

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [External] Meeting May 17 Flagraiders
Date: Thursday, May 12, 2022 9:08:23 AM
Attachments: [flagraiders letter to council .pdf](#)

Mayor, City Councillors and Regional Councillors,

I have attached a letter outlining my and my husband's and our friends' and family's displeasure with the Flagraiders Business that is petitioning to reopen in the Kossuth/Beaverdale area AGAIN!

This situation was resolved we thought permanently as per the OMB ruling in 2007/2008 but apparently not, as here we are again. This is costing us time and money as well as stress to do this again.

We will be watching the proceedings via Zoom on May 17. We will not speak publicly as it is very stressful for us right now. You have our letter attached that we hope you will read and take our concerns very seriously.

--Linda, Bob Kennedy and Family and Friends.

--

Linda Kennedy

[REDACTED]

May 10, 2022

Greetings Cambridge Mayor and Councillors,

I am a resident on Kossuth Road who will be very impacted by Flag Raiders if they are allowed to set up operation again.

In 2000, 2003 and 2005 when Flag Raiders applied for a Temporary Permit, the neighbours, being kind people said ok to it because Flag Raiders said that they were looking for a better more suitable site and being kind people we wanted to give them a chance. Well, over the following couple of years their business grew bigger and noisier and messier. 2008 came and they still didn't have a permanent site elsewhere and their business had grown so much that it became a horrible and disruptive noisy nuisance. The neighbours got together and said that enough was enough. We were being taken advantage of. We brought our concerns to the Mayor and Councilors and hired a lawyer and an environmental specialist. Council voted in favour of the Kossuth/Beaverdale Rd residents. Flag Raiders was unhappy and appealed to the OMB. The OMB upheld Council's decision that Flag Raiders could not be a permanent operation on Kossuth Rd. Does this OMB ruling have a time limit? No such information was in the ruling which we all read. In fact, Flag Raiders was supposed to put the land back to its original condition which didn't happen. It never came back to the same life that it had been previously.

This is an agricultural/residential area. It is not the right place for war games. And yes, that's what paintball is—War Games. Not exactly fun to listen to. And there are people in this neighbourhood who have moved here from war-torn country. They will be further traumatized by listening to this. We cannot let this happen. The local residents will be subjected to the same old noise and mess and harm to the environment that was caused in the past. Did you know it took about 2 years for the wildlife (birds and small animals) to return to the area. Several residents can attest to this as we have always maintained bird feeders and enjoy watching other animals in the fields.

Most of us have lived here for a long time. Some as early as 1973. I've lived here since 1975. It has been a peaceful and neighbourly and respectful community. A few of the older folks have now passed away and there are a few newer homes with young children. They don't want to listen to War Games either. How are we supposed to have family gatherings with the goings on of a paintball, war games event? How are we supposed to enjoy summer after being cooped up all winter?

And Mr. Kimpson stretches the truth giving others the belief that his operation is sanctioned by the School Boards. Again, Not So. Check it out yourself. In the past some teachers set up games with other schools and they used their school names as their team names. When the School Board became aware of this, using school names was stopped immediately. When he says that he is offering PD day activities, those activities have nothing to do with the school board. It is not something that the school boards would promote. The school boards do not want to be associated with anything that promotes violence. I can say these things with true knowledge as I held a position for many years with the school system.

There is a lot of wildlife in this area that the residents enjoy. I, myself have always enjoyed nature having lived in a rural area my entire life. I've kept an actual list for the last 3 or 4 years. I have seen 26 kinds of birds, sometimes up to 12 kinds at my feeders at a time. There are even Pileated Woodpeckers in the woods. They have been to my property. I hear them almost every morning drumming dead trees

in the woods some of which are on Kimpson's land. There are also fox, weasels, coyote, deer and raccoons, and wild turkeys in the area. It is also a designated wetland.

In previous years when Flag Raiders was operating their war games a lot of the birds and animals were frightened away due to the disruption to their habitat and that will happen again if Flag Raiders is allowed to start up again. I've already said this, but I'm saying it again because we are trying to preserve natural habitats which seem to be becoming fewer.

We learned that Council suggested that Mr. Kimpson try to sort out the problems with the neighbours. He put a letter in our mailbox inviting us to meet with him and sort it out. We thought ok, we should hear him in person. However, we found out that the meeting was not just with the neighbours. He sent a similar but slightly different letter to his supporters on social media and told them it was a Public Meeting.—What? A meeting with the neighbours is now a Public Meeting? That's rather underhanded and sly. Once again the neighbours were being tricked thinking they would meet in private but he was inviting his paintball customers too. He has stated he's been a neighbour—NOT SO —HE OWNS PROPERTY, HE DOESN'T LIVE HERE.

We will also suffer property devaluation. I have checked this out with a realtor, who stated that going to play paintball and having it in a neighbourhood while trying to enjoy your property is not compatible. It will not invite prospective buyers. Living beside a golf course increases value of our homes. Most golfers are quiet and respectful. Any golfer who causes a neighbour (me) any problems will be dealt with immediately. Some actually lose their privilege of golfing at the local course.

I think that before Council decides to vote in favour of a Paintball Operation on Kossuth Rd. they should try to imagine having paintball operation in their neighbourhood, on their street. I don't think they would like it. I invited Cambridge Council and Regional Council to my property in 2008 so that they might experience it but no one came. I and the residents in this neighbourhood are quite tolerant of each other and don't want to be NIMBY persons. However, Paintball war games are not the type of thing that should be in a residential area where children play and older people enjoy the quiet atmosphere and nature.

An abandoned gravel pit might be a more acceptable place, or beside an industrial area or a barren area near a noisy highway for paintball war games—not near residential areas and near wildlife and wetland areas. Yes. Kimpson's property is part of the GRCA Wetlands. The woods are part of the wetlands as per the map:

<https://maps.grandriver.ca/webgis/public/?theme=MYP&bbox=552049,4811552,553665,4812446>

I heard on the radio 570 am today; a caller on the Mike Farwell show stated that no one wants paintball in their area and people are being forced to drive a couple hours to play paintball. That's right, no one wants paintball near where they live including the residents of Kossuth and Beaverdale Roads.

Kimpson has had 22 years to find a suitable property for his paintball business. I wonder why. Last year when Bingeman's sold the property that Flag Raiders was leasing, Mr. Kimpson could have bought it and continued to operate. There are many businesses in that area. There are no residential houses on Bingeman Centre.

The thought of the noise caused by yelling, swearing, automatic paintball gunfire, loud loud music for hours at a time, hundreds of people tramping and causing damage to natural habitat is very upsetting

and is causing many of us in the Kossuth/Beaverdale neighbourhood to have mental anxiety and other physical symptoms of severe stress. A permanent paintball operation will cause permanent stress.

Mr. Kimpson has had 22 years to find a permanent acceptable location. He has not done so.

A vote in favour of your local residents is required.

Sincerely,

Bob and Linda Kennedy and family.

From: [REDACTED]
To: [REDACTED]
Subject: [External] May 17 meeting re 1500 Kossuth Road
Date: Wednesday, May 11, 2022 11:33:56 PM
Attachments: [Flag Raiders.docx](#)

Hello,

Please find attached our thoughts in a letter regarding Flag Raiders attempting to run their business at 1500 Kossuth Road.

Regards,

Javier and Sarah Gonzalez-Day

[REDACTED], Cambridge, ON [REDACTED]

Hello,

My name is Javier Gonzalez-Day and I live at [REDACTED]. My wife and I bought our lot 8 years ago and had our dream home built there 2 years after. We have three daughters of which two are very young, 7 and 11 years old. During this time, we have enjoyed the peace and quiet in the neighborhood. In the last couple of years, we have had new neighbours move in with young children between the ages of 4 and 10. There are now 6 kids in 3 out of 4 houses, under the age of 11, who spend a lot of time playing outside together.

Although I may not have lived here while Flag Raiders operated on Kossuth in the past, I have been in this neighborhood for over 20 years. My in-laws, Chris and Yvonne Day, who happen to be my next-door neighbours, have lived at their home for roughly 40 years. I met my wife 20 years ago and spent a great deal of time at my in-laws' place. I remember hearing the yelling, swearing, and popping of the paint ball guns back then. I have seen how much of a difference not having Flag Raiders here has made. The noise that we hear is now only from the Breslau Airport, which was here before us and so we were aware when we chose to build our lives here. This year, the city has reduced the speed limit on our street which has made our road safer but also quieter. There is less traffic and less cars revving their engines to pick up speed.

My wife and I have been married for 13 years now. She had always dreamed of getting married in her parents' backyard, and so we did. One of the most amazing days of our lives. Something that would not have been as enjoyable with yelling and swearing in the background if Flag Raiders would have still been present.

I work at a very fast pace and demanding job. My wife's work is also very stressful and demanding. We look forward to coming home and spending time with our kids and each other. We love the peacefulness and quiet paradise that we have found.

I have recently read an article from Flag Raiders claiming that the technology has improved, and the guns are not as noisy. This does not change the fact that my kids and our neighbour's kids will be exposed to constant swearing and yelling that will come from people playing paintball. As a parent I have an obligation and a WANT to shelter my kids away from violence either being physical or, in this case, verbal. There is no technology that Flag Raiders can claim that will control the emotion of their patrons.

In another article I read that they claim that the paint balls that they use are more environmentally friendly than what they use to be, and that people running through nature is good for the environment. There is no paint more environmentally friendly than those that are never used. And we as humans have shown time and time again that we do not help nature. We often see deer out in the fields and during supper time, we have had our kids race to the window to see a fox run through our backyard. The wildlife that is now present in this area needs to be protected.

I am asking that you take into consideration the impact allowing Flag Raiders to operate in this area will have on our lives. How would you feel if your neighbour was given the ok to operate a business next door to you and there was constant yelling and swearing coming from them? It is not fair that all the neighbours have to deal with lifestyle changes and financial loss due to Flag Raiders not doing their

research before buying their property. Will the City of Cambridge, or those making the decisions. or Flag Raiders take full responsibility for the impact on our lives?

Please do not allow for this business to operate here.

Regards,

Javier Gonzalez-Day



From: [REDACTED]
To: [REDACTED]
Subject: FW: Support for Flag Raiders
Date: Thursday, May 12, 2022 10:39:04 AM

> -----Original Message-----

> From: Sean H. [REDACTED]
> Sent: Monday, April 18, 2022 9:20 AM
> To: [REDACTED]
> Subject: [External] Support for Flag Raiders

> Good Morning,

> I'm writing this morning to show once again my unwavering support for Flag Raiders to be allowed to reopen.

> I've been a member of the Canadian paintball community since I was 8yrs old (1988/89) and have attended many fields across Canada with friends and family over these past 32yrs, most notably Flag Raiders here in Ontario as I've lived in the Burlington/Hamilton areas my whole life. Flag Raiders has always been a pinnacle field to play at due to their family-oriented business and safety standards. I've competed in as many friendly games as well as tournament series over the years and thoroughly enjoyed my time within the city and region. This business has been home to many teams I've coached as well as a place for me to do repairs. Between the restaurants, bars, night entertainment and hotels, the region has always treated myself, teammates and friends well.

> It's been heartbreaking to say the least that Flag Raiders has not been allowed to reopen as I'm sure there's been notable decline in the tourism sector just from the tournaments/large game weekends that have been forced to move elsewhere. Flag Raiders is a historical field/business to the Canadian paintball community as they have literally lived up to their motto of "setting trends that others follow" in an industry that they have dedicated themselves to for a good 40yrs.

> I thank you for your time in reading this and I implore you to please take all considerations in allowing business to return to Flag Raiders.

> Thanks,
> Sean Halpin

> [REDACTED]
> [REDACTED]
> [REDACTED]
> Sent from my iPhone

From: [REDACTED]
To: [REDACTED]
Subject: FW: Flag Raiders
Date: Thursday, May 12, 2022 11:11:33 AM

From: Nelson Fonseca [REDACTED]
Sent: Monday, April 18, 2022 7:11 AM

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: [External] Flag Raiders

Dear Mayor McGarry, City and Regional Councillors and Staff,

My name is Nelson Fonseca and I represent Team Canada and Recon Paintball. Our teams are pleased to represent Canada at international events in three divisions: Junior, Under19 and Adult, having travelled to Amsterdam in 2019 and to France in 2021. They also participate in the NXL Series in the United States and the Ontario Paintball League.

The central location of Flag Raiders in Cambridge is ideal as it is close to Highway 401, 24 and 8, as well as Pearson and Waterloo Airport. Since we are a national team, we have team members from across the country. When our practices are located close to airports and major highways it is more accessible for our players and we are able to attract a higher calibre of athlete. These players travel to the area to practice and play, staying in local hotels, dining at local restaurants and shopping locally. As a team we often participate in activities off the playing field to build camaraderie, and we can often be seen visiting local amenities. Many of the players bring their families with them for events and they visit the local sights and tourism destinations.

Flag Raiders has a long history in the paintball community and is well known for the professionalism and the world class facilities that they offer, attracting players from all over the province and internationally.

I can see that Cambridge has a history of supporting other sports teams such as hockey, baseball, soccer and archery. Flag Raiders is a well-established organization and we wish to headquarter the training and development of Team Canada on site at Flag Raiders. Our athletes would host clinics and camps for up and coming players and develop young athletes. This is a great opportunity to support a National team and a local business.

I ask that you please support Flag Raiders in their return to the Kossuth Rd. property as soon as possible so Team Canada may successfully represent our country this season.

Thank you for your time,

Nelson Fonseca
Coach and Manager

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Time Sensitive information regarding Flag Raiders Paintball
Date: Thursday, May 12, 2022 10:58:53 AM

From: Karen Wright [REDACTED]
Sent: Monday, April 18, 2022 8:14 PM
To: [REDACTED]
Subject: [External] Time Sensitive information regarding Flag Raiders Paintball

Dear Mr. Mayor,

I am writing to you about Flag Raiders Paintball field, and the challenges that they are currently facing with their property at 1500 Kossuth Rd in Cambridge. I am sure you have many, many letters discussing the economic benefit of having an established paintball field in Cambridge, as well as the minimal to non-existent environmental impact that paintball has on the land. As one of the volunteers who helped to clean the previous Bingemans location field when they were moving, I could definitely speak to the absolute minimal impact on the land and environment. However, I would prefer to speak to you about my personal experience with paintball.

As a single mom to a sporty teen boy, it's challenging to find ways to connect. I can't play hockey (he plays Waterloo Wolves MD level hockey) or baseball (he recently gave up Tier I Waterloo Tigers baseball last year to make more time for paintball). But I CAN play paintball with him! Paintball doesn't require any specific athletic skills, beyond the desire to have fun and participate. This makes paintball a great sport for all families, regardless of age and ability. Even my 66 year old father has tried it! Paintball allows my son and I to have a shared experience, that doesn't involve screens or special abilities. As a beginner paintball player, every person at Flag Raiders made me feel welcome and encouraged us to have fun. My son was able to meet and build relationships with "mentors" from the paintball community. These friendly and kind paintball players taught my son as much about teamwork and friendship as his coaches ever did!!

My son and I found that sharing these experiences were so beneficial to our relationship and mental health. Seeing Flag Raiders employees and players face challenges on the field, and respond without anger and instead with laughter, showed my son that he could do the same. This modelling was so important for him!

When I heard online that Flag Raiders was facing the challenges with their new location, I was surprised. The location at Bingemans had closed through no fault of their own, and I was sure that the field would re-open shortly at the 1500 Kossuth Rd location. There is no other outdoor paintball field close to our area, so Flag Raiders is important.

As you know, small businesses have struggled through COVID, and it is more important now than ever that we support our local economy. Changing the zoning will allow an established small business to continue to drive profit, tourism, and interest into Waterloo Region. When we play paintball for the day, we start with a hot drink from our local coffee shop and then head out to the

playing area. We often see turkeys, rabbits and other small animals on our way out, which the many kids love! After a few games, we will order delivery or pop out for lunch to a local restaurant. After an afternoon of playing, we will usually go out for dinner. This continues to drive dollars to local businesses. We also often meet people from beyond K-W, and encourage visits to other people and restaurants. Without Flag Raiders, our region will not benefit from these purchases, instead sending paintball players to London or Toronto

There are many points I'm sure I'm missing about Flag Raiders. But the most important to me is that this group of people, and sport, created a connection and experience with my son that would never have been possible otherwise. My family needs to have paintball, and I ask that you find a way to allow Flag Raiders to open quickly on their Cambridge property.

Please feel free to contact me with your response or if you need other information.

Thanks,

Karen Wright

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Regarding Flag Raiders Paintball
Date: Thursday, May 12, 2022 10:54:10 AM

From: Dana Hunter [REDACTED]
Sent: Tuesday, April 19, 2022 4:02 PM
To: [REDACTED]
Subject: [External] Regarding Flag Raiders Paintball

Flag raiders has been a great place to have in the community for over 30 years

An original trendsetting business that has always been a great place to meet up with groups of friends

I know for a fact that this organization hosts multiple functions and is capable of contributing to the business culture of this growing area.

In a time where safe event space is limited. Flag raiders is an obvious front runner for filling this need in our area.

Let's make it happen.

Thank you

Dana Hunter
Owner Proper Barbershop KW inc.

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Please help to re-open Flagraiders Paintball
Date: Thursday, May 12, 2022 10:50:45 AM

From: [REDACTED]
Sent: Wednesday, April 20, 2022 8:24 PM
To: [REDACTED]
Subject: [External] Please help to re-open Flagraiders Paintball

Dear Mayor McGarry,

I wrote to you in 2021 expressing my hope that you could help expedite the Flagraiders approval process to reopen their paintball operations on Kossuth Rd. in Cambridge.

I am disappointed to learn that Flagraiders continues to remain closed for business.

My kids and I have not been to Waterloo Region since our last visit to Flagraiders in the Summer of 2020

In 2020, not only did we spend our money at the Flagraiders business for 5 people to play (1 adult , 4 kids) but we also stopped along the way in Kitchener for breakfast. We also filled up our vehicle with gas before leaving the Waterloo Region. Our presence in your Region contributed to your local economy in our own small way.

We had a fantastic time again at Flagraiders, and we told the story of our fun day to at least 30-40 people in person over the coming weeks. On facebook, my pictures and story from our paintball day would have reached 500 people.

I re-iterate, while Flagraiders remains closed, we will not be in your Region for the foreseeable future. We continue to not have any new stories to tell about your great Region !

If you can help to restore Flagraiders, then families like ours will happily return!

Sincerely,

SC Leonard

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Flag Raiders
Date: Thursday, May 12, 2022 10:49:33 AM

-----Original Message-----

From: Ellen Luelo [REDACTED]
Sent: Tuesday, April 26, 2022 4:55 PM
To: [REDACTED]
Subject: [External] Flag Raiders

Hello,

I would like to see Flag Raiders return to Kossuth Road. They were there twelve years ago so things have changed. Joe and Corey are willing to meet with neighbours to hear their concerns and work to change things to please their neighbours. Joe Kimpson and Corey Ancich are good community citizens who support Cambridge.

Their business needs a home and their business will bring money to Cambridge when people stay in hotels, eat at local restaurants, buy fuel, and goods from local vendors.

I hope you and council will look toward a new business for Cambridge.

Thank you.

Ellen Luelo

Region of Waterloo Supporter.

Sent from my iPad

From: [REDACTED]
To: [REDACTED]
Subject: FW: Support for Flagraiders
Date: Thursday, May 12, 2022 11:32:50 AM

From: Jay Miller [REDACTED]
Date: April 15, 2022 at 9:27:26 PM EDT
Subject: Support for Flagraiders

Hello to whom it may concern

I am writing this letter of support for Flagraiders paintball. I would like to see them open again as soon as possible.

For the last 3 decades Flagraiders has been my home field of choice. Living in Toronto I could drive to play paintball in Barrie, Wasaga Beach, Georgia or Brooksville. However I happily made the hour plus drive to Cambridge to play almost every other weekend. I chose to go to Flagraiders as it was the best field with the best staff. Some of my happiness memories are of bringing my friends to play all day and then go out to eat at Moose Winnooskis.

Before they closed I started to bring my daughter and wife to the field, while neither of them played they would watch a few games then go off to the Butterfly conservatory to enjoy the rest of the afternoon while I played.

This is a great field and should be allowed to reopen. Please help them.

Thanks be well,
Jason Miller, RMT

From: [REDACTED]
To: [REDACTED]
Subject: FW: Flag Raiders Paintball
Date: Thursday, May 12, 2022 11:15:50 AM

Sent from my iPhone

On Apr 16, 2022, at 9:28 PM, Cole Brodhaecker [REDACTED] wrote:

Hello,

My name is Cole Brodhaecker. I'm 18 years old and lived in North Dumfries all my life. My family also owns and operates a family farm in Cambridge, and we have been a part of the community for almost 100 years now.

A couple years ago I took an interest into paintball, and it has since become a very important part of my life. I normally play at Flag Raiders Paintball which has had some issues finding a home in the last couple of years. Flag Raiders has been a large part in the community as well. I've personally taken parts in recent Christmas parades and Halloween events as well as others in the 3 years I've been playing, and they've been in the community long before that. The field has brought many customers to the KW region with large paintball tournaments and events that have brought together people all the way from the United Kingdom so they could take part in. When they come here, they bring their business and over the years the field has brought a lot of income to the region while they've been here. I personally have brought friends and family to the field and enjoyed some of the restaurants nearby like Moose Winooski's and others in the area.

The place they are trying to set up their field currently has had issues with opening. One of the reasons I've heard is because it could be used as agricultural land. I've been to the field and spent all my life on the farm working in fields, and I can say that the land is not farmable. There are far too many hills, ditches and the general size of the field isn't feasible for someone to put the effort into re-building and re-terraforming to make it farmable. And after that amount of work the general size, the field would be would not be enough of a gain for all the work required.

I hope you take these facts into consideration when deciding on whether to allow them to operate. I really miss having a field nearby which has caused me to take my business to Milton to enjoy this sport that so many others enjoy.

Thank You,
Cole Brodhaecker

Sent from [Mail](#) for Windows

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Placemaking making needed in Cambridge
Date: Thursday, May 12, 2022 11:18:17 AM

-----Original Message-----

From: Rogers [REDACTED]
Sent: Saturday, April 16, 2022 6:04 PM
To: [REDACTED]
Subject: [External] Placemaking making needed in Cambridge

Dear Mayor,

I would like to express my opinion about the importance of Flag Raiders and what it means to me as a father and a businessman.

I have known Joe and his family for years and became good friends with them and loved playing paintball on his field. Some of the best times I've had were playing with my friends and kids were at Flag Raiders. I would organize 20-30 friends from all over to come out to play paintball and then after we would go out for dinner to discuss the day. The confidence and excitement my children got from them playing with me and my friends was an invaluable experience you can never achieve in a classroom. After the lockdown we need to get people outdoors doing physical things instead of sitting on a couch watching people do physical activity. If not for the physical health of people but for the mental health. There is no downside to this activity or they would not be fields all across the world and millions of people playing.

Please think about what this means to all the people and kids that love paintball and let me and my children play again.

John Seto

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Letter to Mayor of Cambridge and Council Members - Flag Raiders
Date: Thursday, May 12, 2022 11:47:09 AM

-----Original Message-----

From: Brox [REDACTED]
Sent: Saturday, April 9, 2022 11:05 AM
To: [REDACTED]
[REDACTED]
[REDACTED]

Subject: [External] Letter to Mayor of Cambridge and Council Members - Flag Raiders

To Mayor of Cambridge and Council Members,

This letter is written in support of Flag Raiders and their organization at the Kossuth Rd location. We are the neighbours directly East of the property, closest to Beaverdale Rd. Since they have acquired the property they have been good neighbours. They introduced themselves, let us know of the Flag Raider activities, and always kept us informed of any big events in addition to the day to day operation. We have had a positive relationship, and they have been very proactive and approachable. We have not had any concerns with noise, garbage or trespassing. In regards to noise, the new GLHeli (Great Lakes Helicopter) Company, scenic tours and pilot training continuously circles and hovers over this area and is more audible and disruptive than anything from the Flag Raider location. With the more recent expansion of the International Airport and increased daily flights, and Kossuth Rd has become increasingly busy as the road is a major thoroughfare linking Cambridge to Kitchener. In comparison, any activity from the Flag Raider location is of no concern.

Please consider this letter as an endorsement for Flag Raiders.

Linda and Dennis Brox

[REDACTED]
Cambridge, ON
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Concerned neighbours - Flag Raiders
Date: Thursday, May 12, 2022 11:36:56 AM
Attachments: [April 2022 - Concerned neighbours letter \(3\) \(2\).docx](#)

From: [REDACTED]
Sent: Friday, April 15, 2022 11:09 AM
To: E_mayor <mayor@cambridge.ca>; Donna Reid <ReidD@cambridge.ca>; Mike Devine <devinem@cambridge.ca>; Mike Mann <mannm@cambridge.ca>; Jan Liggett <liggettj@cambridge.ca>; Pam Wolf <wolfp@cambridge.ca>; Shannon Adshade <adshades@cambridge.ca>; Scott Hamilton <hamiltons@cambridge.ca>; Nicholas Ermeta <ErmetaN@cambridge.ca>; kredman@regionofwaterloo.ca; bmackinnon@regionofwaterloo.ca; hjowett@regionofwaterloo.ca; kkiefer@regionofwaterloo.ca
Subject: [External] Concerned neighbours - Flag Raiders

Good morning Mayor and Council,

We are emailing as one of many concerned neighbours following recent media reports about Flag Raiders and their intent to request another temporary use exemption for their property located at 1500 Kossuth Road.

We have attached a letter outlining our concerns and would welcome the opportunity to provide additional information and input on why we are strongly opposed to Flag Raiders operating, even temporarily, on Kossuth Road.

We look forward to your response and any guidance you can provide to ensure that as residents and constituents, our voices are heard.

Thank you,

Rob and Erin Panek

[REDACTED]
Cambridge, ON [REDACTED]

Office of the Mayor and Council
50 Dickson Street, 2nd floor
Cambridge, ON N1R 8S1

To Her Worship, Mayor McGarry and Cambridge City Council,

It is our understanding from recent reports in local media that Flag Raiders paintball, want to bring their paintball operation back into use at their property at 1500 Kossuth Road.

We are writing on behalf of ourselves and numerous neighbours and family members that are strongly opposed to Flag Raider's desire to bring their operation back into use at 1500 Kossuth Road – even temporarily - for numerous reasons which are outlined below.

Paintball does not conform to the residential/agricultural area, it is not a permitted use in Ontario's Prime Agricultural Areas and there are nearby options for Flag Raider's to locate their paintball operation that are much better suited to this type of use and activity.

This business also directly violates the municipal By-law Number: (04) 32-04 section 2a: "No person shall ring bells, blow horns, shout, make or permit unusual noises, or noises likely to disturb the inhabitants of the municipality."

In 2008, Cambridge city council voted down Flag Raider's request for a zoning amendment after city lawyers said it was illegal, not in the Provincial Planning Act and breaking the regional bylaw. A two-day Ontario Municipal Board (OMB) hearing upheld the city's decision regarding Flag Raiders. How can a temporary amendment be considered when this has already been denied by the OMB?

We are deeply concerned that permitting this use would lead to the loss of land that is designated as a Prime Agricultural Area in the Region's own Regional Official Plan. The current agricultural zoning should be preserved as a way to protect our agricultural resources and the Region's protected countryside designation. Some of our primary concerns include:

1. Quality of Life

- We moved to this property because of the agricultural zoning and with the expectation that this would be a peaceful atmosphere and an excellent location for ourselves and our families to enjoy the natural environment and quiet rural setting. Our quality of life will be compromised due to the excessive noise and potential danger that is typical of this operation. Noise from firearms, yelling and swearing by participants, air horns, whistles and exceedingly loud music were common in 2007/2008. Constant violation of the Noise Bylaw was an on-going ordeal.

2. Nature and the environment

- The Flag Raiders property encompasses provincially significant wetlands and features important woodlot areas. These can be seen everyday as we enjoy the wild plants and animals in this area. We are very worried that Flag Raider's request will lead to reduction in this wild life. The mass of junk on the Flag Raiders property – including rotting school buses, abandoned vehicles, trailers, make shift shacks and spent ammunition are unhealthy for the existing wildlife and the environment and are a constant eyesore.
- We should respect and conserve our wildlife habitats and ecosystems for the deer, wild turkey, and a variety of ducks and geese that live here.

3. Conflicting Land Use

- This operation is incompatible and in conflict with the existing agricultural zoning and farm-related businesses that neighbour this property.
- There are alternative sites that are already zoned for this type of use that would be a much better fit for this type of activity. Why would Prime Agricultural Land be taken out of use when there are other options available? Paintball will adversely affect agriculture, agricultural-uses and will not directly service farmers or farm operations.
- Paintball would negatively affect this area which plays a critical role in our rural economy. As stated in our Regional Official Policy Plan properties should not be rezoned to accommodate businesses that are incompatible with farm-based enterprises. We strongly support the Region of Waterloo Regional Official Policy Plan that dictates, "...preservation of our agricultural land," and that, "...consideration

should be given to locating non-agricultural uses in Non-Prime Agricultural Areas or areas of lesser agricultural capability.” Flag Raider’s request is ill-suited to existing agricultural use and would result in the permanent loss of lands that are actively being farmed and that are a key natural resource and that are naturally suited to farm-based businesses.

Just to clarify, we are not against Flag Raiders as a means of recreation. We **are strongly** opposed to the location on Kossuth Road which is a Prime Agricultural Area and where it is uncomfortably close to where people live. There are other, more suitable and properly zoned areas for this operation.

Existing businesses on Kossuth Road include golf courses, horseback riding, a butterfly conservatory and greenhouses. These uses are better suited to the area and do not disturb residents or cause the upset that paintball will cause. Obviously, Flag Raiders operation is in discord with the agricultural and rural residential setting.

The Flag Raiders property at 1500 Kossuth Road has been listed for sale for numerous years. They can proceed with finding a buyer and using the resulting funds from the sale to find an appropriate location for their paintball operation.

Because of all these reasons, we request that any request by Flag Raiders to re-open their Paintball operation on 1500 Kossuth Road be denied, even temporarily, as it was in 2008 due to the reasons outlined above.

We should continue to protect our agricultural and natural resources, quality of life, wildlife and the environment.

Thank you,

Rob and Erin Panek

Cambridge, ON

CC:

City of Cambridge:

Mayor Kathryn McGarry mayor@cambridge.ca

Councillor Donna Reid reidd@cambridge.ca

Councillor Mike Devine devinem@cambridge.ca

Councillor Mike Mann mannm@cambridge.ca

Councillor Jan Liggett liggettj@cambridge.ca

Councillor Pam Wolf wolfp@cambridge.ca

Councillor Shannon Adshade adshades@cambridge.ca

Councillor Scott Hamilton hamiltons@cambridge.ca

Councillor Nicholas Ermeta ermetan@cambridge.ca

Region of Waterloo:

Chair Karen Redman kredman@regionofwaterloo.ca

Manager of Development Planning Brenna MacKinnon
bmackinnon@regionofwaterloo.ca

Regional Councillor Helen Jowett hjowett@regionofwaterloo.ca

Regional Councillor Karl Kiefer kkiefer@regionofwaterloo.ca

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Cambridge Council - RE Flag Raiders
Date: Thursday, May 12, 2022 11:34:34 AM

From: Dave fog [REDACTED]
Sent: Friday, April 15, 2022 11:43 AM
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Cc: [REDACTED]
Subject: [External] Cambridge Council - RE Flag Raiders

Hello to all receiving this email;

My name is David Foglietta from Stoney Creek Ontario, and i am writing today to offer my support and recommendation of allowing Flag Raiders Paintball to continue their operations.

I got back into playing paintball competitively/frequently in 2017 (after playing on and off for years), during a serious battle with depression. I was not in a good place, but the great community of people within the paintball world helped me to get outside, become physically active again and overcome that struggle. Flag raiders quickly became my second home during this time, as my team selected them as their home field due to the amazing service and friendly staff. Our camp/team included players from all walks of life (blue and white collar) and we would all get together and become one unit on those days we were out practicing, playing and bonding together. Flag Raiders made this possible for us, and i am thankful for the welcoming accomodations and facilities always provided by them, which made it easy for me to leave the house on my rough days as i knew i would always be welcomed and have a group of good people to share experiences and build memories with. Paintball has helped me with my mental and physical health a great deal, and i owe a lot to this sport personally which is why i am taking the time to write you.

The Ontario Paintball League (OPL) was using flagraiders as one of the few exclusive hosts for its tournament series. Each OPL event would bring in 100s of out of town players, staying at hotels and eating local while attending these events (and practices as well). After each event it is a custom to go for dinner with my team, which is the case for most teams. With members bejng from different parts of the GTA, it was easiest to stay local for the meal before all parting ways.

Aside from the competitive aspect of paintball (which has taken a serious blow with Flag Raiders not being open for teams to practice at), there were always recreational players at the field enjoying the games and scenarios put on by Flag Raiders. I have seen numerous bachelor parties (and a couple bachelorrettes as well) at Flag raiders as part of their festivities, coroporate team building groups, birthday parties etc there having a great time while i was there for my practices. As a kid, my number 1 choice for birthday parties was always to go paintballing. I first went paintballing when i

was 12 years old and was instantly hooked, as were many of my friends and we all started our journey of purchasing our own gear etc.

I feel that there should be accommodations made to allow Flag Raiders to continue operating. Not only do they provide a service with clear economic impact to the area of operation, they also provide a service which helps with both mental and physical health. Many players i know have dealt or are dealing with mental health issues and paintball is an outlet for us to deal with those. By not allowing Flag Raiders to operate, there is definitely a negative impact to the mental health of many (which has already been an issue due to the pandemic restrictions, isolation etc).

The owners have always been kind, caring and helpful with any interaction ive had at both the outdoor Bingeman location, and also the indoor location. Contact information on how to reach Corey and Joe (Owners, operators and overall great people running a business that has helped me through my own dark times):

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Thanks,
David Foglietta

From: [REDACTED]
To: [REDACTED]
Subject: FW: [External] Flag Raiders
Date: Thursday, May 12, 2022 11:48:51 AM
Attachments: [Support letter for flag raiders.docx](#)

From: Sowsan [REDACTED]
Sent: Thursday, February 10, 2022 11:08 PM
To: [REDACTED]
Subject: [External] Flag Raiders

Dear Mayor Kathryn McGarry,

Attached is a letter from myself and my family in support of Cambridge Flag Raiders reopening their business across from our home on Kossuth Rd.

Please reach out if you have any questions,

Sowsan Hafuth

Dear Mayor Kathryn McGarry,

I am writing this letter in support of Flag Raiders reopening their business on the Kossuth Road property. My family and I reside at [REDACTED], right across from where Flag Raiders has operated in the past. On behalf of my entire household, who have lived here for about 20 years, we support Corey Kimpson, Joe Kimpson, and Todd Ancich moving forward with reopening Flag Raiders' paintball program and projects on the property that allow our community to come together.

The family that owns the Flag Raiders property is one of the most genuine families I have ever met. Their determination to bring our community together through all-age recreational activities, dog training, and acceptance is something I have a great appreciation for. I have learned that they want to be as accommodating as possible to the people who use their land and to their neighbors. Something that stuck with me from my meeting with the owner of Flag Raiders is how they want to learn from any previous mistakes they made that will better their business and build a stronger bond with their community. In addition, I would like to let it be known that my property reaches directly across from Flag Raiders and noise has never been an issue for us when their business was operating in the past.

I appreciate you reading this letter. If you would like to chat about anything or where I stand with supporting Flag Raiders, I am open to discussion. My email is [REDACTED] and my phone number is [REDACTED].

Regards,

Sowsan Hafuth

May 12, 2022

To: Members of Cambridge City Council, Clerks, and Cambridge Regional Councillors:

I am a member of the Waterloo Region Age Friendly Network, an advocacy group focusing on the needs of older adults in health, housing, and transportation in Waterloo Region. Our network includes older adult associated groups in the Region's cities and townships: City of Waterloo Age Friendly Committee, Cambridge Council on Ageing, the Mayor's Advisory Council for Kitchener Seniors, and seniors' support groups in the townships.

The Waterloo Age Friendly Network strongly supports Councillor Scott Hamilton's initiative to have **free rides for residents on election days**. Not only would such a move encourage people to go to the polls, but it would also support the democratic responsibility of individuals to participate in the electoral process. And, if a free ride to a polling station included a chance to connect with friends, attend an appointment, or do a little grocery shopping, so much the better.

As you may know, the Waterloo Age Friendly Network has made repeated requests to the Waterloo Region Council and Grand River Transit for free rides on public transit for older adults and children under 12. We understand and support GRT's need for more ridership. We have suggested that free rides for older adults on certain days of the week or during off-peak hours would encourage ridership, reduce social isolation among older adults, and improve the Region's environmental footprint. Similarly, free rides for children under 12 would show children how to use the system, be environmentally friendly, and develop life-long public transit habits.

Currently and regrettably in our view, Grand River Transit has become the outlier in southern Ontario in providing free transit for these two groups. Barrie, Brampton, Burlington, Hamilton, Oakville, and Ottawa all offer free rides for older adults in some form – certain days of the week, or during off-peak hours. A study of the Oakville program indicated that once seniors became familiar with the system, they used it more often than just on the free day.

In November 2021, we urged Regional Council to offer free rides to children under 12 as well: their parents would pay the regular fare, but the kids would ride free. Barrie, Brantford, Burlington, GO Transit, Kingston, London, Niagara Region, Oakville, St. Catharines, Toronto, Windsor, and of March, Guelph all offer free rides to children under 12. And in British Columbia since September 2021, children under 12 ride free on *any* transit system in the province. Why? They're building future ridership, encouraging climate-friendly transportation, creating lifelong transit-users, reducing congestion on roads, and restoring ridership to existing transit systems.

Having **free transit on election days** is a powerful way to encourage citizens to participate in the democratic process. We urge you to support Mr. Hamilton's motion for free transit.

We would also request that this letter of support from the Waterloo Age Friendly Network be included in the record for Cambridge City Council, May 17, 2022.

Thank you for your consideration this matter.

Rick Chambers, and members of the Waterloo Region Age Friendly Network

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: [External] Special Council Meeting - May 17 - Flag Raiders
Date: Thursday, May 12, 2022 3:29:10 PM

May 12, 2022

To Cambridge City Council

I would like to have Bruce Brown Represent me in regards to the Flag Raiders MZO Request

In regards to the Special council meeting May 17th

My name is Cody Ciuciura, my grandparents live at [REDACTED], and their Neighbours Property abuts 1500 Kossuth Road. I was [REDACTED] ge of the property on the weekend hunting Morel Mushrooms and to see what activity was taking place and notices a ton (100,000+?) of air soft pellets left on the ground from Flag Raiders operations in 2008.

I am including a photo of them, these pellets are coated in PVC and have not deteriorated nor bio-degraded at all in 14 years. The look Brand New. HERE FROM WIKIPEDIA: Biodegradable pellets are available, and are often required by outdoor fields where sweeping is not an option. Conventional pellets pollute the environment, as most non-biodegradable pellets have a mineral or petroleum-based center, coated in non-biodegradable plastics, thus ensuring they will stay in the environment for several hundred years if not collected.

Obviously in their past operations they allowed the use of these pellets and/or did not sufficiently police their participants to ensure what type of Ammo was being used. These are definably NOT Bio-degradable and the ground is completely littered with them.

Signed
Cody Ciuciura

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

















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Explore



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Saved



Contribute



Updates



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [External] Written submission for May 17th Council Meeting - Flag Raiders
Date: Tuesday, May 10, 2022 5:22:05 PM
Attachments: [May 2022 - Concerned neighbour letter.docx](#)

To whom it may concern,

I would like to submit the attached written submission outlining our concerns as neighbours of the Flag Raiders property at 1500 Kossuth Road for inclusion in the May 17th Council meeting. I have also registered as a delegate.

I am also including our petition (link below) on behalf of concerned neighbours.
NO! To Paintball on Kossuth Road - <https://www.change.org/No-Paintball-on-Kossuth-Road>.

If you could confirm that this information has been received it would be appreciated.

Please let me know if there are any questions.

Thank you,
Rob and Erin Panek
[REDACTED]

Office of the Mayor and Council
50 Dickson Street, 2nd floor
Cambridge, ON N1R 8S1

To Her Worship, Mayor McGarry and Cambridge City Council;

We are writing on behalf of ourselves and numerous neighbours and family members that are strongly opposed to Flag Raider's desire to bring their operation back into use at 1500 Kossuth Road – even temporarily - for numerous reasons which are outlined below.

Paintball does not conform to the residential/agricultural area, it is not a permitted use in Ontario's Prime Agricultural Areas and there are nearby options for Flag Raider's to locate their paintball operation that are much better suited to this type of use and activity.

This business also directly violates the municipal By-law Number: (04) 32-04 section 2a: "No person shall ring bells, blow horns, shout, make or permit unusual noises, or noises likely to disturb the inhabitants of the municipality."

In 2008, Cambridge city council voted down Flag Raider's request for a zoning amendment after city lawyers said it was illegal, not in the Provincial Planning Act and breaking the regional bylaw. A two-day Ontario Municipal Board (OMB) hearing upheld the city's decision regarding Flag Raiders. How can a temporary amendment be considered when this has already been denied by the OMB?

When city and conservation staff walked the site for the first "temporary" approval, Flag Raiders had only disturbed 1.1 acres of the site. By 2007, Flag Raiders had regraded and built structures on more than 11.1 acres. At the Bingeman's site, Flag Raiders occupied 14 acres with a parking lot which could accommodate 150 cars. Flag Raiders' operations are now fed by two indoor facilities in Kitchener. The lumber and accessories from Bingeman's has already come back to 1500 Kossuth Road in shipping containers. What they are proposing to move back to this "temporary" site is significantly larger than 14 years ago, with plans for longer hours and extended playing seasons.

We are deeply concerned that permitting this use would lead to the loss of land that is designated as a Prime Agricultural Area in the Region's own Regional Official Plan. The current agricultural zoning should be preserved as a way to protect our agricultural resources and the Region's protected countryside designation. Some of our primary concerns include:

1. Quality of Life

- We moved to this property because of the agricultural zoning and with the expectation that this would be a peaceful atmosphere and an excellent location for ourselves and our families to enjoy the natural environment

and quiet rural setting. Our quality of life will be compromised due to the excessive noise and potential danger that is typical of this operation. Noise from firearms, yelling and swearing by participants, air horns, whistles and exceedingly loud music were common in 2008. Constant violation of the Noise Bylaw was an on-going ordeal.

2. Nature and the environment

- The Flag Raiders property encompasses provincially significant wetlands and features important woodlot areas. These can be seen everyday as we enjoy the wild plants and animals in this area. We are very worried that Flag Raider's request will lead to reduction in this wild life. The mass of junk on the Flag Raiders property – including rotting school buses, abandoned vehicles, trailers, make shift shacks and spent ammunition are unhealthy for the existing wildlife and the environment and are a constant eyesore.
- We should respect and conserve our wildlife habitats and ecosystems for the deer, wild turkey, and a variety of ducks and geese that live here.

3. Conflicting Land Use

- This operation is incompatible and in conflict with the existing agricultural zoning and farm-related businesses that neighbour this property.
- There are alternative sites that are already zoned for this type of use that would be a much better fit for this type of activity. Why would Prime Agricultural Land be taken out of use when there are other options available? Paintball will adversely affect agriculture, agricultural-uses and will not directly service farmers or farm operations.
- Paintball would negatively affect this area which plays a critical role in our rural economy. As stated in our Regional Official Policy Plan properties should not be rezoned to accommodate businesses that are incompatible with farm-based enterprises. We strongly support the Region of Waterloo Regional Official Policy Plan that dictates, "...preservation of our agricultural land," and that, "...consideration should be given to locating non-agricultural uses in Non-Prime Agricultural Areas or areas of lesser agricultural capability." Flag Raider's request is ill-suited to existing agricultural use and would result in the permanent loss of lands that are actively being farmed and that are a key natural resource and that are naturally suited to farm-based businesses.

Just to clarify, we are not against Flag Raiders as a means of recreation. We are strongly opposed to the location on Kossuth Road which is a Prime Agricultural Area and where it is uncomfortably close to where people live. There are other, more suitable and properly zoned areas for this operation.

Existing businesses on Kossuth Road include golf courses, horseback riding, a butterfly conservatory and greenhouses. These uses are better suited to the area and do not disturb residents or cause the upset that paintball will cause.

May 10, 2022

Obviously, the Raiders operation is in discord with the agricultural and rural residential setting.

The Flag Raiders property at 1500 Kossuth Road has been listed for sale for numerous years. They can proceed with finding a buyer and using the resulting funds from the sale to find an appropriate location for their paintball operation.

Because of all these reasons, we request that any request by Flag Raiders to re-open their Paintball operation on 1500 Kossuth Road be denied, even temporarily, as it was in 2008 due to the reasons outlined above.

We should continue to protect our quality of life, agricultural and natural resources, wildlife and the environment.

Thank you,

Rob and Erin Panek

Cambridge, ON

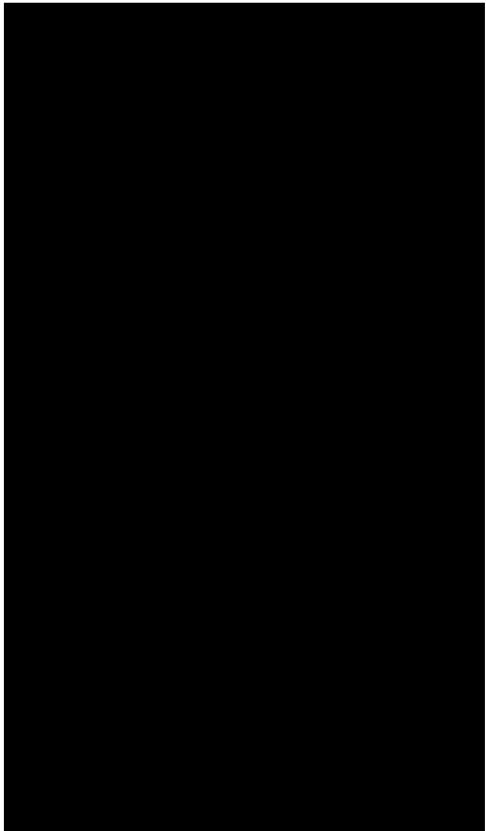
Name	City	Province	Postal Code	Country
Bruce Brown				
Javier Gonzalez-Day	Cambridge			
Brenda Anderson	Cambridge			
Bonny Simon	Cambridge			
gloria olsen	Cambridge			
luis jesus	Cambridge			
Colleen Kennedy	Cambridge			
Linda Martens	Cambridge			
Ruth Hall	Cambridge			
Jo Paul	Cambridge			
Jamie Packer	Cambridge			
michele dickinson	CAMBRIDGE			
Erin Panek	Cambridge			
Rob Panek	Cambridge			
Yvonne Day	Cambridge			
linda kennedy	Cambridge			
Christopher Stimson	Akron			
Sharon Kennedy	Baden			
Sarah Qureshi	Barrie, Ontario			
Jamie Poole Miles	Brampton			
YV MDM	Brampton			
Mark Mollison	Breslau			
Angela Howatson	Waterloo			
Henry VanDenOetelaar	Brockville			
Kathy Bryers	Brooklin			
Sophia Okafor	Burnaby			
Anders Tornquist	Burnaby			
Tammy Miller	Calgary			
Frank Timmermans	Calgary			
Connie Miljan	Calgary			
Farah Kandil	Calgary			
kels m	Calgary			
Kelly Hess	Calgary			
emma legare	Clavet			
Maya Mulhall	Comox			
kyra white	Corner Brook			
Nicholas Hunt	Cornwall			
Brigia Naranjo	Delta			
Kate MACKinnon	Dieppe			
Dianne Ciuciura	Drumbo			
mark klarenbach	Edmonton			
Robyn bay	Edmonton			
Brad Jones	Edmonton			
Dwayne Mercer	Edmonton			
Janel Yaskowich	Edmonton			
mayran yusuf	Edmonton			

Sharon Foster	Enderby
Carrie Tebrake	Fenwick
Robert Walker	fox creek
Julie Ricard	Gatineau
Peter Horner	Guelph
Kelley OBrien	Guelph
Lucia Costanzo	Guelph
Theresa Passmore	Hamilton
Rachel Nicholson	Hamilton
Laura Brennan	Hamilton
Joel Lelievre	Ingersoll
Parvin Navaripour	Kingston
Kait Anderson	Kitchener
Mary and Lou Panek	KITCHENER
John Evers	Kitchener
Myles Cornell	Kitchener
Bruce Martens	Kitchener
Cynthia Klassen	Kitchener
Carla Stachowski	Kitchener
George Wielonda	Kitchener
Donna Farrow	Kitchener
Kevin Harding	Kitchener
Adam Howatson	Kitchener
Maya Kinsley Brown-Goffinet	Kitimat
sara kim	La Prairie
sandra cavasinni	Langley
Jack Stubbs	London
Sarrah Lawendy	London
Lisa Hart	Lucan
Jessica Foulds	Maple Ridge
Lenore Black	Markham
Christine Heslop	Markham
Luke Monteforte	Markham
Refaat Zaki	Markham
Jan Neilson	Maryhill
Megan Zettel-Yemm	Maryhill
Moby Dickness	Milton
Shelley Stevens	Mississauga
Alisha Anwar	Mississauga
Bradley Stricker	Montreal
Jeffrey Shapiro	Montreal
Selena H	Montréal
Simon Lo Dico	Montréal
Mahta Azizi	Montréal
Ozgur Guney	Montréal
David Mackay	Nanaimo
darryl engerdahl	nelson

Grace Kennedy	New Hamburg
Michelle Holmes	New Russell
Ivan Bojanic	New Westminster
sabina mc	North Vancouver
Neda Poursotoudeh	North Vancouver
celia alili	North York
Peter Kikic	Oshawa
Helen Whitefield	oshawa
Nellie Gibb	Ottawa
timi wood	Ottawa
Zena Lang	Richmond
Philip Lui	Richmond Hill
anca cioraca	Richmond Hill
Meredith Graham Anderson	Ridgeway
Charlotte Rathgeber	Saskatoon
Avery McNiven	Sioux Lookout
Casey Steiner leslie	St. John's
Catherine Gibb	Stratford
Tara Cree	Surrey
Eagan Kinney	Sydney
Azin shahpouri	Thornhill
David Kennedy	Toronto
Jesse Anderson	Toronto
WENDY LAMBIE	TORONTO
Melanie McAulay	Toronto
Ray Anderson	Toronto
Ann Barnes	Toronto
Richard greene	Toronto
Quincy Brentwood	Toronto
Lisa Nesbitt-Peters	Toronto
Eva Z	Toronto
Sinead Murphy	Toronto
Danielle Wintrip	Toronto
Giri Giritharan	Toronto
Ingrid Hafemann	Toronto
Sabrina Lo	Toronto
Nusy Askandarny	Toronto
Communist Dog	Toronto
Mark Sousa	Toronto
Alina Luo	Toronto
Sasa Miletic	Toronto
Nymphadora Lupin Tonks	Toronto
Leslie Csizmadia	Toronto
Aquaman Atlantis	Toronto
Maureen Bannister	Tyne Valley
Delaney Haines	Upper Tantallon, Nova Scotia
oscar kapsa	Vancouver

Vitor Santos
karo hill
Trisha Pangan
Indigo Bowick
Val Reynolds
Judy Bruce
Sonia Bi
Grace Jarvis
Donea Al
Verica Ristovska
Julie Wiebe
Stephanie Gibson
Kim Kane
R E
Amanda Lloyd
Bearclimber 1

Vancouver
Vancouver
Vancouver
Victoria
victoria, b.c.
Wasaga Beach
West Vancouver
Whitby
Windsor
Windsor
Winnipeg
Winnipeg
Woodstock



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [External] Opposition to Flag Raiders reopening on Kossuth Road
Date: Friday, May 13, 2022 9:48:08 AM
Attachments: [letter to council.docx](#)

To the honorable mayor, council and delegates,

My name is Ray Anderson. My wife, Brenda, and myself have resided at [REDACTED] since 1982. There is one property separating us from 1500 Kossuth property. We were part of the delegate that spoke before council when this issue arose before.

We pay big taxes on our little house for the privilege of enjoying our rural residential lifestyle. Most of our time is spent enjoying our yard and gardens as soon as the weather permits. Our grandchildren visit on weekends. Bird watching is a favorite pastime. Interestingly, it has taken several years for the songbird population to return to the nearby bush. This year we are seeing birds we have never seen before at our feeders.

We protested the Vietnam War while in university. Our children were raised to promote peace. They were not allowed to play with guns or use the word hate referring to another human.

Let's not be fooled by the term paint ball. This is a **war game**. Watch the promotional videos. Participants dress in protective gear and brandish guns with the intent to shoot to kill their opponents. Turn on the news. War is not and should not be considered a game. War is reality. Our newest neighbor is from Ukraine.

In the years since Flag Raiders left the Kossuth property their business has grown. In that same time gun violence, school shootings and increased mental illness has reached the core of our once peaceful city. To put guns in the hands of children at a birthday party is, in my opinion, irresponsible and a sad reflection on where we are heading. There is no need to remind us how many participants or supporters Flag Raiders have on social media. This only reinforces my sadness and concern. Every time I turn on the news, I hear of more and more incidents of gun violence. As I was writing this on the weekend there was an article in the Record describing a 17-year-old shooting into a crowd outside a local high school with an air

gun.

The atmosphere in our society already promotes division. Our intention is not to harm the Kimpsons, but I also have little sympathy for their plight. They purchased the property on Kossuth knowing the zoning did not allow this business. It is zoned prime agricultural with sensitive wetlands. They have continued to attempt to skirt the rules, both the zoning bylaws and the destruction of the natural wetlands. Since the time of their “naive” purchase, their business has expanded which would only serve to make our lives more miserable. The participants play their war game and then leave to go to their homes. This is our home and we can't escape.

We already have to contend with added traffic since the Fairway Road extension was opened. Most traffic is during weekday rush hours. We do get a reprieve on the weekends. Finally, the weather allows us to return to our pastimes of gardening and enjoying visits from the grandchildren. The thought of once again having our weekends destroyed by listening to their war games is distressing. Our dog is traumatized by the sound of fireworks or loud noises. She would have to spend the warm months inside.

There are indeed other businesses on Kossuth Road. There is the golf course where we hear the occasional “fore”. There is the Butterfly Conservatory where, at times an errant Blue Swallowtail may escape and the sod farm where in season customers pick up soil and the odd truck leaves to deliver a load of sod. There is no disruption of our peace by any of these enterprises. Totally the opposite with Flag Raiders. Noise, constant gunfire, traffic, yelling and aggression, environmental impact on protected wetlands.

Their attempt to bypass the process by applying for an MZO is indicative of their persistence and actually increased our outrage. Doug Ford has been granting these destructive work arounds on protective wetlands at an alarming rate for the past few years.

I think we all need to think about what kind of world we are leaving for our future generations and stop thinking of the immediate financial gains. The desire to allow businesses in our city is the reason, I am sure, many of the council have been swayed. Just please try to consider the type of business you want to attract.

As a resident and longtime member of this Kossuth/Beaverdale community, I implore you to refuse to allow FlagRaiders to reopen in this neighborhood.

Thank you for your consideration.

Brenda and Ray Anderson and family

 Cambridge



May 13, 2022

Delivered Via Email: mantond@cambridge.ca

Mayor McGarry and Members of Council
c/o Danielle Manton
City Clerk
The Corporation of the City of Cambridge
Office of the Mayor and Council
50 Dickson Street, 2nd Floor
Cambridge ON N1R 8S1

Steven J. O'Melia
LSO Certified Specialist (Municipal Law)
Direct Line: 519.593.3289
Toronto Line: 416.595.8500
somelia@millerthomson.com

File: 0093472.0001

Your Worship and Members of Council:

**Re: Request for Minister's Zoning Order by Flag Raiders Paintball
Application for Temporary Use By-law by Flag Raiders Paintball
1500 Kossuth Road, Cambridge (the "Property")**

We are the solicitors for a number of Cambridge residents that live close to the above-noted Property. We have been provided with the letter dated March 15, 2022, from H.G. Elston on behalf of Flag Raiders Paintball (the "**Requestor**"), which asks that Council support a request for a Minister's Zoning Order ("**MZO**") under subsection 47(1) of the *Planning Act* to allow a paintball operation to be re-established on the Property.

There are a number of factual inaccuracies and omissions in the request, and we are writing to ask that Council not provide support for an MZO for the Property.

We are also aware of the Requestor's application for a temporary use by-law, and ask that Council refuse that application on the basis that it does not conform to either the Region's or the City's Official Plans, is not consistent with the Provincial Policy Statement, does not constitute good planning, and does not meet the mandatory tests under the *Planning Act*.

Background

We acted for area residents in 2007 in what was at that time an application by the Requestor to extend a temporary use by-law to permit the continued operation of a paintball operation at the Property. The Requestor's prior by-law had expired and it had been operating unlawfully for a period of months following that expiration.

We communicated with City planning and legal representatives at that time, and confirmed their lack of a support for the proposed temporary use by-law extension. Staff have been consistent in that view going back to at least 2000.

We attach our letter to Council dated December 10, 2007, that outlined our clients' concerns and confirmed their support for the City planning services staff report, which recommended that the application be refused. It was the position of staff in the report, as it has been throughout the Requestor's ownership of the Property, that the paintball use does not conform to either the City's Official Plan or the Region of Waterloo's Official Plan.

Our letter further outlined our clients' concern about the operation, including loud and sporadic noises (firing of guns and smoke bombs, amplified music, horns going off and repeated profanity) and the escape of paintballs from the Property littering the neighbourhood with coloured dyes and spent pellet skins. The operation created adverse parking and traffic issues on Kossuth Road and was simply not compatible with the surrounding residential, agricultural and rural uses in the area.

The Requestor ultimately recognized the unsuitability of the Property for a paintball operation, and relocated to a more suitable site in Kitchener. It is unfortunate, that almost 15 years after we were first retained to address this matter, the Requestor has renewed its plan to utilize the Property for a purpose that does not conform with either Official Plan, is not consistent with the applicable provincial planning policy documents, and is incompatible with the surrounding neighbourhood. The application for a temporary use by-law must clearly be refused on this basis.

Faced with the reality that, as determined by the Ontario Municipal Board, it would have no prospect of success in a traditional planning process, the Requestor is now seeking to circumvent that process through the use of an MZO. The Requestor is, in effect, asking Council to support a proposal that would disregard all of the planning history and consideration that has gone into this area and into the Property itself on a local, Regional and provincial planning level.

Council's 2007 Refusal and the Ontario Municipal Board Appeal

It is important for Council to be aware of the full planning history for the Property when considering this request.

The Requestor's 2007 request for an extension to a temporary use by-law that permitted a paintball use on a trial basis was denied by Council, based upon the unanimous staff advice in that regard. The Requestor appealed Council's decision to the Ontario Municipal Board (as the Ontario Land Tribunal was then known) and the Board **refused** permission to continue the use as applied for, subject to a time-limited exception to permit the Requestor to complete its seasonal operation before permanently ceasing the use.

We attach a copy of that full Board Decision for Council's information, and urge all members of Council to read it in its entirety. In the Decision, issued on May 28, 2008, the Board noted as follows (emphasis added):

- (page 3) Janet Babcock, Commissioner of Planning Services for the City, gave expert testimony on behalf of the City. Ms Babcock stated that **neither planning staff at the City nor the Region had ever supported a TUB for the site precisely because they did not believe that it was in conformity with the OP or the ROPP.** She directed the Board's attention to reports in Exhibit 11 dating back to 2000 which state categorically that the use does not comply with the OP. **In her expert testimony on behalf of the Region, planner Brenna MacKinnon said the same applied to the ROPP.**
- (page 3) Ms. Babcock told the Board that previous Councils had approved the TUB despite staff's advice that the use did not comply with the OP, which it must under the Planning Act, but those decisions had never been challenged at the Board. This time, she said, Council refused the TUB on the basis that the use did not comply with the OP. She also stated that both 11.5.1 and 11.5.2 of the OP state that "by-laws may be passed in accordance with the Planning Act" and added, "that is where you have to start." This does not, in her opinion, allow for "any use in any District that is



otherwise prohibited by law.” . . . She also stated that the use does not conform to the Provincial Policy Statement (PPS). . . . **It was her expert opinion that the application does not represent good planning, and is contrary to the Planning Act as it is not in conformity with the OP or the ROPP.**

- (page 3) The Regional Planner, Ms. MacKinnon, also stated that the use was not in conformity with the PPS.
- (pages 3-4) Corey Kimpson, the sister of the Appellant at that time, told the Board that she and her brother **will need more space in any event and have “absolutely no intention” of applying for another temporary use by-law.**

It was the Board’s opinion (at page 4) that there had been, from the first application for a temporary use by-law in 2000, consistency in the opinion of successive professional planning staff at both the City and the Region that the paintball use does not conform with either the City’s OP or the Region’s ROPP.

In its Decision, the Board specifically noted that if the proposed temporary use by-law had been for a three-year period as originally proposed and appealed to the Board, the Board **“would dismiss the appeal”**. The Board found the expert testimony of Ms. Babcock “convincing and compelling”, and accepted that the paintball use is not in accordance with either the OP or the ROPP provisions that apply to the Property.

After making its clear finding that the Requestor’s proposal had no planning merits, the Board showed some leniency to the Requestor and permitted the more limited three-month extension, which had been proposed for the first time by the Requestor at the start of the Board hearing. In doing so, the Board stated as follows:

The Board reminds the Applicant/Appellant of Ms Kimpson’s statement that Flag Raiders Inc. has “absolutely no intention” of seeking a further extension to the TUB.

The Board went on to order that as of August 31, 2008, the operation of Flag Raiders Inc. at the Property **“shall cease”**. This was a clear and unqualified finding by the Board that the Requestor’s proposed use, which is the same use that it is now requesting more than a decade later by way of an application for a temporary use by-law and an MZO, was not permitted to continue because it did not conform to any of the applicable Official Plans or upper level planning policy documents.

In summary, the planning process for the Requestor’s proposal, including a full appeal process, concluded 14 years ago. The City’s position was upheld and the Requestor’s position was rejected.

Notwithstanding the assurance that it provided to the Board in sworn testimony, the Requestor is now once again applying for a temporary use by-law and asking Council to ignore that extensive decision-making process. To accept that approach and approve either of the Requestor’s requests would be unfair to our clients and to Council itself.

The Requestor’s Letter

The Requestor’s assertion in its letter requesting support for an MZO that the Board approved the proposed 2008 temporary use by-law extension, without providing any of the above context, is at best incomplete. That significant omission had the potential to mislead Council if left unchallenged. We again ask Council members to read the enclosed Decision,



which is clear and concise and does not in any way support the Requestor's current proposal on a planning basis.

Our Clients' Request

We know that Council will be aware, given its recent experience with the MZO process, that it is critically important that the City receive complete and accurate information when considering an MZO proposal. It is also important that Council conduct extensive and meaningful consultation with all stakeholders. We thank Council for the opportunity to make these submissions.

This request for an MZO is a transparent attempt to circumvent the planning process and the lengthy history of planning consideration that has taken place in respect of the Property. This is not the type of application that MZOs were designed to achieve, and it should not be supported by the City.

Similarly, the application for a temporary use by-law must be refused. It has already been found by the Board not to meet the applicable planning tests, and there is simply no lawful basis for its approval.

On behalf of our clients, who do not wish to return to the days where they were subjected to the sounds of a battle zone in their otherwise peaceful neighbourhood, we are requesting that Council not support the request for an MZO for the Property and refuse the application for a temporary use by-law. We ask that we be provided with a copy of any decision that Council may make with respect to these requests.

We would be pleased to respond to any questions Council may have, and will present a brief delegation at Council's upcoming meeting.

Yours truly,

MILLER THOMSON LLP

Per:



Steven J. O'Melia
SJO/dms

Enclosures

- c. Hardy Bromberg, *Deputy City Manager Community Development, City of Cambridge* (via email: brombergh@cambridge.ca)
- Lisa Prime, *Chief Planner, City of Cambridge* (via email: prime1@cambridge.ca)
- Brenna MacKinnon, *Planner, Region of Waterloo* (via email: BMackinnon@regionofwaterloo.ca)



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December 10, 2007

E-MAIL: council@city.cambridge.on.ca

Mayor Doug Craig and
Members of Cambridge Council
The Corporation of the City of Cambridge
Cambridge Place, 73 Water Street North
Cambridge ON N1R 7L6

Steven J. O'Melia
LSUC Certified Specialist (Municipal Law)
Direct Line: 519.593.3289
somelia@millerthomson.com

File: 93472.0001

Your Worship and Members of Council:

**Re: Flag Raiders Inc. – Application for Temporary Use By-law
1500 Kossuth Road, Cambridge
Report Nos. P-98-07 and P-117-07**

We are the solicitors for six neighbours, who own property in the proximity of 1500 Kossuth Road, Cambridge. We are writing to express our clients' opposition to the application by Flag Raiders Inc. for a further temporary use by-law to permit it to continue its commercial operations at 1500 Kossuth Road.

We have reviewed the report on this matter prepared by the City's Planning Services staff for the December 3, 2007 meeting of the City's General Committee, which recommends that the application not be approved. We have also reviewed the supplementary report dated December 10, 2007, which attaches the legal opinion of the City's Solicitor, John Cosman. Pursuant to the General Committee's request, Mr. Cosman has clarified that Council does not have the legal authority to enact a temporary use by-law in this instance because the Flag Raiders use does not conform to either the Regional Official Policies Plan or the Cambridge Official Plan. We are in full agreement with the opinions expressed in those reports.

It is our submission that the law is clear that a municipal council may not permit a use which contravenes the applicable Official Plans by way of a temporary use by-law. It is unfortunate that the Flag Raiders use was ever allowed to exist on this property, and it is clear that it cannot continue. The applicant has had many years to find a suitable location for its use and has chosen not to pursue that lawful route.

For almost eight years, our clients have been subjected to loud noises from the firing of guns, amplified music, horns going off and profanity. Each year, thousands of paintballs escape the limits of the Flag Raiders property and wind up on neighbouring lands, littering those areas with coloured dye and spent pellet skins. The operation creates adverse parking and traffic

Toronto Vancouver Calgary Edmonton London Kitchener-Waterloo Guelph Markham Montréal

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issues on Kossuth Road and is simply not compatible with the abutting residential, agricultural and rural uses in this area.

Our clients have been disappointed that, although the most recent temporary use by-law expired much earlier this year, the City has allowed the use to continue. We trust that should this application not be approved, the City will take action to ensure that the unlawful use ceases immediately and permanently. Although there are mechanisms for the private enforcement of municipal by-laws, our clients should not have to incur that expense to enforce such an obvious and persistent infraction of the City's zoning by-law.

We also question whether many of the structures derelict vehicles that have been constructed or placed on the property are or will be in compliance with the Building Code Act and the City's Property Standards By-law. We trust that the City will take appropriate investigation and enforcement actions in that regard.

Thank you for your attention to this matter. By way of a copy of this letter to the City Clerk's office, we request that we be provided with a certified copy of the resolution that Council passes in respect of this matter.

Yours truly,

MILLER THOMSON LLP

per:



Steven J. O'Melia
SJO/dms

Enclosure

- c. Alex Mitchell, City Clerk (via e-mail: mithcella@city.cambridge.on.ca)
Susan Wysman, Council Committee Coordinator (via e-mail: wysmans@city.cambridge.on.ca)

ISSUE DATE:
MAY 28, 2008



PL080074

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Joe Kimpson has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 150-85 of the City of Cambridge to rezone lands respecting 1500 Kossuth Rd to approve a temporary use by-law for a period of three years. (OMB File PL080074)

APPEARANCES:

Parties

City of Cambridge
Flag Raiders Inc.
Region of Waterloo

Counsel

John Cosman
Harold Elston and D. Berney
D.Leggett

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. J. SUTHERLAND
ON MAY 13, 2008 AND ORDER OF THE BOARD**

Joe Kimpson (Applicant/Appellant) owns a property at 1500 Kossuth Road in the City of Cambridge (subject property). He is requesting an amendment to Zoning By-law 150-85 in the form of a Temporary Use By-law (TUB) to permit the continued use of approximately 4.3 ha (10.6a) of the 24.6 ha (60.8a) site for the purpose of operating commercial/recreational establishment for a period of three years. The existing commercial/recreational use (outdoor paintball games) was first permitted for a period of three years in a TUB in 2001, and for a further three years in 2004. The current application seeks to extend the temporary use for another three years. The application was denied by the Council of the City of Cambridge (City).

The Applicant/Appellant is appealing Council's decision on the basis that:

- Council previously approved TUBs for the subject property.

- The recreational/commercial use was site plan approved by the City.
- The existing Agricultural use will be maintained except for the portion previously designated under the TUB as recreational/commercial.

At the commencement of the hearing, Mr. Elston, counsel for the applicant/appellant, told the Board that he was coming forward with an amended application requesting an extension of the TUB for a period of three months rather than three years because his client believed he had found a property to which he could relocate his operation. Mr. Elston requested a short adjournment for the purpose of discussing this amended application with the City and Region of Waterloo (Region). Counsel for the City replied that his instructions were to oppose any TUB for the subject property, and that the paintball operation had, in fact, been operating illegally on the property since February of 2007, when the second extension to the TUB expired and now will be closed down on May 24, 2008. That being the case, the Board found no purpose would be served by an adjournment.

David Aston gave expert land-use planning evidence on behalf of the applicant/appellant. The core of Mr. Aston's testimony was that there is nothing different in the current application from the two previous applications, which were approved by Council. He pointed to Section 24(1) of the *Planning Act*, which requires all by-laws to conform to the Official Plan (OP). He also stated that a TUB may be passed under Sections 34 and 39 of the *Planning Act*. He maintained that the TUB being sought conforms to Sections 11.5.1 and 11.5.2 of the OP, and maintained that 11.5.2 of the OP authorizes Council to pass a temporary use by-law for any use in any District that is otherwise prohibited by law. He stated that approval of the requested TUB conformed to the City's OP as it meets the intent of 11.5.2 of the OP.

Mr. Aston introduced a letter from lawyer David R. Sunday, of the firm of Gowling LaFleur Henderson, on the subject of whether Council has the authority to enact a TUB where there is debate as to whether the proposed use complies with the OP or the Regional Planning Policies (ROPP). In his reply, which stated that Council did indeed have such authority, Mr. Sunday stated "Council's earlier decisions followed municipal staff's advice that the proposed temporary use by-law was in conformity with the OP and ROPP by virtue of Policy 11.5.2" (Exhibit 10).

The open portions of the site are designated Class 1 (Prime) Agricultural in the Official Plan, which permits agricultural, and agricultural-related uses and recreation activities that existed when the OP was enacted. The paintball operation did not exist at that time. The woodlot and wetland portions of the property are designated Class 1 (Significant Natural Features) Open Space, which permits limited uses, including passive recreational activities and outdoor education and research. The wooded portions of the property include a wetland that is classified by the Ministry of Natural Resources as a Provincially Significant Wetland

Janet Babcock, Commissioner of Planning Services for the City, gave expert testimony on behalf of the City. Ms Babcock stated that neither planning staff at the City nor the Region had ever supported a TUB for the site precisely because they did not believe that it was in conformity with the OP or the ROPP. She directed the Board's attention to reports in Exhibit 11 dating back to 2000 which state categorically that the use does not comply with the OP. In her expert testimony on behalf of the Region, planner Brenna MacKinnon said the same applied to the ROPP.

Ms. Babcock told the Board that previous Councils had approved the TUB despite staff's advice that the use did not comply with the OP, which it must under the *Planning Act*, but those decisions had never been challenged at the Board. This time, she said, Council refused the TUB on the basis that the use did not comply with the OP. She also stated that both 11.5.1 and 11.5.2 of the OP state that "by-laws may be passed in accordance with the *Planning Act*" and added, "that is where you have to start." This does not, in her opinion, allow for "any use in any District that is otherwise prohibited by law."

She also stated that the use does not conform to the Provincial Policy Statement (PPS).

It was her expert opinion that the application does not represent good planning, and is contrary to the *Planning Act* as it is not in conformity with the OP or the ROPP.

Ms MacKinnon also stated that the use is not in conformity with the PPS.

Corey Kimpson, sister of the Applicant/Appellant, told the Board that she and her brother have been trying very hard to find another site for the paintball operation and

believe they have found one. She said they have already taken measures to move Flag Raiders Inc., although they may have to make an application to rezone the target property. She said paintball is growing in popularity and that Flag Raiders Inc. will need more space in any event. She said they have “absolutely no intention” of applying for another TUB.

It is the Board’s opinion that there has been, from the first application for a TUB, consistency in the opinion of successive professional planning staffs at both City and the Region that the use does not conform with either the City’s OP or the Region’s ROPP. The Board does not accept the position of Mr. Aston that Section 11.5.2 of the City’s OP would permit “any use in any District that is otherwise permitted by law”. To accept this argument would be ignoring the words “It is the policy of the City that by-law may be *passed in accordance with the Planning Act*”. As Mr. Aston himself acknowledged, Section 24.1 of the *Planning Act* requires conformity with the OP.

That previous Councils ignored the advice of staff that the use was not in accordance with the OP is not the issue. Councils do not always take the professional advice of their staffs, sometimes at Council’s peril. The current Council did take staff’s advice and refused a further extension of the TUB.

When rendering the oral decision, the Board was working under the assumption that what was being sought was a new TUB. Upon reviewing evidence and notes, the Board now realizes that it is not a new TUB, but an extension of the current TUB that is being asked for. Under the amended application, the extension is for three months, not the three years of the original application. Were it for three years, the Board would dismiss the appeal. The Board finds the expert testimony of Ms Babcock convincing and compelling, and accepts that the use is not in accordance with either the OP or the ROPP.

The Board, however, has no desire to close down Flag Raiders Inc. immediately when there may be a possibility of it relocating in the near future. It does not, at this point, seem reasonable to do so, given the undoubted importance of the summer season to the operation. The Board reminds the Applicant/Appellant of Ms Kimpson’s statement that Flag Raiders Inc. has “absolutely no intention” of seeking a further

extension to the TUB. In any event, the Board feels that such an extension would be, to say the least, difficult to come by given the evidence heard at this hearing.

The Board therefore Orders that the appeal is allowed and that Zoning By-law 150-85 be amended in the form of a Temporary Use By-law to expire on August 31, 2008, at which time the operation of Flag Raiders Inc. at its current location under By-law 150-85 shall cease.

The Board so Orders.

“S. J. Sutherland”

S. J. SUTHERLAND
MEMBER

May 13, 2022

Mayor McGarry and Members of Council
City of Cambridge
Cambridge City Hall
50 Dickenson Street
Cambridge, ON
N1R 8S1

Attn: City Clerk
e-mail: clerks@cambridge.ca

Dear Mayor McGarry and Members of Council,

Re: Flag Raiders Paintball - Fourth Request for Temporary Use
1500 Kossuth Road, Cambridge

Brown Associates acted as planning and environmental consultants for surrounding residents in 2007 and 2008 when Flag Raiders made an application for a third temporary use of the property at 1500 Kossuth Road, and attended at the Ontario Municipal Board hearing, when the appeal of Council refusal was not granted by the Board. With the application for yet a fourth request for a temporary property use, we have been re-engaged by the community. **Appendix A** is a list of clients, and it include all contiguous property owners west, north, and east of the subject site except for immediate neighbours Dennis and Linda Bronx, who are related to the Flag Raiders principals by marriage.

Background History

Flag Raiders operated in the absence of appropriate zoning on the west side of Shantz Station Road in the Township of Woolwich, on the Hagey property in the 1990s. The site was proximate to the KW Airport flight path, and Flag Raiders was displaced when the lands were expropriated for the airport expansion. There is no known history of any complaints, which may reflect the lack of immediate neighbours and the former location beneath the general aviation fly zone.

Joe Kimpson purchased the 1500 Kossuth property, described at Parts 1,2 and 3 Reference Plan 58R-11961 from the Snyder Estate in or about late 1999 and relocated Flag Raiders to the property in 2001. In the earliest days, it operated with about 1.1 acres of former agricultural lands regraded and with addition of structures. There were immediate complaints from the

surrounding community, which resulted in an injunction by the City, followed by a request for a temporary use of the lands while Flag Raiders searched for a more suitable permanent facility. City and Conservation Authority staff walked the lands when only a very small portion had been disturbed. Although the disturbed area was entirely within a Regulated Area under the *Conservation Authorities Act*, there is no evidence of receipt of a fill permit from Grand River Conservation Authority for the subsequent substantial regrading which took place. Site Plan Approval under S. 41 of the Planning Act was granted with the passing by-law 35-01 in February 2001. Later on, a sketch of paintball uses, expanded to the full 11-acre footprint, and not the original 1.1-acre disturbed facility as inspected by conservation authority staff two years earlier, was signed by the then Planning Director on April 12, 2002. Neither the by-law nor the site plan agreement which followed two years later, had any mechanism to ensure property rehabilitation at the end of the temporary use.

Three years later, Kimpson brought a second application extension of the temporary use by-law, on the grounds that he needed a bit more time to find a more suitable location. Over this term, the operation continued to intensify within the 11 acres of former cultivated agricultural land.

A site map handed out to paintball players in these years, represented the playing site as 120 acres, with out-of-bounds defined only as lands in corn production. It made no limitations on the mature tree canopy areas or the wetland areas of the 1500 Kossuth Road property or to limit players to that defined area with site plan approval.

In 2007, Flag Raiders brought a third application for extended temporary use. Although there had been numerous complaints about noise and disruption by surrounding residents, to both the city and to police, city bylaw enforcement had not laid any charges against the operation. Anecdotal evidence of a police officer losing her eyesight from a paintball impact during this time is circulating. This third application was refused by council. The staff report of the day advised in very strong language that this commercial use of the lands was not permitted and that an amendment to the Regional Official Plan would be required before the city could contemplate changing the land-use designation or rezoning the property.

The Kimpsons referred the decision to the Ontario Municipal Board, and at the start of the hearing, amended the appeal to reduce the three-year term for continued temporary use to three months to complete the current season. After hearing evidence, the member refused the appeal but allowed Flag Raiders to complete the season before shutting down permanently. The written decision made it clear the Board would have refused the appeal to permit another full three-years extension, had the matter been before it. A copy of the Ontario Municipal Board

decision is attached to the available staff report and to the submission of Steven O'Melia on behalf of surrounding residents and need not be appended to this document.

In his affidavit of May 5, 2008, before the Municipal Board, Kimpson advises that he just assumed relocation to 1500 Kossuth could go ahead based on the subject lands being zoned agricultural since he had been doing the same on other lands previously and commenced building structures in 2001. He admitted not undertaking reasonable due diligence before going ahead, unlike his now immediate neighbour, Bruce Martins, at [REDACTED], who visited the planning department and the conservation authority before purchasing his lands after the paintball operations ceased. Martins was given every assurance that the paintball operations had been permanently terminated. A copy of this affidavit, an exhibit at the Municipal Board hearing, is attached to the submissions of Steven O'Melia.

The Kimpson affidavit goes on to state that after receiving a stop work order from the city, the planner he retained advised him it was unlikely he could ever succeed in obtaining an Official Plan Amendment at the Regional level or rezoning and the best he might do would be to ask for a short-term temporary use permission while he searched for a more suitable site. Council of the day approved on this short-term basis.

Three years later, after continued expansion of facilities, Kimpson sought a renewal of the temporary use and undertook some mitigating measures to appease neighbours, including grading a berm, while also having regrading most of the 11 acres of playing fields into berms, trenches, and other features. Although he claims to have planted 300 cedar trees, these should be at least 3 to 4 meters high after 18 years, however none are apparent anywhere, and the berm tapered off at only a third the way along the common lotline with the playing field area.

After the first renewal in 2004, the operations continued to grow, resulting in many more complaints by residents to both police and bylaw enforcement.

When Kimpson made a third application for a further extension of the still "*temporary*" use by-law in 2007, Brown Associates was retained by a group of ten property owners surrounding the Flag Raiders property. I made written submissions and representation to Council that it did not have the power to permit property uses inconsistent with the Regional and Local Official Plans and applicable zoning by-law.

My submission was supported with information I obtained from David Estrin, at Gowlings, a recognized expert in environmental law whom I had worked on many projects. In Estrin's letter of December 6, 2007 and as well in a separate opinion letter by legal counsel On December

7, Steven O'Melia, retained by the same group of ten surrounding residents, both advised council did not have the power to approve a property use in conflict with its own zoning by-laws, with its Official Plan and with the Regional Official Plan and inconsistent with the Provincial Policy Statement of the day. The same definitive opinion was also offered by the then City Solicitor, John Cosman.

On December 10, 2007, council accepted the staff report recommending refusal for Flag Raiders application. Flag Roaders appealed this decision. At the commencement the Board hearing, amended its appeal to reduce the temporary use to a few months and not the full three years. On appeal, when rendering the oral decision, the Municipal Board member was working under the assumption that what was being sought was a new temporary use bylaw. Upon reviewing evidence and notes, the Board, in the written decision of May 24, 2008, realized that it was not a new temporary use bylaw, but a three-month extension of the current one, under an amended application. Had it been for the full three years, the written decision of the Board noted it would have dismissed the appeal. The Board found the expert testimony of the City's then Planning Commissioner, Janet Babcock convincing and compelling and accepts that the use was not in accordance with either the Official Plan or Regional Official Planning Policy.

In 2007, it was clear that Kimpson had made no serious effort to find an alternative site. At that time, I extended an offer to assist him in finding a suitable site at no cost. Over the past 35 years to that time, I had worked with a score of pits and quarries owners, in designing aggregate extraction programs, quantifying reserves and had provided engineering designs for pit rehabilitation. I had a long list of contacts in the industry, including some of the largest operators, such as Standard Industries/Lafarge. In my opinion, a depleted gravel pit would have been an excellent location for a paintball facility, since such sites are typically remote from surrounding sensitive uses, would have mature perimeter berms and plantings already in place, in accordance with the original licensing requirements. Pit floors which did not extend to a water table had little agricultural potential and could be easily manipulated to make berms and trenches. Kimpson never responded to my offer.

Flag Raiders was eventually successful in finding an alternative location at Bingeman's Park in Kitchener. That property was flanked by industrial lands to the south, by the Grand River valley behind and by additional privately owned parklands flanking to the east and north. There are no residential lands within 500 meters of the property, with intervening highway and industrial uses to the south and it is more than 700 meters across the Grand River valley to the nearest residential areas to the north. With feeding from its two indoor paintball operations in Kitchener, the Bingemans facility continued to grow, from beyond the 11 acres of disturbed lands at 1500 Kossuth to fourteen acres, including two parking lots capable of accommodating at least 250

automobiles. On a single random access to the Flag Raiders site, I noted 251 persons checked in to an 8-hour long event at Bingemans in late November. This would be above and beyond their staff numbers.

The most recent random air photograph of the Flag Raiders facilities at Bingemans on Google Earth has 54 cars in the south parking lot. This site has hosted widely attended major paintball events, some of which have video coverage posted on the internet. The site map provided for players shows over 250 parking spaces. Flag Raiders operated large regional events with hundreds of players and operate late into the season, to at least the end of November, and activities included night-time Zombie hunts.

When the Bingemans property was sold and Flag Raiders tenancy came to an end, Kimpson packed up materials and moved them back to 1500 Kossuth Road, including lumber, many seaway containers and utility poles.

There is no evidence that Flag Raiders has operated paintball activity on the lands in recent years, however I have anecdotal and photographic information (summarized in the written submission of Michele Dickinson) that a nearby resident's grandchildren, exploring in the mature woodlot, recently observed thousands of airsoft type paintballs in the forested or wetlands area, well beyond the site plan approval zone, and some fourteen years after activity ceased, suggesting paintballs have a significant longevity, and confirming previous activities well beyond the area initially permitted in the 2002 site plan approved by the city.

Although it is coming back for yet a fourth *"temporary"* use bylaw, despite being advised from many sides a Regional OP amendment was a necessary step, Flag Raiders has made no effort to make an application for an amendment to the Regional Official Plan, as the essential first step for the city to consider such a request.

The Ellis Creek Wetlands

The Flag Raiders lands are part of the Ellis Creek Class 1 Provincially Significant Wetland Complex. Provincially Significant Wetlands (PSWs) are those areas identified by the province as being the most valuable. They are determined by a science-based ranking system known as the Ontario Wetland Evaluation System (OWES). This Ministry of Natural Resources (now Ministry of Northern Development, Mines, Natural Resources and Forestry) framework provides a standardized method of assessing wetland functions and societal values, which enables the province to rank wetlands relative to one another. This information is provided to planning authorities to support the land-use planning process. These Class One Provincially Significant

wetlands have an impressive score of 715, which is very high, compared to many other natural heritage areas, as a significant habitat for a wide variety of reptiles and mammals, including threatened species, and have a significant groundwater recharge function.

Several of the surrounding residents have been keeping bird and mammal species lists for years, confirming a diversity of fauna in and around the area, including some regionally rare species. Several residents cited frequent viewing of wild turkeys, deer among other species, and long before Flag Raiders arrived, Ms Stachowski's father built a viewing tower/blind at the back of [REDACTED] to view wildlife. Several long-term residents advise that sightings of wildlife, especially wild turkeys, foxes and deer became infrequent during the years of Flag Raiders activities and that it took several years for these populations to return. Several residents have maintained and provided me with species lists for birds and mammals from prior to Flag Raiders occupancy and continue to maintain these to date.

Provincial Policy Statement

The Province of Ontario provides general planning direction to all communities through the *Planning Act* as well as the Provincial Policy Statement, 2020 (PPS) under the *Planning Act*. The Flag Raiders application is for lands outside of any designated settlement area and are therefore the area is not designated as a focus for future growth. A link to the PPS may be found in the resources list below.

Regarding natural heritage areas, the PPS requires natural heritage areas to be protected in the long term, and that development and site alteration shall not be permitted unless it is demonstrated there is no negative impact on features or their ecological functions. Section 2.1.2 states:

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Section 2.1.7 of the PPS requires that development and site alteration not be permitted in the habitat of endangered or threatened species except in accordance with provincial and federal requirements. S.2.1.8 of the PPS states:

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features.....unless the ecological function of the adjacent lands has been

evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The application is not supported with a detailed Environmental Impact Statement required for more detailed characterization of the existing natural environment, context, and to further refine the degree of environmental sensitivity of natural heritage features and functions and provide an assessment of potential impacts and recommended mitigation efforts.

Such an assessment requires four-seasons inventories to fully understand the wetlands and woodland features, and functions. It is also required to consider and weigh the full spectrum of appropriate and inappropriate mitigation features. An example of the latter would be Flag Raiders proposal to put up high mesh barriers to stop proliferation of airsoft paintballs. These would likely be a lethal danger for birds.

Provincial policies dictate a 120-meter buffer setback surrounding provincially sensitive wetlands. The only permitted use in the buffer area is agricultural (PPS 2.1.9). This buffer area would take up all the lands previously used or potentially might be used by Flag Raiders on the 1500 Kossuth Road property.

The PPS has policies related to agriculture. Policy 2.3.1 states:

Prime agricultural areas shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

According to ARDA mapping, the lands previous intensively occupied by Flag Raiders are Class 2 lands, and they are designated as Prime Agricultural Lands in other planning documents, including Regional and Local official plans, as required by S. 2.3.2 of the PPS which states:

Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with guidelines developed by the Province, as amended from time to time.

Furthermore, the PPS goes on to state that Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas.

Even if there were an identified need established for the proposed Flag Raiders use, the PPS requires the proposed use complies with the Minimum Distance Separation Formulae, which dictates setbacks from farm activities which could not be met with the proposed location, having zero setback, and for alternative locations not on prime agricultural lands to have been evaluated, which the applicant has failed to do in support of the application.

The PPS requires rehabilitation to accommodate subsequent land uses after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible. The current state of the 1500 Kossuth lands is not dissimilar to that of a very poorly managed aggregate extraction operation. When the use was terminated in 2008, rehabilitation should have been required to restore the lands to their former prime agricultural capability. Jed Snyder farmed the family lands prior to the estate sale to Kimpson, and advised me the productivity of the disturbed lands was at least the same as that of the adjacent Stachowski farm immediate to the west, and that the topsoil closer to the forest-wetland complex was richer and deeper.

The Regional Official Plan

The PPS recognizes the official plan is the most important vehicle for implementation of this Provincial Policy Statement and that Comprehensive, integrated, and long-term planning is best achieved through official plans. Official plans shall identify provincial interests and set out appropriate land-use designations and policies and that to determine the significance of some natural heritage features and other resources, evaluation may be required.

Waterloo Region recognizes the Greenlands Network, defined as environmental features and the linkages among them. The Greenlands Network, and the ecological functions it provides, contributes to maintaining the environmental health of Waterloo Region and the Grand River watershed. This Plan contains policies to maintain, enhance or, wherever feasible, restore the Greenlands Network. Such action is necessary to counteract the negative effects of fragmentation which can result in a loss of ecological integrity and the degradation of natural biodiversity. Such action is also necessary to maintain biological and geological diversity, viable populations of native species and ecosystems, and make possible adaptation in response to actual or expected effects of climate change. A link to the Greenland policies is attached in the reference below.

The plan recognizes the importance of wetlands, watercourses, lakes and groundwater, their hydrological features and associated functions as providing a variety of environmental benefits and are fundamental components of the overall ecosystem. Policies at all levels are required to

maintain, enhance or wherever feasible restore environmental features, ecological and hydrological functions.

A change in use in or proximate to environmentally sensitive policy areas requires a regional staff review of supporting documents and an official plan amendment before local municipality can amend its own planning documents to permit the use. No such amending process has been initiated for the Flag Raiders lands.

Cambridge Official Plan Policies

A prime purpose of the consolidated Official Plan was to bring the document into compliance with the Regional Official Plan which has policies regarding environmentally sensitive lands and wetlands. Chapter Three of the City's 2018 Consolidated Official Plan preamble states the protection, enhancement and/or restoration of Cambridge's natural heritage is a priority for the city. Cambridge contains a diversity of natural features and associated ecological functions which together help to sustain its urban areas. Through the application of the natural heritage and environmental management policies of this Plan, the City will endeavour to ensure that development will maintain and improve the quality of the natural environment within the city while protecting and contributing to the health and well-being of its residents.

Flag Raiders already has a history of nuisance in its former occupation of 1500 Kossuth lands, and the operation returning to the site- with all the vehicles, lumber, seaway containers, and equipment already delivered to the site in anticipation of resuming operations is of a larger scale than operated up to 2008. Residents made many complaints about nuisance, noise, and property standards between 2001 and 2008 and the city failed to act on these until finally turning down a third submission for a "*temporary*" use. There is no question resuming this use would have a very serious impact on the health and well-being of a dozen surrounding families.

Damage to the natural environment has already been demonstrated, with the finding of tens of thousand of paintballs in forested areas, and they have impacted on the cultivation of the [REDACTED] lands, requiring hand picking to continue usual farming practices. This is clear evidence paintball activities have extended into the forest and wetlands, beyond the limited area set out in the schedule attached to the original site plan agreement.

An objective of the Official Plan is to "maintain and improve the city's natural environment, including the linked natural heritage system of the Grand and Speed Rivers and their tributaries, fish habitat, wetlands, woodlands, remnant prairie and savannah habitat, groundwater, soils and atmospheric resources in the interests of overall ecosystem integrity." The majority of the 1500

Kossuth Road 24 hectare property is recognized as a Class 1 Provincially Significant Wetland and the balance of the lands lies within a buffer to which Provincial Policies apply, limited it to agricultural uses. The lands are mapped as a “*Core Environmental Feature*” on Map 9 of the Official Plan. The surrounded lands are designated *Prime Agricultural Lands* on Map 9. The lands are also north of the countryside line on Map 1B, lands in which future urbanization or development is not contemplated. These maps are already before council in the preliminary staff report.

The Official Plan requires “where development or site alteration is proposed on lands within or contiguous to an Environmentally Sensitive Landscape, the owner/applicant will be required to submit an Environmental Impact Statement to the satisfaction of the Region, in consultation with the City and the GRCA, which addresses landscape impacts in addition to any other requirements in accordance with the policies in Section 7.G of the Regional Official Plan.” No such submission to the upper tier authority has been made, and Regional satisfaction is a requirement of the Official Plan in the event the Flag Raiders application were to be approved.

Section 3.A.3 of the OP requires Core Environmental Features policies to be applied to lands apply that meet the criteria of Provincially Significant Wetlands and states development or site alteration will not be permitted within Core Environmental Features, except as provided for in Regional Official Plan Section 7.C, therefore requiring Regional approval following submission of an Environmental Impact Statement, to the satisfaction of the City, Region, GRCA and/or Province, as appropriate, to determine the mitigation measures to be implemented, as appropriate, through the development review process. Even if the lands are considered to be contiguous to a Core Environmental Feature, development or site alteration will only be permitted on land contiguous to a Core Environmental Feature where an Environmental Impact Statement, or similar study, is submitted in accordance with the policies in Section 3.A.8, has determined to the satisfaction of the City, Region, GRCA and/or Province, as appropriate, that approval of the proposed development or site alteration would not result in adverse environmental impacts on the natural features and ecological functions of the Core Environmental Feature. The City may require conditions of approval to implement such recommendations. An Environmental Impact Statement submitted in accordance with Policy 3.A.3.6 will identify appropriate buffers to Core Environmental Features to the satisfaction of the City, Region, GRCA and Province, as appropriate.

The location, width, composition, and use of buffers must be in accordance with the approved Environmental Impact Statement. Buffering is meant to protect significant natural features from increased pressure from human intrusion and the negative effects of development which is expected to be increasingly urban and dense, given the density targets and intensification

requirements. The OP states “buffers are for protection, enhancement and restoration of habitat. Permitted uses within the buffers of Core Environmental Features will be limited to low impact uses, such as resource management, vegetation restoration, open space, recreational trails and stormwater management facilities.” Since the PPS requires buffers surrounding Provincially Significant Wetlands, it is clear there must be a buffer and the City’s Official Plan policy precludes the proposed intensive commercial use within the established buffer area.

It is submitted that no appropriate background studies or comprehensive environmental impact statement (as defined in S. 3.A.4.12 of the Official Plan) have been produced and certainly nothing has been reviewed and approved by the Regional authority, or reviewed by GRCA, in the absence of which official plan policies do not permit the Flag Raiders’ proposed use and occupation of the lands. GRCA manages regulations restricted use in designated areas, including the Flag Raiders site, and must process a parallel application for a permit to make any changes within the regulated area.

The City of Cambridge Official Plan has requirements for the protection of Prime Agricultural Lands, on which the previous Flag Raiders operations took place in the regulated buffer area for the wetlands. The use should never have been contemplated in the first place and when that use ended, neither Flag Raiders themselves, nor the City took steps to rehabilitate the lands for agricultural use, therefore acting in an inconsistent manner to Official Plan policies.

A link to the City of Cambridge Official Plan is provided below.

Grand River Conservation Authority Policies

Environmental legislation is found at all levels of government; Federal fisheries officers still carry sidearms when on duty, and the Ontario Ministry has retained control over forestry, mining and pits and quarries, however, most of the responsibility for control and management of green spaces in Southern Ontario has been delegated to the conservation authorities. Although the *Conservation Authorities Act*, when passed in 1946, had its mandate largely focused on the “*conservation of land*” meaning flood protection and control, and prevention of damage to persons and properties, the role has gradually broadened to the first line of protection for green spaces of all sorts, including for designated provincially significant wetlands, regardless of ownership. Regulations under the Act provide control over environmentally sensitive lands through the requirement for permitting to effect any change within regulated areas, whether regrading, building, altering watercourses, building ponds, and whether at the subdivision level or for individual very small-scale private landscaping efforts.

In 1992, the GRCA adopted the Provincial Policy Statement as its policy for the review of applications for Fill, Construction and Alteration to Waterways permits within or near Provincially Significant Wetlands.

It is GRCA policy, in consultation with the city, to request an Environmental Impact Statement for development located within 120 metres of the boundary of a Provincially Significant Wetland. All the Flag Raiders lands falls within this setback.

When the Grand River Conservation Authority staff walked the site and reviewed the supporting environmental impact statement in 2002, the Authority had the power to impose conditions for the protection of the forested and wetland areas through its regulations. It could have and should have required construction and maintenance of a permanent silt fence to ensure erosion and runoff from substantial regarding did not impact the forest and wetlands. It also could have and should have insisted on an appropriate physical barrier to protect the forest canopy and the wetlands from trespass by paintball players. It also could have and should have insisted on an appropriate mechanism to ensure the lands within its control were properly rehabilitated, as promised, on the termination of the “*temporary*” use. Such conditions could also have been imposed at the time of the 2004 renewal.

In entering into a site plan agreement, similarly, the City should have dealt with these issues, requiring proper fencing, for example, and assuring remediation by holding a letter of credit, which would provide for rehabilitation in the event of a default. The city has the power to enforce property standards, to carry out necessary work and charge back costs ahead of taxes, however it is much more difficult to enforce in the absence of a clear and detailed rehabilitation plan, with delivery timing, standards, and financial assurances. Therefore, for the past fourteen years, the lands have looked like images we currently see of the destruction in the Ukraine. The city never requested or received a Remediation Plan on termination of the Flag Raiders use, and on February 28, 2008, the writer offer to prepare such as plan, both to the applicant and in a formal letter to the city. There was no response to this offer.

GRCA Regulation and policies for wetlands are provided in the links below.

Request for Minister’s Zoning Order

On March 15,2022, counsel for Flag Raiders, H. G. Elston, wrote to the mayor and council for the City of Cambridge with a copy to Minister Steve Clark, requesting a Minister’s Zoning Order for the Flag Raiders lands, made under Section 47(1) of the *Planning Act*, to allow an outdoor

commercial recreational facility on the 1500 Kossuth lands. A “*Vision Document*” purportedly attached to the letter was not available to the writer.

The letter describes a 10.6-acre portion of the 60-acre holdings as proposed for Flag Raiders paintball use. These are the same lands as occupied up until 2008, and which were left in a state of disarray when the use terminated. They are not vacant, since there are remaining buildings or structures of sorts scattered across the site, as well as storage for materials recovered from the Bingemans lands where Flag Raiders most recently operated including vehicles and shipping containers.

The letter states the proposed use does not impact the adjacent agricultural areas. This statement is patently untrue because it vastly impacts the farm residents living on those lands with the nuisance of noise, and there is a long history of trespass, with the accumulation of paintballs in agricultural fields, which have had to be manually removed to facilitate crop harvest. Council is referred to the separate letter from Ms. Stachowski regarding the littering of her property with paint balls. When the writer carried out a site inspection in 2007, on a Sunday afternoon, he was able to experience the noise, including use of air horns, music, and a public address type system, and to assist with the collection of hundreds of paint balls on the Stachowski fields in the evening hours after activities on the adjacent lands.

The letter advises this to be an excellent location for the proposed use, but does not acknowledge the property is predominantly located in a Class 1 Provincially Significant Wetland, that it has removed prime agricultural lands from production, is located within a buffer area for which agriculture is the only permitted use under the Provincial Policies Statement 2022, is located within a regulated area under the *Conservation Authorities Act*, and is not supported by appropriate environmental impact studies, also required by the PPS. It does not state the use is contrary to the Regional and City Official Plans.

The letter did not state that Staff reports in 2007 did not support the previously request for a further extension of temporary use of the lands or that City council rejected the application in 2007. It suggested the Ontario Municipal Board approved the appeal, which is not true. Hen Flag Raiders amended its appeal, the Board approved a short extension of use out of compassion for the business enterprise, and clearly stated it would have refused the extension for another three-year term. The written decision of the Board in May 2008 stated:

“Under the amended application, the extension is for three months, not the three years of the original application. Were it for three years, the Board would dismiss the appeal.

The Board finds the expert testimony of Ms. Babcock convincing and compelling and accepts that the use is not in accordance with either the OP or the ROPP.”

While the 2008 decision may not preclude the City’s consideration of a request for a Minister’s Zoning Order, it is important to note that council has already rejected the continued use of the lands for recreational purposes, especially considering a detailed staff report recommending refusal, and the clear direction of the Ontario Municipal Board. Since which time nothing has changed which would lead to a different resolution with respect to the 1500 Kossuth lands.

The lawyer’s letter states the only issue between the parties was conformity with the Regional Official Plan and the City’s Official Plan. Regardless of the land-use designation, there are many more issues separating the parties. All contiguous property owners, except the one related to the Kimpsons, oppose the proposed use based on their previous experience with the operations on the site from 2001 to 2008. There is a long history of complaints, calls for by-law enforcement, to uphold the City’s own noise and property standards bylaws, which were not dealt with by the municipal officials, and a history of staff not being accessible or attending on weekends to experience the ongoing problems. Residents experienced considerable disruption to their lives, noise levels which precluded use of their own outdoor space, and trespass with accumulation of paintballs, which have been reported as dangerous or fatal to pets and wildlife in published literature, and have a long residual life, if paintballs from activities at least 14 years past can still be found in abundance.

Furthermore, in the present submission, Flag Raiders proposes to extend their season and to extend their hours including into weekdays and evenings. The paintball operation which left the site 14 years ago is not the same as would be returning from Bingemans. Outdoor activities are supported by two indoor paintball facilities in Kitchener and was much expanded in a 14- acre area at Bingemans, including parking for around 150 cars. Flag Raiders also hosted larger regional events, drawing customers from far afield. Flag Raiders is a much larger operation than it was 14 years ago and will have a much greater impact on its own site as well as on the surrounding community than it had when its use was terminated in 2008.

The Elston letter request goes on to state the applicant’s planning consultant maintains the proposal does not offend any of the applicable provincial, regional, or local policies. It offends all the clauses in the Provincial Policy Statement which are cited above. It does not conform with the Regional or City Official plan, nor with the underlying bylaw. Such statements are false and misleading. Kimpson’s own affidavit provided to the Municipal Board states his own planner advised he could never get an Official Plan Amendment at the Regional level.

If city council in its wisdom does approve a temporary or permanent recreational use of the Flag Raiders property, there will be an appeal from the community, regardless of whether the applicant or his solicitor considers it needless, as claimed. Since nothing has changed in the meantime, the outcome from a future Ontario Land Tribunal referral, given the precedent of the Ontario Municipal Board, is not likely to come to any different conclusion.

Flag Raiders has not even made application for amendments to the Regional Official Plan, nor provided the depth of studies and environmental impact statement required to demonstrate any merit to the proposed use in an environmentally sensitive area of Provincial Significance, which is the proper initial step in the plans-approvals process. Since being advised of the proper process, Flag Raiders had 21 years to have initiated such efforts yet has failed to do so. Flag Raiders should keep in mind that even if an application to amend the regional official Plan were made, considering the previous staff report by Janet Babcock and its recognition by the OMB, it is unlikely such an application would succeed, and even if it did, in a year or two of process, it would be certain to be appealed by the community. Given the decision of the OMB in hand, such an appeal has little likelihood of being considered frivolous.

Recent Events

When the matter was last before council in April, the applicant was strongly advised to get together with the surrounding residents to advise what mitigating measures were proposed to reduce the impacts experienced with previous activities at 1500 Kossuth. Council even offered a meeting place at city hall to facilitate such discussions.

Nothing was heard from the applicant until recently, when an invitation was put in the mailboxes of some of the surrounding residents inviting them to an Open House to be held at the nearby Butterfly Conservancy on the evenings of May 10 and 11. However, this event was also posted on the Flag Raiders website and extended to all of Flag Raiders clientele and supporters. A link to the online invitation to all its supporters on Facebook is provided below. Ever since receiving notice of termination of the Bingemans lease, Flag Raiders has been aggressively seeking support from its clientele at all three operations, signing them to petitions and encouraging lobby efforts to elected representative and relying on social media to build support.

The surrounding residents expected to have a quiet discussion with the applicants and perhaps his planner to hear what mitigating measures were proposed. There were no expectations that anything could be done to mitigate impacts sufficiently to satisfy concerns, especially when hearing of proposed extended season and extended hours, including evening hours, and especially knowing the Bingemans operation had significantly grown in scale from the level of

activity these same people experienced up to 2008. The Bingemans facility has hosted night-time Zombie Hunts and its season extended to at least the end of November. The residents had no interest in meeting Flag Raiders clientele *en masse*, consulted amongst themselves with great concern and collectively decided not to attend the open house. No opportunity has been provided for the meaningful discussion as directed and encouraged by council.

Residents feel that the Kimpsons have not acted in good faith. Although they said the original use was temporary and the agricultural capability could be easily restored, it is now 14 years since the former use was permanently terminated, yet the property remains a disaster, with no effort to restore the lands which still feature numerous structures, derelict vehicles and significant regrading. There is no evidence the city has made any effort to enforce restoration of the lands.

Residents also mistrust the verity of submissions. Although Flag Raiders has stated the facility is used by school groups, enquiries have confirmed no school authority ever condoned or organized a paintball event. Informal challenges among school-age patrons, like birthday parties for younger players, have largely taken place in the two indoor facilities.

Similarly, Kimpson claimed the facility has been used for police training. This is untrue; no police jurisdiction has organized or facilitated such training. Rather some personal friends who happen to be police officer enjoy playing paintball.

Residents are further concerned that council may be swayed by an overwhelming number of petitioners in favour of reinstating the facilities at 1500 Kossuth. This is not really any endorsement of the 1500 Kossuth site; the support is from people who like to play paintball but have no particular affinity to the Kossuth Road lands- they would be equally content to play paintball anywhere else. On reading the many written submission of supporters as presented ahead of the public hearing, a consistent theme is noted: (1) the Kimpsons are nice, civic minded people (2) a lot of people like to play paintball and are willing to travel large distances to do so (3) people do come from all over to Flag Raiders. However, none of these letters speaks specifically to the 1500 Kossuth site as having any distinctive merit for such activity relative to any other site, or the ability to maintain the environmental quality of an environmentally sensitive area, and none is apologetic to the immediate neighbours for the inevitable noise and disruption.

The residents wanted to screen some video of Flag Raiders operations as posted on the internet, however when it was submitted to the city clerk in advance for viewing, it was rejected because of profanity content. A link to the video is provided in references and council members are invited

to view for themselves. They contain colourful smoke bombs and loud noise, in addition to the profanity.

It is the resident's position that paintball is not a compatible use within a Class One Provincially Significant Wetland nor in the immediate buffer zone surrounding, which is a regulated area. Since departing from 1500 Kossuth, Flag Raiders has grown substantially, having a parking lot at Bingemans capable of holding 250 cars, based on a count from Flag Raider's own site map. There is no available land for parking such numbers of vehicles. Video posted on Facebook and Flag Raiders own website confirm the extent of noise and disruption associated with the activities. The neighbours have already experienced this firsthand and have been frustrated in the past when the City's noise and property standards bylaws were not enforced despite numerous complaints.

In 2004, Flag Raider advised it would need a just few more months to find a more suitable venue. It advised the same to the Municipal Board in 2008. A fourth application for a "*temporary*" property use is not temporary; rather a disregard for applicable provincial, municipal policies and the supporting zoning and proper planning process. A request for council to initiate a Ministers' Order is equally an attempt to totally circumvent property planning process.

Residents are especially concerned that the standard \$12,000 fee for an application is proposed to be waived by council on the grounds that the application was invited by council, according to the staff submission. Any other applicant would be required to follow standard procedures and pay application fees. As well, since Provincial Planning Policies required a detailed environmental impact statement in this situation, they question why the matter should even come forward without the minimal supporting studies and documents required to introduce a commercial use into rural, environmentally sensitive, provincially significant lands.

Qualification

Dr. Brown is an Ontario Professional Engineer and Professional Planner with 50 years as principal of Brown Associates Limited. He has a first degree in geology, chemistry and urban planning from Queen's University (1968) and a doctorate in geochemistry from Oxford University (1970) and is recognized as a Qualified Person by the Ontario Ministry of the Environment, Conservation and Parks. He has been twice president of one of the largest residents' associations in the province and for eight years was chair of a planning board and planning advisory committee in Toronto. He contributed the environment portion of the Ontario Urban Structures (termed the Manhattanization vs Los Angelesization) report commissioned by Province. Some of his 1970s

environmental impact studies provided the detail for designation of Environmentally Sensitive Policy Areas (ESPAs) in the Waterloo Regional Official Plan.

He has prime expertise in environmental impact and in particular soil and ground water remediation, assessment and rehabilitation of pits and quarries and design of private water supplies and sewage treatment systems and has completed more than 4,300 projects in the GTA over the past 50 years. Coincidentally, he was retained in this past week to carry out an environmental site assessment of a large acreage intended to be urbanized in Wasaga Beach, including assessment and decommissioning of a former paintball facility on those lands.

Closure

All of which is respectfully submitted. Should questions arise, please do not hesitate to contact the writer at [REDACTED] or by e-mail at bruce@brownassociates.ca.

Yours very truly,

BRUCE A. BROWN ASSOCIATES LIMITED

A handwritten signature in dark ink, appearing to read 'Bruce A. Brown', with a long horizontal flourish extending to the right.

Bruce A. Brown, Ph.D., RPP, MCIP, P.Eng. QP(ESA)
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Toronto, ON, M4G 4J4
416-424-3355 1-877-666-3355

Appendix A: List of Residents represented by Brown Associates. Note, this does not include anyone who is speaking for themselves at the Public Hearing on May 17. Some of these individuals have also submitted written materials including their experiences when Flag Raiders last operated.

Rob Panek	
Amy Stachowski	
Bruce Martins	
Linda and Bob Kennedy	
Brenda Anderson	
Mike (Mykhaylo) and Alex Horbach	
Dave and Ally Baker	
Jo Paul and Harry Williamson	
Javier and Sarah Gonzales	
Chris and Yvonne Day	
Deanna Norris and Don Cuicura	
Jed Snyder	

Links to Available Online Resources

Ontario Provincial Policy Statement. [Provincial Policy Statement, 2020 | ontario.ca](#)

Region of Waterloo Official Plan. <https://www.regionofwaterloo.ca/en/regional-government/land-use-planning.aspx>

Ontario Wetlands Evaluation <https://www.ontario.ca/page/wetlands-evaluation>

The wetland evaluation system was created to inform Ontario's land use planning process. We evaluate wetlands to help municipalities, conservation authorities and others with land use planning.

Waterloo Region Greenlands Policies <https://www.regionofwaterloo.ca/en/living-here/natural-environment.aspx>

Ontario Regulation 150/06. [O. Reg. 150/06: GRAND RIVER CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES \(ontario.ca\)](#)

Grand River Conservation Authority Wetlands Policy. [Microsoft Word - Final Wetlands Appendix.doc \(grandriver.ca\)](#)

City of Cambridge Official Plan. <https://www.cambridge.ca/en/learn-about/Official-Plan.aspx>

Agenda for May 17 Public Hearing on Flag Raiders' application <https://pub-cambridge.escribemeetings.com/Meeting.aspx?Id=00ad4165-f639-4182-8453-278f11d81bd5&Agenda=Agenda&lang=English>

Link to 4-minute U-tube video of Flag Players at Bingemans <https://www.youtube.com/watch?v=mH4Ra7pZful&feature=youtu.be>

Flag Raiders Video inviting supporters to the Butterfly Conservancy Open House www.facebook.com/FlagRaiders/videos/540523090750951

Link to Air Photograph showing 54 vehicles parked on the Flag Raiders Bingemens site on a weekday. Google Earth <https://earth.google.com/web/@43.47191385,-80.45580455,318.29030291a,782.93439272d,35y,329.27117921h,0t,0r>

From: [REDACTED]
To: [E Clerks](#)
Subject: [External] Flag Raiders, May 17, 2022 request to have letter represent my voice as a delegate
Date: Monday, May 16, 2022 7:52:35 AM

The Brown/Szilvagyi are unable to attend the meeting in person due to work commitments.

My name is Vicky Brown, and I am writing in support of Flag Raiders' request to open their Paintball field on Kossuth Road in Cambridge.

For over 10 years, the game of paintball at Flag Raiders brought my entire family of 5 outside and away from screens. We are together as a team and have fun achieving goals while playing hide and seek. We enjoy laughs with ourselves and other players when we share stories of our escapades on the field. We are getting exercise and forming bonding memories.

Paintball is community building. My son's first job was with Flag Raiders as a referee. He enjoyed the environment so much he got his Mom, Dad and two sisters to come out and play. Flag Raiders was welcoming and encouraging. They introduced us to players from local and surrounding areas. As our skills grew, we in turn helped new players. That is what paintball players strive to do. Grow the sport with fair play and camaraderie.

In addition, Flag Raider hosted larger events and tournaments that drew in teams from England, Germany, and the USA. The staff at Flag Raiders worked these events with precision and care.

Joe Kimpson of Flag Raiders is highly respected by my Family and I. He cares deeply for his Community and is always actively involved to ensure everyone has a great day.

The past few years have been trying, and we are ready to be outside. Let's get behind Flag Raiders. It's time to play!

Thank you
Vicky Brown
[REDACTED]

From: [REDACTED]
To: [E Clerks](#)
Subject: [External] Kossuth Road temporary zoning
Date: Tuesday, May 17, 2022 2:24:41 PM

Thank you for the opportunity to speak on behalf of an important local business.

I wanted to take moment as a taxpayer and resident of the city of Cambridge. I regret not being able to speak but had to leave for a work meeting after waiting a few hours to speak as a delegate.

I speak in favour of the temporary approval of the land on Kossuth Road to be used for paintball by Flag Raiders.

They are a local small business that has been a part of our community for many years.

Personally my family has participated in birthday parties at Flag Raiders. Professionally, as a minister at a local church our youth group has availed themselves of this safe, fun form of active entertainment. It provided great community building moments for our group.

I would comment that this gives the youth of our city something active to do, particularly those who may not enjoy and fit the parameters of team sports in our city.

The pandemic has decimated many local businesses and that should be a shock to no one. The principal owners are generous people who give of themselves to volunteer and serve in our community.

Flag Raiders is the kind of business we need in our city to connect with the next generation. Having been born in Cambridge and moving away from the city before returning 13 years ago I would love to see growth in tourism (which flag raiders has done). I cannot underscore the importance of community businesses that give back to our great city. Please take this into consideration as you make your decision.

Respectfully submitted,

Mark Sneath

Sent from my iPhone

From: [REDACTED]
To: [REDACTED]; [E. Clerks](#); [Bryan Cooper](#)
Cc: [REDACTED]
Subject: [External] Special Council Meeting – May 17 - Flag Raiders
Date: Thursday, May 5, 2022 12:18:20 PM

May 5, 2022

To whom it may concern

We would like to have Bruce Brown Represent us in regards to the Flag Raiders MZO Request

In regards to the Special council meeting May 17th

Our names are Don & Dianne Ciuciura. We have lived at [REDACTED] since 1996. We have lived at this property long enough to see Flag Raiders come and go in the past. We take great pride in our property and enjoy spending our days enjoying our backyard and outdoor spaces. Our Backyard is now quiet and enjoyable since Flag Raiders had to close down after O.M.B ruling.

When the previous Flag Raiders paintball was in operation it massively impacted our everyday enjoyment of our property, and impacted the time we spent with our grandchildren and great grandchildren, as the sound of paintball guns, air horns, music and announcements from loud speakers, hollering and screaming with vulgar language could all be heard at a high volume from our property. During this time of operation we could no longer sit out back and enjoy ourselves, and we understandably do not want to have this hindrance reopened.

Before Flag Raiders ducks and geese used to breed in the area along with Deer, Turkeys, Rabbits, Foxes, Raccoons & Coyotes. During the operation of Flag raiders we saw a notable decline in both the population of these animals, and in their activity. Only in the past few years have we seen a return in these animal populations. Now we are concerned about the impact the reopening and operation of Flag Raiders will have on these animal populations once again. There are some protected species in the area, how will these be protected from the loss of habitation, and from the increased human activity in the area?

If these animals are pushed out of their current habitat, this greatly increases the risk of these animals, some that are a nuisance or dangerous, being driven into out backyards, and into these areas that are densely populated by people and families. As these animals are displaced, who will be responsible for the property damages they may cause? How will the nearby golf courses be protected from animal encroachment due to habitat loss, and their customer experience protected from diminished quality due to loud sounds and an increase in traffic.

Another concern is that of the increased road traffic and parking. A new subdivision has been built off of Maple Grove Road, along with two golf courses on Kossuth, we

have noticed already there is a higher volume of cars, and already there are more instances of cars speeding, and of cars parking along the side of the road. We are concerned that this issue will be exacerbated by the reopening of Flag Raiders, as in the past there were cars parked along both sides of the road, and in driveways. I would like to see a site plan as to how many cars they could park, along with what their plan is for overflow or controlling the number of customers.

What long term environmental impacts will it have on the land, including the culling of existing plant life, and the construction of structures (Are the materials and paints being used going to be environmentally detrimental in the long term, with environmentally friendly biodegradable paintballs is there risk of changing and damaging the balance and PH of the existing soil, making it unusable for agriculture or other regrowth. How time consuming, disruptive, and intensive would reparation be?

It is a disruption to the peace of those living nearby, not only with the additional and excessive noise levels, but the increased road traffic, and the increase in light pollution if the park is open past dusk.

Signed
Don & Dianne Ciuciura



1500 Kossuth Road Cambridge



1500 Kossuth Road, Cambridge



Figure 1
Aerial Location Map

LEGEND

- Subject Lands (24.4 ha)
- Municipal Boundary
- Countryside Line

Land Use Areas

1. Agricultural Area: 3.43 ha
2. Wetland/Open Space Area: 16.11 ha
3. Proposed Recreational Use Area: 4.86 ha

Notes:

- Region of Waterloo Imagery, 2020
- Contains information provided by the Regional Municipality of Waterloo under licence
- Parcel and areas are approximate only

DATE: March 1, 2021

SCALE: 1:15,000

FILE: Y355B

DRAWN: JB



K:\Y355B - 1500 Kossuth Rd\p1Aerial_Location.dwg



200-540 BINGEMANS CENTRE DR. KITCHENER, ON N2B 3K7
P: 519.376.3630 F: 519.376.0121 | WWW.MHBCPLAN.COM

1500 Kossuth Road
City of Cambridge
Region of Waterloo

- Located on a major arterial road, RR#31
- Represents the municipal boundary between Cambridge and Woolwich Township
- Surrounding land uses include:
 - 2 golf courses
 - Rural residential
 - Sod farm and sod farm operation, including retail sales
 - Fragmented agricultural lands & agricultural lands that are within the Countryside Line which represents the area identified for future growth in Waterloo Region
- Region of Waterloo Airport
- Cambridge Butterfly Conservatory
- Designated in the City Official Plan and Regional Official Plan as Prime Agricultural Area
- Area to be reviewed as part of the current Regional Official Plan Review Process (ongoing)

Overview of Area



What is paintball?

Paintball is a sport where players on opposing teams work together towards a common goal (capture the flag, rescue the leader, locate the treasure, eliminate the zombies, etc.) by marking players on the opposing team with a water-soluble paint splat

Paintballs are non-toxic and biodegradable. The shell is made from a pharmaceutical grade gelatin and the fill consists of vegetable-based dye. They are non-toxic.

Paintball games are offered in two formats: regular or traditional and low-impact. Low impact is becoming increasingly popular with all players and skill levels

What is paintball?

- Players as young as 8 participate in paintball
- Nerf and Jellyball are available for younger players
- Players wear ASTM approved safety goggles and facemasks while playing
- Paintball markers are powered by high pressure air. These markers operate at a lower pressure and make less noise than previous models
- All paintball markers are chronographed (have the speed measured) to ensure they are operating at a safe speed. This also ensures that paintballs only travel a certain distance and can be contained in the area of play



6000 Kieran, Ville St Laurent, QC H4S 2B5 PH: 514 339 1400, FAX: 514 339 1009

Paintball Safety Data Sheet

(FOR GI SPORTZ, EMPIRE, DXS & Zap BRANDED PAINTBALLS)

Chemical	%Weight	CAS No.
Polyethylene glycol	50-90	25322-68-3
Gelatin	5-15	9000-70-8
Sorbitol	<5	50-70-4
Titanium dioxide	<3	13463-67-7
Starch	0 – 45	9005-25-8

Chemical	% Weight	CAS No.
Canola Oil	0-55	120962-03-0
Approved colorants (FD&C Act)	<5	Varied
Soy Lecithin	<1	8002-43-5
Other Ingredients (May also contain food grade emulsifiers, cosmetic grade additives)	<10	Varied
Anti Foam	<1	556-67-2

-
- Flag Raiders Paintball has been operating within the Region of Waterloo since 1983. Family owned and operated, three generations of the Kimpson family are actively involved in day-to-day operations
 - In addition to regular recreational activities, Flag Raiders offers PD and day camps for children ages 10 and up
 - We offer a strong Corporate Team Building program and have hosted many corporate and social club events
 - A paintball zombie hunt is also offered during the busy Hallowe'en Haunt season, attracting a completely different clientele from all over Southwestern Ontario and the GTA
 - Flag Raiders has also been used as an on-site location for the film industry

Hours of operation

Paintball games are typically played in daylight hours much like golf

Games usually begin with guests arriving at 9:00 am and play ending at 4:00 pm

During the summer occasional mid-week and Saturday evening games are played until dusk

The season typically runs from mid-March to November, depending on the weather

Proposed location of play

The front area would remain cultivated as agriculture.

We would continue to use only the area of the woodlot defined by the GRCA in our previous application.

The area of play would be limited to the western side of the property.



Berm along west property line

Berm is approx. 8 feet tall along west property line with dense trees and foliage. In areas where the berm is lower to accommodate existing trees/vegetation a mesh panel could be installed if needed

Built at the request of neighbours following a 2004 meeting



We do not require any municipal services

- We use solar power
- Portable toilets and handwashing stations provided by a private company
- Recycling and waste disposal by a private company





The proposed use does not remove the lands from future agricultural use. There are no buildings proposed and any props and/or game related structures are all built on grade and can be easily removed. The subject land can easily be returned to the highest and best use as indicated below. *Photos of previous site on location at Bingemans and after removal.*



Enjoying the tournament



Paintball is spectator friendly!

Flag Raiders Paintball is a recognized training facility for many teams who compete locally, provincially and internationally for over three decades. Our Speedball program has produced players who compete professionally worldwide. We are the host facility for many Canadian teams who compete internationally throughout the season and at NXL World Cup each November.

We are pleased to partner with Action Sports Canada and Paintball Canada to be the host facility for the National Training Centre. This partnership will be responsible for the promotion of the sport of paintball and the development of athletes to compete.

The central location of the subject property close to Highways 401, 24 and 8, as well as the proximity to both Pearson and the Waterloo Region Airport, are desirable to accommodate players and coaches from all over. As a host facility for the Ontario Paintball League, National Xball League and other special events, it provides an incredible opportunity to showcase our community.

Cambridge Fall Fair Decibel Levels on Midway

80.8 dB & 82.8 dB



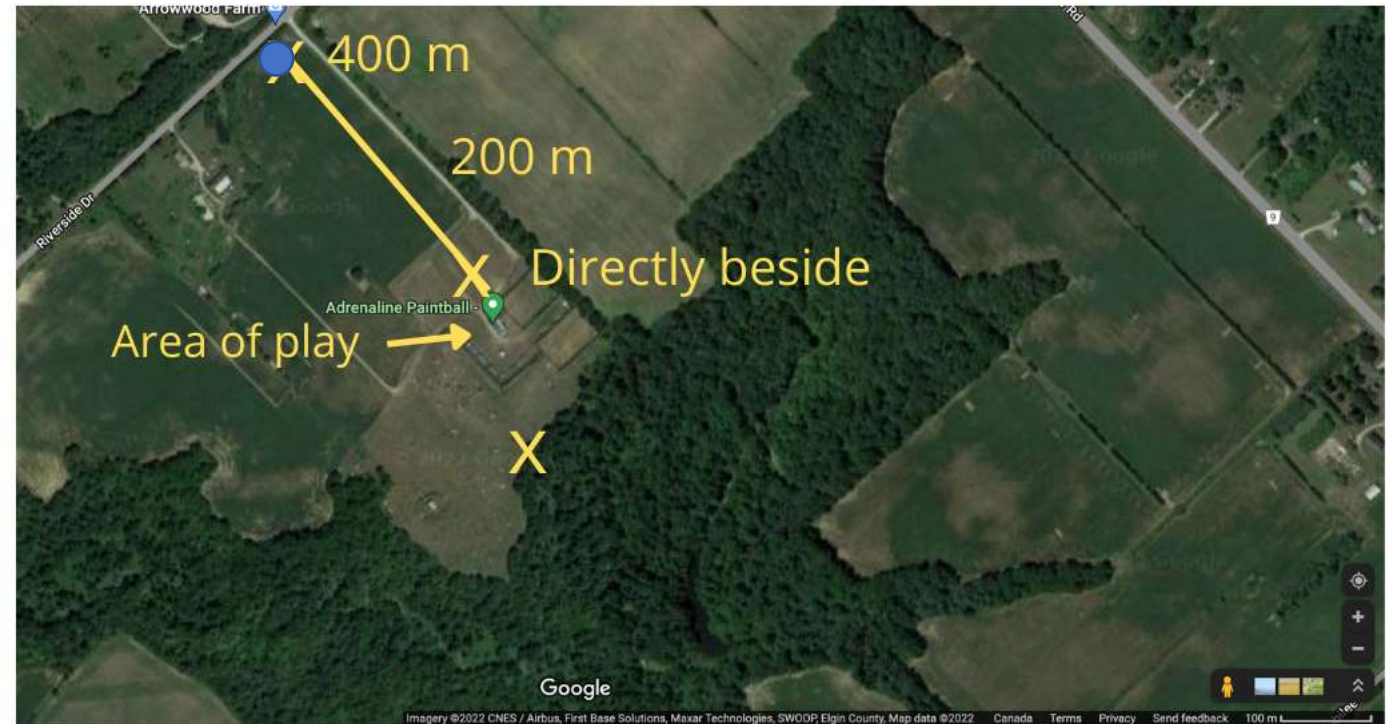


Decibel readings from tournament right beside the playing field (80.2 dB)
and at approx. 15 feet/3 metres from playing field (74.6 dB)
Wasaga Beach Paintball Adventure

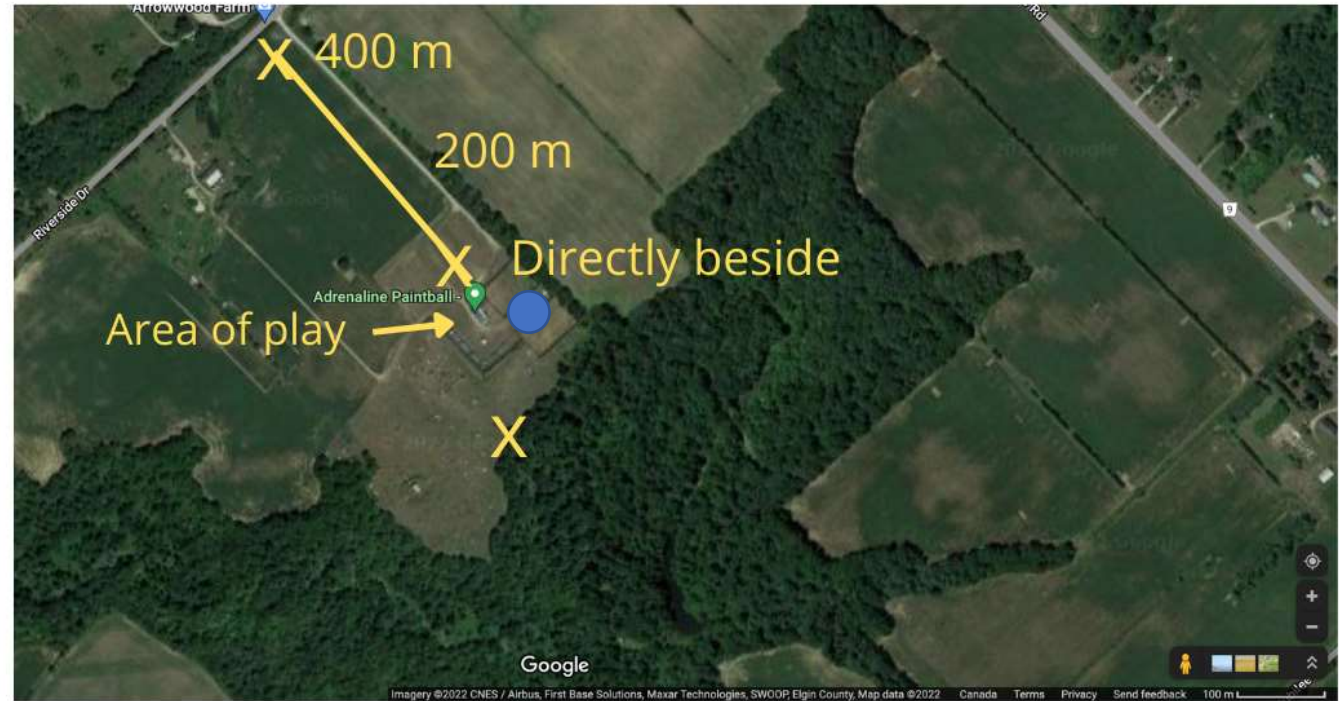
Decibel reading (69.3 dB) from playing field to road
approx. 50 feet/15 metres at
Wasaga Beach Paintball Adventure



Entrance to Adrenaline Paintball 1300 feet/400 metres from play area
53.5 dB



Player staging area 30 feet/10 metres from play area 62.9 dB



Decibel readings right beside the playing field (80.7 dB) and 50 feet/15 metres from play area. (77.3 dB)



Decibel readings from traffic on Kossuth Rd. driveway (74 dB, 77 dB)
and overhead airplane (66 dB)



Public Open House/Meetings with Neighbours

- July 2021: Letter circulated to neighbours

Dear Kossuth Road Neighbour,

As you may have heard, Flag Raiders Paintball has had to move from Bingemans and is looking for a new location. We learned early this year that our lease was not being renewed due to the Covid 19 pandemic. Since this time, we have been working with the City of Cambridge and the Region of Waterloo to find a new location. One of the options we have been looking into is to relocate back to the Kossuth Rd. property.

We would like to take this opportunity to reach out and have an open discussion about any comments or concerns that you may have.

We can be reached by phone or email at the following:

Corey	<u>519-223-3751</u>	corey@flagraiders.com
Joe	519-223-3750	joe@flagraiders.com

May 2021: Letter circulated to neighbours

May 3, 2021:

Letters hand delivered to neighbours on Kossuth Rd.

Video posted on social media inviting neighbours and community members to attend one of two "Open House" meetings held at the Cambridge Butterfly Conservatory on May 10 or May 11

Anyone interested was asked to register in advance.

Excerpt from May 3, 2022 letter to neighbours:

Due to capacity limitations, we do ask that you please RSVP if you wish to attend one of the above meetings. Physical distancing and masking will be required. Please email corey@flagraiders.com or call 519-223-3751.

If you are unable to attend the above meetings or if you do not feel comfortable meeting in person in a group setting, please reach out and we can make other arrangements such as:

- Meet virtually on Zoom
- Meet outdoors
- Telephone

We thank you in advance for your consideration and look forward to the opportunity to meet with you.

Sincerely,

A handwritten signature in black ink that reads "Corey". The signature is stylized with a large "C" and a long, sweeping underline that extends to the right.

Corey Kimpson
corey@flagraiders.com
519-223-3751

Joe Kimpson
joe@flagraiders.com
519-223-3750

Copy of email sent to Neighbours on May 3, 2022 with letter attached:

Hello Neighbours,

Today Joe and I delivered a letter to each of your homes inviting you to meet with us next week to discuss our proposed return to the Kossuth Rd. location. I am also including a copy of the letter as an attachment here as I do not have everyone's email.

We have scheduled two separate nights to try and accommodate schedules. If either of the dates are not convenient, please reach out and we can make alternate arrangements. We are also available to meet via Zoom if you prefer.

Please feel free to share.

Thank you kindly,

Corey Kimpson
Flag Raiders

Attendance at Open House:

May 10, 2022:

3 neighbours

1 councillor

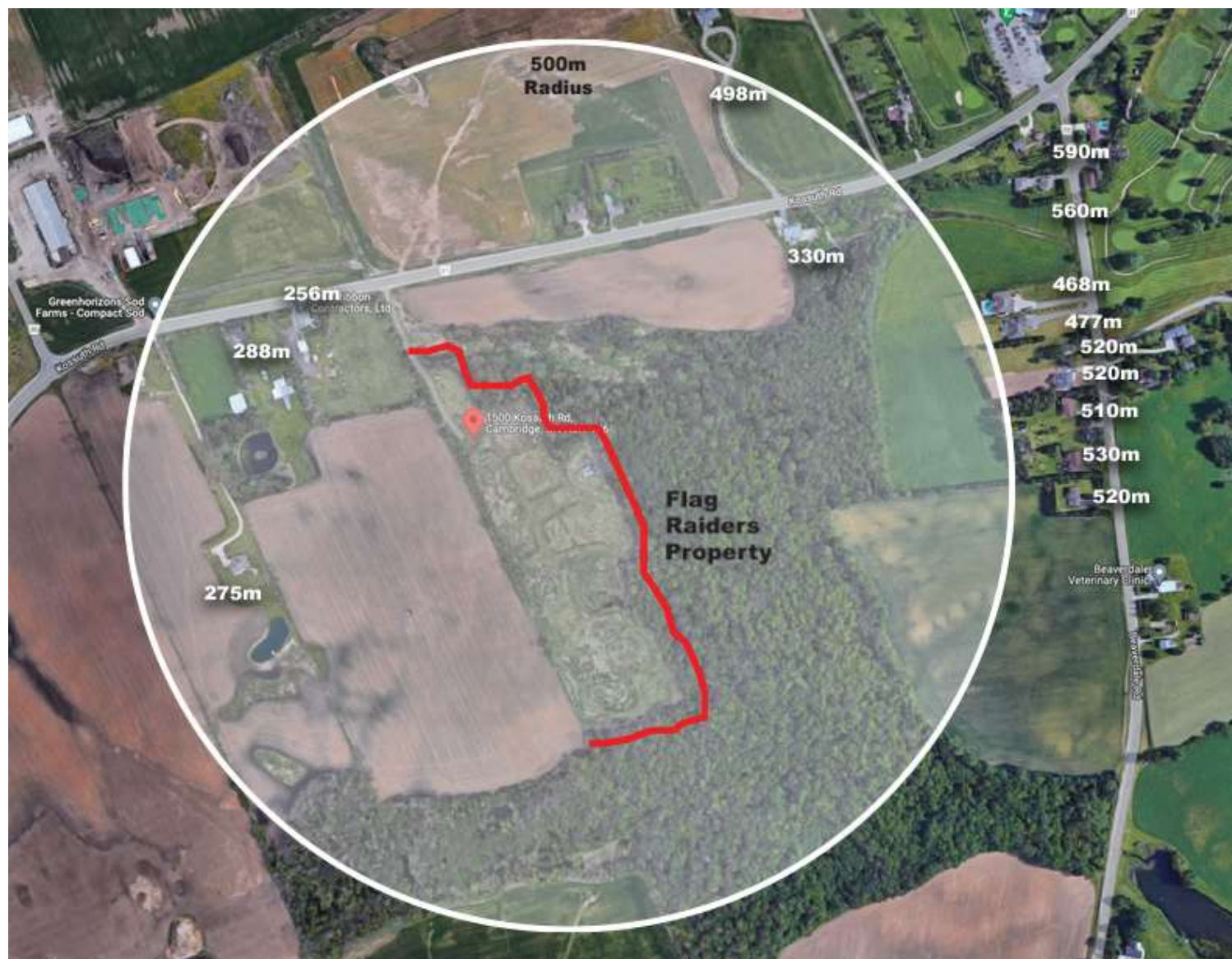
1 community member

May 11, 2022:

4 community members

Other connections:

- Neighbours representing four households have met with us on other occasions.
- We have provided tours of the property and engaged in discussion about proposed activities.
- Open lines of communication through email, text, phone and Facebook messenger





MEETING MINUTES

Corporation of the City of Cambridge
Economic Development Advisory Committee (EDAC)
No. 01-22

Wednesday, January 12, 2022 at 3:45 p.m.
Virtual Meeting via Zoom Video Conferencing

c) Placemaking and Experience – Tourism and talent attraction

It was noted that there is a tourism gap in Cambridge and this will be a focus for economic development as many of these activities are beneficial to the residents. J. Goodram provided examples of placemaking projects that will attract tourism and encourage a sense of community. A lengthy discussion ensued regarding city recovery initiatives, talent attraction, showcasing Cambridge, events, sponsorships, permit process and improvements and core area beautification for road closures.

Full recovery at least five years away for region's tourism and hospitality sector



By **Catherine Thompson** Record Reporter
Thu., June 17, 2021 | 2 min. read

A vibrant tourism sector is crucial to the region's overall economic development and the ability of booming sectors like tech to attract talent, Schneider said.

"Tourism is economic development's first date," she said. "Nobody ever chooses to move a business, or move their family or move themselves, for a job to a community until they visit as a tourist first."

The healthier the sector, the more options — for dining out, for live entertainment — there will be for locals as well, she said.

Explore Waterloo Region is working on several fronts to market the region, such as working with other nearby areas like Stratford, Hamilton and Guelph to promote combo destinations for weekend getaways, promoting bicycle tourism, and lining up sports tournaments.

"We need to get people back to work and we need to make sure businesses survive so that people can return to the jobs that they love," she said.



July 26, 2021

To Whom It May Concern,

I am pleased to provide this reference letter in support of Flag Raiders paintball operation to be permitted to operate in Cambridge.


We have been fortunate to have had a 12-year relationship with Flag Raiders operating at our facility. Their entire team and operation during this time had been nothing but professional and supportive as business operators and neighbors to us and the other businesses along Bingemans Centre Drive. From their professional appearance to how they handle their events they host from time to time they have shown themselves to be true tourism and economic ambassadors for our region in how they operate.

We have had no issues from them such as noise, traffic or any other issues that was distracting or bothersome to us or any of our guests using our other facilities.

I can assure you they will be positive contributors to the Cambridge tourism and economic growth initiatives, while being a asset to the residents.

I would be happy to provide any additional comments that you may request.

Sincerely,



Mark Bingeman
President

Thank you
very much
for your
time.

For more information, please contact:

Corey Kimpson

519-223-3751

corey@flagraiders.com

Joe Kimpson

519-223-3750

joe@flagraiders.com

Bryan Cooper

From: Bruce Brown <Bruce@brownassociates.ca>
Sent: Wednesday, May 18, 2022 11:30 AM
To: Bryan Cooper
Subject: [External] FW: Folder shared with you: "1500" (2000, 2003.....etc). and 1945 air photo
Attachments: 1945 air photograph.pdf

Hi Bryan,

I am sending you a link below to a suite of air photos which you are welcome to use in putting together your report for council. The 2000 photo clearly shows the lands outside the forests-wetland complex were fully in cultivation up to 1999 and that only a small part of the site was reworked for Flag Raiders use at the time when city and conservation staff first inspected and council approved the first TUB, notwithstanding a negative staff report. By spring of 2003 there was extensive development.

I am also sending you a 1945 air photo which shows the area designated as prime agricultural land, fully in winter wheat production, the very bright white area toward the upper left corner of the image. There is no question about former productivity.

Please feel free to use these images as you may wish.

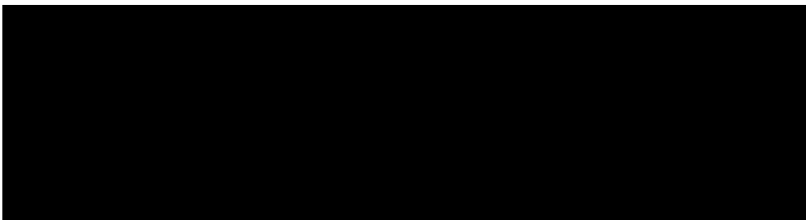
Arising from hearing all the input yesterday is one further community concern; that this initial temporary intrusion was not only the thin edge of the wedge, now somehow justifying further use or permanent use, but that such further paintball use will invite more diverse unrelated activities as we heard has taken place on other paintball sites, including corn mazes, hallowe'en haunts and pumpkin patch visits, by way of example.

It is clear from hearing questions and discussions, that your council would like to be able to somehow accommodate Flag Raiders notwithstanding the formal planning approvals process. Since they asked staff to explore OP designations and ways to accommodate, one other area of exploration might be to research whether the city could effectively legislate site specific operations time limitations, such as a 5PM cutoff for all activities for all days of the week. Hearing of night time activity, such as the Zombie hunts at Bingemans is especially disturbing to adjacent residents.

If there are questions or ideas to bounce around within the community, I am happy to provide a link and feedback.

Have a great long weekend and kindest regards,

Bruce







2000







2009





2016

