

May 28, 2026

VIA EMAIL - [teycc@toronto.ca](mailto:teycc@toronto.ca)

Toronto and East York Community Council  
City Clerk's Office  
Attention: Cathrine Regan, Administrator  
Toronto City Hall  
100 Queen Street West  
2<sup>nd</sup> Floor, West Tower  
Toronto ON M5H 2N2

Dear Mayor and Members of Council:

**Re: Agenda Item TE33.10  
TEYCC Meeting – May 28, 2026  
Liberty For All Regeneration Area Study - Final Report**

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Aird & Berlis LLP acts for Allied Properties REIT (“**Allied**” and/or our “**client**”), which owns, outright or through affiliates, lands within the Liberty Village Secondary Plan area including but not limited to 47, 47A and 49 Fraser Avenue (47 Fraser Avenue Inc.); 41 and 53 Fraser Avenue and 8 Pardee Avenue (53 Fraser Avenue Inc.), 135 Liberty Street (135 Liberty Street Inc.), 47 Jefferson Avenue (47 Jefferson Avenue Inc.), 64 Jefferson Avenue (64 Jefferson Avenue Inc.), 28 Atlantic Avenue (28 Atlantic Avenue Inc.) and 32 Atlantic Avenue (32 Atlantic Avenue Inc.) (collectively, the “**Allied Properties**”).

Our client has owned the Allied Properties, some of which are individually designated pursuant to Part IV of the *Ontario Heritage Act*, for many decades. Allied has made substantial investment in the adaptive re-use and retention of the buildings on its properties primarily for employment purposes. One of its assemblies, located at 41-53 Fraser Avenue, 8 Pardee and 135 Liberty Street, was approved by the City for a ten (10) and eleven (11) storey office building redevelopment with substantial retention of original heritage attributes.

We have reviewed the Staff Report for Action for the Liberty for All Regeneration Area Study – Final Report dated May 11, 2026, and have the following comments on behalf of Allied. First, we appreciate the recognition of the need to address the evolving context for the portion of Liberty Village identified as Liberty Village West and to acknowledge that it should evolve, as has been the case with the eastern portions of the area, into a mixed-use community. Allied supports this long-term objective and goal.

Unfortunately, many of the policies and in particular those related to affordable housing beyond the *Planning Act* requirements (Policies 3.4 and 3.6), increased requirements for the non residential gross floor area (Policies 2.2 and 2.5), and the linking of these policy directions through

development proposals (Policies 2.4) are contrary to the “balanced and feasible” approach to development which the Staff report suggests is the intent of the Secondary Plan proposed for the area.

Notably, the requirement to provide for a greater amount of affordable housing (7% of new residential rental gross floor area or 10% of the new residential ownership gross floor area) and tenure (75 years) exceeds that which is permissible under the *Planning Act* and may exceed that set out in the City’s Inclusionary Zoning Framework. The immediate competitive disadvantage of such a policy as it relates to other areas of the City is clear and will undermine the delivery of community services and facilities which are identified as addressing current as well as future needs in the immediate area.

Similarly, the requirement to provide for 15% non-residential gross floor area for all development in the City, rising to 20% when the Ontario Line is “fully functional to Exhibition Stadium” would apply to all scales of development in Liberty West, regardless of whether that requirement is “balanced and feasible” for all developments and all sites. There is no flexibility to adjust this requirement save for an offset for the provision of affordable housing and/or community facilities. The suggested equivalency imbedded in these policies – both as it relates to the space, design and construction requirements for such uses as well as the cost/m<sup>2</sup> for land value of such different uses – is not supported by recent analysis undertaken by the City of Toronto itself in consideration of its office replacement policies. Further, the broad application of these prescriptive requirements in the Secondary Plan will result in the need for costly site-specific amendments to the Secondary Plan which alone can be a disincentive to development, particularly in a challenged market.

Finally, our client notes that the Secondary Plan is premised on work undertaken as part of a Cultural Heritage Landscape study by City staff. It is curious that while reference is made in the Staff Report to the *Ontario Heritage Act* that the City has not recommended proceeding with a Heritage Conservation District Study for the area. The identification of “heritage properties” through a Secondary Plan (through Attachment 7 of the Staff Report), together with policies that then place obligations and potential restrictions on such properties, has been undertaken in this instance without the appropriate and necessary safeguards afforded to property owners under the *Ontario Heritage Act*.

Further, while Map 8 contains built heritage features and other heritage elements, this mapping has been undertaken without municipal addresses, making it impossible for example to cross reference with the City’s Heritage Register. While community consultation through a planning study is valuable, it cannot supplant the statutory obligations of notice afforded through the *Ontario Heritage Act*. As a property owner with extensive experience with properties designated under Part IV and within areas designated under Part V of the *Ontario Heritage Act*, Allied values and relies upon those statutory protections, just as it meets the obligations placed upon it as an established owner and operator of designated properties.

Our client will continue to review, with input from its consultants, the draft Secondary Plan. At this juncture, Allied objects to the policies identified above in Sections 2 and 3 and the approach taken by the City with respect to heritage resources as set out in Section 8 and on Map 8. Allied reserves the right to supplement this letter with further written submissions, particularly following a detailed review of the implications of the Secondary Plan on the Allied Properties.

Yours truly,

AIRD & BERLIS LLP



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cc: Client  
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