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October 31, 2016

**By E-Mail Only to [clerk@toronto.ca](mailto:clerk@toronto.ca)**

Toronto City Council  
Toronto City Hall  
100 Queen Street West  
Toronto, Ontario  
M5H 2N2

**Attention: Ulli Watkiss, City Clerk**

Dear Ms. Watkiss:

**Re: Steeles-Redlea Regeneration Area Study  
Item PG15.5**

We are counsel to Global Fortune Real Estate Development Corporation (“Global Fortune”), the owner of lands located within the Steeles-Redlea Regeneration Area, including the lands municipally known as 4665 Steeles Avenue East (the “Lands”).

At its meeting on October 17, 2016, the City’s Planning and Growth Management Committee (the “Committee”) considered a report from the City’s Chief Planner and Executive Director, City Planning Division dated September 29, 2016 (the “Staff Report”).

The Staff Report recommends, among other things, that City Council adopt an Official Plan Amendment to redesignate lands on the south side of Steeles Avenue East, including the Lands, from *Regeneration Areas* to *Mixed Use Areas*, subject to a Site and Area Specific Policy (SASP 395).

In support of its recommendations, and recognizing the existence of various commercial and industrial land uses to the south of the Steeles-Redlea Regeneration Area, the Staff Report referred to various land use compatibility assessments that had been undertaken by Global Fortune’s noise and air quality consultant, Novus Environmental Inc. (“Novus”), as well as responses from the City’s peer review consultant, Golder Associates Ltd. (“Golder”).



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More specifically, the Staff Report notes as follows:

Novus provided responses to Golder's peer reviews by way of Addendums to the Noise & Vibration Feasibility Study and Air Quality Compatibility Study. Novus' responses were also reviewed by Golder. Based upon these reviews, Golder has advised City Staff that they are in general agreement with Novus' responses and that Novus has been able to demonstrate that introducing residential uses on the Global Fortune lands at 4665 Steeles Avenue East is possible with the recommended mitigation measures / implementation controls in place. It is also acknowledged that additional studies will be required in support of the proposed detailed design through the related site plan approvals process. [emphasis added]

During the Committee meeting, a question arose regarding the impact, if any, of certain information that had recently been provided to Novus by the noise and air quality consultants for D. Crupi & Sons Ltd. ("Crupi"), an industrial owner to the south of the Steeles-Redlea Regeneration Area, on the conclusions reached by Novus.

In response, Mr. Scott Penton, P.Eng. and Mr. Nigel Taylor, M.Sc., QP of Novus advised the Committee that they had reviewed the information provided by Crupi's consultants and that it did not change the conclusions of their reports that were reviewed and accepted by Golder.

To confirm the advice they provided to the Committee, Mr. Penton and Mr. Taylor have prepared an addendum memorandum dated October 24, 2016, which has been filed with City Planning staff. A copy of the memorandum is enclosed with this letter and is being provided to City Council to be considered together with the Staff Report at its meeting on November 8 and 9, 2016.

We note that the conclusion of the Novus memorandum dated October 24, 2016, is as follows:

Novus has reviewed the site-specific air quality, odour and noise information subsequently supplied by the consultants for Crupi in July 2016, and we have updated our analyses accordingly. The additional information does not change the conclusions of our June 2016 studies.



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We can unequivocally state that with the inclusion of the recommended receptor-based noise and air quality mitigation measures discussed in our reports, mixed use development (including residential uses) is feasible and appropriate [at 4665 Steeles Avenue East].

Thus, it is confirmed that the introduction of residential uses on the Lands will be compatible with the existing and planned land uses in the immediate area and that the recommended *Mixed Use Areas* designation for the Lands is therefore appropriate. Accordingly, we urge City Council to accept the recommendations of the Chief Planner and to adopt the proposed Official Plan Amendment.

Kindly ensure that we receive notice of City Council's decision(s) regarding this matter. In the meantime, please do not hesitate to contact us if you have any questions or require anything further.

Yours truly,

**DAVIES HOWE PARTNERS LLP**

Mark R. Flowers  
Professional Corporation

encl.

copy: Councillor David Shiner, Chair of Planning and Growth Management Committee  
Councillor Jim Karygiannis  
Client  
Scott Penton / Nigel Taylor, Novus Environmental Inc.

October 24, 2016

Mr. Paul Zuliani, RPP, MBA  
Director (Acting)- Toronto Community Planning (East)  
Scarborough Civic Centre  
150 Borough Dr.  
Scarborough, ON, M1P 4N7

Dear Sir:

**Re: Environmental Air Quality, Noise & Vibration Feasibility Studies  
Addendum #2 - Effect of D. Crupi & Sons Site-Specific Emissions  
Information on Predicted Impacts  
Proposed 4665 Steeles Avenue East Development  
Global Fortune Real Estate Development Corporation**

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## **1.0 Introduction**

Novus Environmental Inc. (Novus) was retained by Global Fortune Real Estate Development Corporation (Global Fortune) to conduct Environmental Air Quality, Noise and Vibration Feasibility Assessments for the proposed mixed-use residential development located at 4665 Steeles Avenue East ("the site").

The purpose of this letter is to document the history of the assessments conducted by Novus for the site, the peer review work conducted for the City by Golder Associates Ltd. (Golder), and to address the effects of site-specific emissions information obtained from D. Crupi and Sons Ltd. (Crupi) on the results of our assessment.

### **1.1 Key Findings**

Novus has reviewed the site-specific air quality, odour and noise information supplied by the consultants for Crupi in July 2016, and updated our analyses accordingly. **The additional information does not change the conclusions of our June 2016 studies, which were based on conservative worst-case assumptions.** The June reports and September addendum letters were peer reviewed by Golder and were accepted. We can unequivocally state that with the inclusion of the recommended receptor-based noise and air quality mitigation measures

discussed in our reports, mixed use development (including residential uses) is feasible and appropriate on this site.

## **2.0 Current Assessment Reports and Reviews**

Our assessment was documented in the Novus Reports entitled:

- “Air Quality Compatibility Study, Proposed 4665 Steeles Avenue East Development Global Fortune Real Estate Development Corporation, Toronto, Ontario” dated June 28, 2016.
- “Environmental Noise & Vibration Feasibility Study, Proposed 4665 Steeles Avenue East Development Global Fortune Real Estate Development Corporation, Toronto, Ontario” dated June 29, 2016.

Golder was retained by the City of Toronto to carry out a peer review of the assessment work. Their results are documented in a technical memorandum sent to the City of Toronto, dated September 15, 2016.

Novus prepared addendum letters intended to address the comments contained in the Golder Peer Review:

- “Addendum to Environmental Noise & Vibration Feasibility Study, Proposed 4665 Steeles Avenue East Development, Global Fortune Real Estate Development Corporation, Toronto, Ontario”, dated September 22, 2016.
- “Addendum to Air Quality Compatibility Study, Proposed 4665 Steeles Avenue East Development, Global Fortune Real Estate Development Corporation, Toronto, Ontario”, dated September 22, 2016.

Golder subsequently reviewed our additional information, was satisfied with our assessment and agrees with our conclusions and recommendations.

## **3.0 Site-Specific Data for Crupi Facilities**

Novus and Global Fortune attempted to contact Crupi and their solicitors to obtain site-specific air quality and noise emission data in April 2015. Repeated efforts were made over the next 16 months to obtain the data. Two separate sets of Non-Disclosure Agreements were signed by Novus. However, despite our best efforts, data was not provided by Crupi through their consultants (HGC Engineering and BCX Environmental) until July 18, 2016.

## **4.0 Data Used in the June 2016 Assessments**

Regardless of the lack of data from Crupi, Novus was able to fulfill our mandate to conduct noise and air quality impact assessments. Based on the City’s reporting deadlines for OPA 321,

Novus was required to file its reports with the City in June of 2016. To fulfil this requirement, Novus conducted the following actions. Site visits and reviews of aerial photographs were conducted to identify potentially significant sources of noise and air quality emissions. Property line noise and odour measurements were conducted by Novus. Noise, odour, dust and air quality contaminant emission rates were determined through engineering calculations, from published data from similar equipment, from previous measurements of similar equipment conducted by Novus, and from Emission Factors for the equipment published by the U.S. Environmental Protection Agency in Document AP-42. Existing and future expansion scenarios were developed based on the limited information provided by Crupi and other local industries. As a result, Novus was capable of conducting conservative, worst-case assessments of noise, odour, dust and air quality impacts. Both existing conditions and the potential for future expansions were considered.

Based on that assessment, recommendations for significant receptor-based noise and air quality mitigation were recommended. This conservative, worst-case analysis and the resulting recommendations were peer reviewed by Golder on behalf of the City. Golder agreed with Novus's findings and recommendations.

## **5.0 Effect of the Additional Crupi Data on the Assessment Results**

Significant modelling information on both existing operations and future expansion scenarios was provided by HGC Engineering, the noise consultant for Crupi on July 28, 2016. This information was added to Novus' noise model. While predicted sound levels on the building facades of the site vary slightly from our June 2016 noise model, the recommendations for receptor-based noise control measures are unchanged and remain fully applicable.

Very little air quality emission information was provided by BCX Engineering. Our conversations with Ms. Bridget Mills of BCX on July 18, 2016 confirmed the following:

- BCX agreed with Novus that dust and health-based air quality contaminants will not impact the proposed development site.
- No odour testing or modelling has been performed to date by Crupi or their consultants for Crupi's operations, and therefore no odour emission rate information was available from them.
- BCX is of the opinion that the worst-case fugitive source of odour is from truck loading of asphalt.
- Noise mitigation measures such as enclosed buffer balconies would be helpful in dealing with odours.

None of the additional information provided by BCX changes the odour modelling results presented in the June Novus Report, or our recommendations and conclusions. The modelling

assessment provided in our June 2016 report remains the best prediction of potential odour impacts from Crupi asphalt operations available.

## **6.0 Receptor-Based Mitigation Measures**

A number of receptor-based noise mitigation measures will be included in the building designs. The use of receptor-based mitigation reduces the impacts on industry, as mitigation does not need to be installed on industry equipment.

### **6.1 Class 4 Area Designation**

A “Class 4 area” is a type of residential or mixed use area defined under the applicable Ministry of the Environment and Climate Change (MOECC) Publication NPC-300 noise guidelines. Class 4 areas are urban (Class 1) or suburban (Class 2) areas which:

- Are in an area intended for development with new noise sensitive land uses(s) that are not yet built;
- Are in proximity to existing, lawfully established stationary source(s); and
- Have formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.

Both Novus and Golder agree that a Class 4 designation is appropriate for the development site. City Staff also agree and have recommended that the Class 4 designation be applied in the OPA 321 Mixed-Use area. The Class 4 designation provides appropriate noise guideline limits; and also allows for the use of receptor-based noise mitigation measures.

### **6.2 Blank Facades**

There will be no residential windows on the southern facades of the residential towers, which reduces potential noise and odour impacts and reduces overlook of the industrial area.

### **6.3 Noise Barrier**

A minimum 1.5 m high noise barrier will be installed along the southern and eastern edges of the Building C (Phase 2) podium amenity area.

### **6.4 Air Conditioning**

All residential and noise sensitive portions of the development will incorporate central air conditioning systems, which will allow windows to remain closed in the unlikely event that noise or odours temporarily affect residents.

## 6.5 Enclosed Buffer Balconies

Enclosed noise buffer balconies will be incorporated along the eastern facades of Towers B and C and the southern facades of their respective podiums that contain residential units (Phases 1 and 2). These are noise control measures recommended by the MOECC in Publication NPC-300. The buffer balcony is essentially equivalent to a solarium, with floor to ceiling glazing or a combination of solid parapet plus glazing above. They can incorporate operable windows to the extent allowed under the Ontario Building Code. In addition to mitigating noise, the enclosed buffer balconies further reduce the potential for odour impacts, through reducing the potential for odour infiltration into the main indoor environment.

## 6.6 Warning Clauses

A series of warning clauses will be included in agreements of purchase and sale or lease notifying the residents of the presence of the surrounding industries, rail operations, and the recommended Class 4 area designation. Such warning clauses are commonly-used and are an important part of an overall mitigation plan.

## 7.0 CONCLUSION

Novus conducted worst-case impact assessments for our June 2016 air quality, noise and vibration reports. The studies incorporated the best information available at the time, and resulted in recommendations for receptor-based mitigation measures. These analyses, reports and recommendations were further peer reviewed by Golder and were accepted.

Novus has reviewed the site-specific air quality, odour and noise information subsequently supplied by the consultants for Crupi in July 2016, and we have updated our analyses accordingly. The additional information does not change the conclusions of our June 2016 studies.

We can unequivocally state that with the inclusion of the recommended receptor-based noise and air quality mitigation measures discussed in our reports, mixed use development (including residential uses) is feasible and appropriate on this site.

Should you have any questions, please do not hesitate to contact us.

Regards,

**Novus Environmental Inc.**



R. L. Scott Penton, P.Eng.  
Acoustical Specialist

Nigel M. Taylor, M.Sc., QP  
Air Quality Specialist



c.c.: Councillor David Shiner  
Chair, Planning and Growth Management Committee

Mr. John Livey  
Deputy City Manager

Mr. Shawn Chen, President  
Global Fortune Real Estate Development Corp.

Mr. Mark Flowers, Esq.  
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