

July 3, 2021

Sanjay Coelho
Ministry of the Environment, Conservation and Parks
Environmental Policy Branch
40 St Clair Avenue West, 10th Floor
Toronto, ON M4V1M2

Re: ERO Posting # 019-2785: Land Use Compatibility Guidelines

The Cement Association of Canada (CAC) is pleased to offer comments on the proposed Land Use Compatibility Guidelines.

We are generally supportive of the Ministry's intention to update several D-series guidelines for municipalities to use when making land use planning decisions to ensure that land uses can co-exist and avoid any impacts of conflicting land uses.

We understand that the primary goal of this proposed guideline is to reduce land use compatibility issues resulting from new development proposals under the Planning Act that involve sensitive land uses in proximity to major facilities. We are supportive of this goal and agree that it would provide more certainty for long-term, uninterrupted operations of our facilities in the communities where we operate.

However, we do have some questions with the new guideline as it is currently written, specifically as it relates to cement manufacturing facilities.

1. As a large industry in the province, we were not consulted on these proposed guidelines in advance and would like to have a better understanding of how it was determined that the current AOI for cement manufacturing was doubled to 2000m from 1000m. The document highlights that these changes are based on an analysis of the Ministry's complaint data (specific to noise and dust) from a ten-year period, *as well as* considering other ministry guidelines and regulations. We are concerned that the reference to complaint data could cause an unintended public perception issue. Our cement plants take the health and safety of their operations very seriously and operate the majority of the time without complaints or adverse effects.
2. While we are generally supportive of efforts to decrease land use compatibility issues, we also believe strongly that if these changes move forward that they should apply to the building of new cement plants only and not to expansion of existing cement plants. For example, to meet new government goals and regulations on Climate Change (e.g., Ontario government goal to reduce greenhouse gas emissions to 80% below 1990 levels by 2050) the cement industry is taking significant steps to reduce their GHG emissions. We have been working with the Ministry of Environment, Conservation and Parks on a proposed regulation change (O.Reg. 79/15) that would facilitate the use of alternative, low-carbon fuels in each of our facilities. It is anticipated that many of our cement facilities would be required to build a new storage facility on site to house these new

fuels. As the current draft proposal reads it appears that a compatibility study could be required for one of these buildings. Therefore, the definition for expanding major facility should be limited to increasing the physical site footprint (purchasing new land). This definition should not include facilities that are upgrading or otherwise modifying the operations that exist on their site.

3. We understand that cement manufacturing has been identified as a select major facility in Table 1. The description attached to the definition includes 'cement manufacturing and distribution'. We believe that this definition needs clarity as it could capture both cement manufacturing and cement terminals in the definition which we do not believe was the intention of the guideline. Cement terminals are only used as temporary centralized storage locations for the distribution of cement throughout the province and should have significantly lower AOI and MSD than a cement plant since there is no actual cement production at a terminal.

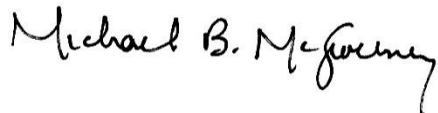
In response to other items in the proposal, we offer the following comments:

- We recommend a requirement that the proponent must contact the major facility if they are proposing a development that falls within the AOI for the facility.
- All efforts should be taken to mitigate any additional red tape or financial burden on existing facilities because of a proposed development within their AOI.

Overall, the cement industry believes that the intention of this updated guideline is good, but that further clarification is required to understand the cement specific elements of the proposal.

Therefore, we request a meeting with you to discuss at your earliest convenience and that no changes be made until there is further consultation with the cement industry.

Sincerely,



Michael McSweeney
President & CEO

c.c.:
Hon. David Piccini, Minister
Serge Imbrogno, Deputy Minister
Karen Moore, ADM, Environmental Policy Division

The Cement Association of Canada (CAC) is the voice of Canada's cement industry. Five of our companies have operated in Ontario for many decades: Ash Grove (a CRH Company); Lafarge Canada Inc.; Lehigh Hanson Canada; St Marys Cement; and Federal White Cement Inc.

Cement, concrete and aggregates facilities are in every community across Ontario, large and small. Our industry generates over 54,000 direct and indirect jobs in Ontario, and our direct, indirect and induced economic contribution is over \$25 Billion.

We are the world's most important building material. Virtually all construction projects – above and below ground – need concrete. Twice as much concrete is used than all other materials combined and is the second highest consumed commodity in the world, second only to water.

Ontario's cement producers are important participants in the national and global marketplace and provide a strategic and reliable supply of the cement required to build Ontario's provincial and municipal transportation infrastructure, buildings and homes, waterworks and dams, and of course our hospitals and schools.