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File No. 703812

July 5, 2021

By Email to adam.wendland@caledon.ca

Adam Wendland
Community Development Planner
Town of Caledon
6311 Old Church Rd.
Caledon, ON L7C 1J6

Dear Mr. Wendland:

**Re: Objection to Proposed Zoning By-law Amendment
12423 Coleraine Drive and 0 Simpson Road, Bolton
Town File No. RZ 2021-0004**

We are counsel to Mars Canada Inc. ("**Mars**"), the owners of 37 and 57 Holland Drive and long-term tenant of 12315 Coleraine Drive and 8400 George Bolton Parkway, all within the Town of Caledon (the "**Town**").

On behalf of our client, we write to oppose the zoning by-law amendment application submitted by Blackthorn Development Corp. on behalf of Darzi Holdings Ltd. (the "**Applicant**") that would permit a contractor's facility and site-specific zoning exceptions for three years (the "**Application**") on the lands municipally known as 12423 Coleraine Drive and 0 Simpson Road, Bolton (the "**Subject Lands**"). Mars' facility at 12315 Coleraine Drive (the "**Mars Coleraine Facility**") is approximately 60 metres from the Subject Lands at its closest point. Thus, Mars has an immediate interest in this proposal, though its concerns extend beyond its own property.

Mars has invested in Bolton for over 30 years with both its head office, pet and food manufacturing plants located on Holland Drive. These two locations represent two of their three manufacturing plants in all of Canada.

Recently, Mars has invested approximately \$300 million in the Bolton area in relation to their manufacturing, warehouse, distribution, and co-packing facilities. This investment in the Bolton area is critical to Mars' ongoing business operations in Canada, as well as across North America, and provides a considerable benefit to the region.

It is important to Mars that the Town's vision for Bolton as outlined in its Official Plan be realized, including for:

- the prestige and high standard of community design along arterial roads, including Coleraine Drive, and George Bolton Parkway (Policy 7.9.2); and
- the requirement that prestige industrial uses be located within enclosed buildings with no outside storage per Policy 5.5.4 (except in limited circumstances which do not apply here).

Recently, Mars expended significant time and resources as a party before the Ontario Land Tribunal (then known as the Local Planning Appeal Tribunal), opposing a hot mix asphalt plant on lands adjacent to both the Mars Coleraine Facility and the Subject Lands, at 12415 Coleraine Drive. This demonstrates our client's strong commitment to upholding the principles enumerated by the Town. Indeed, Mars specifically seeks out areas that offer prestige employment uses for the placement of their facilities to ensure functional land use compatibility.

It is within this context that Mars writes to the Town in opposition of the Application. We also understand that the Applicant currently operates the Subject Lands without proper permissions, and has been the subject of court actions commenced by the Town.

To permit the Application on lands currently designated for Prestige Industrial uses is contrary to the *deliberate* employment structure established by the Town. Indeed, the Town's vision is manifested in:

- the Region of Peel's Official Plan Amendment, Numbers 28 and 30, relating to the west side of Coleraine Drive;
- the Town's Official Plan, which does not permit this type of use on the Subject Lands;
- the Coleraine West Employment Area Secondary Plan ("CWEASP"); and
- the South Simpson Industrial Secondary Plan ("SSISP").

Considering the proposed uses envisioned by the Application are not permitted by the Town's Official Plan, it is our client's position that an Official Plan Amendment (OPA) is also required. That said, our client will have significant concerns with any OPA application filed, similar to concerns being raised in this letter.

Our client also is concerned that should the Application be approved, the Applicant will later seek permanent zoning relief.

In summary, the Application does not represent good planning in the public interest. It does not conform with, nor is it consistent with the applicable policy framework, including the Town's Official Plan.

We kindly request notice of any public consultations, open houses, public meetings, council and committee meetings, or decisions made, in respect of the Application, or any applications or proposals to permit a contractor's facility and site-specific zoning exceptions on the Subject Lands.

Do not hesitate to contact us should you have any questions.

Yours sincerely,
DAVIES HOWE LLP



Susan Rosenthal
Professional Corporation

SR:JC

Copy: Client



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

PARTNERS:

GLEN SCHNARR, MCIP, RPP

GLEN BROLL, MCIP, RPP

COLIN CHUNG, MCIP, RPP

JIM LEVAC, MCIP, RPP

July 9th, 2021

GSAI File: 1128-007B

Adam Wendland
Community Development Planner
Town of Caledon
6311 Old Church Rd.
Caledon, ON L7C 1J6

**Re: Opposition to Proposed Zoning By-law Amendment
 12423 Coleraine Drive and 0 Simpson Road, Bolton, Town of Caledon
 Regional Municipality of Peel
 Town File No. RZ 2021-0004**

Dear Mr. Wendland:

Glen Schnarr & Associates Inc. ("GSAI") are the authorized agents and planning consultants for Ontari Holdings Ltd. and ONE Properties (referred to as our "clients" herein), owners and managers of the lands municipally addressed as 12724, 12714, and 12734 Coleraine Drive, generally located on the west side of Coleraine Drive, south of Healey Road and north of George Bolton Parkway in the Town of Caledon, Regional Municipality of Peel (the "client's lands"). We are writing to express our client's opposition to the proposed Zoning By-law Amendment on the lands located at 12423 Coleraine Drive and 0 Simpson Road (the "subject lands" and the "proposed Amendment") to permit a contractor's facility with associated accessory buildings and Open Storage.

GSAI has participated in the Town's planning processes for the Coleraine West Employment Area over the past number of years. Specifically, GSAI has provided planning advice to Ontari since September of 2013 with respect to ROPA 28 and the expansion of the Bolton Rural Service Centre settlement area to what is now known as the Coleraine West Employment Area. Subsequently, GSAI provided planning advice to our clients with respect to the Town's OPA 243 and Zoning By-law Amendment for the Coleraine West Employment Area, enacted on November 29, 2016. GSAI continues to provide professional planning advice and services for the development of our client's lands and the development of three, high-quality, prestige industrial buildings. All three buildings have been designed to the Official Plan's requirements for Prestige Industrial areas and represent a high quality of urban design. The built-form and siting of the buildings have been

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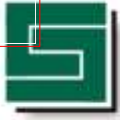
designed in accordance with the Coleraine West Employment Secondary Plan and the associated design guidelines.

More recently, GSAI participated in the Local Planning Appeal Tribunal hearing in opposition to a proposed asphalt plant on the lands municipally addressed as 12415 Coleraine Drive, located adjacent and to the south the subject lands.

Our client and GSAI have been actively involved in contributing to and fulfilling the Town's vision for this area. We strongly feel that the proposed Amendment to permit a contractor's facility and the associated outdoor/open storage is contrary to the planned function for the area. The proposed uses are not compatible with surrounding land uses and contractor's facilities are not permitted by the Prestige Industrial designation applicable to the subject lands. While the uses sought are intended to be temporary, they remain incompatible with the surrounding area and further extensions of the temporary period or permanence of the use could be sought later on.

As such, we are writing to express our client's opposition to the Zoning By-law Amendment application submitted by Blackthorn Development Corp. on behalf of Darzi Holdings Ltd. to permit a contractor's facility for a term of three years on the subject lands. The proposed contractor's facility is incompatible with the surrounding land uses and the intended function of the area. Redevelopment in the Coleraine West Employment Area is to conform with the in-force land use policies and as such the proposed Amendment does not represent good planning and should not be approved. The significant investments our client has made in the area are based on these principles of high quality land uses and existing and future tenants of the approved buildings expect the same.

Further to our direct opposition to this application, we request that GSAI and ONE Properties be informed and notified directly of any future public consultations, Committee and Council meetings and any updates as they pertain to the proposed Amendments and specifically Town file No. RZ 2021-0004.



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.

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cc. ONE Properties c/o Sylvain Rivet (srivet@oneproperties.ca)

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File No. 033280/000004

June 7, 2021

DELIVERED BY EMAIL

Adam Wendland
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Dear Mr. Wendland:

**Re: Objection to Proposed Zoning By-law Amendment
12423 Coleraine Drive and 0 Simpson Road, Bolton
Town File No. RZ 2021-0004**

We are counsel to BoltCol Holdings North Inc. and BoltCol South North Inc. (together, “**BoltCol**”) the owners of approximately 122 hectares (301 acres) of land on the west of Coleraine Drive within the Coleraine West Employment Area, north of Mayfield Road and generally south of George Bolton Parkway (the “**BoltCol Lands**”).

We write to express BoltCol’s opposition to the zoning by-law amendment application submitted by Blackthorn Development Corp. on behalf of Darzi Holdings Ltd. (the “**Applicant**”) to permit a contractor’s facility and site specific zoning exceptions for three years on lands municipally known as 12423 Coleraine Drive and 0 Simpson Road, Bolton (the “**Subject Lands**”).

BoltCol has advanced significant development of leased industrial space on the west side of Coleraine Drive facing the Subject Property. BoltCol has invested heavily in the development of these lands for prestige industrial uses in accordance with the Town of Caledon’s (the “**Town**”) vision for the Coleraine West Employment Area Secondary Plan (“**CWEASP**”).

BoltCol has actively participated in planning approval processes for their, and surrounding lands, including Region of Peel Official Plan Amendment Numbers 28 and 30, and, more recently, the Local Planning Appeal Tribunal hearing with respect to the proposed hot mix asphalt (“**HMA**”) plant for the lands municipally known as 12415 Coleraine Drive, in which BoltCol opposed the HMA plant. Our client is manifesting the Town’s vision for this employment area and has a keen interest in ensuring the uses in the area are reflective of the prestige, high-quality community design standard that was established through a distinct suite of official plan policies and permitted uses.

The Applicant's request to permit a contractor's facility is an inappropriate use of the Subject Property and the Town should refuse the request to permit a use that is incompatible with the Town's planning for this burgeoning employment area. It is our understanding that the temporary approval sought is in relation to a use of the property that has been ongoing without proper permissions to date, and our client is also concerned that once the temporary use is established, the owner will seek permanent permissions.

Indeed, a decision to approve the subject application would not conform with the Town's Official Plan ("Town OP"). Given the specific policy direction for lands designated as *Prestige Industrial* in the Town OP, an Official Plan Amendment is required to permit the uses requested by the Applicant.

The Subject Lands are designated as *Prestige Industrial* and occupy a prominent visual location in relation to Coleraine Drive and George Bolton Parkway. The Town OP directs that *Prestige Industrial* uses are to be located within enclosed buildings with no outside storage (Town OP, 5.5.4)

Contractor's yards are not permitted in the *Prestige Industrial* designation (unlike the *General Industrial* designation) and open storage is prohibited on prestige lands, subject to limited exceptions set out in the Town OP.

The Subject Lands are within the South Simpson Industrial Secondary Plan ("SSISP") area. The *Prestige Industrial* designation in the SSISP is intended to provide a high standard of community design along arterial roads, including Coleraine Drive, and George Bolton Parkway (Town OP, Policy 7.9.2). The SSISP and CWEASP areas are recognized as a "gateway to Bolton" (Town OP, Policies 7.9.4 and 7.15.6.1).

Approval of this use, even on a temporary basis, on the Subject Lands, would further entrench the east side of Coleraine Drive in the past, and will impair the Town's ability to achieve its vision for this gateway location - a vision that is gradually being realized on the east of Coleraine Drive and expeditiously on the lands to the west of Coleraine.

The proposed contractor's yard use and the zoning exceptions, in this location, cannot conform or be consistent with applicable policy regime, and does not represent good planning.

We request that the Town provide the undersigned notice of any public consultations, open houses, public meetings and Council and Committee meetings, and of any decision made, in respect of the any applications or proposals to permit a contractor's facility and related site specific zoning exceptions on the Subject Lands.

We thank you for your attention to this matter.



J. Pitman Patterson

JPP/LE

cc Client