



Canadian Fuels
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July 8, 2020

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**RE: Toronto Planning & Housing Committee – July 13, 2020 meeting – Agenda Item PH15.3
Finch Ave. West/Tangiers Rd. proposed residential development application 1285, 1295 and 1315,
1325 Finch Avenue West and 30 Tangiers Rd. (Files # 20 114224 NNY OZ and # 20 114230 NNY 06SB)**

Dear Madam:

I am writing you on behalf of the Canadian Fuels Association (“Canadian Fuels”), **in opposition to the above proposed change to the Zoning By-Law and the associated residential development project.** Canadian Fuels is a national association of Canadian refiners and marketers of petroleum products¹. Our purpose is to serve and represent the petroleum industry with respect to the environment, health and safety and business issues. Our members supply the fuels that power Canada’s planes, trains, trucks, ships and automobiles, and heat homes across Canada. The uninterrupted supply of petroleum fuel products is critical to the daily functioning of our society and economy.

While our members are competitors in the market place, the members work together under the Canadian Fuels umbrella on various topics such as environmental, zoning, traffic access, tanker truck circulation and health and safety issues which may be common to the industry.

The companies, Imperial Oil (Esso), Shell Canada and Suncor Energy (Petro-Canada) which are Canadian Fuels members own and operate the three fuel storage and distribution terminals (“Fuel Terminals”)

¹ Canadian Fuels members: Federated Co-operatives Limited, Husky Energy Inc, Imperial Oil Limited, Irving Oil, North West Redwater Partnership, Parkland Fuel Corporation, Petro-Canada Lubricants Inc., Shell Canada Limited, Suncor Energy Products Partnership, Valero Energy Inc. and Tidewater Midstream and Infrastructure Ltd.

located in the north-east quadrant of the Keele/Finch area since mid 1950's, when they were originally surrounded by a rural area which has gradually become Core Employment Areas and more recently a Provincially Significant Employment Zone (PSEZ-9).

The Fuel Terminals are located within a large homogeneous Employment Area block and are designated Core Employment Area as per the Toronto Official Plan (OPA 231). The Fuel Terminals occupy land which is zoned Employment Heavy Industrial (EH) as per the Former City of North York ZBL No. 7625.

This major facility of three Fuel Terminals, which is the largest volume fuel storage/distribution industry complex in Canada, is strategically located in the middle of the Greater Toronto Area ("GTA"), providing approximately 95 % of the liquid transportation fuels (gasoline/diesel), heating and other fuels used by businesses, governments, public transit and private motorists, serving approximately 8 million people within the GTA and beyond.

These Fuel Terminals are supplied via pipeline directly from the refineries located in Sarnia, Nanticoke and Montreal, which is the most efficient mode of transportation for liquid fuel products and which dictates their physical location. Some specialty fuel products and additives are also received via rail tank-cars. The terminals operate 24 hours/day, 7 days/week, handle a large quantity of highly flammable fuels and ship approximately 750 tanker-trucks per day in order to meet the fuel needs of the GTA and the southern Ontario region. The Fuel Terminals also support Pearson International Airport with a reliable source of jet fuel.

Additionally, these Fuel Terminals are considered critical infrastructure by the Ministry of Energy and Emergency Management Ontario (EMO) and are part of the Ontario Government Emergency Fuel Distribution Protocol. During a declared emergency, supplies of fuel may become a government-controlled commodity in order for communities and critical infrastructure sectors to maintain essential services. In a declared Provincial emergency, the Province may invoke emergency powers and orders under Section 7 of the *Emergency Management and Civil Protection Act* to control the use and or distribution of fuel.

The Fuel Terminals are considered Class III industries by the Ontario Ministry of Environment and Energy ("Ministry"). The Ministry's D-6-3 guidelines recommends a minimum distance of 300 metres between the property line of Class III industries and sensitive land uses such as residential, in order to protect people and the environment.

The companies operating the Fuel Terminals are known for their cultures of safety and operational management, which reflect upon excellent procedures in operating, testing, and maintenance and have high safety procedures and controls to reduce the frequency and consequences of potential uncontrolled, unplanned, or accidental releases to the environment. The companies have for upmost objective to continue to minimize health and safety risks associated with their operations.

We strongly oppose the proposed development project which introduces sensitive uses such as residential east of the Keele/Finch intersection in such close proximity to the Fuel Terminals (Approx. 100 metres). In our opinion, residential use is incompatible with the ongoing operation of the Fuel Terminals. The proposed introduction of sensitive land uses such as residential in such close proximity to the Employment Area and Employment Heavy Industrial zoning where the Fuel Terminals are located could potentially force the Fuel Terminals to have to alter their operations, particularly when the environmental certificates that these industries operate under are affected, or complaints are lodged about adverse effects resulting from their industrial operations.

We bring to your attention the Toronto Official Plan OPA-231 which provides the following policy which has been endorsed at LPAT, with regard to compatibility between existing Employment Areas and sensitive land uses, including residential.

Policy 2.2.4(5): *“Sensitive land uses, including residential uses, where permitted or proposed outside of and adjacent to or near to Employment Areas or **within the influence area of major facilities**, should be planned to ensure they are appropriately designed, buffered and/or separated as appropriate from Employment Areas and/or major facilities as necessary to:*

- a) prevent or mitigate adverse effects from noise, vibration, and emissions, including dust and odour;*
- b) minimize risk to public health and safety;*
- c) prevent or mitigate negative impacts and minimize the risk of complaints;*
- d) ensure compliance with environmental approvals, registrations, legislation, regulations and guidelines at the time of the approval being sought for the sensitive land uses, including residential uses; and,*
- e) permit Employment Areas to be developed for their intended purpose.”*

Policy 2.2.4(5b): *“Add the following sidebars adjacent to Policy 5:*

'Major Facilities

"Major facilities" means facilities which may require separation from sensitive land uses, including but not limited to airports, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Influence Area

"Influence Area" means any lands and land uses within the potential zone of influence of a major facility, taking into consideration both current and reasonable potential future operations, within which there could be a potential for adverse effect. A zone of influence may extend beyond the boundaries of Employment Areas, but does not include lands and land uses within Employment Areas.”

The proposed application for a change to the Zoning By-Law to permit the construction of the three 14 storey mixed-use buildings, which would include sensitive uses such as 818 residential condo units, is

clearly located within the Influence Area of the Major Facilities which are the Fuel Terminals. **We therefore request that this application be denied due to its incompatibility and close proximity to the industrial operations of the Fuel Terminals.**

Sincerely,



Marc Gagnon
Director, Government & Stakeholder Relations

Cc:

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