

# DEVINE PARK LLP

PLANNING AND DEVELOPMENT LAWYERS

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Matter No. F005-05

September 9, 2021

**DELIVERED BY EMAIL (nycc@toronto.ca)**

North York Community Council  
North York Civic Centre  
Main floor, 5100 Yonge St.  
Toronto, ON M2N 5V7

**Attention: Ms. Carlie Turpin, Secretariat**

Dear Members of Council:

**RE: NY26.10 - Preliminary Report (August 20, 2021) - Zoning By-law Amendment and Plan of Subdivision Applications - 1 to 3 Concorde Gate and 10 to 12 Concorde Place (Municipal File Nos. 21 179555 NNY 16 OZ & 21 179556 NNY 16 SB)**

**Proposed Staff Recommendation #4**

**Letter of Objection of Fengate CCC Holdings LP**

We are the solicitors for Fengate CCC Holdings LP ("**Fengate**"), the owner of the lands municipally known as 1-3 Concorde Gate and 10-12 Concorde Place in the City of Toronto (the "**Subject Site**").

On June 30, 2021, our client submitted applications for a zoning by-law amendment and draft plan of subdivision approval, to facilitate the redevelopment of the Subject Site (collectively, the "**Applications**"). We understand that City staff have prepared a preliminary report respecting the Applications, which is scheduled to be considered by North York Community Council on September 13, 2021 (the "**Staff Report**").

On behalf of our client, we are writing to express our collective concerns respecting Recommendation No. 4 included in the Staff Report, and to respectfully request that this recommendation be amended or refused.

Among other matters, the Staff Report recommends that staff undertake a "Focused Area Study" of the area surrounding the Subject Site (Recommendation No. 3), noting the scale of the subject Applications and a proposal at 175 Wynford Drive as the ostensible rationale for this study. The Staff Report states that the study would develop "a planning framework, including a set of policies to guide development for a complete community", and goes on to recommend that the Applications be reviewed concurrently with, and within the context of, this "Focused Area Study" (Recommendation No. 4).

With all due respect, we must strenuously object to any suggestion that the Applications should be prejudiced by undue delay or changing policy standards. Municipal authorities are obligated to consider planning applications in an open, transparent and rational manner, and this recommendation is antithetical to those obligations.

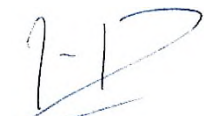
Our client, with its consultants, have invested significant time, energy and resources in developing the concept proposal which the Applications facilitate. This investment of time and resources included consultation with City staff at a pre-application consultation held May 19, 2021, as well as extensive review and analysis of the existing policy context for the Subject Site and its surrounding area. In addition to ensuring that the proposal meets all of the necessary tests and standards in the *Planning Act*, the Applications have been carefully designed to provide for a complete community, including a local public road, two public parks, community spaces, and other public amenities. While we appreciate that City staff now wish to revisit the existing policy context through a "Focused Area Study", it would be neither appropriate nor fair to delay processing of the Applications, or to introduce new standards to apply to the Applications, long after they have been prepared and submitted.

Notwithstanding these concerns, our client and its consultants are committed to participating in an open and transparent public planning process, and respectfully request notice of any consideration or decisions made with respect to staff's recommendation of a "Focused Area Study".

We also look forward to working productively and expeditiously with the community and City staff to process and refine the Applications, in order to achieve the best development for the Subject Site.

If you have any questions regarding the above, please do not hesitate to contact me at 416.645.4572 or by email at [jason.park@devinepark.com](mailto:jason.park@devinepark.com).

Yours very truly,  
**Devine Park LLP**

A handwritten signature in blue ink, appearing to read 'J-Park', with a large, sweeping flourish underneath.

Jason Park  
AGF/JIP

Attachments

cc: Fengate CCC Holdings LP