

January 22, 2025

BY EMAIL

Our File No.: 168129

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

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

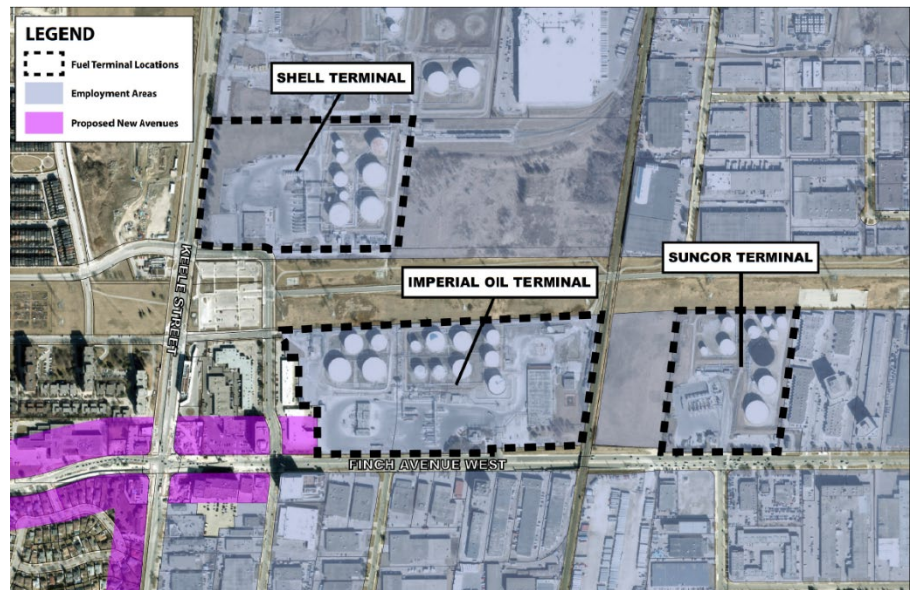
**Re: PH18.5 - Housing Action Plan: Avenues Policy Review - Decision Report (Ward All)****On behalf of:**

- **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 (“**Shell**”), Imperial Oil (“**Imperial**”) and Suncor Energy Products Partnership (“**Suncor**”) with respect to certain land use planning matters. 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, in the Duke Heights BIA.

## OBJECTION

The purpose of this correspondence is to communicate our clients’ strong objection to the identification of a portion of Finch Avenue West, east of Keele Street, as an Avenue on Map 2 (Appendix 1) of the proposed Official Plan Amendment 778 (“**OPA 778**”).<sup>1</sup> This identification would encourage mid-rise (and beyond) residential development, adjacent to large quantities of highly flammable fuel. Our clients request that Map 2 be amended to remove the proposed identification of the north and south sides of Finch Avenue West, east of Keele Street, as an Avenue.



**OVERLAY OF MAP 2: PROPOSED NEW AVENUES AT KEELE ST. AND FINCH AVENUE WEST**

<sup>1</sup> Map 2: Urban Structure with Proposed New Avenues (January 2025).

**BACKGROUND**

Ninety-five percent (95%) of the liquid transportation fuel used in the Greater Toronto Area is transported from the Fuel Terminals to gas stations and other end users. The Fuel Terminals operate 24 hours a day, 7 days a week. Approximately 600 tanker trucks fill up at the Fuel Terminals every day.

**INCONSISTENT WITH THE PROVINCIAL PLANNING STATEMENT, 2024**

The identification of an Avenue on Finch Avenue West, east of Keele Street, is inconsistent with the Provincial Planning Statement, 2024 (“**PPS, 2024**”) which requires land use compatibility between sensitive uses and employment areas to maintain the long-term operational and economic viability of the planned use and function of these areas. The Fuel Terminals have been operating in their current locations since the 1950s. The economic viability of the City and Greater Toronto Area depends on the unencumbered ability of the Fuel Terminals to distribute transportation fuels. It is inconsistent with the policies of the PPS, 2024 for the City of Toronto to direct growth to an area where essential heavy industries rely on a stable and compatible operating environment.

**FAILURE TO CONFORM WITH THE CITY’S OFFICIAL PLAN**

Map 2 of OPA 778 as currently prepared, fails to conform with policies of the City’s Official Plan which require compatibility between sensitive land uses and employment areas. The Fuel Terminals operate according to high safety standards however risk cannot be eliminated completely. Permissions for residential uses within the proposed Avenue on Finch Avenue West are contrary to the recommendations of Consequence Analysis studies commissioned on behalf of the Fuel Terminals.

In addition, the introduction of residential development through a new Avenue in this area is likely to create conflicts between the interests of the Fuel Terminals and future residents, leading to potential operational issues for the Fuel Terminals and a decline in the utility of the employment area as a whole.

**REQUEST**

Our clients request that OPA 778, as currently drafted, be amended to remove the identification of the north and south sides of Finch Avenue West, east of Keele Street, as an Avenue.

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

Yours truly,

AIRD & BERLIS LLP



Laura Dean  
Partner

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