

May 31, 2023

BY EMAIL

Our File No.: 168129

City of Toronto Planning and Housing Committee
c/o Nancy Martins
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair Bradford and Members of the Planning and Housing Committee:

Re: Item PH4.5 – Our Plan Toronto: Recommendations on Forty-Five Employment Area Conversion Requests – Final Report

On behalf of:

- **Shell Canada Products (3978 Keele Street)**
 - **Imperial Oil (1150 Finch Avenue West)**
 - **Suncor Energy Products Partnership (1138 Finch Avenue West)**
-

Aird & Berlis LLP is legal counsel for Shell Canada Products, Imperial Oil and Suncor Energy Products Partnership.

Our clients are the owners and operators of the three large fuel storage and distribution terminals (the “Fuel Terminals”) located in the north east quadrant of Keele Street and Finch Avenue West. The Fuel Terminals have been in operation at their current locations since the mid-1950s. Ninety-five percent (95%) of the liquid transportation fuel used in the Greater Toronto Area is transported from the Fuel Terminals.

The Fuel Terminals are situated on lands zoned Employment Heavy Industrial (EH) pursuant to the City of Toronto’s Zoning By-law 569-2013 and are designated *Core Employment Areas* on Map 16 of the City’s Official Plan.

Given the importance of the Fuel Terminals to the local, provincial and national economies and their critical role in supplying fuel to Toronto area residents and businesses, they must be protected from the encroachment of non-employment uses.

Our clients have been monitoring and objecting to conversion requests in the vicinity of the Fuel Terminals due to concerns over compatibility. Conversion Request Nos. 064¹, 088² and 095³ are all within one kilometer of the Fuel Terminals and are of particular concern to our clients. Our previous correspondence to the Planning and Housing Committee regarding these requests is attached.

¹ 3897-3931 Keele Street, 14-20 Toro Road, 20-26 Tangiers Road.

² 3765, 3771 and 3777 Keele Street and 10 Lepage Court.

³ 3675-3685 Keele Street.

The purpose of this correspondence is to express our clients' support for the final assessments and recommendations on Conversion Request Nos. 064 and 095, set out in Attachment 2 to the Final Report from the from the Chief Planner and Executive Director, City Planning, "Our Plan Toronto: Recommendations on Forty-Five Employment Area Conversion Requests", dated May 17, 2023. We agree with staff recommendations, that these lands be retained as *Employment Areas* and that they continue to be designated as *Core* and/or *General Employment Areas*.

We note that a final recommendation for Conversion Request No. 088 is anticipated in July. Our client urges staff to recommend against conversion of these lands, which are closer to the Fuel Terminals than the lands staff did not support for conversion in Conversion Request No. 095.

Our clients will continue to monitor land use planning activities in the vicinity of the Fuel Terminals and will object to proposals that threaten the long-term viability of the *Employment Area* or raise concerns regarding health and safety.

Should you have any questions concerning the above, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Laura Dean
Partner

LD:km

Attachment

July 4, 2022

Our File No. 168129

City of Toronto Planning and Housing Committee
c/o Nancy Martins
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair Bailão and Members of the Planning and Housing Committee:

Re: Item PH35.15 – Our Plan Toronto: Recommended Official Plan Amendment for City-wide Employment Policies and Conversion Requests

On behalf of:

- **Shell Canada Products (3978 Keele Street)**
 - **Imperial Oil (1150 Finch Avenue West)**
 - **Suncor Energy Products Partnership (1138 Finch Avenue West)**
-

Aird & Berlis LLP is legal counsel for Shell Canada Products, Imperial Oil and Suncor Energy Products Partnership.

Our clients are the owners and operators of the three large fuel storage and distribution terminals (the “Fuel Terminals”) which are located in the north east quadrant of Keele Street and Finch Avenue West. The Fuel Terminals have been in operation at their current locations since the mid-1950s. Ninety-five percent (95%) of the liquid transportation fuel used in the Greater Toronto Area is transported from the Fuel Terminals.

The Fuel Terminals are situated on lands zoned Employment Heavy Industrial (EH) pursuant to the City of Toronto’s Zoning By-law 569-2013 and are designated *Core Employment Areas* on Map 16 of the City’s Official Plan.

Given the importance of the Fuel Terminals to the local, provincial and national economies and their critical role in supplying fuel to Toronto area residents and businesses, they must be protected from the encroachment of any sensitive non-employment uses.

We have reviewed the June 20, 2022 report from the Chief Planner and Executive Director, City Planning titled “Our Plan Toronto: Recommended Official Plan Amendment for City-wide Employment Policies and Conversion Requests - Final Report”, the proposed OPA 591 as well as the conversion request Preliminary Assessments for lands in the vicinity of the Fuel Terminals (see Group 3).

The purpose of this correspondence is to express our clients’ support for the proposed OPA 591. In particular, our client commends the inclusion of the recommended new policy 4.6.7 which would explicitly prohibit residential uses on lands designated *Core Employment Areas* and *General Employment Areas*.

Our clients also support staff's Preliminary Assessments of conversion requests for lands in the vicinity of the Fuel Terminals (see Group 3). We note that three of these conversion requests relate to lands within approximately 1 km of the Fuel Terminals (see Conversion Request Nos. 064¹, 088² and 095³). We agree with staff's recommendations, set out in these Preliminary Assessments, that the lands subject to these requests be retained as *Employment Areas* and that they continue to be designated as *Core* and/or *General Employment Areas*. We note that staff expects the Final Assessments of these conversion requests to come forward in the first half of 2023. We will continue to monitor staff's position on these requests and will continue to advocate against the conversion of lands in the vicinity of the Fuel Terminals to any sensitive non-employment uses in order to protect public health and safety and the continued reliable supply of fuel to the Greater Toronto Area. .

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

Yours truly,

AIRD & BERLIS LLP



Laura Dean
Partner

LD/km

c. Clients

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¹ 3897-3931 Keele Street, 14-20 Toro Road, 20-26 Tangiers Road

² 3765, 3771 and 3777 Keele Street and 10 Lepage Court

³ 3675-3685 Keele Street