to maintaining views identified on the slide titled “Built Form – Views”, which can severely limit the potential for creative renewal on some properties, while leaving other sites unencumbered. Such policies may mean trade-offs between preserving aesthetic condition over other important city-building goals and prejudicing some land owners over others.

- **Community Services and Facilities**: We would like to review the City’s draft Community Services and Facilities Study when it is available, as we are interested in what community facilities the City has determined are most needed, including their sizes and optimal locations.

The draft policies note that “community services and facilities shall be provided in the first phase of any phased development” (our emphasis). In our opinion, the proposed policies should provide some flexibility as there may be a scenario where this is not feasible, particularly in the Liberty Village context that includes many other objectives, such as heritage conservation.

- **Affordable Housing**: It is our opinion that despite the affordable housing requirements included in the OPA 231 settlement, inclusionary zoning (IZ) subject to O. Reg. 54/25 or the Community Benefit Charge (CBC) should be the mechanisms through which affordable housing is achieved. The Secondary Plan/SASP should identify the applicability of IZ, where it is currently in force, and could otherwise potentially encourage the opportunity to secure affordable housing as an in-kind contribution through the CBC.

We note that the Province has further amended its IZ regulation (O. Reg. 232/18) through O. Reg. 15/26 to pause the application of IZ in Toronto, exempting developments with OPA/rezoning applications filed prior to July 1, 2027. While we recognize the importance of delivering affordable housing, the affordable housing requirements are not aligned with the development industry’s ability to deliver housing in the current challenging housing market.

- **Parks and POPS:** We recognize that a potential POPS location is identified at the southeast corner of the site. While the draft policy language states that the locations are conceptually identified in the mapping, the policy should read that the exact location of potential POPS will be determined through a site-specific development application.
- **General Comment on Draft Policy Language:** Instead of including prescriptive language (i.e. words like "must", "will", "shall"), we recommend that the Secondary Plan/SASP consider incorporating a level of flexibility in language (i.e. "encourage", "where possible", etc.) to avoid unnecessary site-specific Official Plan Amendments.

For example, suggested revisions to the draft policies related to built form and streets and sidewalks are red-lined below:

Built Form Draft Policies

- *Development should*
 - a) provide a variety of building types, heights and site configurations especially on blocks that can accommodate multiple buildings;*
 - b) have towers in a north-south orientation to limit shadow impacts on the public realm, where appropriate;*
 - c) have base building heights that generally align with the scale and height of neighbouring streetwall heights.*

Streets and Sidewalks Draft Policies

- *Sidewalks and boulevards as described in Policy 3.1.1.13 in the Official Plan will be designed encouraged to achieve a minimum width of 6 metres.*
- *All new development will be encouraged to increase tree canopy in Liberty Village, including...*

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

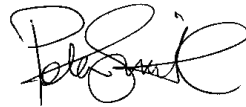
If you require any clarification or wish to discuss these matters further, please do not hesitate to contact the undersigned or Joie Kwong of our office at (416) 947-9744.

Yours very truly,

Bousfields Inc.



Caitlin Allan, RPP, MCIP



Peter F. Smith, RPP, MCIP

cc: *Fred Dominelli and Nick Dominelli, 939923 Ontario Limited & 1289777 Ontario Limited*