

April 3, 2025

Our File No.: 221821

Via Email

Planning and Development Committee
City of Brampton, City Hall
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Sirs/Mesdames:

**Re: Planning and Development Committee Item 7.2 Recommendations Report –
Application to Amend the Secondary Plan and Zoning By-law – 69 Bramalea
Holdings Limited – Glen Schnarr & Associates Inc. – 69 Bramalea Road
Bank Bros: 109 East Drive**

We are solicitors for 2707193 Ontario Inc.¹ (the “**Bank Bros**”) the owner of the lands known municipally as 109 East Drive in the City of Brampton (the “**Bank Property**”), where Bank Bros operates a facility that transforms products from the Canadian meat industry into high quality functional proteins, fats and oils (the “**Facility**”). A map illustrating the Bank Bros property, 69 Bramalea Road and the surrounding area is attached as Schedule “A” to this letter.

We write to express Bank Bros objection to the Staff Recommendation to endorse the approval of the 69 Bramalea Road applications (the “**Applications**”).

Summary:

Bank Bros is a Canadian, multigenerational, family organization. The Facility is an important part of the Canadian meat industry supply chain economy as currently Bank Bros are uniquely capable of transforming a previous “waste” meat material into both lean proteins and high-quality fats suitable for human consumption. Bank Bros has grown its business by more than 30% on a year over year basis, with further expansion planned and employs a growing work force of over one hundred (100) people.

¹ 2707193 Ontario Inc. is a “specified person” as defined in the *Planning Act*, being the owner of lands that are subject to Environmental Compliance Approvals in an employment area within 300 metres of the proposed official plan amendment and rezoning at 69 Bramalea Road.

Our client appreciates the work that the City of Brampton (the “City”) has done to date in reviewing some of the compatibility related matters required by the Provincial Planning Statement and the Brampton Official Plan. However, a rezoning application for 458 residential units located approximately 85 metres to the Bank Property, as currently recommended by Staff, is incompatible with Bank Bros operations, has the potential to limit the Facility’s ability to operate at full capacity, and potentially limits its ability to expand operations in the future for the following key reasons:

1. Noise Impacts:

A number of surrounding industrial operations, including Bank Bros will immediately be put out of compliance with Provincial noise requirements should the 69 Bramalea applications be approved without necessary noise mitigation measures in place, as currently recommended by City Staff.

There is nothing in the Recommendations Report² or the included By-laws before the Committee that addresses noise impacts or the mitigation measures required to address noise impacts for all surrounding industrial operations, including Bank Bros. A number of necessary noise mitigation measures are listed in the Applicant’s compatibility studies and were reviewed and augmented by Bank Bros’ expert peer reviewer SLR Consulting (Canada) Ltd. (“SLR”).³ These mitigation measures include, at minimum, a required Class 4 Area designation for the 69 Bramalea Road property and the implementation of enclosed noise buffers.

2. Air Quality Impacts (Specifically Odour):

Although the Recommendations Report speaks to required Air Quality mitigation requirements at page 16 to “ensure compatibility between the development and the surrounding industrial land uses (including the Bank Brothers warehouse⁴)” these recommendation are not specific, particularly in regard to the need for enclosed balconies, and it is not clear how these necessary mitigation measures will be secured.⁵ In addition, SLR has reviewed the analysis prepared by Alliance Technical Group on which Staff rely for their recommendations and has concluded that:

² City of Brampton, **Recommendations Report** – Application to Amend the Secondary Plan and Zoning By-law (To facilitate a phased development consisting of two high-density mixed-use towers with heights of 26-storeys and 18-storeys and a total number of 458 residential units.) 69 Bramalea Holdings Limited – Glen Schnarr & Associates Inc. 69 Bramalea Road, dated March 17, 2025 prepared by Samantha Dela Pena, Development Planner (“**Recommendations Report**”).

³ A copy of the SLR noise related peer review reports are included at Schedule “B” to this letter.

⁴ City of Brampton Staff Report at page 16. As clearly noted in this letter, the Bank Bros facility is not a warehouse but an industrial manufacturing facility.

⁵ A copy of the SLR air quality related peer review reports are included at Schedule “C” to this letter.

Due to the proximity of the proposed Development to the Facility and the fact that the Development currently includes outdoor amenity areas and balconies facing the Facility, the Development will put the operations of the Facility at risk of facing frequent odour complaints and may result in environmental compliance and financial issues. Further, the Development may limit the ability of the Facility to expand operations in the future without incurring foreseeable and avoidable operational and financial burdens.

A copy of SLR's response to the Alliance Technical Group report is provided in full at Schedule D to this letter.

Background:

The Facility is one of many existing and flourishing employment industrial uses within the area surrounding 69 Bramalea Road. The Bank Property is currently identified as Employment Areas and Industrial in the City of Brampton Official Plan 2006 at Schedule 1 – City Concept and Land Use Schedule A, respectively. Brampton Plan 2024, which is currently under appeal, also identifies the Bank Property as Employment Areas at Schedule 1A – City Structure.

Bank Bros was founded in 1899 and has been operating from its current location at 109 East Drive for more than 20 years.⁶ Given the unique nature of the operations, the business would cease to operate if it were forced to move from the Bank Property.

Since acquiring the Bank Property, Bank Bros has invested over \$20 million in the Facility and its operations now represents a fundamental piece of the Canadian meat industry supply chain. Bank Bros is able to use products that once were considered a “waste” meat material as raw materials to produce high quality animal-based fats & proteins. Bank Bros intends to continue to use the Facility for such operations and is planning to expand in the near future.

There is an existing Environmental Compliance Approval (ECA) that governs the Facility's operations. In addition, further to Bank Bros' investment in modernizing and expanding its operations, the Facility is in the process of making upgrades that form the basis of seeking an updated ECA. Our client's consultant, SLR is working with the Ministry of the Environment, Conservation and Parks (MECP) on the updated ECA.

Protecting Existing Employment Uses and Ensuring Compatibility:

Bank Bros takes the position that the Applications should not be approved, as they are not consistent with the Provincial Planning Statement (2024) (the “PPS”), and do not conform with Brampton's Official Plan. The Applications also have the potential to impact Bank Bros ability

⁶ In 2017 Bank Bros acquired Hubbert's Processing and Sales Inc. the former owner of 109 East Drive.

to expand their operations in a manner consistent with its long-term plans for the Facility. Further, the introduction of hundreds of new residents in close proximity to the Facility has the potential to divert resources that could be used for expanding and improving operations to addressing noise and odour complaints.

The Applications are not consistent with the Provincial Planning Statement:

The Bank Bros Facility is considered a “major facility” as defined in the PPS.

The PPS includes express protections for existing major facilities to protect their ability to operate, and from the encroachment of sensitive uses. Policy 3.5 states that

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* is only permitted if potential *adverse effects* to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

As a sensitive land use, the Applications are required to avoid the potential for adverse effects on future residents. If avoidance is not possible, then the PPS requires that the long-term viability of Bank Bros’ both existing and planned uses is protected by (among other things) the Applications proceeding only if potential impacts on such uses are minimized and mitigated.

Based on the peer review conducted for the 69 Bramalea by SLR the potential impacts have not been minimized and mitigated at this time. Specifically, potential impacts related to noise and odour emissions from the Facility have not been addressed and this lack of proposed mitigation has the potential to result in harm to the long-term viability of the existing industry.

Policy 3.5 and the principle of the separation of major facilities and sensitive land uses is also reflected in policy 5.3.3 of the Region of Peel Official Plan and the Applications are also not in conformity with that policy.

The PPS contains general policies for Employment Areas, including policy 2.8.2 which directs that such areas be planned to maintain long term operations and economic viability of their planned use and function.

The Applications are not consistent with the Brampton Official Plan (2006)

The Applications propose high density residential development on parcels of land with isolated residential permissions surrounded by existing industrial operations in an area that is largely designated Employment and Mixed-Use Employment in the Brampton Official Plan (2006). As such, when the residential permission for 69 Bramalea were considered at the Official Plan level, the specific land use compatibility policies that were incorporated for 69 Bramalea Road in the site-specific policies of Special Land Use Policy Area 20 at Section 4.14.3.20. Policy 4.14.3.20(iii) and (iv) state that:

iii) The building shall be sited and oriented to provide an appropriate interface with the adjacent industrial area. The proposal shall provide the necessary mitigation measures both on and off-site to ensure that existing adjacent industrial uses are able to continue and/or expand their existing operation;

iv) Prior to the adoption of the implementing zoning by-law, the applicant shall demonstrate that the proposal meets noise and air quality standards for the residential portion of the development, in accordance with Section 4.6 of the Official Plan.

If approved as endorsed by Staff in the Recommendations report, the 69 Bramalea applications would result in a zoned pocket of high-density residential uses, that does not appropriately interface with the existing industrial uses, including the Facility. As set out in detail in the SLR peer reviews, the Applicant has not demonstrated that it will implement the necessary mitigation measures both on and off-site to ensure that existing adjacent industrial uses are able to continue and/or expand their existing operations as required by the site-specific policies applicable to 69 Bramalea Road. Specifically, if approved as recommended a number of surrounding industrial operations, including Bank Bros will immediately be out of compliance with Provincial noise requirements.

In addition, the Recommendations Report is not specific about and does not secure the very air quality and odour mitigation matters that are recommended to “ensure compatibility between the development and the surrounding industrial land uses (including the Bank Brothers warehouse⁷).”

Future Operations:

Both provincial policy and the site-specific requirements of the Brampton Official Plan applicable to 69 Bramalea Road expressly speak not only to existing industrial operations of

⁷ City of Brampton Staff Report at page 16. As clearly noted in this letter, the Bank Bros facility is not a warehouse but an industrial manufacturing facility.

major facilities, they also require the protection of the long-term viability of such operations. If a new sensitive uses consisting of 458 new residential units is approved and built in the form proposed and in such close proximity to the Facility, Bank Bros' ability to respond to technological advances in manufacturing and to expand its operations on the Bank Property may be permanently limited. Further, the impediment on Bank Bros' ability to innovate and expand could negatively impact Canada's meat industry by limiting the ability to transform previous "waste" meat material into high quality functional proteins, fats and oils and could threaten an over 100-year-old Canadian family business.

Finally, Staff's reference to future expansion of the Facility requiring an updated ECA and the contention that such ECA would ensure that adequate odour control measures would remain in place puts the onus and cost of ensuring noise and odour control measures are implemented for future expansions on the industry, in this case Bank Bros which is directly contrary to the PPS and the Brampton Official Plan.

Conclusions:

While Bank Bros is supportive of efforts to address the housing crisis in the City of Brampton and the Province, the need to build housing must not be at the expense of existing industry.

The Peer Reviews conducted by SLR on behalf of the Bank Bros illustrate that compatibility issues remain regarding both noise and air quality, particularly odour for the Applications. In addition, following the City Staff Recommendations as currently set out would result in many industrial operations including Bank Bros immediately being put out of compliance with Provincial noise requirements.

Bank Bros therefore urges the Committee to not follow the City Staff recommendation, and to refuse the Applications or to defer these Applications until appropriate and detailed mitigation measures have been secured. Provincial policy and the site-specific requirements of the Brampton Official Plan mandate that existing and valuable industrial operations industry, including Bank Bros are protected and able to confidently continue operations and undertake future expansions.

We ask that we be given notice of any decision with respect to these Applications.

Yours truly,
Goodmans LLP



Anne Benedetti
AB/

cc. Mark Bank, Bank Bros.

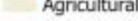
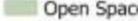
Schedule "A"
Map

APPENDIX B



Bank Property

Legend

- | | | |
|--|---|---|
|  SUBJECT LAND |  Industrial |  Residential |
|  Agricultural |  Institutional |  Utility |
|  Commercial |  Open Space | |

AERIAL PHOTO DATE: SPRING 2023

OWNED BY APPLICANT NOT
SUBJECT TO THIS APPLICATION

**Schedule “B”
SLR Peer Review Noise**

February 28, 2025

City of Brampton
Planning, Building and Growth Management
2 Wellington Street West
Brampton, ON L6Y 4R2

SLR Project No.: 241.031400.00001

Revision: 0

**RE: Peer Review Comments #2 – Environmental Noise from 109 East Drive,
Brampton (Bank Brothers Sustainable Ingredients)
69 Bramalea Road, Brampton, ON Proposed Development**

Introduction

SLR Consulting (Canada) Ltd. (“SLR”) was retained by Bank Brothers Sustainable Ingredients (“BBSI”) to provide a follow-up peer review of a revised environmental noise impact assessment submitted to the City of Brampton for the proposed 69 Bramalea Road, Brampton development. The scope of the peer review is limited to assessment of stationary noise from the BBSI facility (“the BBSI Facility”, located at 109 East Drive, Brampton) onto the proposed 69 Bramalea Road development.

The following report and accompanying peer review response letter were reviewed as a part of this limited-scope peer review:

- “Environmental Noise Impact Assessment – 69 Bramalea, Phase 1 & 2, Proposed Mixed Use Development, 69 Bramalea Road – December 11, 2024” by Valcoustics Canada Ltd. (“VCL”), herein referred to as “the Revised VCL Noise Report”; and
- “Response to Comments – Addendum Letter, 69 Bramalea Road, Brampton, Ontario, VCL File: 121-0459” dated December 23, 2024, herein referred to as “the VCL Letter Response”.

The VCL Letter Response is provided for reference in **Attachment A**.

SLR was also retained by BBSI to prepare an updated Acoustic Assessment Report (“AAR”) as part of a planned application for an Environmental Compliance Approval (“ECA”) with Limited Operational Flexibility to replace the current Certificate of Approval (“CofA”) issued for the Facility. The ECA application was submitted in the fall of 2024 and SLR understand it is currently under review by the MECP.

Overview

The purpose of this peer review is to provide an updated opinion on the accuracy of the revised environmental noise impact assessment as it relates to the Facility, and whether the report satisfies the following guideline:

- MECP Publication NPC-300, Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning.

This follow-up review is limited to assessing the methodology, findings, recommendations and/or alignment with the above noted applicable guideline.

SLR completed the review in alignment with Professional Engineers Ontario Guideline for Reviewing Work Prepared by Another Professional Engineer, October 2011.

Stationary Noise Assessment of 109 East Drive, Brampton

This Peer Review Comments #2 letter is limited to providing responses to VCL's comments on the initial SLR Peer Review Comment letter (dated September 23, 2024). Below, we set out VCL's comments (also included in **Attachment A**), and SLR's responses.

- 1 **VCL:** *Noted. The updated Noise Report will include reference to this CofA. It is noted that adding the CofA reference does not alter the report conclusions on a prior or going forward basis.*

SLR Response: The Updated VCL Noise Report does not include a reference to the current MECP approval status of the BBSI Facility. This remains relevant as the proposed development introduces a new compliance status for the BBSI Facility. 69 Bramalea Road would be a new noise sensitive land use that is more exposed to the Facility than any other existing noise sensitive land uses.

- 2 **VCL:** *Noted. The Noise Report has been prepared following the newer (current) NPC-300 guidelines. These are the guidelines that all nearby industries will be assessed against, including as part of the industries environmental compliance approvals status.*

SLR Response: No further comment.

- 3 **VCL:** *Noted. The purpose of the Noise Report is to account for this new proposed noise sensitive land use and to demonstrate land use compatibility.*

SLR Response: The Updated VCL Noise Report does not demonstrate land use compatibility with respect to the BBSI Facility, as noted further in comments below.

- 4 **VCL:** *The Noise Report demonstrates compliance with the current NPC-300 noise guidelines, specifically, under the Class 4 MECP sound level limits. The Class 4 category is actually beneficial to the existing industrial uses in the area since it allows sound level limits higher than the Class 1 requirements. This means that the area industries are much less likely to be cited for a noise emission excess, and/or that noise mitigation measures at the industry would not be required as a result of this proposed noise sensitive development.*

SLR Response: SLR agrees that Class 4 designation, at a minimum, is required for the proposed development at 69 Bramalea Road. However, it is not "beneficial" to BBSI as the facility is already constrained by existing Class 1 receptors. The proposed development at 69 Bramalea Road introduces a closer, more exposed receptor that will be subjected to higher sound levels than existing receptors.

- 5 **VCL:** *Due to the preliminary nature of the study, only the POW receptors were included to determine the extents of the impact from the nearby facilities. Outdoor Points of Reception will be included in a report for a future submission.*

SLR Response: Outdoor amenity spaces/terraces for the proposed development at 69 Bramalea Road are shown on the architectural drawings included in Appendix A of the Updated



VCL Noise Report. Outdoor points of reception (“OPORs”) should be assessed at these locations to predicted BBSI Facility impacts during daytime/evening hours.

As Class 4 limits are more stringent during daytime/evening hours at OPORs (i.e., a 55 dBA limit), exhibiting compliance with a 60 dBA daytime/evening Plane of Window (“POW”) sound level limit as presented in the Updated VCL Report is not sufficient to demonstrate compliance with an OPOR guideline limit that is 5 dB lower.

Furthermore, VCL has assessed Outdoor Living Areas (“OLAs”) with respect to transportation noise, the rationale that the preliminary nature of the study doesn’t also warrant assessment of OPORs with respect to stationary noise is inconsistent with the approach used in both the original and Updated VCL Noise Report.

OPORs should be assessed to predict BBSI Facility impacts and determine if barriers are required. If barriers are required, their location(s), extent(s) and height(s) should be calculated to confirm their feasibility, which should be updated/refined at a later stage in the planning process (e.g., at Site Plan Approval).

- 6 **VCL:** *The returned noise survey states that the facility operates 24 hours per day, 7 days per week. The 24-hour operation is accounted in the noise assessment for the steady noise sources that are unrelated to the loading dock/ truck activities, which is noted as only occurring during the daytime (specifically, between 8am to 5pm). So, the “24 hour” reference in the Noise Report is related to the non-loading dock/trucking activities, with the “Daytime Only” reference being specific to the loading dock/trucking activities, in accordance with the information provided to us. This will be clarified in a subsequent Noise Report, as appropriate.*

SLR Response: The ‘Survey of Facility Operations’ completed by BBSI staff and returned to VCL states in the 2nd section of the survey form that BBSI Facility operations are 24 hours per day, 7 days per week. The Updated VCL Noise Report, Appendix H, continues to incorrectly indicate that “the facility operates during the daytime only (between 0800 and 1700 hours)”.

The BBSI Facility staff who completed the survey (included in Appendix G of the Updated VCL Noise Report) confirmed they misinterpreted the 4th section of the survey form and understood it to be requesting when “Peak” Daily Truck or Machinery Activity occur with respect to Times of Day. “8 am to 5 pm” was provided as their response. This is the Time of Day for peak trucking activity at the BBSI Facility.

BBSI Facility trucking activity has always occurred, and will continue to occur, 24 hours per day, 7 days per week. The stationary noise assessment for the BBSI Facility at the proposed 69 Bramalea Road development should account for this.

- 7 **VCL:** *Noted. Without any details of a potential expansions, it is not feasible to determine what the noise impact might be. The general precedent is that the noise generation due to new expansions that are documented in the 2-3 year business plan should be accounted for. SLR states that a copy of the AAR (currently in the works) will be provided once it is accepted by the MECP, which will allow for a more detailed assessment. Also, it is noted that the Bank Bros. industry is obligated to meeting the Class 1 guideline limits at the existing high-rise residential development just west of the proposed residential building (64 & 68 Bramalea Road). Based on a simple proximity assessment, regardless of what form any potential expansion at the Bank Bros. industry would take, meeting the Class 1 limits at the 64 and 68 Bramalea Road would ensure meeting the higher Class 4 limits at the proposed 69 Bramalea site by default.*



SLR Response: VCL did not request any information regarding planned expansions in their inquiry letter. Regardless, the AAR for the BBSI Facility, which does include planned expansions, is currently under review by the MECP and upon completion of the review process, necessary information will be provided to VCL allow for a detailed assessment.

SLR acknowledges BBSI is obligated to meet Class 1 guideline limits at existing surrounding points of reception, including the high-rise residential development at 64 & 68 Bramalea Road, and these limits were used in the AAR. Class 1 guideline limits, as noted in NPC-300 (and the Updated VCL Noise Report), are the higher of the minimum exclusionary limits noted in NPC-300 and the ambient sound levels due to road traffic. Class 1 limits were used in the AAR prepared by SLR and submitted to the MECP for review.

The original VCL Noise Report and Updated VCL Noise Report note that ambient road traffic sound levels were modelled to determine applicable sound level limits, although the numerical limits considered in the assessment are not presented.

Ambient sound levels due to road traffic were also considered for the AAR to establish elevated limits (where applicable, including at 64 & 68 Bramalea Road). Road traffic sound levels were modelled using ORNAMENT (the road traffic model of the MECP). Façade sound levels due to ambient road traffic (and therefore, the Class 1 area sound level limits) are predicted to exceed Class 4 minimum exclusionary limits at some portions of 64 & 68 Bramalea Road, specifically at eastern portions of the residential towers most exposed to both the nearby roadways (along Bramalea Road) and the BBSI Facility.

The assertion that meeting Class 1 limits at 64 & 68 Bramalea Road will by default result in meeting Class 4 limits at the proposed 69 Bramalea Road development is therefore incorrect. This is particularly the case for the east-facing portions of 69 Bramalea Road that are less exposed to surrounding roadways and likely subject to a minimum 60 dBA daytime/evening and 55 dBA nighttime plane of window sound level limit (assuming Class 4 designation).

Therefore, the VCL analysis will need to be updated to take into account planned BBSI facility expansion, using the information that will be provided to VCL once MECP review is completed. And for the reasons noted above, it is not appropriate to use 64 & 68 Bramalea as a "simple proxy" in this case.

8 **VCL:** *Noted. Presumably this ECA update application will be based on the current NPC-300 noise guidelines.*

SLR Response: Acknowledged. The updated AAR for the BBSI Facility is based on the current NPC-300 noise guidelines.

Conclusions

SLR maintains that the Updated VCL Noise Report does not fully address Part C of the NPC-300 guidelines, particularly with respect to the following:

Part C – Land Use Planning – Part C1.1. Scope

2. *to protect the lawful operations of any stationary source(s) located close to a proposed noise sensitive land use (stationary sources need to be able to maintain compliance with the legal requirements of their MOE approval, when the development of new noise sensitive land uses are introduced in their proximity); ...*

4. *to create compatible land uses and avoid potential adverse effects due to noise.*



Based on the Updated VCL Noise Report, we still cannot confirm if recommended mitigation measures for the proposed development at 69 Bramalea Road will be sufficient to address existing or future noise impacts from the BBSI Facility.

It is the opinion of SLR that with the following measures in place, compatibility can be achieved between the BBSI Facility and the proposed development at 69 Bramalea Road in consideration of potential current and future impacts:

- Class 4 designation for the proposed 69 Bramalea Road development lands;
Use of enclosed noise buffers/enclosed noise buffer balconies (ENBs/ENBBs). It is noted that ENBs/ENBBs are already required and recommended to address noise impacts from other facilities, as shown in Figure 5b of the Updated VCL Noise Report. To account for potential changes and to account for future BBSI Facility expansion, additional ENBs/ENBBs should be included at 69 Bramalea Road.
ENBs/ENBBs (in addition to those shown in Figure 5b of the Updated VCL Noise Report) should also be included at the following locations:
 - along the south façades of Phase 2; and
 - along the south façades of Phase 1.

SLR recommends that a provision be included in any development approvals issued by the City of Brampton that prior to issuance of Site Plan Approval for the proposed 69 Bramalea Road development, that the following occur:

- Detailed BBSI modelling is completed to confirm whether ENBs/ENBBs are also required at any additional locations to address environmental noise from the BBSI Facility.
- The 69 Bramalea Road development proponent agrees to implement ENBs/ENBBs at the required locations, where specified as part of the detailed modelling analysis.

BBSI/SLR will provide VCL with detailed modelling inputs and a copy of the AAR for the BBSI Facility upon review of the AAR by the MECP, that can be used in further detailed assessment.

Statement of Limitations

This report has been prepared by SLR Consulting (Canada) Ltd. (SLR) for Bank Brothers Sustainable Ingredients (“Client”) in accordance with the scope of work and all other terms and conditions of the agreement between such parties. SLR acknowledges and agrees that the Client may provide this report to government agencies, interest holders, and/or Indigenous communities as part of project planning or regulatory approval processes. Copying or distribution of this report, in whole or in part, for any other purpose other than as aforementioned is not permitted without the prior written consent of SLR.

Any findings, conclusions, recommendations, or designs provided in this report are based on conditions and criteria that existed at the time work was completed and the assumptions and qualifications set forth herein.

This report may contain data or information provided by third party sources on which SLR is entitled to rely without verification and SLR does not warranty the accuracy of any such data or information.



Nothing in this report constitutes a legal opinion nor does SLR make any representation as to compliance with any laws, rules, regulations, or policies established by federal, provincial or local government bodies, other than as specifically set forth in this report. Revisions to legislative or regulatory standards referred to in this report may be expected over time and, as a result, modifications to the findings, conclusions, or recommendations may be necessary.

Closure

Should you have questions on the above report, please contact the undersigned.

Regards,

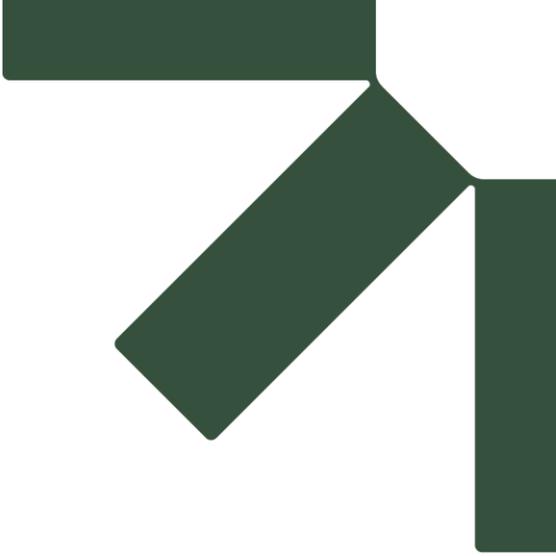
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Attachment A – VCL Letter Response

Peer Review Comments #2 – Environmental Noise from 109 East Drive, Brampton (Bank Brothers Sustainable Ingredients) onto 69 Bramalea Road, Brampton

Bank Brothers Sustainable Ingredients

SLR Project No.: 241.031400.00001

February 28, 2025

December 23, 2024

Medallion Realty Holdings.
970 Lawrence Avenue West
Toronto, Ontario
M6A 3B6

Attention: Anna Fagyas
AnnaFagyas@medallioncorp.com

VIA E-MAIL

Re: Response to Comments – Addendum Letter
69 Bramalea Road
Brampton, Ontario
VCL File: 121-0459

Dear Ms. Fagyas:

Valcoustics Canada Ltd. (VCL) previously prepared an Environmental Noise Impact Assessment, dated May 30, 2023 (herein referred to as the Noise Report), for the proposed development 69 Bramalea Road in the City of Brampton. This letter has been prepared to respond to peer review comments from SLR Consulting (Canada) Ltd. on behalf of Bank Brothers Sustainable Ingredients, in a letter dated September 23, 2024. The letter is included as Appendix A. Note also that the May 30, 2024 Noise Report was updated to address changes to the site plan with revision date of December 11, 2024.

The subject September 23, 2024 peer review comments were received after the December 11, 2024 Noise Report update and therefore are addressed by way of this Addendum Letter. Further, the methodology, calculations, recommendations and conclusions of the original May 30, 2024 and December 11, 2024 update Noise Reports remain valid and this letter serves as an Addendum to the Report.

The review comments are in *italics* followed by our response preceded by VCL:

1. *The Facility currently holds a CofA, Number 5180-877PSA, Issued August 31, 2010. The VCL Noise Report does not identify that the Facility currently holds an environmental approval from the MECP.*

VCL: Noted. The updated Noise Report will include reference to this CofA. It is noted that adding the CofA reference does not alter the report conclusions on a prior or going forward basis.

2. *The CofA was reviewed by the MECP, and the Facility was determined to meet applicable sound level limits in force at the time (i.e., limits prescribed in MECP Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & Class 2 Areas (Urban))*

- a. *Note: NPC-205 has since been superseded by MECP Publication NPC-300. The minimum exclusionary limits in NPC-205 for a Class 1 area were lower during evening hours compared to NPC-300 (i.e., 47 dBA vs. 45 dBA).*
- b. *Note: The Acoustic Assessment Report (AAR) prepared as part of the CofA application is not available.*

VCL: Noted. The Noise Report has been prepared following the newer (current) NPC-300 guidelines. These are the guidelines that all nearby industries will be assessed against, including as part of the industries environmental compliance approvals status.

3. *The proposed development at 69 Bramalea Road introduces a new noise sensitive land use that is more exposed to the Facility than any other existing noise sensitive land use. The distance from the Facility to the proposed 69 Bramalea Road development is approximately 85 m. In comparison the nearest existing noise sensitive land uses to the Facility are located more than 220 m to the west and north. As the 69 Bramalea Road lot is zoned for industrial uses, it did not constitute a noise sensitive use and would not have been assessed when the CofA for the Facility was obtained. The Facility was not and is not currently required to meet any sound level limits at 69 Bramalea Road.*

VCL: Noted. The purpose of the Noise Report is to account for this new proposed noise sensitive land use and to demonstrate land use compatibility.

4. *The VCL Noise Report does not indicate that introduction of the proposed 69 Bramalea Road development would introduce a new noise sensitive land use that may introduce a new compliance status for the Facility. Class 1 MECP sound level limits may not be achieved at the proposed 69 Bramalea Road development, even if they are met at all other existing noise sensitive land uses.*

VCL: The Noise Report demonstrates compliance with the current NPC-300 noise guidelines, specifically, under the Class 4 MECP sound level limits. The Class 4 category is actually beneficial to the existing industrial uses in the area since it allows sound level limits higher than the Class 1 requirements. This means that the area industries are much less likely to be cited for a noise emission excess, and/or that noise mitigation measures at the industry would not be required as a result of this proposed noise sensitive development.

5. *The VCL Noise Report does not include an assessment of Outdoor Points of Reception (OPORs) associated with the proposed development, considering either Class 1 or Class 4 limits. Only Plane of Window PORs have been assessed. The VCL Noise Report does not show that adverse effects due to noise are avoided at OPORs associated with the proposed*

development.

VCL: Due to the preliminary nature of the study, only the POW receptors were included to determine the extents of the impact from the nearby facilities. Outdoor Points of Reception will be included in a report for a future submission.

- 6. With respect to interpretation of the Survey of Facility Operations included in Appendix F of the VCL Noise Report, BBSI indicated the Facility operates 24 hours per day. Appendix G of the VCL Noise Report indicates that 'the facility operates during the daytime only'. This is incorrect and should be reflected in the environmental noise assessment. The Facility operates 24 hours per day, 7 days per week.*

VCL: The returned noise survey states that the *facility operates 24 hours per day, 7 days per week*. The 24-hour operation is accounted in the noise assessment for the steady noise sources that are unrelated to the loading dock/ truck activities, which is noted as only occurring during the daytime (specifically, between *8am to 5pm*). So, the "24 hour" reference in the Noise Report is related to the non-loading dock/trucking activities, with the "Daytime Only" reference being specific to the loading dock/trucking activities, in accordance with the information provided to us. This will be clarified in a subsequent Noise Report, as appropriate.

- 7. The VCL Noise Report does not consider the potential for the Facility to expand operations in the future and whether the proposed 69 Bramalea Road development will inhibit BBSI's ability to expand operations; nor does it consider actual Facility source sound levels. These details must both be considered to accurately assess noise impacts of the Facility at the proposed 69 Bramalea Road development.*

VCL: Noted. Without any details of a potential expansions, it is not feasible to determine what the noise impact might be. The general precedent is that the noise generation due to new expansions that are documented in the 2-3 year business plan should be accounted for. SLR states that a copy of the AAR (currently in the works) will be provided once it is accepted by the MECP, which will allow for a more detailed assessment. Also, it is noted that the Bank Bros. industry is obligated to meeting the Class 1 guideline limits at the existing high-rise residential development just west of the proposed residential building (64 & 68 Bramalea Road). Based on a simple proximity assessment, regardless of what form any potential expansion at the Bank Bros. industry would take, meeting the Class 1 limits at the 64 and 68 Bramalea Road would ensure meeting the higher Class 4 limits at the proposed 69 Bramalea site by default.

- 8. BBSI will be applying for an ECA with Limited Operational Flexibility, intended to replace the existing CofA. The Facility is being reassessed in detail as part of preparing an AAR for the application. The AAR is being prepared by SLR and will be submitted to the MECP for review*

Noted. Presumably this ECA update application will be based on the current NPC-300 noise guidelines

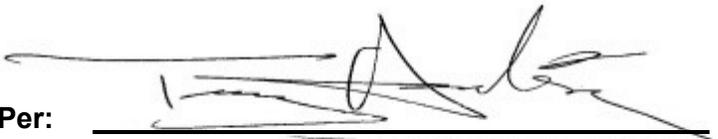
We expect that the above adequately address the comment from the City. If further information is required, please contact the undersigned.

Yours truly,

VALCOUSTICS CANADA LTD.

Per: 

Brett Lipson, M.Eng., P.Eng.

Per: 

Terrence Harding, B.E.Sc., P.Eng..

BL\TH
https://api.box.com/wopi/files/1733425820547/WOPIServiceId_TP_BOX_2/WOPIUserId_6277008/L#1 69 Bramalea Road, Brampton - Comment Response V1-0.docx

Cc Mark Condello (MarkC@gsai.ca)

Enclosures

APPENDIX A

PEER REVIEW COMMENTS

September 23, 2024

City of Brampton
Planning, Building and Growth Management
2 Wellington Street West
Brampton, ON L6Y 4R2

SLR Project No.: 241.031400.00001

Revision: 0

**RE: Peer Review Comments – Environmental Noise from 109 East Drive,
Brampton (Bank Brothers Sustainable Ingredients)
69 Bramalea Road, Brampton, ON**

Introduction

SLR Consulting (Canada) Ltd. (“SLR”) was retained by Bank Brothers Sustainable Ingredients (“BBSI”) to conduct a peer review of an environmental noise impact assessment submitted to the City of Brampton for the proposed 69 Bramalea Road, Brampton development. The scope of the peer review is limited to assessment of stationary noise from the BBSI facility (the “Facility”, located at 109 East Drive, Brampton) onto the proposed 69 Bramalea Road development.

The following report was reviewed as a part of this limited-scope peer review:

- “Environmental Noise Impact Assessment – 69 Bramalea, Phase 1 & 2, Proposed Mixed Use Development, 69 Bramalea Road – May 30, 2023” by Valcoustics Canada Ltd. (“VCL”), herein referred to as “the VCL Noise Report”.

SLR has also been retained by BBSI to prepare an updated Acoustic Assessment Report (“AAR”) as part of a planned application for an Environmental Compliance Approval (“ECA”) with Limited Operational Flexibility to replace the current Certificate of Approval (“CofA”) issued for the Facility.

Overview

The purpose of this peer review is to provide an opinion on the accuracy of the environmental noise impact assessment as it relates to the Facility, and whether the report satisfies the following guidelines:

- MECP Publication NPC-300, Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning.

This review is limited to assessing the methodology, findings, recommendations and/or alignment with the above noted applicable standards and guidelines. Calculations and detailed modelling were not duplicated as part of this review.

SLR completed the review in alignment with Professional Engineers Ontario Guideline for Reviewing Work Prepared by Another Professional Engineer, October 2011.

Stationary Noise Assessment of 109 East Drive, Brampton

Assessment Methods

The Facility was assessed independently from other surrounding facilities, in accordance with NPC-300 guidelines. Noise from other surrounding stationary sources was also assessed, but other facilities are not the focus of this review.

VCL provided BBSI with a 'Survey of Facility Operations' document, completed December 13, 2022 and included in Appendix F of the VCL Noise Report. The stationary noise assessment was based on a combination of observations from aerial imagery, data from the Survey of Facility Operations document, and assumptions. Sound level measurements of Facility sources were not performed, and the assessment is based on historical VCL data for similar sources.

Comments on Stationary Noise Assessment and Conclusions

The VCL assessment does not fully address Part C of the NPC-300 guidelines, particularly with respect to the following:

Part C – Land Use Planning – Part C1.1. Scope

2. to protect the lawful operations of any stationary source(s) located close to a proposed noise sensitive land use (stationary sources need to be able to maintain compliance with the legal requirements of their MOE approval, when the development of new noise sensitive land uses are introduced in their proximity); ...

4. to create compatible land uses and avoid potential adverse effects due to noise.

The following comments are applicable to the stationary noise assessment in consideration of Part C of MECP Publication NPC-300 as noted above.

- 1 The Facility currently holds a CofA, Number 5180-877PSA, Issued August 31, 2010. The VCL Noise Report does not identify that the Facility currently holds an environmental approval from the MECP.
- 2 The CofA was reviewed by the MECP, and the Facility was determined to meet applicable sound level limits in force at the time (i.e., limits prescribed in MECP Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & Class 2 Areas (Urban)).
 - a) Note: NPC-205 has since been superseded by MECP Publication NPC-300. The minimum exclusionary limits in NPC-205 for a Class 1 area were lower during evening hours compared to NPC-300 (i.e., 47 dBA vs. 45 dBA).
 - b) Note: The Acoustic Assessment Report (AAR) prepared as part of the CofA application is not available.
- 3 The proposed development at 69 Bramalea Road introduces a new noise sensitive land use that is more exposed to the Facility than any other existing noise sensitive land use. The distance from the Facility to the proposed 69 Bramalea Road development is approximately 85 m. In comparison the nearest existing noise sensitive land uses to the Facility are located more than 220 m to the west and north. As the 69 Bramalea Road lot is zoned for industrial uses, it did not constitute a noise sensitive use and would not have been assessed when the CofA for the Facility was obtained.



The Facility was not and is not currently required to meet any sound level limits at 69 Bramalea Road.

- 4 The VCL Noise Report does not indicate that introduction of the proposed 69 Bramalea Road development would introduce a new noise sensitive land use that may introduce a new compliance status for the Facility. Class 1 MECP sound level limits may not be achieved at the proposed 69 Bramalea Road development, even if they are met at all other existing noise sensitive land uses.
- 5 The VCL Noise Report does not include an assessment of Outdoor Points of Reception (OPORs) associated with the proposed development, considering either Class 1 or Class 4 limits. Only Plane of Window PORs have been assessed. The VCL Noise Report does not show that adverse effects due to noise are avoided at OPORs associated with the proposed development.
- 6 With respect to interpretation of the Survey of Facility Operations included in Appendix F of the VCL Noise Report, BBSI indicated the Facility operates 24 hours per day. Appendix G of the VCL Noise Report indicates that 'the facility operates during the daytime only'. This is incorrect and should be reflected in the environmental noise assessment. The Facility operates 24 hours per day, 7 days per week.
- 7 The VCL Noise Report does not consider the potential for the Facility to expand operations in the future and whether the proposed 69 Bramalea Road development will inhibit BBSI's ability to expand operations; nor does it consider actual Facility source sound levels. These details must both be considered to accurately assess noise impacts of the Facility at the proposed 69 Bramalea Road development.

Also, the following information regarding the Facility should be noted:

- 8 BBSI will be applying for an ECA with Limited Operational Flexibility, intended to replace the existing CofA. The Facility is being reassessed in detail as part of preparing an AAR for the application. The AAR is being prepared by SLR and will be submitted to the MECP for review.

Conclusions

VCL presented the following conclusions with respect to noise impacts from the Facility (obtained from Table 6):

- Predicted sound levels exceed Class 1 guideline limits (the higher of Class 1 minimum exclusionary limits or ambient sound levels due to road traffic) for both continuous and impulsive noise; and
- Predicted sound levels meet Class 4 guideline limits (the higher of Class 4 minimum exclusionary limits or ambient sound levels due to road traffic) for both continuous and impulsive noise.

As SLR has not yet completed a detailed update to the AAR for the Facility, further comment cannot be provided at this time regarding the above-noted conclusions.



VCL also outlined the following recommended mitigation measures for the proposed development:

- Class 4 designation is recommended for the proposed development site.
- Due to predicted sound levels from other surrounding industries also exceeding Class 4 limits, Enclosed Noise Buffers (ENBs) are indicated as being included in the building design (Section 3.2.5 of the VCL Noise Report).
 - Note: It is unclear exactly what locations will include ENBs, and whether Figures 5a and 5b illustrate impacts/excess locations that are due to stationary source noise from all facilities combined, or whether the excesses include locations of excesses from individual facility noise impacts.
- Further detailed studies of the surrounding commercial/industrial uses should also be done as part of the future applications, to confirm details of the operations and noise impact assessment.

Based on the VCL Noise Report, we cannot confirm if recommended mitigation measures for the proposed development will be sufficient to address existing or future noise impacts from the Facility. Further comment could only be provided if the extent of recommended ENBs can be confirmed, and if an assessment of OPORs for the proposed 69 Bramalea Road development is provided.

SLR agrees that further detailed study is required. BBSI/SLR will provide VCL with detailed modelling inputs and a copy of the AAR for the Facility upon review of the AAR by the MECP, that can be used in further detailed assessment. Modelling inputs will include source locations, sound power levels, operating duration during worst-case daytime/evening/nighttime hours, and trucking volumes. These details will be provided in the future at the appropriate time (i.e., following review of the AAR by the MECP).

Statement of Limitations

This report has been prepared by SLR Consulting (Canada) Ltd. (SLR) for Bank Brothers Sustainable Ingredients (“Client”) in accordance with the scope of work and all other terms and conditions of the agreement between such parties. SLR acknowledges and agrees that the Client may provide this report to government agencies, interest holders, and/or Indigenous communities as part of project planning or regulatory approval processes. Copying or distribution of this report, in whole or in part, for any other purpose other than as aforementioned is not permitted without the prior written consent of SLR.

Any findings, conclusions, recommendations, or designs provided in this report are based on conditions and criteria that existed at the time work was completed and the assumptions and qualifications set forth herein.

This report may contain data or information provided by third party sources on which SLR is entitled to rely without verification and SLR does not warranty the accuracy of any such data or information.

Nothing in this report constitutes a legal opinion nor does SLR make any representation as to compliance with any laws, rules, regulations, or policies established by federal, provincial or local government bodies, other than as specifically set forth in this report. Revisions to legislative or regulatory standards referred to in this report may be expected over time and, as a result, modifications to the findings, conclusions, or recommendations may be necessary.



Closure

Should you have questions on the above report, please contact the undersigned.

Regards,

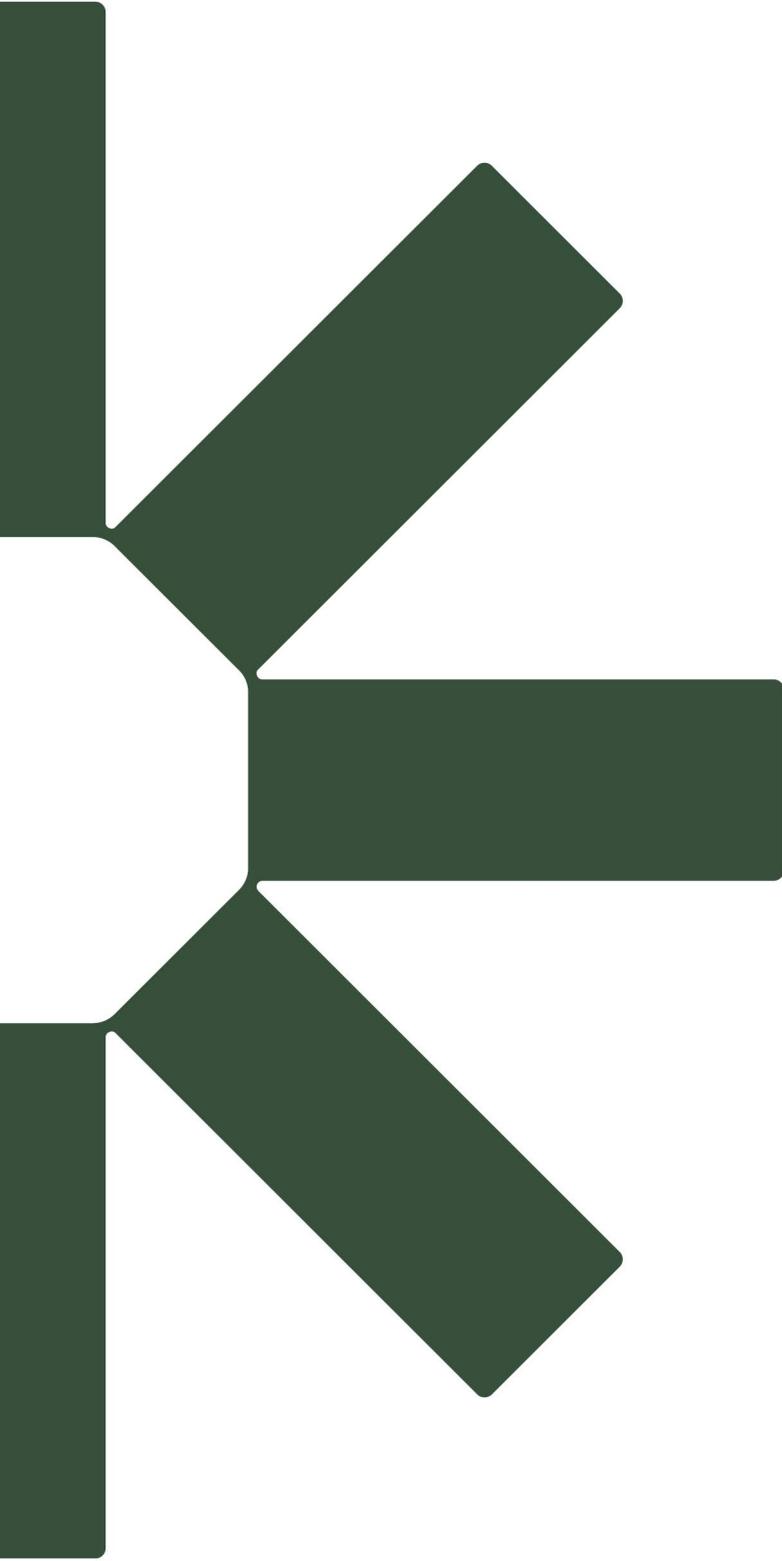
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Making Sustainability Happen

**Schedule "C"
SLR Peer Review Air Quality**

March 3, 2025

City of Brampton, Planning and Growth Management
2 Wellington Street West
Brampton, ON L6J 4R2

SLR Project No.: 241.031410.00002

Revision: 0

**RE: Peer Review Comments #2 – Land Use Compatibility
Air Quality from 109 East Drive, Bank Brothers Sustainable Ingredients 69
Bramalea, Brampton, ON**

Introduction

SLR Consulting (Canada) Ltd. (“SLR”) was retained by Bank Brothers Sustainable Ingredients (“BBSI”) to conduct a peer review of an air quality impact assessment submitted to the City of Brampton (“the City”) for the proposed 69 Bramalea Road development. The scope of this peer review is limited to assessing air emissions from the BBSI facility (the “Facility”), located at 109 East Drive, onto the proposed 69 Bramalea Road development (the “Development”) per described in this document:

- Dillon Consulting (23-6955) - 69 Bramalea Road, Updated Air Quality Assessment, 69 Bramalea Holdings Limited, dated December 2024 (the “Updated Report”).

Overview

The SLR peer review is prepared in accordance with applicable guidance and includes an opinion on the accuracy of the land use compatibility study listed above and whether the study satisfies the following requirements:

- The Provincial Planning Statement, 2024;
- Ministry of the Environment, Conservation and Parks (“MECP”) D-Series Guidelines including D-1 and D-6;
- Ontario Regulation 419/05: Air Pollution – Local Air Quality and its associated air quality standards and assessment requirements;
- Ontario Environmental Protection Act (EPA);
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), Technical Bulletin, Standards Development Branch, Methodology for Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05, September 2016; and
- Environmental Commissioner of Ontario (ECO, 2010), Review of Posted Decision: Developing an Odour Policy Framework, April 2010.

This peer review is limited to assessing the methodology, findings, recommendations in the study and the alignment with the above noted applicable standards and guidelines. Further, calculations and detailed modelling were not duplicated as part of this peer review.

SLR completed the review in alignment with Professional Engineers Ontario Guideline for Reviewing Work Prepared by Another Professional Engineer, October 2011.

Air Quality Assessment Peer Review Overview

The Air Quality Assessment and Report were completed for 69 Bramalea Holdings Limited in support of an Official Plan Amendment and Zoning By-Law Amendment for the Development.

The peer review is limited to reviewing the methodology Dillon Consulting (“Dillon”) used to assess the emissions from the Facility, which were modelled using the MECP approved dispersion model, with information obtained through a Freedom of Information (“FOI”) request. Emissions were obtained from the emission summary and dispersion modelling (“ESDM”) report prepared for the 2010 Certificate of Approval, Number 5180-877PSA issued to Hubbert’s Processing and Sales Ltd.

Dillon Consulting also completed a nuisance contaminants assessment, described in Section 5.3.5.3 of the Report, to evaluate the predicted level of odour at the Development from the Facility.

SLR previously provided comments on September 24, 2024, on a previous version of the Air Quality Assessment Report, dated June 17, 2024. While Dillon did not provide a response letter to our September 2024 comments, responses were incorporated into the Updated Report. The following summarizes Dillon’s response, and our follow-up comments based on our peer review of the Updated Report.

Comments on Section 5.3.5 – Bank Brothers Sustainable Ingredients

C1. *Dillon Response to C1: “Comment C1 of SLR’s Peer Review (see Appendix F) confirms that there have been no recorded odour complaints and no incident reports logged with the MECP since Bank Brothers took ownership of the facility in 2017.”*

SLR Response: SLR emphasizes that the absence of current complaints does not indicate that the proposed 69 Bramalea development will not experience odour that is perceived as a nuisance given that the proposed development introduces elevated receptors 135 metres closer to the Facility than existing sensitive receptors.

The MECP assesses mixed odours in conjunction with a variety of factors including:

- Frequency – How often the odour occurs.
- Intensity – The strength of the odour, in odour units. 1 OU is often used as a guideline in odour assessments in Ontario.
- Duration – How long the odour occurs.
- Offensiveness – How objectionable the odour is.



The odour from the BBSI facility's operations should be described and assessed as frequent (pervasive), intense and offensive. Intensive and offensive odours can be less tolerable to the general public leading to a higher potential for complaints. Due to the close proximity of the proposed Development which would introduce elevated sensitive receptors 85 metres from the BBSI facility and the pervasive and offensive nature of the Facility odours, significant mitigation measures should be implemented at the Development site.

C2. Dillon Response to C2: SLR's Comment C2 (see Appendix F) confirms that the facility is proposing to undertake several upgrades.

SLR Response: In addition to upgrades, the Facility is likely to expand the operations in the future. Further to the applicable policy and guidelines including the direction to maintain the long-term operational and economic viability of operations which includes BBSI, the assessment needs to consider the future expansion of the Facility operations.

C3. Dillon Response to C3: Per SLR Comment C3 (see Appendix F), the Facility is currently only required to control and/or manage odour levels at existing points of reception. Comparative odour dispersion modelling was completed (described below) to understand predicted odour impacts at the Proposed Development compared to a worst-case compliance scenario at existing receptors.

SLR Response: Even without consideration of future expansions, the conclusion of the Updated Report is that the proposed development will experience odours greater than existing residential receptors and at a higher frequency. Therefore, the Development clearly places the Facility at risk of receiving odour complaints and could potentially impact the BBSI facility's environmental compliance and operations. Further, the Development may limit the ability of the Facility to expand operations in the future without having to deal with persistent complaints that direct time and energy away from the operation of this business and from incurring associated financial burdens and future preventable operational limitations that would threaten the economic viability of the BBSI facility. We note that Dillon's response also includes a reference to a MECP draft guideline on animal processing odours that has not been adopted and therefore should not be referenced as being in practice and applicable to industrial facilities.

C4. Dillon Response to C4: It is noted that while there are no requirements for an industrial facility to comply with mixed-odour guidelines at a property line if no sensitive land is located adjacent to a facility (see SLR Comment C4 in Appendix F), Scenario 1 is relevant to this odour dispersion modelling assessment as it is consistent with the tiered approach to assessing 10-minute average concentrations in the MECP's Technical Bulletin. Per Section 2.1 of the Technical Bulletin, should initial modelling show that the standards will be met at all locations within the modelling domain, no further assessment is necessary. It is unknown whether the facility meets the applicable 1 OU guideline at all locations within the modelling domain; however, in the event it does, Scenario 1 represents this condition.



SLR Response: There is no regulated standard for mixed odours in Ontario, and 1 OU has been adopted in the past as a screening/benchmark level; however, there is no compliance requirement for a Facility to maintain 1 OU at sensitive receptors. There is also no mention of a 1 OU guideline in the *Technical Bulletin - Methodology for Modeling Assessments of Contaminants with 10 Minute Average Standards and Guidelines* under O. Reg. 419/05. Odour regulation is largely complaint driven, and the results of the Updated Report indicate that higher odour levels will be experienced at the proposed Development than are experienced at current residential receptors.

Even without taking into consideration future expansions, the result of the Updated Report places the Facility at risk associated with complaints and potentially resulting in increased environmental, operational, and financial issues. Further, the Development may limit the ability of the Facility to expand operations in the future without the potential for foreseeable and avoidable operational and financial burdens related to the development.

The modelling results for Scenario 2 in the Updated Report shows odour predictions that are lower than those that were presented in June 2024 Report while the source and modelling parameters remain the same. It is unclear why a lower predicted odour level at the development is being presented in Table 8. The 10-minute guideline also requires that for a 99.5 percentile analysis, each year be modelled separately and the worst-case 99.5 percentile 10-minute point of impingement on an annual basis be taken. It is unclear whether or not Dillon is modelling all 5-years of the dataset which may result in a lower overall prediction. As this is a comparative study it is not a guarantee that the development will only experience 1.5 OU as presented in Table 8 of the Updated Report. The updated report does show that the Development will experience 1.5 times (or greater) higher odour levels than are experienced at existing sensitive receptors.

Due to the close proximity of the proposed development which would introduce elevated sensitive receptors within 85 metres of the BBSI facility and the pervasive and offensive odours, significant mitigation measures should be implemented at the Development site.

C5. Dillon Response to C5: Per SLR Comment C5, odour levels presented are for screening purposes only and do not reflect actual predicted point of impingement levels for odours.

SLR Response: No further comment.

C6. Dillon Response to C6: SLR Comment C6 (see Appendix F) indicates that the closer proximity of the Proposed Development [compared to existing receptors] limits the dispersion of odours [from Bank Brothers] and may lead to higher odour concentrations at the Proposed Development than are currently perceived by nearby existing sensitive uses. Scenario 2 of the modelling assessment addresses Comment C6 and provides a comparison of predicted odour concentrations at the existing sensitive uses and the Proposed Development, when a worst-case concentration of 1 OU is achieved at the existing sensitive uses. Under Scenario 2, the maximum odour impacts are predicted to be 1.5 OU and 1.4 OU at a 0.5% frequency, at the private balconies and Outdoor Amenity Area, respectively. I.e., odour impacts are predicted to be 1.5 and 1.4, or lower, 99.5% of the time. Therefore, in response to SLR Comment C6, there is potential for the concentration of odour to be slightly higher at the Proposed development compared to the worst-case compliance scenario of 1 OU or lower at existing receptors, 99.5% of the time.



SLR Response: As the Updated Report is a comparative/relative assessment, the results do not indicate that the odours are only slightly higher than existing. Even without taking into account the potential for future expansion, Dillon’s assessment indicates that odour level will be 1.5 times (or greater) higher than at existing residential receptors and will also be experienced at a higher frequency. The assessment confirms that the Development places the Facility at risk associated with complaints and potentially resulting in increased environmental and financial issues. Further, the Development may limit the ability of the Facility to expand operations in the future without incurring financial burden.

Comments on Section 6.0 – Mitigation

C7. Dillon Response to C7: With respect to SLR Comment C7, it is recommended that to reduce the potential for odour complaints by users of private balconies and/or the Outdoor Amenity Area at the Proposed Development, appropriate warning clauses are included in Offers of Purchase and Sale, lease/rental agreements and condominium declarations which specify that due to the proximity of the surrounding industries, odours may at times be perceptible. Sample wording is provided in Section 6.0. With respect to SLR Comment C7 (see Appendix F), Dillon understands the recommended mitigation measures and implementation schedule will be finalized at the detailed design stage of the project.

SLR Response: Use of warning clauses does not prevent an individual from registering a complaint with BBSI and/or the MECP.

The odour from operations at the BBSI Facility should be described and assessed as frequent (pervasive), intense and offensive. Due to the proposed close proximity of the proposed development which would introduce elevated sensitive receptors within 85 metres of the BBSI Facility and the pervasive and offensive odours, significant mitigation measures should be implemented at the Development site. The mitigation measures should include:

- No open-air balconies or open amenity spaces on facades facing the BBSI Facility;
- use of centralized heating, ventilation and air conditioning (HVAC) systems to allow windows and exterior doors to remain closed;
- strategic placement of air intakes facing away from the BBSI Facility; and
- Filtration of all air intakes for building mechanical systems to supply units with 100% odour filtered air drawn from outside the building.

C8. Dillon Response to C8: Additionally, per SLR Comment C8 (see Appendix F) and MECP Guideline D-6, “Odorous contaminants are particularly difficult to control on-site. Although the contaminants emitted may meet the Ministry’s standards and interim standards, experience indicates that complaints may still be received from residents living in proximity to the industry”. The results of the modelling assessments of active and fugitive sources under the worst-case compliance condition indicate that the predicted odour levels at the Proposed Development are expected to occur at an increased frequency, however, at a similar magnitude to those at existing receptors. Under the worst-case compliance condition, the predicted odour impacts at the Proposed Development represent a detected but relatively weak intensity of odour.



SLR Response: As noted above, the results of the assessment do not indicate that odour levels at the development are “at a similar magnitude to those at existing receptors” but do indicate that odour levels are 1.5 times greater, and the introduction of nearby points of reception including balconies and outdoor amenity spaces will put the operations of the Facility at risk associated with complaints and potentially resulting in increased environmental and financial issues.

Further, this assessment has not taken into account the Facility's ability to expand as is required and the Development, as currently proposed, has therefore not been appropriately evaluated and may limit the ability of the BSSI facility to expand operations in the future without having to deal with persistent complaints that direct time and energy away from the operation of this business and from incurring associated financial burdens and future preventable operational limitations that would threaten the economic viability of the BSSI facility.

Conclusion

SLR maintains the opinion that due to the proximity of the proposed Development to the Facility and the fact that the Development currently includes outdoor amenity areas and balconies facing the Facility, the Development will put the operations of the Facility at risk of facing frequent odour complaints and may result in environmental compliance and financial issues. Further, the Development may limit the ability of the Facility to expand operations in the future without incurring foreseeable and avoidable operational and financial burdens.

We recommend that the architectural plans for the Development be amended to add improved mitigation measures including, but not limited to:

- Remove all open-air balconies or open amenity spaces on facades facing the BSSI Facility;
- Add centralized heating, ventilation and air conditioning (HVAC) systems to allow windows and exterior doors to remain closed;
- Place all air intakes facing away from the BSSI Facility; and
- Require the filtration of all air intakes for building mechanical systems to supply units with 100% odour filtered air drawn from outside the building.



Statement of Limitations

This report has been prepared by SLR Consulting (Canada) Ltd. (“SLR”) for the Bank Brothers Sustainable Ingredients (“Client”) in accordance with the scope of work and all other terms and conditions of the agreement between such parties. SLR acknowledges and agrees that the Client may provide this report to government agencies, interest holders, and/or Indigenous communities as part of project planning or regulatory approval processes. Copying or distribution of this report, in whole or in part, for any other purpose other than as aforementioned is not permitted without the prior written consent of SLR.

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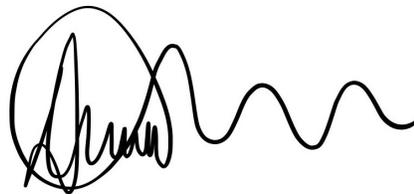
Nothing in this report constitutes a legal opinion nor does SLR make any representation as to compliance with any laws, rules, regulations, or policies established by federal, provincial or local government bodies, other than as specifically set forth in this report. Revisions to legislative or regulatory standards referred to in this report may be expected over time and, as a result, modifications to the findings, conclusions, or recommendations may be necessary.

Closure

Should you have questions on the above report, please contact the undersigned.

Regards,

SLR Consulting (Canada) Ltd.



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**Schedule “D”
SLR Response to Alliance Technical Group**

1409-3539-2789

April 3, 2025

City of Brampton, Planning and Growth Management
2 Wellington Street West
Brampton, ON L6J 4R2

SLR Project No.: 241.031410.00002

Revision: 0

**RE: Proposed 69 Bramalea Development, Land Use Compatibility
Comments on Air Quality Peer Review By Alliance Technical Group**

Introduction

SLR Consulting (Canada) Ltd. ("SLR") was retained by Bank Brothers Sustainable Ingredients ("BBSI"), located at 109 East Drive, Brampton ("the Facility"), to conduct a peer review of an air quality impact assessments submitted to the City of Brampton ("the City") for the proposed 69 Bramalea Road development (the "Development") which were completed by Dillon Consulting Ltd. ("Dillon").

SLR's work was documented in two peer review letters submitted to the City:

- SLR Letter, "Peer Review Comments #2 – Land Use Compatibility, Air Quality from 109 East Drive, Bank Brothers Sustainable Ingredients, at 69 Bramalea, Brampton, ON", dated September 2024; and
- SLR Letter, "Peer Review Comments #2 – Land Use Compatibility, Air Quality from 109 East Drive, Bank Brothers Sustainable Ingredients, at 69 Bramalea, Brampton, ON", dated February 2025.

The City retained Alliance Technical Group ("Alliance", formerly ORTECH Consulting) to conduct a peer review of the Dillon work and review the first SLR peer review letter. Their work is documented in a letter dated February 4, 2025, which we have just received. SLR has identified several concerns:

1. The Alliance peer review mentions the June 2024 and December 2024 reports prepared by Dillon Consulting Ltd. on behalf of the development but spends no time addressing issues with these reports. Instead, the bulk of the letter discusses notes on site visit observations made by Dillon personnel, and comments on the first peer review letter of the Dillon work provided by SLR in September 2024 on behalf of Bank Brothers. It does not address the additional peer comments provided to the City by SLR in February 2025.
2. The Alliance letter summarizes Dillon's findings but does not provide any opinions or conclusions based on Dillon's observations. The Dillon site visit notes describe the odours from the Bank Brothers Facility as:

- August 26, 2024 - “garbage type” odours with “some annoyance”;
- August 27, 2024 - “landfill odour” described as “annoying”; and
- August 29, 2024 – “similar to landfill odour” with “some annoyance”.

Odours emitted from Bank Brothers Facility described as “annoying, garbage-type” smells were detected by Dillon on every site visit they conducted. The types of odour are consistent with rendering facilities which process and render animal products and would likely be emitted most days.

While existing residences are sufficiently far away from the Bank Brothers Facility that there no existing odour issues, those homes are more than 3 times as far away as the proposed development. Odour concentrations will be higher at the 69 Bramalea site, and therefore “annoying” odours will occur much more frequently.

3. Section 4 of the report provides Alliance’s comments on the SLR September 2024 peer review letter, but seems to be confused about the dispersion modelling conducted by Dillon, implying that was completed by SLR. The first two bullets of this section dismiss the accuracy of the dispersion modelling as being:
 - Based on out-of-date data from 2010;
 - Not based on real odour emission data; and
 - Based on an assumed maximum odour concentration of 1 Odour Unit (OU) at existing residences; and
 - Of limited value since frequency of impacts is not provided.

SLR agrees that these are significant problems with Dillon’s work. That is why these and other issues were raised in the September 2024 and February 2025 SLR letters. However, the Alliance peer review letter does not address any of them.

4. In the second bullet in Section 4, Alliance states that, based on the Dillon dispersion modelling, odour levels are predicted to be 1.84 times higher than at the existing receptors. While the exact increase is unknown, this modelling supports that odours will be perceived at higher levels than current receptors indicating that there will be a risk of future complaints against Bank Brothers.
5. In the third bullet, in response to SLR’s note that odour contaminants are difficult to control on site, the Alliance letter opines that “this quote is not generally correct and the Bank Brothers facility should be able to mitigate odour emissions so that they are barely detectable beyond the facility land boundaries.”

Such mitigation measures might on paper be technically feasible, but would cost millions of dollars and could result in significant restrictions on the operations of the facility. Therefore, such mitigation may not be economically or administratively feasible.

Indeed, that is the whole point of doing detailed land use compatibility studies. If such expensive mitigation measures are required, the Ministry of the Environment’s compatibility guidelines state the cost of such mitigation should be paid for by the developer, not the affected industry.

There is no existing history of complaints about facility operations at existing homes, but the new development will place hundreds of additional residents much closer to Bank Brothers



facility, experiencing high odour levels. If the required mitigation measures are not secured now, the potentially significant financial burden will be placed on Bank Brothers alone.

6. The frequency of odour impacts is also of concern. In the fourth bullet of Section 4 Alliance states “although the SLR Report notes that the odour dispersion modelling does not consider the frequency at which odours are predicted to impact the proposed development, the wind rose in the Dillon Report shows that the wind will blow from the Bank Brothers facility towards the proposed development for approximately 4% of the time”. Four percent of year is equivalent to 350 hours. It is important to note that the Ministry of the Environment’s frequency threshold for evaluating odour impacts is that adverse odours should only occur less than 0.5% of the time (44 hours per year).
7. In Section 5, Alliance provides comments on mitigation measures suggested by Dillon for the proposed development, including:
 - “Centralized HVAC system to provide positive pressure for minimizing unit ambient air intake
 - Air conditioning in the units and indoor amenities to allow closed windows and doors
 - Fresh air intakes located in areas of low potential odour impact
 - Warning clauses for purchasers and tenants about potential odour impacts”

The Alliance letter states that “these mitigation measures are reasonable for the current situation. Apart from the warning clauses, these measures are typical in condominium building, including my own condominium unit in Toronto.”

Firstly, mitigation measures greater than what are used for “typical condominiums” should be expected to be required for a development adjacent to a rendering plant. Secondly, unless the author’s personal condominium is located adjacent to such a facility, their personal experience would seem to be irrelevant.

In SLR’s opinion, the suggested mitigation measures will not guarantee that offensive, “annoying” odours will be appropriately mitigated. Nor is there is a method to ensure that these measures are even installed. Additional necessary mitigation measures are likely to include:

- At-source mitigation measures at Bank Brothers (e.g., odour scrubbers, incinerators, etc.);
 - Additional at-receptor mitigation; including:
 - Odour-absorbing carbon filters for building air intakes;
 - Relocation of outdoor amenity areas to shielded areas; and
 - Elimination of balconies on facades facing the facility.
8. The Alliance peer review also includes email correspondence with from Dillon Consulting on September 14, 2024, about additional mitigation measures, including the concept of eliminating balconies. The Dillon email dismisses the need for this, stating that “based on Valcoustics’ noise report, enclosed balconies on the Proposed Development’s Building 2 facade which is closest to Bank Brothers, enclosed balconies are not required on the south facades facing Bank Brothers”. There are several additional points of reception including private balconies, windows and outdoor amenity areas facing Bank Brothers that do not currently have any mitigation proposed that would block odours from Bank Brothers.



Closing

SLR maintains the opinion that due to the proximity of the proposed Development to the Facility and the fact that the Development currently includes outdoor amenity areas and balconies facing the Facility, the Development will put the operations of the Facility at risk of facing frequent odour complaints and may result in environmental compliance and financial issues. Further, the Development may limit the ability of the Facility to expand operations in the future without incurring foreseeable and avoidable operational and financial burdens.

Should you have questions on the above report, please contact the undersigned.

Regards,

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