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October 19, 2017
The City of Toronto,
100 Queen St W,
Toronto, ON M5H 2N2

Waterfront Toronto,
20 Bay Street, Suite 1310
Toronto, ON M5J 2N8

Toronto and Region Conservation Authority
101 Exchange Ave
Concord, ON L4K 5R6

Re: Comments on the proposed amendment to the Former City of Toronto Official Plan for the Port Lands, with respect to CRH Canada Group Inc. land holdings

Dear Planning Committee,

To reiterate, the two industrial sites that CRH has an interest in are:

- i) **"Dufferin Concrete (DC) Plant": 650 Commissioners Road (owned by Dufferin Concrete)**
- ii) **"Ontario Redi-Mix (ORM) Plant": 8 Unwin Avenue (leased from Toronto Port Authority)**

A ready-mix concrete plant operation has been established by CRH on each of these properties.

Further to our correspondence to Committee on April 12th, we want to thank Staff for incorporating and addressing a number of the matters raised in that correspondence.

With that said, we are still not satisfied that the Land Use Directions in the Planning Framework Report goes far enough to properly justify potential impact and remove existing permissions of important industrial uses that have existed for many years in the Port Lands district, including CRH's established ready-mix concrete operations.

More importantly, it is essential that our two concrete batching plant operations remain located within the Port Lands precinct to service the needs of Toronto's infrastructure, including projects resulting from the Port Lands Acceleration Initiative.

According to the Provincial Policy Statement, such operations are considered a "mineral aggregate operation". Accordingly, any OPA is required to be consistent with the PPS, including the following policy:



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Mineral aggregate operations shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

The purpose of this policy in the PPS is to highlight the importance of sustaining industrial processes like ready-mix concrete operations that are essential to building infrastructure and allow growth, like what is envisioned in this OPA, to transpire.

In addition to haulage costs, it is critical that such operations remain close to market as ready-mix concrete is a perishable commodity that is batched upon customer demand.

Therefore, plants must be located within close proximity to construction sites. Traffic congestion along main haulage routes adds to potential delay getting in and out of the urban centre and can impact the shelf life of ready-mix concrete during delivery.

This Planning Framework Report sets out Land Use Direction affecting operations for our facilities and is missing detail including important maps and interpretation of actions to address the direct impacts. Consultation activities to date have not been consistent with the level of engagement necessary to achieve support for this amendment. A progressive approach to engagement is expected, which properly addresses land use compatibility within a working port district.

At a minimum, we ask that the OPA be reviewed in this context and that the following comments be considered:

1. **Commissioners Street:** There are a number of proposed changes to Commissioners Street near our DC Toronto plant that are likely to impact traffic logistics and efficient delivery of concrete products.

It is imperative to our business and other industries in the area that Commissioners Street and surrounding road network maintain the current ability to function as a haul route. Our ability to deliver time sensitive concrete product is critical to our business.

2. **Concrete Batching to continue as a Permitted Use:** On pages 68 and 96, the plan identifies that the DC Toronto plant will be situated in the Warehouse precinct, which is a regeneration area within a proposed "Light Industrial and Productions Area" designation.

Based on the land use typology description for the "Light Industrial and Production Areas" designation, there is no specific reference or indication that a concrete batching plant operation would fit under this category. On the other hand, concrete batching is specifically identified as a permitted activity in the "Industrial Area".



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Historically, CRH and the surrounding film production and other industrial uses have co-existed in harmony with no issues with respect to land use compatibility.

We request that the land use designation to be applied to 650 Commissioners Road and 8 Unwin Avenue as a result of this OPA will continue to provide permission for our existing land use (i.e. concrete bathing plant operation) and that appropriate land use compatibility measures be incorporated into the proposed land use plan and relative policies.

- 3. Land Use Compatibility:** The MOECC D-Series Guidelines¹ are intended to apply when a change in land use is proposed; however compatibility concerns should be recognized and addressed at the earliest possible stage of the land use planning process (ideally at the Municipal Comprehensive Review and/or Official Plan Amendment stage).

The D-6 Guidelines² recommends that a **feasibility analysis** be completed as part the Municipal Comprehensive Review process to determine whether a proposed designation introducing sensitive land uses is appropriate from a land use compatibility perspective.

While Figure 38 (pg. 112) indicates our lands have been included in 'noise and air quality impacts assessed' sites, there is no direct reference to what measures will be taken to protect existing concrete operations also in this area, particularly in light of the PPS and the D-Series Guidelines.

We want to ensure that land use compatibility be taken into consideration as Land Use Directions are being determined at this time (to eventually inform Precinct Plans).

As stated further in the Report, "separation distances, buffer uses and source mitigation continue to be preferred means for managing potential adverse effects" (pg. 111)

Accordingly, such Land Use Directions should take into consideration industrial uses that: (i) exist; (ii) that are difficult to relocate given land and haulage needs; (iii) that do not intend to relocate in the long term and (iii) are required to be situated close to market and (iv) what uses are appropriate in close proximity to industrial uses in order to avoid potential land use conflict in the future.

- 4. Notification of Precinct Planning Meetings:** The plan further mentions on page 111 that there will be future meetings for precinct planning to explore potential residential land uses in these areas. We would like to be notified when all precinct

¹ In particular, see D-1 Guidelines, see Sections 2.2 and 3.3, D-1-1 Guidelines, Section 1.2.1 and D-6 Guidelines, Synopsis

² In particular, see Section 1.1.1 and 1.1.2 of the D-1-1 Guideline and Section 4.10.3 of the D-6 Guidelines



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planning meetings are held to understand the potential future land use and financial impacts on our local operations.

5. **Warning Clause for Industries (similar to Film Industry):** The plan has included that any future residential buildings have a clause on the deed that indicates the surrounding film production. We request that a clause in purchase and sale agreements also advise residents of the potential noise and air quality exposure associated with other surrounding industrial businesses in the area. (On Page 112)
6. **Commissioners Street as a “Secondary Retail Street” and integration with Industrial Uses:** On page 116, Commissioners Street (where our DC Toronto plant is located) is highlighted as a future “Secondary Retail Street”. In some cases, retail uses can be considered a sensitive land use (e.g outdoor patios, car dealership). Promotion of locating potential sensitive land uses in this area does not seem feasible or appropriate for the reasons given above. We note that this is a new item that has not been communicated during any of the previous meetings CRH representatives have attended or documents CRH has reviewed.
7. We would like to reiterate that, in accordance with MOECC’s D-Series³ and NPC-300 Guidelines, the onus for sound mitigation studies and adaptation falls upon the developer of any sensitive land use within the zone of influence of industrial land uses.

CRH continues to object to the proposed OPA. While we understand the City would like to see a Plan put in place to revitalize this area in the long term, many industries in this area, including CRH, have significant investment and operations that are integral to being close to market. Concrete batching has existed on this site for a number of years and there is no plan to relocate that use in long term.

Therefore, the proposed OPA needs to reflect a more balanced approach that properly integrates uses in a way that they can co-exist harmoniously and allow critical industrial to continue to operate and reach its markets efficiently and without conflict.

If you have any questions please do not hesitate to contact the undersigned directly.

Yours sincerely,

Jessie Spasov, M.E.S
Sustainable Development Coordinator, CRH Canada Group Inc.

cc. Clerk, City of Toronto

³ In particular, see D-1-1 Guideline, Sections 1.0, 1.3 and 3.0 and see D-6 Guidelines, Sections 4.7 and 4.8