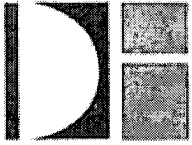


PG28.2.270

Please refer to: **John M. Alati**
e-mail: johna@davieshowe.com
direct line: 416.263.4509
File No. 702642



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Ms. Ulli S. Watkiss, Clerk
City of Toronto
City Hall, 100 Queen Street West
13th Floor, West Tower
Toronto, ON M5H 2N2

Dear Ms. Watkiss:

**Re: Official Plan and Municipal Comprehensive Reviews (Item PG28.2)
Chapter 7, Site and Area Specific Policy No. 434
29 Judson Street, Etobicoke (the "Site")**

We are counsel to ML Ready Mix Concrete Inc., the owner of the Site. We are writing in response to the City's proposed Site and Area Specific Policy No. 434. The policy purports to prohibit a concrete batching use on the Site.

It is our opinion that a prohibition of this kind is inappropriate and does not represent good planning. Moreover, said prohibition ignores the legal non-conforming status of the current concrete batching use on the Site. As such, reference to the Site should properly be deleted from the policy.

In the alternative, Council should direct staff to apply similar policy language to the Site as used with other concrete batching plants in the Official Plan; whereby the concrete batching use continues to be permissible only until such time as the existing use ceases, following which residential or mixed uses are permitted. This treatment is amenable to our client, and better represents the nature of the existing use.

We trust that this is satisfactory at expressing our client's concern. Please provide our firm with notice of Council's decision.

Yours truly,
DAVIES HOWE PARTNERS LLP

A handwritten signature in black ink, appearing to read 'John M. Alati'.

per: John M. Alati

JMA:MD

copy: Client

[DHP 00314292]