

Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, Canada M5L 1B9
Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

Calvin Lantz
Direct: (416) 869-5669
E-mail: clantz@stikeman.com

BY E-MAIL AND COURIER
clerk@toronto.ca

December 8, 2015
File No.: 135211.1001

13th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Members of City of Toronto Council

Dear Sirs/Mesdames:

Re: Item PG8.5
Official Plan Five Year Review: Final Recommendation Report –
Amendments to the Healthy Neighbourhoods, *Neighbourhoods* and
***Apartment Neighbourhoods* Policies of the Official Plan**
OPA No: Proposed Official Plan Amendment No. 320
Client: Canadian Propane Association

We are the solicitors for Canadian Propane Association (“CPA”). We have reviewed proposed Official Plan Amendment No. 320, as contained in the Final Recommendation Report, dated October 15, 2015, in the context of the proposed modifications recommended by the Planning and Growth Management Committee at its meeting held on November 16, 2015 (“OPA 320”).

CPA has various concerns with the proposed changes under OPA 320, particularly with the lack of land use transition policies for separation distances from propane transfer, handling, and storage facilities. Although OPA 320 addresses some aspects of appropriate transition from *Neighbourhoods* and *Apartment Neighbourhoods* to other forms of uses, OPA 320 fails to address issues of transition and notice for such propane facilities.

This omission is especially glaring in light of the City of Toronto’s City-wide Zoning By-law 569-2013, which requires a propane transfer, handling, and storage facility to be located on property zoned Employment Heavy Industrial Zone (EH), and that such lot must be at least 500 metres from a lot in a Residential Zone category, Residential Apartment Zone category, Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category, or Open Space Zone category.

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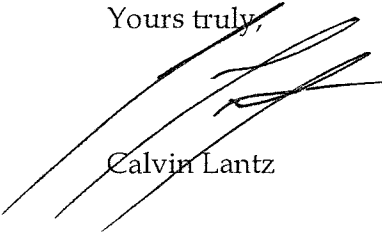
SYDNEY

While CPA respectfully disagrees with some of the regulations in By-law 569-2013 pertaining to propane facilities, it would be appropriate to have policies in OPA 320 to protect such propane facilities from rezonings that add sensitive land uses within the required setback area of a propane facility. If a rezoning to permit a sensitive land use should occur within the required propane facility separation distance, the propane facility use does not become a legal non-conforming use but becomes an illegal use (because the use complied with the By-law and the terms of the By-law were not changed to cause the non-compliance) through no fault of the propane facility. In establishing policies respecting appropriate transition from *Neighbourhoods* and *Apartment Neighbourhoods*, OPA 320 should reference the need to ensure that permissions for sensitive land uses do not encroach on the separation requirements for propane facilities established in Zoning By-law 569-2013.

Please note that we reserve the right to raise further issues with OPA 320 that may affect our client's properties. Additionally, please provide us with notice of all upcoming meetings of Council and Committees of Council at which OPA 320 will be considered as well as notice of any Council or Committee decisions.

If you have any questions or require further information, please contact the undersigned. Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Calvin Lantz", written over a horizontal line.

Calvin Lantz

CWL/jsc

cc. Andrea Labelle, *Canadian Propane Association*