

November 14, 2017

Ms. Nancy Martins
Planning and Growth Management Committee
10th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Ms. Martins:

**RE: MURRAY ROAD REGENERATION AND LAND USE STUDY
20 MURRAY ROAD
OUR FILE 1527A**

Innocon owns and operates the existing concrete batching facility located at 20 Murray Road in Toronto (the "Site" and the "Existing Facility"). We are writing to advise the Planning and Growth Management Committee of our concerns regarding the Murray Road Regeneration and Land Use Study (the "Study") in regard to the Existing Site.

Background

The Existing Facility has been in operation on the Site since 1960, almost 57 years. We purchased the Existing Facility from the Teskey family in 2012. The Existing Facility employs approximately 50 people currently. The Existing Facility is a key supplier of concrete for construction projects in the core of the City. Projects that have been supplied from the Existing Facility include; Eglinton Light Rail Transit expansion, The Spadina Subway Expansion, Humber Hospital, the E Condo (Yonge and Eglinton), Various road improvements in North York and Etobicoke as well as numerous other residential and community projects.

In addition to the purchase of the business, we have a long-term land lease on the Site which permits us to continue operating the Existing Facility on Murray Road. We intend to continue to operate the Existing Facility in this location for the foreseeable future.

In December 2015, we submitted a site plan application for an additional concrete batching plant at 62 Murray Road (the "Additional Site"). The additional concrete batching plant was intended to serve a growing demand in this market serving a variety of public infrastructure, institutional, commercial and residential projects.

In early 2016 the City enacted an interim control by-law 71-2016 (the "Interim Control By-law") which applied to both the Site and the Additional Site. The purpose of the Interim Control By-law was to allow for a study to be undertaken of the Murray Road Properties. The Interim Control By-law was extended and is now set to expire on February 3, 2018. The Study was prepared in the context of the Interim Control By-law. As a result of the Interim Control By-law, we have withdrawn the site plan application on the Additional Site.

Murray Road Regeneration and Land Use Study

We reviewed the Study which is contained in the City staff report dated October 26, 2017. The Study recommends that the permissions for our Existing Facility on the Site be removed. The Study further notes that the permission is considered incompatible with the surrounding community and the emerging vision for the Study Area as outlined in the Regeneration Area designation. We are surprised with the recommendation of the Study as we have been actively involved in Study and we made it clear that the fact that the existing operations are intended to remain. We are surprised that the City is considering removing zoning permission for an ongoing business on lands that have been employment lands for a long time.

In our opinion the recommendations of the Study are not consistent with the policies of the Provincial Policy Statement which provides direction with respect to *'the protection and preservation of Employment areas for current and future uses'*. The Existing Facility is considered to be a mineral aggregate operation and the Provincial Policy Statement also protects *'mineral aggregate operations from development and activities that would preclude or hinder expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact'*.

Should the City adopt the recommendations of the Study, the Existing Facility would become a legal non-conforming use of the Site. Removing the land use permission severely impacts our ability to continue providing concrete resources to many City of Toronto and surrounding area projects. In addition, this status would make it difficult to facilitate improvements to the Existing Facility that would be beneficial to the community and for the efficient operation of the business.

Request

In order to permit this long standing business to continue to serve the City, we request that the City include policies and regulations in any implementing planning instruments that recognize the Existing Facility as a permitted use and further allow upgrades/enhancements to the Existing Facility.

We look forward to working with the City on a solution regarding the land use permissions and recognition of the Existing Facility.

Yours very truly.

A handwritten signature in black ink, appearing to read "Wayne London". The signature is stylized with a large initial "W" and "L".

Wayne London
President
Innocon

416-200-0454

Email Wayne.london@innocon.on.ca