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June 13, 2016

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BY EMAIL

teycc@toronto.ca;Ellen Devlin
Administrator
Toronto and East York Community Council
Toronto City Hall, 2nd Floor, West Tower
100 Queen Street West
Toronto ON M5H 2N2

Dear Ms. Develin

**Re: Final Report –TOcore : Updating Tall Building Setbacks in the Downtown
City Initiated Official Plan Amendment and Zoning By-law Amendments
Item: TE17.14**

We act for Ferncastle (Front Street) Inc., the developer of lands municipally known as **8 The Esplanade** (the “subject lands”).

Please accept this letter as our written submission pursuant to Section 34(19) of the *Planning Act*.

The subject lands are located within the Downtown Core at the northeast corner of Yonge Street and The Esplanade. The subject lands are regulated by Zoning By-law 438-86 as amended by site specific Zoning By-law 860-2008 and Minor Variance Decision A0613/11TEY.

The subject lands are not regulated by By-law 569-2013.

The City initiated amendment to Zoning By-law 438-86 indicates:

“(5) None of the provisions of this exception 12(2)X shall apply to prevent the continued use of a tower constructed pursuant to a building permit issued prior to July 11, 2016”

It is our submission that this clause should include properties which are currently under construction pursuant to a conditional building permit as well as properties which are constructed pursuant to a final building permit.

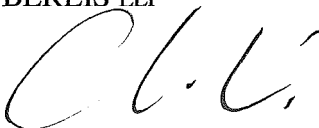
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In addition, in consideration of the history of planning approvals pertaining to the subject lands Zoning By-law 860-2008 should be included in the list of site specific by-laws which are excluded from the proposed city initiated Zoning Amendment to regulate the Tower Building setbacks.

Yours truly,

AIRD & BERLIS LLP



Christopher J. Williams

c. Ferncastle (Front Street) Inc.

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