

JCRA Feedback on the 560 and 772 Winston Churchill Blvd. submissions to the Town of Oakville

Comments from the Joshua Creek Resident's Association on the Applicants' Re-submission in response to Town of Oakville requirements for Ultimate Operating Condition Analysis of both 560 & 772 Winston Churchill Blvd

August 2024

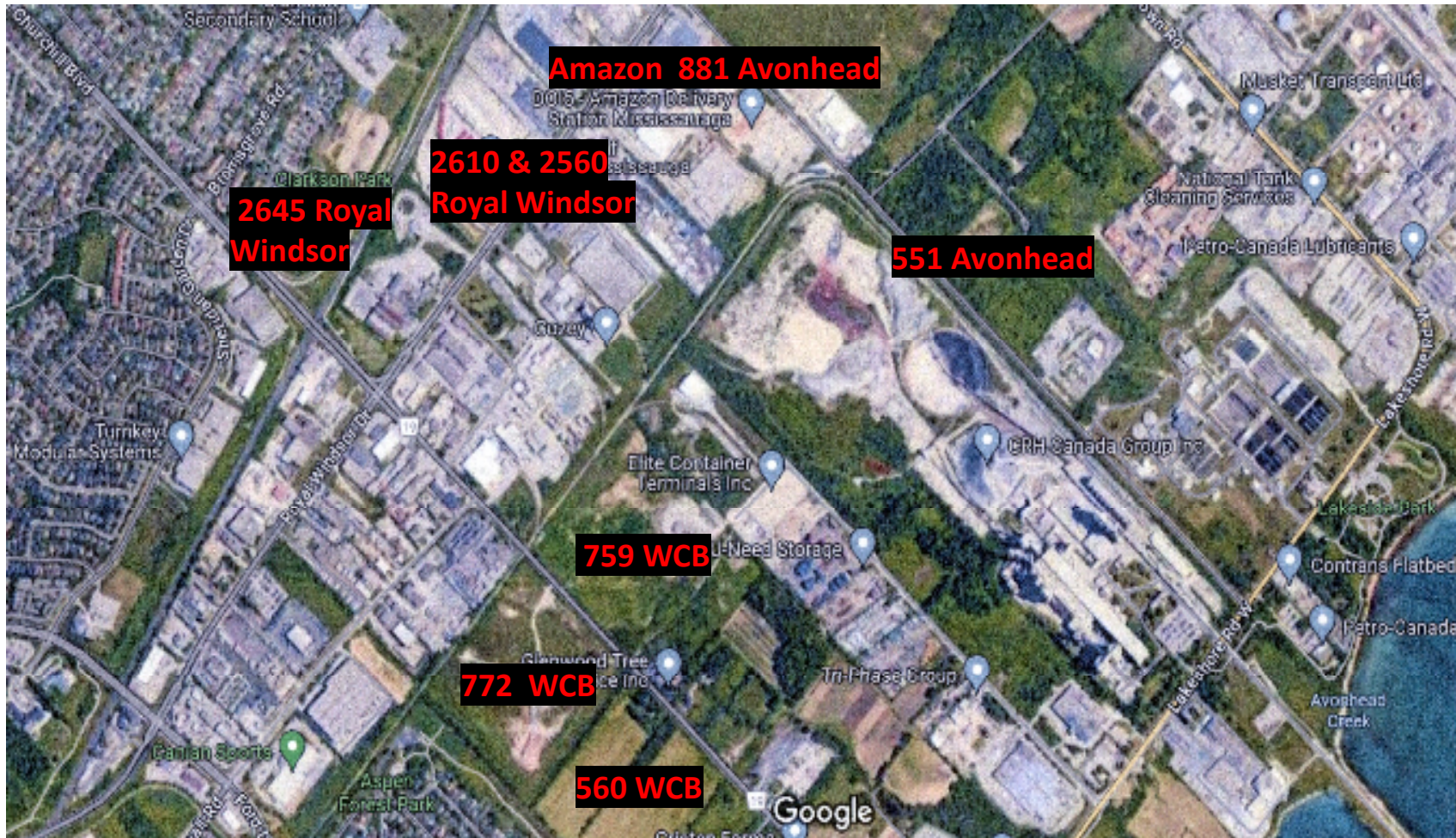
8000 Dixie **Industrial Park**, Brampton, ON L6T 2J7
75,000 - 1,311,573 SF of Industrial Space Available



Winston Churchill Warehouses next to an established Aspen Forest Neighbourhood & Park



5 New Warehouse Developments nearby in Mississauga E3 Industrial Area



JCRA Feedback on the 560 and 772 Winston Churchill Blvd. submissions

This presentation outlines the Joshua Creek Residents' Association concerns about the two site plan applications for 560 and 772 Winston Churchill Blvd. on behalf of Aspen Forest residents and the surrounding JCRA community.

We are asking:

Why is Council's mandated condition being ignored for the site plan approval of two warehouse developments totalling 1.3 million square feet that can operate 24/7 adjacent to an established neighbourhood?

Why did the applicants, their consultants and peer reviewer accept 8550 Boston Church Rd. as a proxy to determine if the trip generation rates for 560 and 772 Winston Churchill Blvd. met the Town's condition "to evaluate the ultimate operating condition of the site based on full build-out"?

On June 27th, Development Council added the condition below to both site plan applications. This condition has not been met.

- (1) ***"The Owner shall evaluate the ultimate operating condition of the site, based on full build-out, and identify any required traffic, noise and vibration measures, prior to final approval of the site plan. This evaluation shall be reviewed by the Town's peer review consultants at the expense of the Owner. Installation of any mitigation measures identified by the evaluation shall be incorporated into the final plans and studies and implemented prior to occupancy of any of the proposed buildings."***

At the June 27th Development Council meeting both owners presented a commitment letter on WeirFoulds LLP Letterhead dated June 27, 2022, that outlined a number of items including the following provision:

- (2) ***"The Owner will undertake not to occupy the buildings on the easternly portions of the Properties, which abut Winston Churchill Blvd. in advance of the commencement of the exterior construction of the buildings located on the westerly portion of the Properties closest to the residentially zoned lands."*** The JCRA would like to see this provision amended to ensure the buildings that act as a sound barrier for residents are constructed first. The wording of this clause does not address this concern.

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- Both applicants submitted updated reports in late 2023 and early 2024 that did not provide an evaluation of the “ultimate operating conditions of the warehouses based on full build-out.”
- Instead, both their consultants and the Town’s peer reviewer compared their original traffic studies for 560 and 772 WCB to trip generation rates for a Lowe’s warehouse at 8850 Boston Church Rd. in Milton (8550) that was identified by the municipality as a proxy for the Winston Churchill warehouses.
- The peer reviewer identified that the trip generation rates at 8550 in Milton were significantly lower than the trip generation rates used in the studies submitted for 560 and 772 WCB. The report states that 560 and 772 ITE trip generation rates are **53% and 46% higher than the proxy site trip generation rates** for AM and PM peak hours respectively. The report goes on to state that the 560 and 772 “ITE trip generation rates are found to be “conservative” when compared to the proxy site (8550 Boston Church Road).”
- This finding says nothing about whether the trip generation rates at 560 and 772 WCB represent the ultimate operating conditions of the warehouses based on full build-out, a condition for site plan approval. It only confirms that the proxy is an under-utilized warehouse that had very low trip generation rates during the study period in mid 2023.
- There was no examination of the operating level of this Milton warehouse which was sold by Lowe’s to a private equity firm in early 2023 and was likely undergoing restructuring. ***It should have been determined that it was not an acceptable proxy for the determining the “the ultimate operating condition of the two development sites, based on full build-out.”***
- As a result , the D6-Land Compatibility report and related traffic, air quality and noise and vibration studies were not updated by the applicants.

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- Our traffic analysis used calculations of estimated heavy truck trips into and out of the warehouses based on the Institute of Traffic Engineers (ITE) average rates for LUD 150 (“Land Use Description”) warehouses. The ITE represents the industry standard in traffic with over 17,000 members in 92 countries including more than 2,000 in Canada.
- The ITE trip generation rates used are consistent with the trip generation rates used for the 551 Avonhead and 759 WCB warehouses under construction nearby in Mississauga where an average ITE peak AM vehicle rate of .17 per 1,000 sq. metres of warehouse floor space was used in their studies to determine the total number of vehicles, and an ITE rate of 34% heavy truck rate to determine the number of heavy trucks as a % of total vehicles.
- The consultants deviated from using ITE industry average rates and instead used observed rates from the proxy at 8550 Boston Church Rd. in Milton. which our analysis demonstrates is an under-utilized facility and does not represent the ultimate operating condition of the warehouses at full build-out.
- If we compare the proxy’s total vehicles and heavy truck numbers using the average ITE all vehicles rate of .17 and the AM heavy truck rate 35% the total number of vehicles were:
- Proxy Boston Church: 104 observed all vehicles (equals an .08 AM observed rate for all vehicles) with 14 heavy trucks observed (a 13% heavy truck rate) versus the ITE average rates that equates to 221 all vehicles (using the AM peak all vehicle rate of 17%) with 77 heavy trucks(a 35% heavy truck rate) or **5.5 times the number of vehicles if the ITE average rates were used.** (77/14= 5.5 times)
- As a result, the peer reviewer and consultants' findings both **failed to satisfy the Council’s condition requiring the consultants to evaluate the sites’ ultimate operational potential upon full build-out.**

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- This is further confirmed from a review of the truck trips projected for 2 new warehouse developments under construction at 759 WCB and 551 Avonhead, on the Mississauga side of WCB south of Royal Windsor.
- The consultants reports for these developments used rates equal to or very close to the ITE 150 rates: an AM peak rate for all vehicles of .17 that is the same as the ITE average rate and an AM heavy truck rate of 34% vs. the 35% ITE rate. On a combined basis these two developments are 15% larger but have 24 fewer loading docks than 560 + 772, so this is a reasonable comparable.
- The peak heavy truck count of 44 truck trips in the studies for 560 + 772 is only 52% of the 85 trips estimated for 759 + 551. This is a further indication that the 560 and 772 reports do not represent the optimal operating capacity at full buildout.
- Additionally, there are no measures in the consultants' reports that provide protection to residents from noise, vibration, and air quality. Nor are there remediation recommendations for (1) gaps in noise walls; (2) inadequate chain link fencing, (should be high quality noise walls); (3) gaps in berms etc. to protect residents from heavy truck noise including back-up beepers and (4) trucks coupling and uncoupling at loading docks, pallets from forklifts crashing on warehouse floors at loading docks and in tractor trailers beds; (5) noise rooftop mechanical equipment and (6) poor air quality from trucks idling on site and on Winston Churchill Blvd. queuing to enter and exit the site.
- The peer reviewer and consultants' findings both fail to satisfy the Council's conditions of measuring the site's ultimate operational potential upon full build-out.
- The under-utilized proxy warehouse in Milton may have been used to deflect attention away from an issue that industry average rates and the Mississauga trip generation studies so clearly demonstrate.
- There was a lack of due diligence in determining whether the proxy warehouse was operating at optimal operating levels. No logistics experts were retained to undertake this critical analysis despite recommendations from residents.

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Accordingly, the JCRA requests that the Town mandate the applicants to provide:

- A combined (560 & 772) full capacity utilization analysis of heavy transport trucks movements on-site during peak hours of operation using ITE average rates in line with the rates used by 551 Avonhead and 759 Winston Churchill Blvd.
- A seasonal bulge factor of + 30% to represent seasonal bulges during the year as protection for residents under the “worst case scenario”. An analysis that omits seasonal peaks, by definition, is not full capacity utilization and will significantly understate traffic, noise, vibration and air quality impacts which are required to be measured under worst-case scenarios according to the Province’s D-6 Guidelines.
- A higher background growth factor in the new traffic study than the 2% used in the current studies, to account for the increased truck volumes from five new warehouses under construction in close proximity to 560 & 772 WCB in Mississauga.
 1. 759 Winston Churchill Blvd. – under construction
 2. 551 Avonhead – under construction
 3. 880 Avonhead – Amazon delivery warehouse
 4. 2645 Winston Churchill Blvd.- under construction
 5. 2520 and 2510 Royal Windsor Dr. – one building leased, one not leased.
- Combined (560 + 772) traffic, noise, vibration and air quality studies based on peak truck volumes at peak operating capacity. The combined impact of both warehouses will impact all Aspen Forest residents and beyond since noise, vibration and air quality do not respect property lines.
- Analysis and recommendations to mitigate adverse traffic, noise, vibration and air quality/emissions.

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- Revise wording to replace the existing wording pertaining to the construction phasing.
- **Existing wording:** “the Owner will undertake not to occupy the buildings on the easternly portions of the Properties which abut Winston Churchill Blvd. in advance of the commencement of the exterior construction of the buildings located on the westerly portion of the Properties closest to the residentially zoned lands”
- **To ensure noise mitigation, the facilities must be constructed as follows:** “The entire shell of the westerly buildings (772 Bldg. B & 560 Bldg. B) and the southerly building (560 Bldg. A) that are adjacent to residents must be completed first before construction of the buildings adjacent to Winston Churchill Bld. (772 Bldg. A & 560 Bldg. C) commence.”
- From the residents’ perspective the goal of the construction phasing is to ensure the buildings adjacent to residents that are intended to provide noise protection for residents are constructed first.
- **These are all very important issues for JCRA residents.**

Let's look at the total vehicle trips and truck trips for 8550 Boston Church Rd. in Milton compared to the ITE average rates.

Based on Proxy 8550 Boston Church Road	ITE Average Rates & BC Sq. Footage	Rates Used for Boston Church Road (BC)	Difference between rate used for BC and ITE rates
Warehouse Sq. Footage	1,300,000	1,300,000	BC Sq. Ft. Used for both columns
Warehouse Sq. Footage/1,000	1,300	1,300	1,300,000 sf/1,000
Result x AM Peak Hour Generation Rate	.17	.08	BC 50% below avg. rate of .17
Total all vehicle types	221	104	BC 117 < vehicles than ITE avg.
Daily Trip rate for all vehicles	4.96		Observed rates used not ITE
Daily Trip rate for med/heavy vehicle	1.74		Observed rates used not ITE
AM Peak Hour heavy truck rate as % of total vehicles = 1.74/4.96	35%	13%	BC observed rate is only 37% of the ITE Average rate
Total all vehicle types (221) x 35% heavy truck rate = total heavy trucks ends	77	14	ITE avg. Trucks = 77 which is 5.5X the BC # of trucks = 14

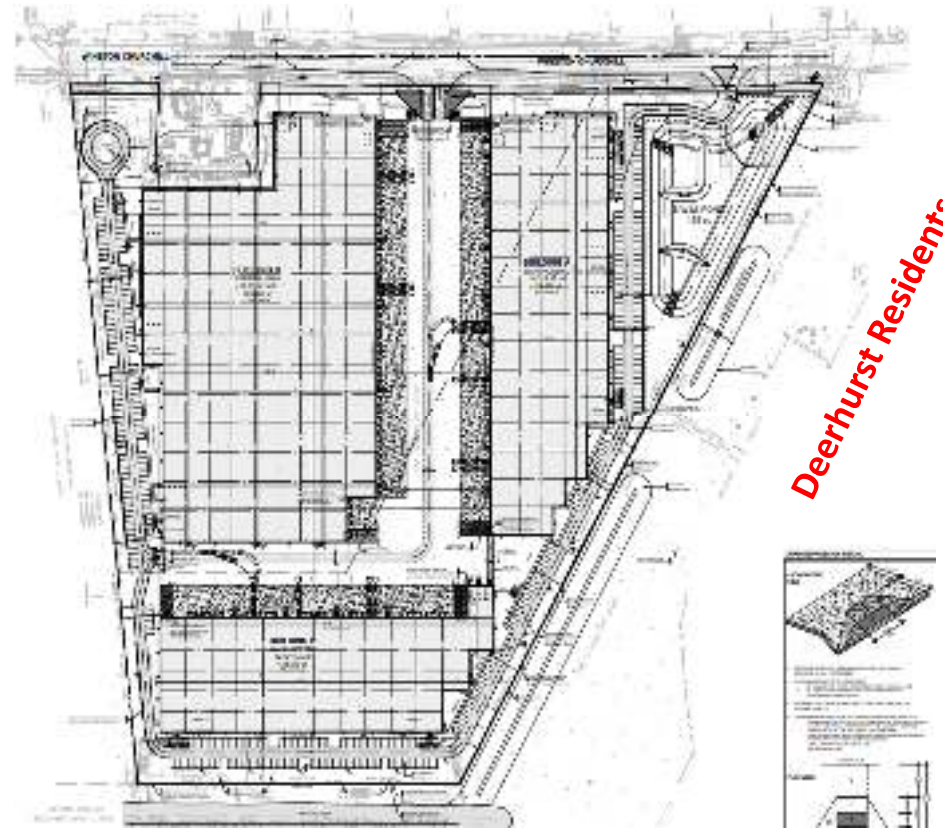
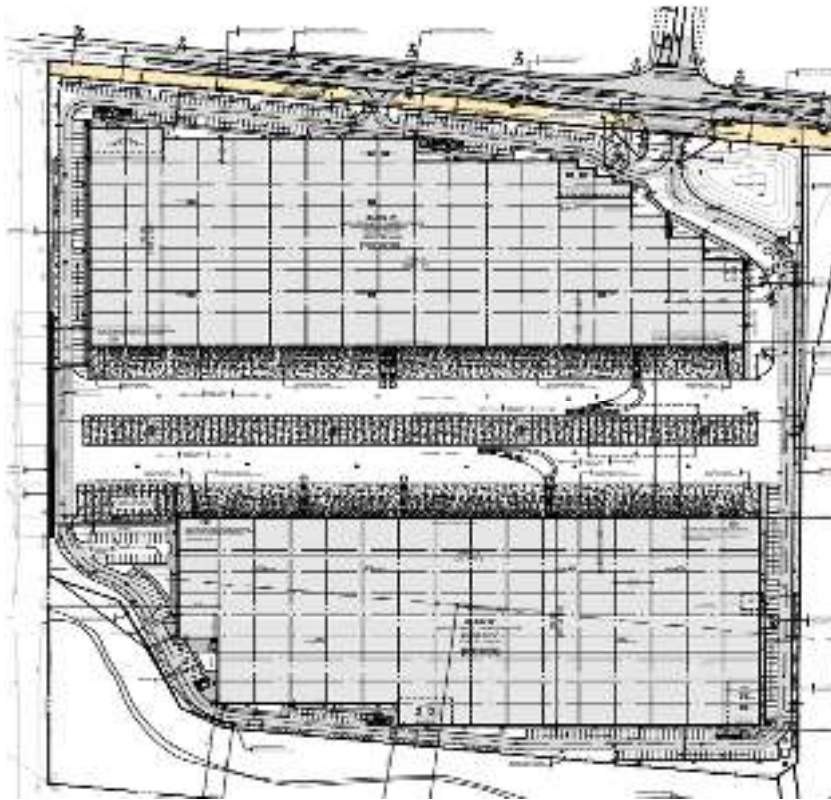
Let's look at 560 + 772 WCB compared to Proxy 8850 BC

Description	ITE Rates	Proxy 8550 BC	560+772 WCB	Comment
Sq. Ft.		1,306,739	1,283,447	BC vs. 560+772 – similar sq. ft.
Warehouse Sq. Footage/1,000 sf		1,300	1,283	$1,300,000/1,000 = 1,300 / 1,283,447/1,000=1,283$
# Docks		180	226	560+772 = 25% more docks vs Proxy = more truck activity
LUD Code	150	150	150	ITE code 150 for warehouses
AM peak all vehicle rate	0.17	.08	.17	ITE avg. AM peak all vehicle rate - used for all warehouses
Daily trip rate all types	4.96			ITE avg. all vehicle daily trips 4.96/ 1.74 avg, daily truck trips = 35.1% avg. daily truck trips.
Daily truck trip rates	1.74			
Daily #'s heavy truck rate	35%	13%	20%	See calculation above for ITE daily avg. truck rate
AM Peak all vehicles –ITE rate		108	218	Peak AM all vehicle trips with ITE rates = $1,300 * .17=221$ Peak AM all vehicle trips with ITE rates = $1283* .17=218$
AM Peak Heavy Trucks – using ITE rate		77	76	$221 \times 35\% \text{ ITE rate} = 77$ Peak AM truck trips for BC Proxy $218 \times 35\% \text{ ITE rate} = 76$ Peak AM truck trips for 560 +772
Consultants' AM heavy truck rate		14	44	AM peak hour truck trips using consultant's calculations
Increase in trucks using ITE rate		+63	+32	ITE truck trips 5.5x higher than Proxy $77/14 = 5.5 \times$
ITE trucks x Consultant trucks		5.5 x	1.7 X	ITE truck trips 1.7x higher consultants' #'s $76/44=1.7 \times$ higher

Let's look at the total truck trips for 560 + 772 WCB combined compared to the Proxy 8550 Boston Church Rd. And 759 WCB + 551 Avonhead

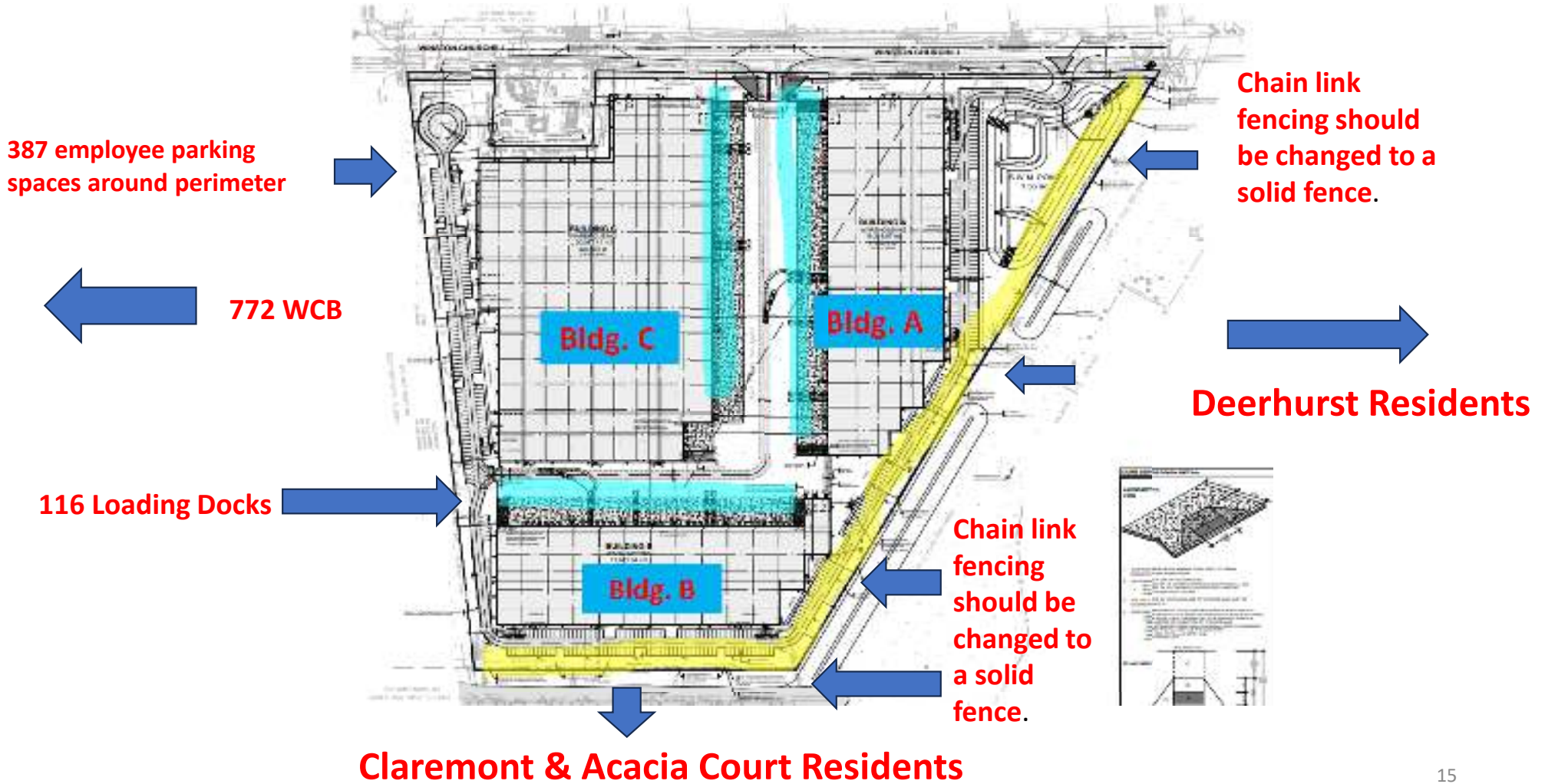
Description	ITE Rates	Proxy 8550 BC	Combined 560+772	759 WCB + 551 Avonhead	Comment
Sq. Ft.		1,306,739	1,283,447	1,485,000	BC vs. 560+772 = similar sq. ft. 759+551 is 15% larger than 560+772.
# Docks		180	226	202	560 + 772 = 25% more docks vs Proxy – 759 +551 have 24 fewer docks than 560+772.
LUD Code	150	150	150	150	ITE code 150 for warehouses
AM peak rate	0.17	.08	.17	.17	Proxy .08 rate is 50% < ITE rate of .17 used for 560 &772 WCB and both 759 & 551
Daily trip rate all types	4.96				
Daily truck trip rates	1.74				
AM Peak heavy truck rate	35%	13%	20%	34%	BC Proxy rate 13/35 is 37% of ITE avg. rate. 560 &772 20% rate is 57% of ITE rate of 35%. 759 + 551 used 34% is almost 100% of ITE rate.
AM Peak all vehicles		104	218	252	Very low All vehicle rate at proxy.
AM Peak Heavy Truck		14	44	85	Heavy trucks at 560 + 772 is only 52% of 759 + 551 (used 20% vs. 34% heavy truck rate). ¹³

772 + 560 WCB = 70.5 acres ; a total 1.3 million SF of warehouse space, 725 employee parking spaces, 226 Loading Docks, 94 Tractor Trailer Parking Spaces adjacent to a > 30+ year old residential neighbourhood.



Aspen Forest Park, Claremont and Acacia Court Residents

560 Winston Churchill Blvd. – 636,446 SF



772 Winston Churchill Blvd. – 647,043 SF

