

**Principals** 

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

February 13, 2022

The Corporation of the City of Brampton 2 Wellington Street West City of Brampton, Ontario L6Y 4R2

GWD File: 11.1768.00 Other Applications

Attention:

Mayor and Members of Planning Committee/Council

Peter Fay, City Clerk

Steve Ganesh, Commissioner of Planning and Development

Subject:

**FORMAL PUBLIC INPUT** 

Application to Amend the Zoning By-law for a Temporary Period of Three (3) Years — To permit the outdoor storage of 100 oversized vehicles (trucks) in the rear yard, 20 personal vehicle parking in the front yard, and repurposing/conversion of the existing residential

dwelling into an office

2769197 Ontario Inc. – Glen Schnarr & Associates Inc. 8195 Winston Churchill Boulevard, City of Brampton

City File: OZS-2022-0016

Ward: 6

### To Whom it May Concern:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to <u>Maple Lodge Farms Ltd.</u> (MLF) and its affiliated companies, who own properties totaling approximately 366 hectares (904 acres), located on both the east and west sides of Winston Churchill Boulevard, north of Steeles Avenue. The properties consist of a broad range of uses; including, a Processing Plant, a Retail Outlet Store, a Water Pollution Control Plant, as well as fields on which commodity grains are farmed.

MLF owns lands located immediately north, south, and east of 8195 Winston Churchill Boulevard and as such has a direct interest the Zoning By-law Amendment Application. MLF has requested that we submit this letter on their behalf.

#### 'Original' vs. 'Revised' Amendment Application

On February 28, 2022, <u>2769197 Ontario Inc.</u> filed a Zoning By-Law Amendment Application for a temporary period of three (3) years to permit the outside storage of 56 oversized vehicles (trucks and trailers) at the rear of the property, 20 personal motor



vehicles at the front of the property, and repurposing/conversion of the existing residential dwelling into an office.

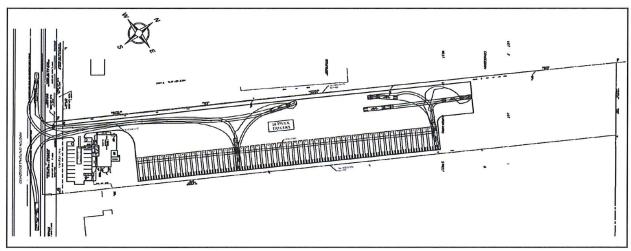


Figure 1 - Original Concept Plan

On May 16, 2022, a Statutory Public Meeting was held in connection with what is referred to as the 'Original' Application. At that time, our office filed a formal Public Input Letter summarizing MLF's comments, observations, concerns and recommendations with the Application (see attached).

The Applicant has since 'Revised' the Amendment Application and now contemplates the outside storage of 100 oversized vehicles (trucks) at the rear of the property, the parking of 20 personal motor vehicles at the front of the property, and repurposing/conversion of the existing residential dwelling into an office.

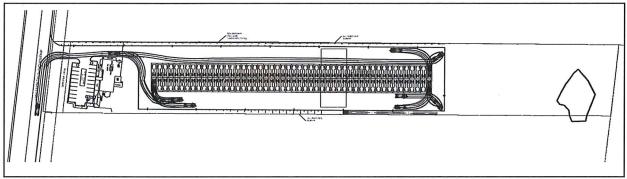


Figure 2 - Revised Concept Plan

#### Public Input

We have reviewed the January 20, 2023 Planning Department Recommendation Report and on behalf of MLF would like to take this opportunity to register with the City of Brampton MLF's comments, concerns and recommendations with the 'Revised' Amendment Application.



- 1. We note for the Record that the Recommendation Report does <u>NOT</u> include a copy of the Public Input Letter our office filed with the City of Brampton prior to the May 16, 2022 Statutory Public Meeting. The omission of this letter is of great concern.
- 2. The Applicant's Agent submitted a Proposed Public Engagement Strategy in support of the original submission with the goal of ensuring transparency throughout the consultation period. As the predominant and largest landowner in the immediate area there has been NO efforts on the part of the Applicant (or their Consultants) to contact MLF to discuss the proposal and address their concerns.
- 3. MLF completed its own Zoning By-law Amendment Application on the lands known municipally as 8175 Winston Churchill Boulevard, located immediately south of the subject property in 2021 (City File: C06W01.005). A formal Site Plan Approval Application was filed on March 7, 2022 to facilitate the construction of its new Chicken Shop and Factory Outlet and Special Event Team Storage Building (City File: SPA-2022-0043). The Application is anticipated to be approved in Q2-2023. A copy of the latest Architectural and Landscape Plans are attached. Proposed landscape works are estimated to be in excess of \$600,000.00.

The Temporary Use Application and the Recommendation Report appear to have little to <u>NO</u> regard for the vision, approvals, and significant investment MLF is making to its property and greater facility.

4. According to aerial photography secured from the City's Interactive Mapping Service site alteration works may have already occurred on site prior to securing the necessary approvals from the City of Brampton, Region of Peel and Credit Valley Conservation. The parking of oversized vehicles (trucks and trailers) may already be taking place and it also appears that an existing waterbody may have been filled in.



Figure 3 - Spring 2022 Aerial Photo



Figure 4 - Fall 2022 Aerial Photo



MLF has serious concerns that there may be potential off-site impacts on its lands. They question whether all Municipal By-laws are being complied with; hopefully they are.

5. Temporary Use By-laws are intended to permit a use on a short term basis (i.e. 36 months), utilize existing or temporary buildings and structures, and not require the extensive construction of permanent buildings or structures or, the significant alteration of the site in question to accommodate the temporary use. Upon the expiry of the temporary time period the authorized use of land, buildings or structures that were permitted is intended to cease.

Based on a review the Revised Site Plan and supporting technical plans, reports, and studies it is obvious that extensive site alteration and building/structure renovations proposed; including; but not limited to the following:

- Below grade stormwater management chamber;
- Significant tree removal and tree preservation hoarding;
- · Perimeter landscaping, fencing, and masonry walls;
- Sound barrier wall measuring 3.5 metres in height, 270+ metres in length;
- Asphalt, concrete curbing and grading;
- Removal and replacement of the existing driveway access culvert;
- Exterior light standards and fixtures; and
- Repurposing/conversion of the existing residential dwelling.

The aforementioned are are typical of permanent construction and can hardly be considered moderate or temporary. They do <u>NOT</u> meet the criteria set out in the City of Brampton Official Plan. It is questionable whether the property can ever reasonably revert back to a residential use following the expiry of the temporary period.

- 6. Staff's recommendation that a Site Plan Approval Application be approved prior to the establishment of the use serves as confirmation that the level of alteration is well beyond a "temporary" condition and will likely warrant a "Full" Site Plan Review involving internal City Department/Divisions and any number of external agencies; including; the Region's of Peel and Halton, Town of Halton Hills, and Credit Valley Conservation. "Full" Site Plan Approval Applications typically require proponents to enter into Agreements with the City (and sometimes the Region) which are registered on the property's title, post financial securities and provide insurance coverage satisfactory to the City of Brampton.
- 7. The outside storage of oversized vehicles is an 'industrial' use and is permitted within industrial areas. The property has been planned for highway commercial use. If the temporary use is approved conformity with the Bram West Secondary Plan will NOT have been met resulting in a conflict between planning policy and the City Zoning By-law. Once established there is no telling how many renewals the Applicant will pursue. The Temporary Use has the potential to negatively impact the long-term vision for the area and this is NOT good planning.



- 8. The submitted Environmental Noise Report recommends mitigation measures to ensure the trucking operations do not disrupt the existing neighbourhood. It is evident based on the length and height of the recommended noise barrier along the north property line that extensive mitigation is needed. The outside storage of oversized vehicles adjacent to the sensitive noise receptors to the north raises legitimate compatibility concerns.
- 9. Planning Staff note within Appendix #9 of the Recommendation Report that both the City of Brampton and the Region of Peel have advised the Applicant to revise the Traffic Impact Study (TIS) to ensure it is consistent with the current proposal. The TIS suggests that its findings, conclusions, and recommendations are NOT final and could be subject to change.

We disagree with the Addendum Traffic Brief dated October 2022 which states that an auxiliary turning lane is <u>NOT</u> required. It is important to clarify that as part of the new MLF Retail Outlet and Special Event Team Building will be constructing a northbound auxiliary turning lane.

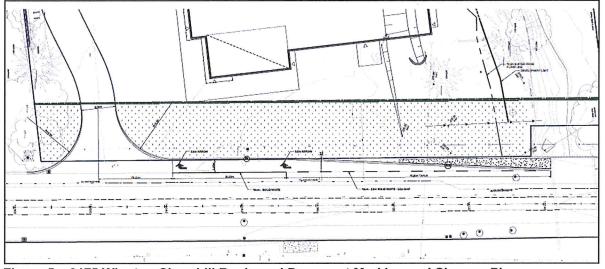


Figure 5 – 8175 Winston Churchill Boulevard Pavement Marking and Signage Plan

The Region's requirement that the Temporary Use Application install an auxiliary turning lane should be strictly enforced.

10. Appendix #11 of the Recommendation Report titled "Results of the Application Circulation" is inclusive of external agency commentary. The Town of Halton Hills provided written correspondence on <a href="mailto:three">three</a> (3) occasions, the latest being issued on November 7, 2022. The Town has consistently maintained the same position and recommended <a href="mailto:refusal">refusal</a>. The following are direct quotes from the Town of Halton Hills:

#### March 31, 2022

"...The Town has been approached with numerous similar requests for Temporary Use Zoning By-law Amendments to establish temporary transport terminals within



the Provincially Significant Employment Zones situated in the Town along the Steeles Avenue Premier Gateway Employment Area.

Town Staff has advised prospective applicants that we do not consider transport terminals, temporary or otherwise, to be major employment uses and would not support such proposals."

#### March 30, 2022

"...Town Staff cannot support the Temporary Use Zoning By-law Amendment application to permit a temporary transport terminal for 3 years and requests that Council for the City of Brampton refuses to grant approval of the application.

The site is located within a Provincially Significant Employment Zone in the Growth Plan for the Greater Golden Horseshoe, which requires development to consist of a major employment use (i.e., 3 contains a significant number of jobs). Given the nature of the proposed use Staff is of the opinion that it would not constitute a major employment use".

Town Staff has consistently discouraged the submission of both permanent and Temporary Use Zoning By-law Amendment applications for transport terminals in the Town of Halton Hills given concerns regarding their ability to meet the above criteria.

With respect to the subject application at 8195 Winston Churchill Boulevard, staff has particular concerns regarding the proposal's ability to not cause traffic hazards or an unacceptable level of congestion on surrounding roads (criterion e) given Winston Churchill Boulevard is a boundary road between the Region of Peel and Region of Halton and the proximity of the site to the Town's Premier Gateway Employment Area Business Park. In addition, the proposed use suggests the truck parking (56 spots) will be for gravel trucks and trailers with the trucks remaining coupled to the trailers when not in use. This would suggest that every operator will also require a place to park a personal vehicle and Staff has concerns regarding the proposal's ability to provide parking facilities required by the proposed use entirely on-site (criterion f)."

#### November 7, 2022

"It is Town Staff's understanding that a Temporary Use Zoning By-law Amendment application has been resubmitted to permit a transport terminal for 3 years at 8195 Winston Churchill Boulevard in the City of Brampton, which consists of outdoor storage of 56 trucks (tractors only) and an associated office in the existing building.

The Town will be reiterating our comments from the 1<sup>st</sup> submission. However, the comment regarding needing to provide a personal vehicle parking space for each tractor-trailer parking space has been removed given the change in the proposal to only include parking for tractors (no trailers).



The Town has been approached with numerous similar requests for Temporary Use Zoning By-law Amendments to establish temporary transport terminals within the Provincially Significant Employment Zones situated in the Town along the Steeles Avenue Premier Gateway Employment Area.

Town Staff has advised prospective applicants that we do not consider transport terminals, temporary or otherwise, to be major employment uses and would not support such proposals."

It is disappointing that City of Brampton Planning Staff have chosen to dismiss the Town of Halton Hills' concerns and recommendations.

#### **Final Remarks and Recommendation**

Thank you for this opportunity to share our Client's comments, observations, and recommendations. MLF recommends that Planning Committee <u>NOT</u> approve the Temporary Use Application for the reasons outlined in earlier correspondence, this letter and input raised by other stakeholders. In summary the proposal:

- Even on an interim basis, is **NOT** consistent with applicable planning policies;
- Will create adverse effects of the surrounding community;
- Requires significant site works that are inconsistent with a Temporary Use;
- Is NOT compatible with the abutting residential and highway commercial land uses;
- Does NOT represent good planning

Should you require anything further, please do not hesitate to contact the undersigned.

Yours truly,

Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
Managing Principal Planner

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Marc De Nardis, B.U.R.PI., M.C.I.P., R.P.P.

Planning Associate

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C.c.: N. Cubacub, City of Brampton

- D. VanderBerg, City of Brampton
- S. Ganesh, City of Brampton
- A. Parsons, City of Brampton
- J. Hardcastle, Region of Peel
- M. Meldrum, Region of Peel
- J. McMulkin, Town of Halton Hills
- S. Partridge, Halton Region
- T. Hughes, Credit Valley Conservation

Maple Lodge Farms Ltd.



Principals

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

May 16, 2022

GWD File: 11.1768.00 Other Applications

The Corporation of the City of Brampton Planning & Development Services Department 2 Wellington Street West (3<sup>rd</sup> Floor) City of Brampton, Ontario L6Y 4R2

Attention: Mr. Noel Cubacub

**Development Planner** 

Subject: FORMAL PUBLIC INPUT

Application to Temporarily Amend the Zoning By-law

[To permit the outdoor storage of 56 trucks and trailers, along with an associated office space – temporary period of three (3) years]

2769197 Ontario Inc. – Glen Schnarr & Associates Inc. 8195 Winston Churchill Boulevard, City of Brampton

City File: OZS-2022-0016

Ward: 6

#### Dear Noel:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to <u>Maple Lodge Farms Ltd.</u> (MLF) and its affiliated companies, who own properties totaling approximately 366 hectares (904 acres), located on both the east and west sides of Winston Churchill Boulevard, north of Steeles Avenue. The properties consist of a broad range of features; including, a Processing Plant, a Retail Outlet Store, a Water Pollution Control Plant, as well as fields on which commodity grains are farmed.

MLF owns lands located immediately north, south, and east of 8195 Winston Churchill Boulevard and as such has a direct interest the Zoning By-law Amendment Application. It has requested that our office monitor its processing and submit this public input letter on their behalf.

#### 8301 Winston Churchill Boulevard

At any given time some 1,600 to 1,800 individuals are employed at the main MLF Processing Facility located at 8301 Winston Churchill Boulevard. In recent years a series of renovations and upgrades to the facility have been completed. In the very near future MLF is planning to commence the next phase of its facility expansion and site improvements.



#### 8175 Winston Churchill Boulevard

MLF recently completed its own Zoning By-law Amendment Application on the lands known municipally as 8175 Winston Churchill Boulevard, located immediately south of the subject property (City File: C06W01.005). After a lengthy planning approvals process that involved consultation with external agencies including the Credit Valley Conservation Authority (CVCA), the Town of Halton Hills, Peel and Halton Regions, a Report was considered on December 6, 2021 by the City of Brampton Planning and Development Committee recommending approval of the Application. By-law 289-2021 was subsequently passed by City Council on December 8, 2021.

With the appropriate zoning now in effect MLF filed its formal Site Plan Approval Application on March 7, 2022 to facilitate the construction of its new Chicken Shop and Factory Outlet and Special Event Team Storage Building (City File: SPA-2022-0043). The proposal which has been further refined complies with all zoning standards. All existing buildings and structures are to be demolished.

**Appendix "1"** includes a perspective rendering of the new Chicken Shop and Factory Outlet.

### OZS-2022-0016 - Application to Temporarily Amend City Zoning By-law 270-2004

Based on our review of the Notice of Public Meeting and City Information Report, we wish to share the following concerns, observations, and recommendations. They should be considered prior to City Planning Staff tabling a future Recommendation Report.

- 1. Page 4 The Information Report advises that the proposed trailer parking and underground water storage structure encroaches into the Regulatory Floodplain and associated buffer. A closer review of Development Plan and Natural Heritage Constraints Map within the submitted Environmental Impact Study (EIS) depicts as many as many as 15 trailer parking encroaching in the flood zone.
  - MLF and its Consultants worked closely with Brampton Environmental Planning and CVCA Staff during the processing of C06W01.005 to determine the limits of development. The Regulatory Floodplain was respected and placed in an appropriate restrictive zoning. MLF has serious concerns that the proposed encroachment will have offsite impacts on its lands; the Floodplain should be maintained to ensure that there is no net loss in flood storage.
- 2. Page 4 The Information Report notes that the Application is proposing to change the existing "Agricultural (A)" zoning to an "Industrial Two (M2)" zone which would permit a wide range of industrial uses beyond the temporary parking of trailers, outdoor storage, and associated office. City Staff will be reviewing the appropriateness of changing the current zone to a site specific zoning category where there will be no permitted uses outside of the current proposal.

Pursuant to Sections 5.10.3 and 5.10.4 of the City Official Plan, Temporary Use Bylaws are intended to permit a use on a short term basis (i.e. 36 months) which



utilizes existing or temporary buildings and structures and does not require the extensive construction of permanent buildings or structures or, the significant alteration of the land to accommodate the temporary use. Upon the expiry of the temporary time period(s) the authorized use of land, buildings or structures that were permitted shall cease to exist.

Requesting a zoning change via a Temporary Use Application is not appropriate in the context of Section 39 of the *Planning Act*. The property's Agricultural zoning should be maintained. If the Owner is desirous of changing the property's zoning, then a formal Zoning By-law Amendment Application should be submitted.

3. The requested "Industrial Two (M2)" zoning does not appear to conform to the local Bram West Secondary Plan (Area 40, Chapter A) "Highway Commercial Service Commercial" designation. This designation permits a range of uses including: office, retail and service uses, restaurants, retail warehousing, hotels and motels, specialty food and grocery stores, and select industrial uses which have a substantial retail component. The M2 zoning does not permit any above-mentioned uses. If approved conformity with the Secondary Plan will not have been met resulting in a conflict between planning policy and the Zoning By-law.

By way of comparison the "<u>Industrial Business – Section 3608 (MBU-3608)</u>" zoning which applies to the westerly half of 8175 Winston Churchill Boulevard is inclusive of regulations that: 1) require trucks and/or trailers associated with a retail establishment to be stored within an enclosed building; and 2) prohibit the repair and outside storage of trailers. These regulations were put in place to ensure the intent of the Highway & Service Commercial designation is maintained

4. Based on a cursory review the proposed Site Plan, Site Servicing and Grading Plans extensive site alteration and building/structure renovations are needed. The use requires significant investment including the installation of new stormwater management infrastructure which are typical of permanent construction. The use does not appear to meet the criteria established in Section 5.10.3 of the Official Plan.

It is questionable whether the property can revert back to the existing residential use following the expiry of the temporary period.

5. Should Staff proceed to recommend approval of the Application it is MLF's request that the Owner be required as a condition of approval to undertake a comprehensive planning process to secure Site Plan Approval prior to any development/alteration taking place on the property.

As noted earlier in the correspondence MLF has recently filed its Site Plan Approval Application for its new Chicken Shop and Factory Outlet and Special Event Team Storage Building. The Application has been deemed complete and is currently in process. Should the Trailer Parking use proceed coordination between Site Plan Applications should be made a requirement.



#### **Closing Remarks**

On behalf of MLF and its affiliated companies thank you for this opportunity to share our Client's preliminary comments, observations, and recommendations. Given the close proximity between properties it has a direct interest in the Application.

Copies of the technical studies that are currently available for public review have been secured. Additional submissions or requests for information may be forthcoming once MLF's Consultant Team has completed its review. They wish to reserve the right to provide further comments as necessary during the continued processing of the Application.

Kindly accept this letter as our formal request to be notified of all future Open Houses, Public Meetings, Planning Committee and Council Meetings to be held in connection with the Amendment Application. Lastly, we request notification of the passage of any and all By-laws or Notices.

Should you require anything further, please do not hesitate to contact the undersigned.

Yours truly,

Marc De Nardis, B.U.R.PI., M.C.I.P., R.P.P.

**Planning Associate** 

mdenardis@gwdplanners.com

C.c. C. Owusu-Gyimah, City of Brampton

A. Homagain, Region of Peel

R. Conard. Town of Halton Hills

S. Partridge, Halton Region

T. Hughes, Credit Valley Conservation Authority

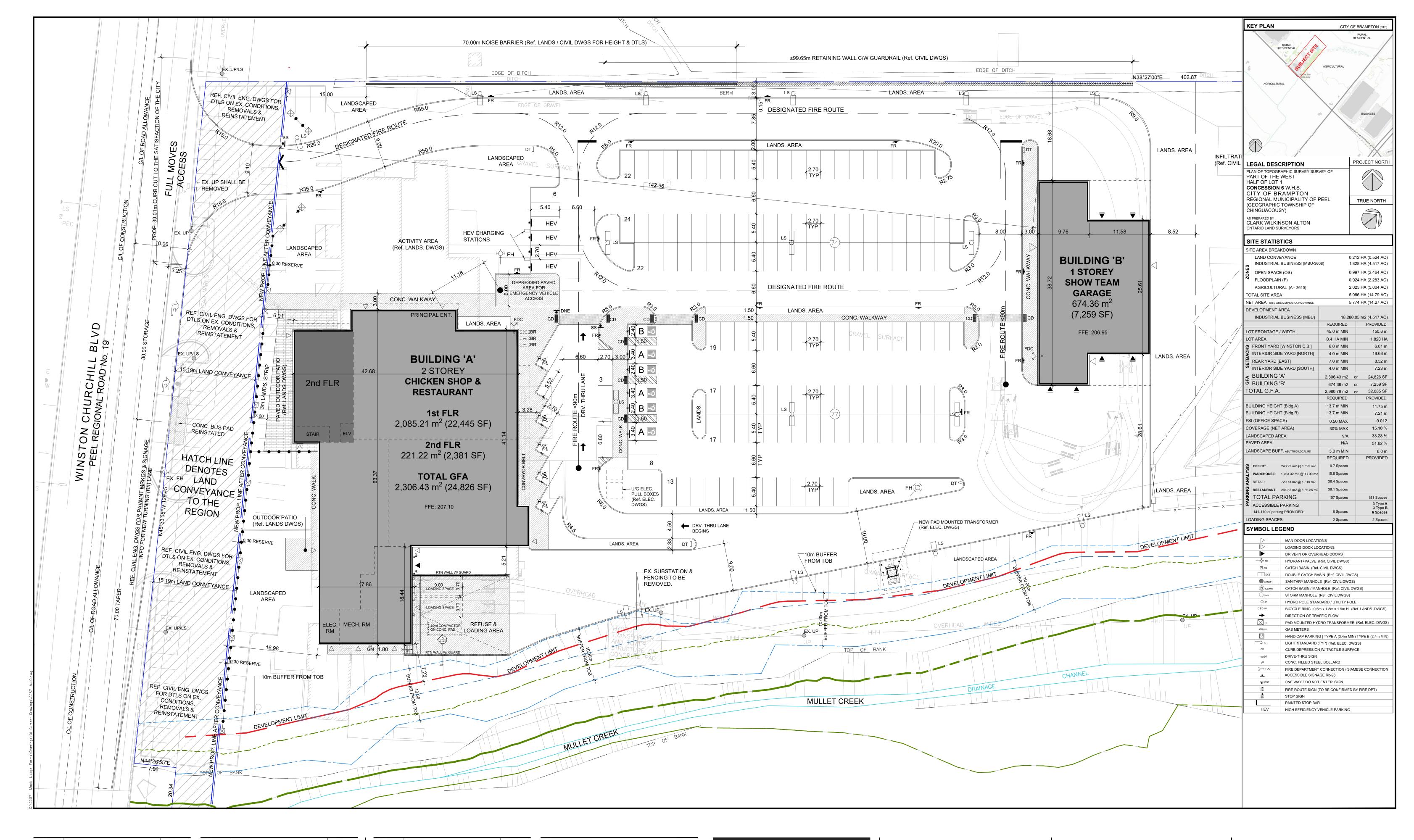
Maple Lodge Farms Ltd.

M. Gagnon, Gagnon Walker Domes Ltd.

### **APPENDIX '1'**



Figure 9: Perspective Rendering



N	lo.	ISSUED	DATE
	1	ISSUED FOR REVIEW & COORDINATION	OCT. 22, 2018
	2	ISSUED FOR ZBA	DEC. 13, 2018
	3	RE-ISSUED FOR ZBA	SEPT. 08, 2020
	4	RE-ISSUED FOR ZBA	AUG. 12, 2021
	5	ISSUED FOR SPA	FEB. 11,

6	RE-ISSUED FOR SPA	FEB. 10, 2023

No.	REVISION	DATE
1	COORDINATED w/ CIVIL	JULY 23, 2020
2	REVISED PER MUNICIPAL COMMENTS	AUG. 12, 2021
3	REVISED TO SUIT SPA COMMENTS	OCT. 20, 2022
4	UPDATED TO INCLUDE NEW TRANSFORMER LOCATION	JAN. 25, 2023
	1	





# MAPLE LODGE FARMS

8175 WINSTON CHURCHILL BOULEVARD BRAMPTON, ON

## SITE PLAN

SPA-2022-0043				
DATE: DRAWN BY: CHECKED: SCALE:				
JAN. 2018	DW		1:300	
PROJECT No.		DRAWING No.		
22-37	7	A	-1.0	



No.	ISSUED	DATE
1	ISSUED FOR REVIEW & COORDINATION	OCT. 22, 2018
2	ISSUED FOR ZBA	DEC. 13, 2018
3	ISSUED FOR SPA	FEB. 04, 2022
4	RE-ISSUED FOR SPA	JAN. 27, 2023

No.	REVISION	DATE	
1	OWNER REQUESTED REVISIONS	NOV. 03 2021	





## MAPLE LODGE FARMS

BUILDING 'A'

SPA-2022-0043

DATE: DRAWN BY: CHECKED: SCALE:

JAN. 2018 DW/JH 1:100

PROJECT No. DRAWING No.

**ELEVATIONS** 

8175 WINSTON CHURCHILL BOULEVARD BRAMPTON, ON

URCHILL BOULEVARD 22-37



	No.	ISSUED	DATE
_	1	ISSUED FOR REVIEW & COORDINATION	OCT. 22, 2018
	2	ISSUED FOR ZBA	DEC. 13, 2018
	3	ISSUED FOR SPA	FEB. 04, 2022
_	4	RE-ISSUED FOR SPA	JAN. 27, 2023

No.	REVISION	DATE	
1	OWNER REQUESTED REVISIONS	NOV. 03 2021	





# MAPLE LODGE FARMS

ELEVATIONS
BUILDING 'A'

SPA-2022-0043

DATE: DRAWN BY: CHECKED: SC

8175 WINSTON CHURCHILL BOULEVARD BRAMPTON, ON

DATE: DRAWN BY: CHECKED: SCALE:

JAN. 2018 DW 1:100

PROJECT No. DRAWING No.

22-37 A-3.1 A



No.	ISSUED	DATE
1	ISSUED FOR REVEIW & COORDINATION	OCT. 22, 2019
2	ISSUED FOR ZBA	DEC.13, 2019
3	ISSUED FOR SPA	FEB. 04, 2022
4	RE-ISSUED FOR SPA	JAN. 26,

REVISION



30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7 т. 905.660.0722 | www.baldassarra.ca



OWNERS INFORMATION:

MAPLE LODGE FARMS LTD.

# MAPLE LODGE **FARMS**

8175 WINSTON CHURCHILL BOULEVARD BRAMPTON, ON

### **ELEVATIONS BUILDING 'B'**

SPA-2022-0043			
DATE:	DRAWN BY:	CHECKED:	SCALE:
JAN. 2018	DW	JH	AS S
PROJECT No.		DRAWING No.	

