



Canadian Fuels
ASSOCIATION
canadienne des carburants

2869 Bloor Street W., Suite 121
Toronto, Ontario
Canada M8X 1B3
t. 647.459.0391
canadianfuels.ca

December 4, 2020

City of Toronto Planning and Housing Committee
C/O Ms. Nancy Martins
10th Floor, West Tower
City Hall
100 Queen Street West
Toronto, On
M5H 2N2
E-mail: phc@toronto.ca

**RE: Planning & Housing Committee – December 8, 2020 meeting – Agenda Item PH19.1
Keele Finch Plus Study**

Dear Members of the Planning and Housing Committee;

I am writing on behalf of the Canadian Fuels Association (“Canadian Fuels”), **to express concerns with some of the proposed sensitive land uses contained in the Keele Finch Plus Study.** Canadian Fuels is a national association of Canadian refiners and marketers of petroleum products. Our purpose is to serve and represent the petroleum industry with respect to the environment, health and safety and business issues. Our members¹ 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 marketplace, they 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”) shown on “Appendix A” and located in the north-east quadrant of the Keele/Finch area since mid-1950s,

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

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 one of the largest homogeneous Employment Area block within the City of Toronto 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).

This **world class complex** of three Fuel Terminals:

- is the **largest** volume fuel storage/distribution industry complex in Canada;
- provides approximately **95 %** of the liquid transportation fuels (gasoline/diesel), heating and other fuels used by businesses, governments, public transit, airlines and private motorists in the Greater Toronto Area (“GTA”);
- serves approximately **8 million people** within the GTA and beyond;
- is **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;
- **operates 24 hours/day, 7 days/week**, handles a **large quantity of highly flammable fuels** and ships approximately **750 tanker-trucks per day** in order to meet the fuel needs of the GTA and the southern Ontario region;
- **supports the Pearson International Airport** with a dedicated, reliable source of jet fuel and is critical to the growth and operations of one of North America’s largest transportation hubs;
- is considered critical infrastructure by the Ministry of Energy and Emergency Management Ontario (EMO) and is part of the **Ontario Government Emergency Fuel Distribution Protocol**, which means, in a declared Provincial emergency, the Province may invoke emergency powers and orders to control the use and or distribution of fuel;
- is located within a **Provincially Significant Employment Zone (PSEZ)** in the Growth Plan; and
- is considered as a Class III industry 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.

We have previously provided comments on the Keele Finch Plus Study. In addition to a number of meetings that we have had with the City of Toronto (“the City”) planning staff during the past 4 years, we have also submitted various correspondences.

We thank the City staff for meeting with us on multiple occasions, considering our concerns, and, in some cases, making updates to the draft OPAs to reflect our input. However, the OPAs as presented to Planning and Housing Committee still do not adequately recognize the important function the Fuel Terminals serve in the broader Toronto area, nor do they adequately protect for the continued, and potentially expanded, function of the Fuel Terminals. One of the major issues is that the proposed land

use designation within the OPAs does not adequately reflect the **needed mitigation of public safety risk** in close proximity to the Fuel Terminals.

We continue to oppose the proposed “Mixed Use Area A” land use designation which introduces sensitive land uses such as residential east of the Keele/Finch intersection in close proximity to the Fuel Terminals (Approx. 150 metres as shown on “Appendix A”). In our opinion and based on the recent technical Consequence Analysis Study described further, the proposed close proximity of sensitive land uses is incompatible with the ongoing operation of the Fuel Terminals. The proposed introduction of sensitive land uses 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 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 realize that the land use recommendations in the proposed OPAs and Secondary Plan for the east side of the Keele-Finch intersection are in part based on the conclusions of the WSP Keele-Finch Plus Noise, Air Quality and Safety Study (“the Study”) dated January 23, 2020, which had been commissioned by the City.

We appreciate the fact that the City provided Canadian Fuels with the opportunity to conduct a peer review of the above WSP Study. Such peer review was conducted by the engineering firm SNC-Lavalin (“SNC”) and the findings were contained in the SNC technical memo dated February 11, 2020 which was provided to the City. This memo identified a number of concerns regarding the WSP Study and recommended follow-up assessments regarding **various issues including safety**.

The SNC technical memo recommended that the safety portion of the WSP Study be re-assessed to establish more appropriate setback distances because the public safety risk appeared to have been underestimated as the safety portion of the Study was mainly focused on the consideration of potential pool fires at the Fuel Terminals. The assessment within the WSP Study should have included consequences for a broader range of potential accident scenarios.

In the absence to date of a re-assessment of the WSP Study and considering the importance of public safety, Canadian Fuels has commissioned a detailed technical Consequence Analysis Study (“Analysis”) from SNC which we have recently shared with the City planning staff for their consideration.

The Analysis concludes that sensitive uses including high-density residential uses within 300 m from the Fuel Terminals retention berms would not be appropriate for public safety reasons. This Analysis also confirms that up to now, the existing residential uses in the area have been outside the 300 m influence area of the Fuel Terminals.

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. Risks are reduced as much as possible, but they cannot be eliminated completely. Such accidents have not

occurred to date at the Fuel Terminals however, they have occurred internationally over the years at other fuel terminals and this is the reason that there is a need here to be cautious and plan properly in order to minimize long term public safety risks.

Considering the importance of long term public safety and in light of the information contained in the SNC Analysis which was recently provided to City staff, we respectfully request that the Planning and Housing Committee directs the City staff to work with the Fuel Terminals in order to revise the OPAs in a manner that satisfies their outstanding operational and public safety concerns and also the City's long term objectives.

Yours truly,



Marc Gagnon
Director, Government & Stakeholder Relations

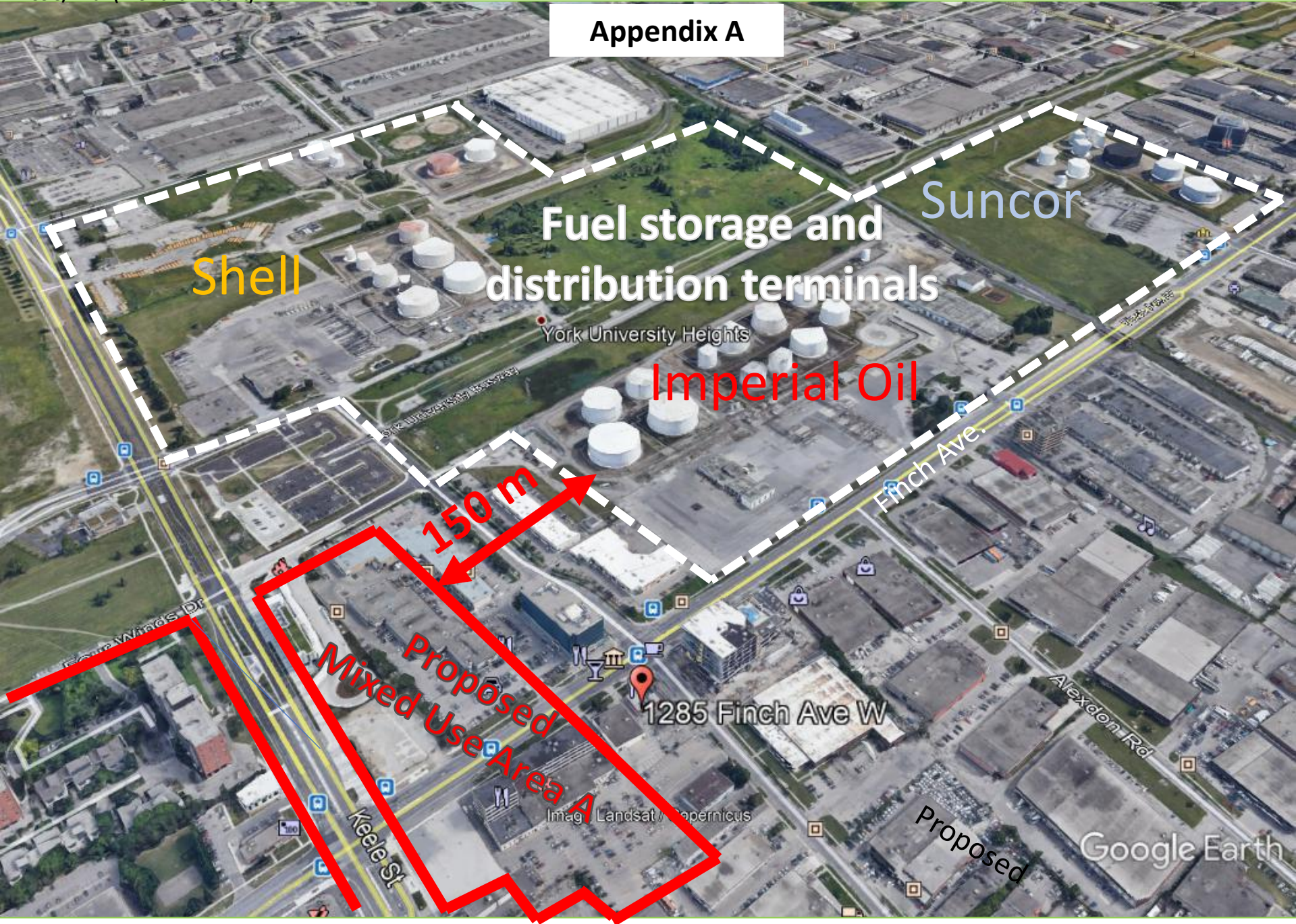
Cc:

Matt Armstrong, Planner, City Planning Division, City of Toronto, matt.armstrong@toronto.ca

Cassidy Ritz, Project Manager, Strategic Initiatives, City of Toronto, cassidy.ritz@toronto.ca

Jane Pepino, Aird & Berlis, jpepino@airdberlis.com

Appendix A



Shell

Suncor

Fuel storage and distribution terminals

Imperial Oil

150 m

Proposed Mixed Use Area A

York University Heights

1285 Finch Ave W

Finch Ave.

Keele St

Alexdon Rd

Proposed

Google Earth