**SUBJECT: Statutory Public Meeting – 92 Plains Road East Official Plan Amendment and Rezoning Applications**

**TO: Planning and Development Committee**

**FROM: Department of City Building - Planning Building and Culture**

Report Number: PB-13-18

Wards Affected: 1

File Numbers: 505-02/16 & 520-03/16

Date to Committee: February 13, 2018

Date to Council: February 20, 2018

## Recommendation:

Receive and file department of city building report PB-13-18 regarding the official plan and zoning by-law amendment applications for 92 Plains Road East.

## Purpose:

A City that Grows

- Intensification
    - Older neighbourhoods are important to the character of Burlington and intensification will be carefully managed to respect these neighbourhoods.
    - Growth is being achieved in mixed-use areas and along main roads with transit service, including mobility hubs, downtown and uptown.

A City that Moves

- Increased Transportation Flows and Connectivity
    - Mobility hubs are being developed and supported by intensification and built forms that allow walkable neighbourhoods to develop.

## REPORT FACT SHEET

| | | |
|---|---|---|
| **RECOMMENDATIONS:** None; information only | | Ward No.: 1 |
| **Application Details** | APPLICANT: | *David McKay, MHBC Planning Limited* |
| | OWNER: | *Chelten Developments Inc. (Ember Dog Inc.)* |
| | FILE NUMBERS: | *505-02/16 & 520-03/16* |
| | TYPE OF APPLICATION: | *Official Plan and Zoning By-law Amendments* |
| | PROPOSED USE: | *6-storey mixed use building; commercial and office uses on ground floor with 50 residential units on floors above* |
| **Property Details** | PROPERTY LOCATION: | *South side of Plains Road East* |
| | MUNICIPAL ADDRESS: | *92 Plains Road East* |
| | PROPERTY AREA: | *0.21 ha* *44.5 m x 48.6 m* |
| | EXISTING USE: | *Detached dwelling* |
| **Documents** | OFFICIAL PLAN Existing: | *Residential – Medium Density with site-specific policy* |
| | OFFICIAL PLAN Proposed: | *Mixed Use Corridor* |
| | ZONING Existing: | *RM1-346* |
| | ZONING Proposed: | *MXG-exception* |
| **Processing Details** | NEIGHBOURHOOD MEETING: | *December 8, 2017* |
| | PUBLIC COMMENTS: | *4 e-mails (one constituent sent multiple e-mails)*<br>*4 letters* |

## Background and Discussion:

On May 16, 2016 the Department of City Building acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 92 Plains Road East. In December 2016, the applications were placed on hold by the property owner. The applications have now been revised and reactivated as of October, 2017. The owner of the subject lands is proposing amendments to the Official Plan and Zoning By-law in order to develop a six storey mixed-use building consisting of office on the ground floor and 50 residential units above. The previous submission for this site was for a four storey mixed-use building. There were concerns from the public with the amount of proposed surface parking on the site. The applicant responded to this concern by revising the application to include two levels of underground parking and reduce the amount of surface parking. As a result of the addition of underground parking, the applicant is proposing an additional two storeys to accommodate more residential units. The location of the subject lands is illustrated in Appendix I. A detail sketch of the development proposal is provided in Appendix II.

The purpose of this report is to provide an overview of the proposed revision to the previous application, an outline of the applicable policies and regulations and a summary of the technical and public comments received to date. This report is intended as background information for the Statutory Public Meeting.

**Site Description:**

The subject property is located on the south side of Plains Road East between Birchwood Avenue and Glenwood Avenue. The property has an area of 0.21 hectares (0.52 acres) and a frontage of 44.5 metres on Plains Road East. The site is currently developed with a detached dwelling that is proposed to be demolished. Surrounding land uses include detached dwellings to the east, south and west. To the north is Plains Road East.

## Discussion

**Description of Application**

The City of Burlington is in receipt of the following applications:

- 505-02/16 – Official Plan Amendment application to redesignate the subject lands from “Residential – Medium Density” to “Mixed Use Corridor – General”; and,
- 520-03/16 – Zoning By-law Amendment application to rezone the subject lands from “Residential – Medium Density with a site specific exception (RM1-346)” to “Mixed Use Corridor with a site specific exception (MXG-XXX)”.

The current Official Plan designation on the subject lands is “Residential – Medium Density”, and the current zoning is “Residential Medium Density with a site specific exception (RM1-346)”. The applicant is proposing to construct a new six storey mixed-use building consisting of one office unit on the ground floor and 50 residential units above. Site specific amendments to the Official Plan and Zoning By-law are required in order to facilitate the development as proposed.

The proposed building will front onto and have both pedestrian and vehicular access from Plains Road East. The ground floor is proposed to have an office unit having a floor area of approximately 157 m², with the remaining 241 m² being dedicated to the lobby, elevators, circulation and storage areas; and 50 residential units are proposed on the floors above. The proposed density for the development is 230 units per hectare, and the proposed Floor Area Ratio (FAR) is 2:2. The applicant is also proposing 16 surface parking spaces and two levels of underground parking which would include 54 parking spaces for a total of 70 spaces. The underground parking would be accessed via the south side of the site.

**Technical Reports**

The applicant submitted the following technical reports in support of the subject application:

| Report Name | Consultant |
|---|---|
| Planning Justification Report | MHBC Planning Limited |
| Architectural Design Brief | Cynthia Zahoruk Architect Inc. |
| Shadow Study Report | Cynthia Zahoruk Architect Inc. |
| Site Plan, Floor Plans, Elevations | Cynthia Zahoruk Architect Inc. |
| Waste Management Plan | Cynthia Zahoruk Architect Inc. |
| Grading Plan, Servicing Plan | S. Llewellyn and Associates Limited |
| Topographic Survey | A.T. McLaren Limited |
| Functional Servicing Report | S. Llewellyn and Associates Limited |
| Phase I Environmental Site Assessment | Terraprobe |
| Geotechnical Investigation | Terraprobe |
| Tree Inventory and Preservation Report | North-South Environmental Inc. |
| Tree Conservation and Landscape Plans | O’Connor Mokrycke Consultants |
| Traffic Impact Letter | MMM Group |
| Parking Assessment Letter | WSP/MMM Group |
| Environmental Noise Study | Novus Environmental |

## Technical Review

The OPA and rezoning applications and supporting documents were circulated for review to internal departments and external agencies. Not all comments have been received for this revised development application. Comments are still forthcoming from Union Gas, Bell, Fire, Halton Region and the City's Landscaping section. The following is a summary of other agency comments that have been received to date:

**Mobility Hubs:**
The subject lands are within the Aldershot GO Mobility Hub Study Area Boundary. A preferred concept was presented to Council on December 4, 2017 which outlined staff's recommendation, at a high level, for the location and distribution of building heights as well as preliminary streets, active transportation connections, parks and open space networks and the general location of community uses within the study boundaries.The preferred concept for the Aldershot GO Mobility Hub shows the subject lands with a height ranging from four to six storeys. The final studies have not yet been approved by Council, however the proposal is in keeping with the preferred concept which was developed with extensive public and stakeholder consultation.

**Transportation:**
Transportation staff have noted that there are no concerns with trip generation, however they have indicated that the proposal should include one car share parking space with a car share vehicle and one Electrical Vehicle Charging Station parking space.

Staff have also advised that they would like bicycle parking to be provided at the ground level which is conveniently located so that it can be used by everyone; as well as bicycle parking for occupants.

**Parks and Open Space:**
Parks and Open Space staff have indicated that adequate parkland is available to accommodate this development. Aldershot Park and parkette, to be developed as part of a nearby development, are located within the 0.8 kilometre distance for a neighbourhood park. Further, LaSalle Park and Hidden Valley Park are within the 2.4 kilometre distance for a city/community park. Staff have recommended that cash-in-lieu of parkland dedication be applied for the development, which can occur at the Site Plan stage.

**Other:**
Canada Post, the Halton Catholic District School Board and Burlington Hydro have povided their standard comments and have advised that they have no issues or concerns at this stage.

## Policy Framework:

The application is subject to the following policy framework: the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan and the City of Burlington Zoning By-law 2020. Consideration of applicable policies from these documents will be addressed in the subsequent recommendation report. Listed below is an overview of the land use designations and policy directions at the provincial, regional and local level.

**Provincial Policy Statement (PPS) 2014**

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a range and mix of land uses. Through the PPS, growth and development are to be focused within the established settlement areas. Decisions affecting planning matters made on or after April 30, 2014 “shall be consistent with” the PPS.

**Growth Plan for the Greater Golden Horseshoe**

The updated Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area. Through the Growth Plan, growth is focused in the existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient and well-designed form.

**Halton Region Official Plan**

The subject lands are designated “Urban Area” in accordance with the Halton Region Official Plan (ROP). The Urban Area objectives promote growth that is compact and transit-supportive. This designation also encourages intensification and increased densities. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Halton Region Official Plan.

**City of Burlington Official Plan**

The property is designated “Residential – Medium Density” in the Official Plan which permits ground or non-ground oriented housing units with a density ranging from 26 to 50 units per net hectare. The lands are also subject to a site-specific policy under Part III, section 2.2.3 h) of the Official Plan as follows:

> *Notwithstanding the policies of Part III, Subsection 2.2.2 d of this Plan, the lands designated “Residential Medium Density” on the south side of Plains Road, between Cooke Boulevard and Filmandale Road, shall be subject to site-specific*

*zoning regulations designed to protect the existing character of this portion of Plains Road and provide compatibility with the abutting neighbourhood to the south. Any exterior alteration or addition to the property shall maintain the residential appearance and character of the property.*

The Official Plan Amendment application proposes to redesignate the property to Mixed Use Corridor - General to permit the proposed six-storey building. The Mixed Use Corridor – General designation permits the proposed use and built form; however a site specific policy would be required to permit the proposed density of 230 units per hectare.

**City of Burlington Zoning By-law 2020**

The property is zoned RM1-346 as shown on the Zoning Sketch. This is a medium density residential zone that permits detached, semi-detached, duplex and triplex building forms. It should be noted that the RM1-346 Zone does not permit mixed-use buildings and therefore does not contain development standards pertaining to this type of development. In order to facilitate the proposed use, the applicant is required to rezone the subject lands.

In this regard, the applicant is proposing to rezone the subject lands to "Mixed Use Corridor – General with a site specific exception (MXG-XXX)". The MXG zone category permits the proposed use; however it should be noted that site specific exceptions will be required. The following table outlines the requirements of the proposed MXG Zone as well as what is proposed by the applicant and whether site specific provisions would be required. It should be noted that this chart is based on a preliminary review by staff based on the current proposal:

| Regulation | Current RM1-346 Requirement | MXG Requirement | Proposed |
|---|---|---|---|
| Lot Width | 20 m | 25 m | 44.5 m |
| Lot Area | 1000 $m^2$ | 1000 $m^2$ | 2166.04 $m^2$ |
| Yard abutting a street | 12 m | 3 m minimum<br>23 m maximum | 3 m |
| Yard abutting a residential zone (east) | 10% of lot width, 3 m on one side | Floors 1-3: 12 m<br>Floors 4 and 5: 15 m<br>Floor 6: 18 m | Floors 1-5: 3 m<br>Floor 6: 5.7 m |
| Yard abutting a residential zone (south) | 7.5 m | Floors 1-3: 12 m<br>Floors 4 and 5: 15 m<br>Floor 6: 18 m | Floor 1: 28.5 m<br>Floors 2-6: 18.4 m |
| Yard abutting a residential zone (west) | 10% of lot width, 3 m on one side | Floors 1-3: 12 m<br>Floors 4 and 5: 15 m<br>Floor 6: 18 m | Floor 1: 16.5 m<br>Floors 2-4: 3 m<br>Floors 5-6: 3 m |
| Floor Area Ratio | N/A | Minimum: 0.3:1<br>Maximum: 1.5:1 | 2.2:1 |

| Regulation | Current RM1-346 Requirement | MXG Requirement | Proposed |
|---|---|---|---|
| Landscape Area abutting a street | 50% front yard<br>25% rear yard | 3 m | 3 m |
| Landscape Buffer abutting a residential zone | 6 m abutting an R2.1 Zone | 6 m | South Side: 6 m<br>East and West Side: 3 m |
| Height | 2.5 storeys | 2 storeys minimum<br>6 storeys maximum | 6 storeys |
| Parking – Residential<br>1.25 spaces per one-bedroom unit<br>1.5 spaces per two-bedroom unit<br>0.35 visitor parking spaces per unit | 69 occupant parking spaces<br>18 visitor parking spaces | 69 occupant parking spaces<br>18 visitor parking spaces | 54 occupant parking spaces<br>16 visitor parking spaces |
| Parking – Office<br>3.5 spaces per 100 $m^2$ | 5.5 spaces | 5.5 spaces | 6 spaces |
| Amenity Area<br>20 $m^2$ per one bedroom unit<br>35 $m^2$ per two bedroom unit | N/A | 1390 $m^2$ | 1400 $m^2$ |

Site specific exceptions will be required for setbacks abutting a residential zone, the maximum floor area ratio, the landscape buffer abutting a residential zone on the east and west sides and parking.

---

## Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined have been received.

---

## Public Engagement Matters:

### Public Circulation/Notification

The applicant posted a public notice sign on the property to reflect their revised submission on November 6, 2017. All of the technical studies and supporting materials for this development were posted on the City's website at www.burlington.ca/92Plains. The application was subject to the standard circulation requirements for Official Plan and Zoning By-law Amendment applications. A public notice of a Neighbourhood

Meeting with a request for comments was circulated to surrounding property owners/tenants in November of 2017.

**Neighbourhood Meeting**

City staff conducted a neighbourhood meeting for the original 4-storey mixed-use building proposal on June 6, 2016 at St. Matthews on-the-Plains Church that was attended by approximately 20 area residents.

Following the submission of a revised proposal, a second neighbourhood meeting was held on December 8, 2017, also at St. Matthews on-the-Plains Church. Approximately 16 members of the public were in attendance, as well as the Ward Councillor, City staff, the applicant, the owner of the lands and the architect. Planning staff provided a brief presentation of the planning process and introduced the application. The key concerns raised by the public at the meeting included issues of shadowing, concerns with the traffic impacts of additional cars, speeding, concerns that there is not enough parking, concerns about property values of existing dwellings and concerns with urban design and the future character of Plains Road East.

**Public Comments**

As a result of the public consultation, several written comments were received from members of the public. Public comments can be found in Appendix III of this report. The comments received highlighted the following themes and areas of concern about the development and are summarized below:

Existing Context:

- Request that the top of the building be terraced in order to reduce the impact on existing properties
- Concern that the two additional storeys proposed are too much
- Questions about where people with more than one car will park, as there are very few options in the area for overflow parking
- Concerns about the proposed underground parking and the existing water table. Will it be affected?
- Concerns that the existing character of the area will become compromised
- Worries that if amenity space is provided on the roof, it will create privacy concerns
- The design of the building looks out of place. What will this section of Plains Road look like in another five years?
- If approval is given, there is concern that surrounding properties will be developed at the same height
- Plains Road is becoming old, dirty and tired looking, and more care should be taken

- Worry that existing property values will decrease should the development be approved
- Concerns that the proposal lacks compatibility with the surrounding area

Shadowing:

- Concerns about whether the Shadow Study Report is accurate
- Request for a Shadow Study Report showing a larger range of dates and times, specifically after 3:30 pm

Traffic:

- Increased vehicle congestion on Plains Road East and surrounding area from greater number of residents living in the area
- Concerns about drivers speeding on Plains Road East
- Concerns about the accuracy of the submitted Traffic Impact Statement
- Concern that an increase in traffic will cause vehicle diversion into nearby neighbourhoods

---

## Conclusion:

This report provides a description of the development application, an update on the technical review of this application and advises that several public comments have been received. A subsequent report will provide an analysis of the proposal in terms of the applicable planning policies and will provided a recommendation on the proposed application.

---

Respectfully submitted,

Melissa Morgan
Planner II – Development Review
905-335-7600 ext. 7788

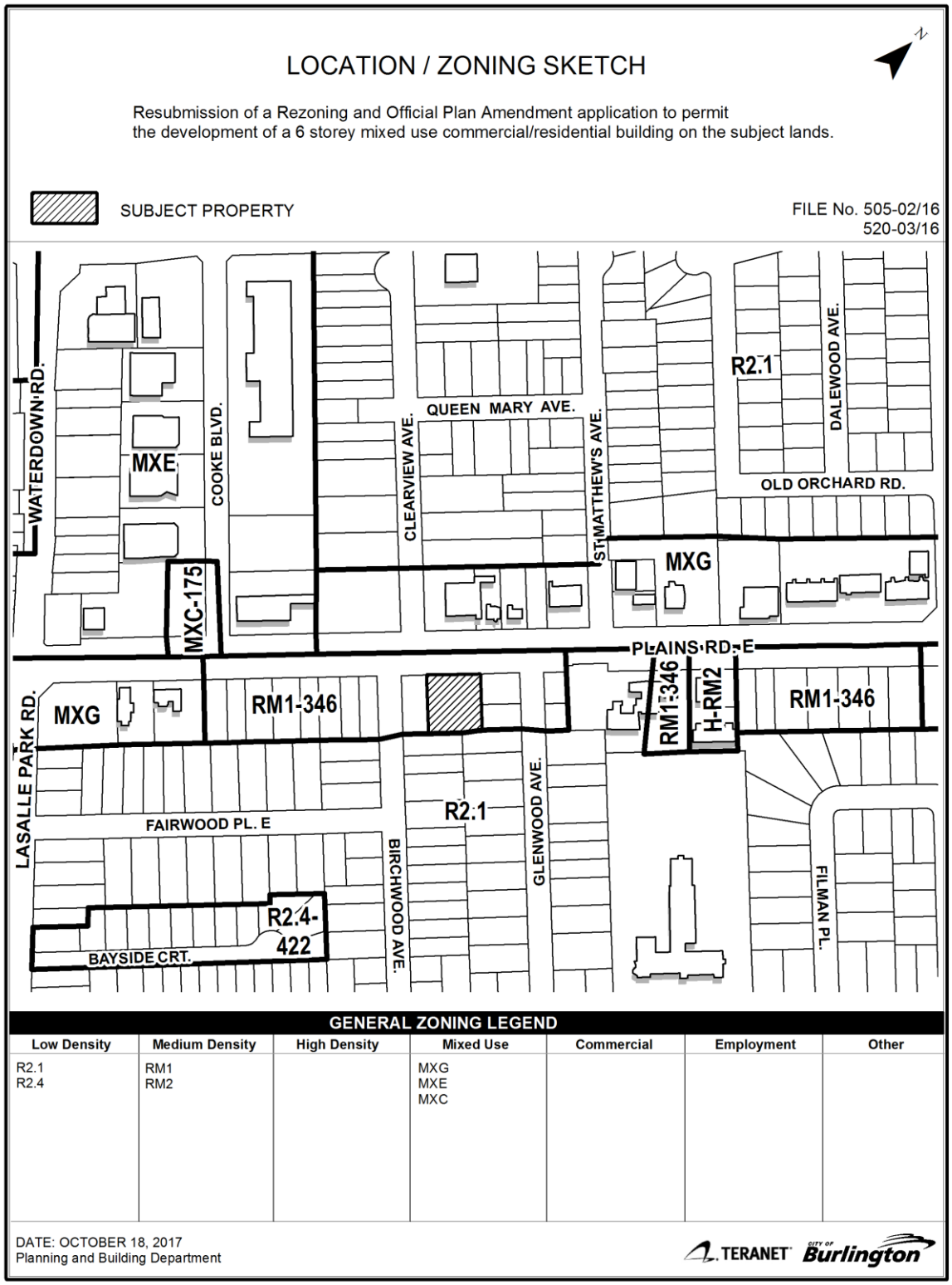
## Appendices:

I. Location Sketch
II. Detail Sketch
III. Public Comments

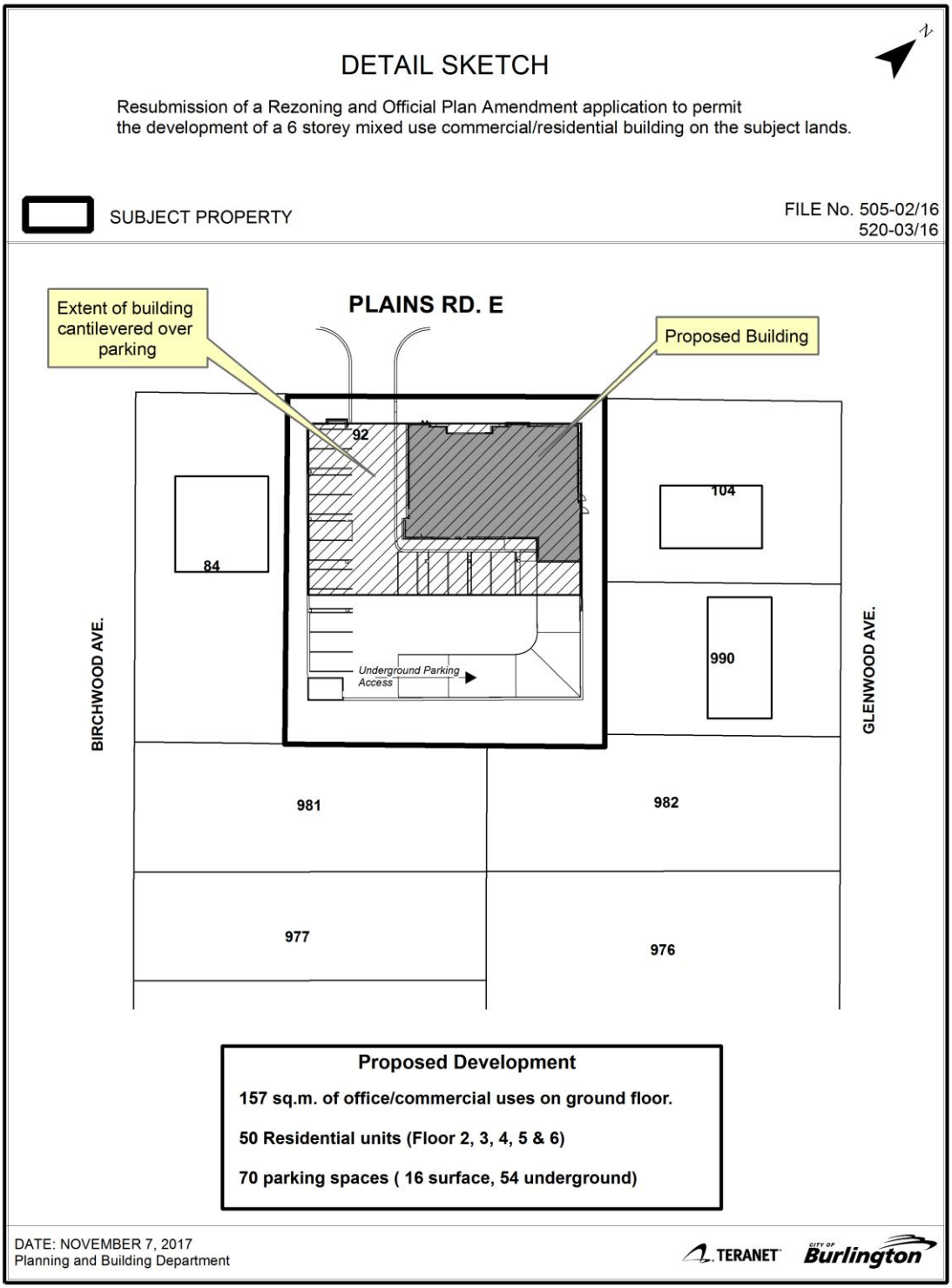
## Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix I – Location/Zoning Sketch



Appendix II – Detail Sketch



# APPENDIX III – PUBLIC COMMENTS

**From:** Jeremy Skinner [mailto:]
**Sent:** Monday, November 20, 2017 9:20 PM
**To:** Morgan, Melissa
**Subject:** 92 Plains Rd East

Melissa:

In my opinion, permitting the proposed redevelopment at 92 Plains Rd. E. to proceed as described in the application will pose significant problems to the bordering residential properties. They include:

1. Preventing the bordering single-family residential property owners from participating in mixed-use redevelopment opportunities afforded by the City's decision to designate Plains Road as an Intensification Corridor. In specific, the two-storey residential property to the west, 84 Plains St. E. which faces Birchwood Ave. and to the east 104 Plains Rd. E. and 990 Glenwood Ave. both of which face Glenwood Ave.
2. Privacy concerns. Test: Can the proposed built-form be contained within 45-degree angular plains associated with the backyards of the bordering properties. In specific, the two-storey residential properties to the west, 84 Plains St. E. which faces Birchwood Ave. and to the east 104 Plains Rd. E. and 990 Glenwood Ave. both of which face Glenwood Ave.

I was unable to determine whether the proposed residential accommodations will be rental based or condominium based.

The value offered to the proposed residents assumes that the bordering residential properties will not be redeveloped.

I would have preferred that the applicant aggregated the bordering residential properties with the proposed property and redevelop the whole as a cohesive built-form such as townhomes above main floor retail/commercial with windows facing Plains Rd and to the south overlooking the residendent neighbourhood. .

.

Regards -- Jeremy Skinner 5023 Cenaber Court, Burlington L7L4Y6 CP

**From:** Tom Betty.muir [mailto:]
**Sent:** Tuesday, December 19, 2017 4:09 PM
**To:** Morgan, Melissa
**Subject:** 92 Plains Rd

Hi Melissa,

A couple of things.

1. The staff presentation for the neighborhood meeting 2 weeks ago is corrupted on the web site and I can't get it to read.

2. I have a call into Roz as she has the history and I want to ask her about some things. Mainly, I find the planning justification confusing and misleading, with little discussion of the amendments required, and just assertions justifying height, massing, setbacks, density, and other variances needed, as well as asertions of compatibility.

In the slides showing the building plan there is a comparison table on the right side, showing the present zoning as MXG, when the present zoning is actually Residential Medium Density RM1-346. This table is used for a compliance check.

However, to get to MXG requires an amendment, so all the compliance variances are not valid.

I need to know what the bylaws are in the RM1-346 zoning.

I have other things to talk about as well.

Just to let you know my activity on this file, and about the corrupt file.

Thank you,

Tom Muir.

**From:** Tom Betty.muir [mailto:]
**Sent:** Thursday, December 21, 2017 11:49 AM
**To:** Morgan, Melissa
**Cc:** Minaji, Rosalind
**Subject:** RE: 92 Plains Rd

Hi,

Thanks for your reply.

I have an issue with the legality and legitimacy of assessing the proposal with respect to a designation that is only proposed, not approved or in force and effect, and won't be, for possibly 2 years.

This comparison, as done, is misleading to the reader who may not be adequately informed, and unable to correctly interpret the compliance. It is not identified as such in the consultants planning report.

In my view, this application is incomplete in this respect, and is in need of an appendix correctly describing he compliance of the build, and clearly identifying what the OP and zoning bylaw amendments actually will be as requested and needed.

I object to this procedure, and it is not good planning, at this time to frame misleading comparisons of compliance with only something that is not approved, and not what the present OP/Zoning that is in effect requires and allows.

As you should know, the proposed MXG requirements even when approved by Council, but not by the Region, will still only be "informative" and not "determinative", so the existing OP/zoning will still have to be amended in the appropriate way as I describe.

Please receive this message, and consider it to be an initial set of comments of mine for the record on this proposal.

If there are any questions, please contact me.

Thank,

Tom Muir

**From:** Tom Betty.muir [mailto:]
**Sent:** Monday, January 01, 2018 5:07 PM
**To:** Morgan, Melissa; Minaji, Rosalind

**Subject:** Comments to December 7, 2017 Neighborhood Meeting on 92 Plains Rd. E

Hi Melissa,

Please find a further submission of comments on the 92 Plains Rd E proposal, further to my previous comment, and as public input through the neighborhood meeting.

For continuity here, I will restate-rephrase my previous comments submitted on December 21/17.

1. I have an issue with the legality and legitimacy of assessing the proposal with respect to a designation that is only in a new OP and Zoning bylaw proposal, but not approved or in force and effect, and won't be, for possibly 2 years. This is arbitrary and rushed.

It frankly appears that city planning is actually implementing what are possible planning proposals only, with no public process vetting and no approvals whatsoever. It looks as though city planning is telegraphing tacit approval of these possible proposed plans to developers, as they have proceeded with such planning justification language in the case of 35 Plains Rd E, and again, more recently on Plains Rd at the Home Hardware commercial plaza, by National Homes. It's the same tactics used for 421-431 Brant St. I suspect there are other instances.

I am sick and tired of seeing this short-cutting and ignoring of due process seemingly enabled by city planning, and if it's not made transparent and accountable will eventually lead to untold trouble. I am tired of being treated like a sucker.

This assessment comparison of 92 Plains Rd E, as done, is misleading to the reader who may not be adequately informed, and is unable to correctly interpret the compliance. It is not identified as a compliance factor comparison that skips over the actual zoning of RM1-346 to the requested amendment to MXG with exceptions, in the consultants planning report.

This report misleadingly states the proposal is "compatible with emerging character of Plains Rd", but does not provide measurable evidence of such compatibility, and actual timelines defining what "emerging" is and means.

In my view, this application is incomplete in this respect, and is in need of an appendix correctly describing he compliance of the build, and clearly identifying what the OP and zoning bylaw amendments actually will be as requested and needed compared to the RM1-346 zoning that will have to be amended.

I object to this procedure. It is not good planning, at this time, to frame misleading comparisons of compliance with only something that is not approved, and not what the present OP/Zoning that is in effect requires and allows. This evidently provides an incentive to cheat.

As a profession, planning practitioners are bound by a legal and ethical duty to ensure that such apparent willingness to mislead and cheat in writing planning justifications is not allowed.

Read more here: http://www.sacbee.com/news/politics-government/national-politics/article192292779.html#emlnl=Morning_Newsletter#storylink=cpy

2. As I indicated, there is so much scope of discretionary and arbitrary interpretation of the policy framework used to evaluate proposals, that almost anything can be supported and justified by assertions, based almost exclusively on intensification. This has become a plasticized idea – make it any shape you want.

It is difficult to argue against the assertions used to justify proposals, as that is all that is presented – just arbitrary statements of rationalization supporting non-compliance with the OP and zoning bylaws, and based on speculating outcomes in the future.

As you should know, the proposed MXG requirements, even when approved by Council, but not by the Region, will still only be “informative” and not “determinative”, so the existing OP/zoning will still have to be amended in the appropriate way as I describe.

However, this does not excuse what appears to be some cheating in the planning justification by skipping over the amendment needed from RM1-346 to MXG in the table of compliance factors - the figure where the proposal is compared for compliance with MXG, not RM1-346.

An argument of rebuttal cannot be made in this space, and given the arbitrary and speculative nature of the planning justification, a rebuttal would consist of a disagreement and additional evidence beyond this scope.

In my 45 years of policy and issues analysis I learned to recognize the difference between evidence-based policy-making, and policy-based evidence making. This looks to be the latter – decide what you want first, and then pick the evidence.

The planning justification repeatedly uses the phrasing that the proposal is consistent with "intensification" goals, and is "compatible" with surrounding residential units that it buts up against with little set-back from a straight up 6 story height.

The proposal does not achieve compatibility, as it is stated in the Official Plan policies (Part III Section 2.5.1; 2.5.2a), **"compatibility with the existing neighborhood character in terms of scale, massing, height, siting, setbacks, coverage, parking**

**and amenity area so that a transition between existing and proposed buildings is provided".** Or, in other words in the OP policy**, "within existing neighborhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighborhood."**

Neither of these statements of policy is met or complied with by the proposal.

Any reasonable person can argue against the planning report addendum that, **"the proposal has incorporated a building design and site orientation that respects the adjacent single detached residential uses by providing adequate setbacks, and privacy measures to ensure lighting and privacy impacts are kept to a minimum, and so the building can integrate seamlessly with the surrounding area."**

The proposal at 6 stories and large footprint, overhanging the parking facility with no green-space, is completely at odds with any credible notion of "seamless integration". The scale, urban design, and lack of any semblance of the existing community features is completely at odds with anything credibly resembling "seamless" or "integration", or "respectful".

This proposal does not have any respect for the neighborhood.

Underlining the lack of credibility factor is the consultant planner supporting the increase from 4 floors in the initial proposal, to 6 floors as revised, with public and city planner complaint about inadequate and all surface parking, with nothing underground, as the reason why the proposal went to 6 stories.

Adding to this credibility gap is the failure to include in this excuse for 6 floors, statements describing the change in massing and density in an increased footprint, as well as the height.

There are a redundancy of assertions that the proposal is consistent with, or compatible with, a large number of factors and statements, abstracted from general city and provincial policies, that are interpreted any way the consultant planners wish to with arbitrary luxury. It's all a repetitive read of self-serving opinion and assertion, that is so biased as to not be credible.

Moreover, the proposal does not provide measurable criteria and other evidence that the extent of variances, and the extent of appropriate, in force, OP and zoning amendments requested are needed, or justified to meet intensification goals. These goals could be met with a lesser proposal.

Another proposal, to build a lesser height, density, and massing, and so on, could also meet intensification goals, and the present proposal is not needed to do that.

The proposal as presented is not a reliable indicator of need and justification, or of adequate consistency and compatibility with policy, to be necessarily supported by that policy frame. It is not compatible by any credible language.

An alternative proposal that could require fewer variances, and be more indicatively and adequately compatible, as the intensification policy states is a required condition of intensifying next to existing residential uses, would also meet intensification goals.

In fact, what the existing RM1-346 OP and zoning could provide would represent intensification. There is just a single dwelling in place at present, and replacing it with 6 stories and 50 condos is certainly not needed to meet intensification goals, and such a 6 story build is not "by right" by even the proposed Urban Corridor (2 to 6 floors) or proposed MXG zoning (4 to 6 floors).

I suggest that something at 4 stories, such as the Jazz condo down the street on Plains Rd, might be more suitable and acceptable. Alternatively, the developer Victoria Dawn, seems to build satisfactory 3 story builds that could also be considered as more suitable than the large "cube", of more than maximum scale, shape, density, height, etc., that makes up the current proposal.

The present proposal does not demonstrate with evidence that such compatibility is achieved, but merely asserts that it does so, in order to support the proposal, and to seek self interest and maximize gains.

Overall, this attempt to maximize gains is accompanied at the same time by visible efforts to ignore and downplay the extent of losses to the neighboring residents. The proposal seems to be unconscious of this larger picture, and willfully turns away from what should be evident.

3. As I said at the public meeting, and in writing to the previous proposal of 4 stories, this proposal is premature. The OP review and revisions for this section of Plains Rd have not been finalized, or proposals vetted by the public, and the planning justification provided reads very much like the OP and zoning will be changed to something like what is being asked for. This reflects the speculative outcome aspects mentioned above.

In my opinion, this looks like another appearance of willingness to cheat by the proposal, where a 4 story proposal with unacceptable parking plans, for just one thing, is put forward for reaction, and is then quickly changed to another 6 story proposal, using the inadequacy of the 4 story parking proposal as an excuse. This is another appearance of self-interested actions, willingness to mislead, and is a violation of trust.

This is unfair to residents, and will for sure set some precedent in my view. At the 4 story neighborhood meeting Roz said it was a one-off, but this has not played out as true in another instance nearby, with the 35 Plains Rd E proposal being said to be the same thing, but then got justified by draft proposals of the OP and Mobility Hub plans, as what appears to be happening here.

I find the planning justification a mere recitation of unimaginative words, appropriately tied around the policy framework, that lead of course to a “good planning conclusion” and support the proposal.

I am not impressed by the argument, and it looks to me that the design wants to fill all the available lot coverage, and more, while just asserting, not demonstrating, that it respects the neighbors.

4. The hydrology report did not address the issue of designing the drainage so as to make the post-project site runoff be maintained at the pre-project level. Instead, the report looks at the entire catchment that the property sits in and says the increased runoff will not be significant.

Considering that the property is at present almost completely pervious, with many large trees and bushes, and will be changed into almost completely impervious, as it will be clear-cut, indicates this is completely misleading. This scenario does not attempt to describe a drainage design that has zero net runoff.

5. Does not protect the environment.

6. There is inadequate setbacks and landscape buffers. The rear setback was misrepresented at the meeting as 18 meters, when that includes the underground parking lane and ramp to fence. Setback appears more like 8 meters, although I am not certain as it is hard to read. There was no indication of what the present by-laws, that need amendments, require.

7. The proposal still looks very much like a parking lot, but still requests variances on the by-law parking number required. Using commercial/office parking as residential/visitor is another part of this parking issue. People have extra cars and this enables residents to use commercial spots. As well, the still extensive surface parking asphalt and lane-way does not fit into the neighborhood, and does not respect the existing character.

8. There is no green-space to speak of. This is completely unlike the neighborhood. The proposed building towers above the surrounding tree line, and the existing large trees will be essentially clear-cut.

<u>I attended the neighborhood meeting Thursday, Dec. 7/17. The following are my notes.</u>

9. This is another set of amendments to the existing OP to get what is proposed in the new OP and Hub proposal plans. Again, not in compliance with OP.

The planning consultant stated it as “in alignment with the direction of the city plans”. Again, based on speculation to maximize gains and self-interest, and this is being enabled by city planning.

10. What needs to be looked at in the proposal plans is how the zoning bylaws overall are in compliance with existing (or proposed even). This was not made clear. Side yard setbacks were asked for at 3 meters, and Roz said something about this needing a variance from existing.

11. I don't know about the front and back setbacks, but the back he said was 8 meters back from the underground parking lane and entrance driveway. I am not sure of this, as 18 meters was noted, but this is a setback from the upper 5 floor building envelope. I got no sense about the front.

12. It was a raucous meeting. Nobody was happy, with many expressing this clearly and sometimes emotionally and angry.

Impact on nearby property values from this gross mass are evident, and raised by all in attendance. Craven denied this, demanding “evidence”. I said the evidence was location specific, and that real estate price inflation was masking that specificity, but it would become apparent if a 6 story building as proposed was built there.

It is pretty much Real Estate 101 that what matters is location, location, location. It is clear that a location next to a 6 story building is worth less, comparably, than one farther away. And it is also self-evident that a neighborhood without this 6 story proposal, would suffer, at some locations nearby, a loss of relative value if the 6 story building is actually built.

Just ask yourself which house you would prefer - one with 6 stories next door, or one without? Would you pay more or less? Pretty simple common sense that ordinary people show every day.

13. Roz threatened to shut meeting down if the heckling that ensued was not stopped.

14. Shadow studies not at appropriate times – at 3:30 people aren't home yet. Shadows look significant on neighbors when extrapolated to relevant times.

15. Six floors go above tree line. This height and increased footprint from the 4 story proposal is too much was the unanimous opinion at the meeting.

16. Issue of “public life” not being served was brought up. Community at stake with this build – should be no more than 4 stories, which it seems from after meeting remarks is seen by neighbors as “coming”.

17. I pointed out that the existing zoning and OP tops out at 2 1/2 or 3, and the proposed MXG heights are 4 to 6 and the Urban corridor heights are 2 to 6. This was stated by Roz of the city and was confusing, so it never got clarified. Anyways, my point was that 6 is not “by right”.

18. Craven got called out a couple of times for not showing any support to residents, and for trying to undercut their concerns.

19. They object to 6 floors, up from 4, but with a larger footprint. So units go from 24 to 50. I got the impression that greater than 2 times lot coverage, and 111 residents per hectare was stated.

20. Consultant claimed people complained about surface parking in the previous 4 story proposal, so they went to 6, bigger, with 2-floors underground parking, and used this as an excuse for the larger build.

21. No significant sloping or step-backs of upper floors seemed evident. Questions about this were answered with a claim that there were step-backs on the upper floors, but the rendering figures do not show any step-backs on any elevation.

22. Unit numbers; 24 1-bed (700-770 ft2); 26 2-bed (850-900 ft2). Cost of units was not revealed. This lack of information relates to the claim that 6 stories were needed because of the parking, but no information was provided on any of this for comparison with the previous proposal at 4 stories.

In any case, the market will set the price of the condos, and the underground parking spaces are not given to buyers for free, but are sold to recover the costs, and might add to the condo fees as well. This is another question raising credibility concerns.

23. 1600 feet of “office” is included. No plan for whether it is rental or condo, and what will occupy the space, was presented. There is no provision for loading space for commercial uses, so the potential for the use of the space is minimized. Questions arise as to why retail uses are not provided for, and/or full servicing for future growth potential.

24. Parking and traffic were complaints. Traffic diverted down Birchwood and Glenwood, speeding to Townsend to get around crowded Plains was stated by several. I live on Townsend at Park Ave., and I see it regularly.

25. Consultant said traffic studies said no problem – surprise. City staff agreed. People roared that they don't live here to see it, but they do. This is the standard assertion - there is never a traffic problem. This claim of no impact is made everywhere on every proposal, but is not a reality.

26. One complaint was about losing stores and business along Plains, with the Bingo/Home Hardware/Dollar Store/ Restaurant just the latest example. The issue was one of bias towards developer proposals and seeming lack of respect for residents in decisions. Where are people supposed to buy the daily necessities of life in the neighborhood?

Walking is always promoted by city planning, but it is an empty idea, as walking targets are being lost continually with every commercial conversion to residential build. The new OP and Hubs plans have no transportation plan, but people are being forced to drive more and more. And there is no employment/commercial/business plan to replace what is lost.

Cravens comment was revealing and interesting as it shows his hand about this without even the neighborhood meeting to come January 17 2018 on this proposal. He is apparently biased toward the development, not supportive of residents, Home Hardware and other business, and this bias will tend to influence the staff assessment of this proposal at 92 Plains, and others as well.

He said that the proposal now contains 10,000 ft2 of commercial in 2-5,000 ft2 pieces (one in each large building). And that Home Hardware needs 5,000 ft2, and wants to stay in Aldershot but doesn't know what to do for sure, so Craven washed his hands of it by saying it was a “business” decision on behalf of Home Hardware.

Something to look forward to when this next proposal comes up.

27. Overall, the proposal does not conform to the city OP, the PPS conditions, possibly conflicts with the Planning Act rules and spirit, represents over-intensification that does not respect existing and neighboring residential on any reasonable grounds, and all the residents attending the neighborhood meeting are opposed to it and made that very clear in the meeting.

Also inappropriate comparisons are presented as planning justification, with possible future ideas, but not actual OP and zoning that needs to be amended for approvals.

- 26-50 upha allowed, 230 upha asked for.
- 2 1/2 stories allowed, 6 asked for, but not by right even by proposed plans. Six stories deemed too high.
- is not compatible on its face of height, density, massing, design, layout, hard surfaces, shadowing, and so on.
- clear real estate location impacts on desirability and price on neighboring properties.
- FAR too high.
- no other more compatible features and designs are considered.

If you have any questions please contact me.

I would like to see a response from you on this please.

Thank you,

Tom Muir

From my front window I can see all the movement of people & traffic on Fairwood place East & both ways on Birchwood. It looks like we will have many persons in a six story building looking into our back yards this is not good for me or my neighbours but we will have to put up with it.The lane way into this new building will be from Plains road but it's possible & probable that a deal will be made with the development company that owns the red brick building on the corner to put a lane way onto Birchwood ave. That brick building will probably be replaced with a six story building,across Birchwood on the other corner is grey building owned by a developer & it will probably be replaced by a six story building,both of these buildings have lane ways onto Birchwood so we could possibly have 3 six story buildings dumping traffic onto our street.We have kids going to& from school,seniors on daily walks,dog walkers & cyclist & it's also a bypass for rush hour traffic.

There is 7 of us that have lane ways between Fairwood & the lot line of these corner buildings,if Burlington city council were to close Birchwood at the lot line & sell the short north end of the street to the developers they could route all 3 lane ways into one exit onto Plains road & still have room for some some much needed green space.Our part of Birchwood will become a No Exit road & that will suit us property owners just fine.We can tolerate 3 six story buildings a lot better if we don't have much traffic on our street,the developers should be pleased with the options & the City will have just one entry onto a very busy Plains Rd.We,the undersigned Birchwood property owners are willing to back the City council in their effort to implement this proposal .

Regards,

MR. GILBERT JAYNE
965 BIRCHWOOD AVE
BURLINGTON ON L7T 2H6

Sent from [redacted]

The Aldershot residents listed below are submitting this letter regarding the 92 Plains Rd amendment application which resubmits the original 4-storey condo as 6 storeys. It was evident to residents who attended the community meeting held Dec. 7, 2017 (some of whom are in the list below*) that the common position held by residents is that a 6-storey building at this location does not align with the spirit of the official City plan. This email communicates reasons why and proposes a solution we believe would be agreeable to all.

Why the original 4-storey application is compatible with the city plan and the community:

- Achieves appropriate density targets for the designated development area in the plan
- Is roughly within the existing treeline surrounding the property
- Minimizes shadow impact for not being above existing treeline – particularly after 3:30 pm when residents of adjacent properties are more likely to be home and seeking outdoor activity, especially families with working parents and children

Why the amendment application for a 6-storey building is not compatible with the city plan:

- Protrudes significantly above the surrounding treeline introducing an uninviting oppressive presence to the surrounding area including the residential properties and Plains Road
- Street life in the vicinity of a 6-story building is not fostered for the above reason
- Places several adjacent residential properties under total shadow after 3:30 pm for most of the year

Proposed solution:

- The representative for the Developer stated during the Dec. 7th meeting that the amendment to 6 stories was introduced to cover the cost of adding underground parking since the City was not agreeable to the size of the originally proposed ground level parking plan
- Our group of Aldershot residents proposes maintaining the original 4 storey building height and original ground level parking but with parking reassessed to ensure sufficient and appealing green canopy. Additional green canopy might be achieved via tree islands for example.

For the above reasons, we believe the original 4 storey plan with amendments to the ground level parking area as needed to ensure adequate green canopy would be agreeable to the City and local community residents and we find no reason the Developer should not also find this acceptable since our recommendation matches the Developers original submission with nil-to-minor changes of no significant cost.

Feel free to notify us of any other relevant information as we would like to stay informed.

Regards,

Catherine Brock and *David Lawson
979 Glenwood Ave
[redacted]

*Chris Young
988 Glenwood Ave
[redacted]

*Debby and Tim Matz
982 Glenwood Ave
[redacted]

Christine and Tony Lewis
973 Glenwood Ave
[redacted]

Beth and Derek McNally
967 Glenwood Ave
[redacted]

Claudia Steffler
933 Glenwood Ave
[redacted]

Kurt Love
925 Glenwood Ave

Leslie Birkett and Frank Bella
402 Patricia Dr
[redacted]

Sherri Cooper
860 Shadeland Ave
[redacted]

Martha Bauer
831 Shadeland Ave
[redacted]

**Peter Campbell**

**Subject:** 92 Plains Road East- Revised Planning Application - File: 505-02/16 & 520-03/16



Peter and Anne-Marie Campbell

1040 Clearview Ave.

Burlington , On.,

L7T 2J1

Dear Melissa,

This letter would be in response to the developers resubmitted proposal for the property at 92 Plains Road East, from the original build of a 4 storey mixed use ( 24 residential units ) to a 6 storey mixed use ( 50 residential units). The property in question is roughly a half acre in size with 146 feet fronting on Plains Road by 159 feet deep for a total area of 23, 314 sq. ft. The size of the original build was a proportional fit for the property with the building proper only covering approximately 1/3rd of the property at 7220 sq. ft., the other 2/3 was driveway , parking and landscaping. The original site excavation was only 3431 sq. ft., one level deep for basement amenities and building services. This original build fell perfectly within Halton Regions intensification parameters of 111 units per hectare of land. Not an obtrusive build at all, well designed and well suited for such a small piece of property.

The same could not be said for this new proposal. Intensification guidelines are set as a maximum, and for this from what I read, would be under rezoning to an " urban corridor" , which would be 230 units per hectare. That does not mean one needs to build to the maximum, We all know why developers want to max out the guidelines and that is because they are only in it for profit. These companies are not real estate investors that actual purchase properties by due diligence as they have no vested interest in a Condo project. Once complete, they no longer bear any future responsibility to neither those purchasing the condo units, other than the basic Tarion Warranty nor the City of Burlington. This revised proposal is a total over build and over intensification for a mere ½ acre of land. There is also no reason to include every project as a " mixed use " build. From what I see as I drive around the area is that these small retail units are not sustainable as most are empty. I would simply offer some bullet points as to why I feel this build should be rejected and the original proposal be considered by the developer as the best suited build for the area.

- The new proposal calls for excavating the entire property with an excavation of 16,000 sq,ft. and some 20 feet deep to accommodate 2 levels of underground parking. The entire 1/2 acre would have to be shored prior to construction leaving less than a 8 foot perimeter. As the developer owns neither adjacent property, there would be no feasible way to excavate the entire property without closing part of Plains Road. And we all no how bad the traffic is on Plains Road is now. This excavation would bring up other issues.
- Where would there be room for a site office. No room on the property for large equipment that would be required for the build..
- Where would the construction workers park. The adjacent streets of Birchwood nor Glenwood are not an option .
- How would materials be delivered to site without blocking Plains Road.
- This new cantilevered build for floors 2 thru 6 covers 11,000 sq. ft. or 50 % of the property, the rest is parking above grade, with a mere 9 foot perimeter of landscaping. How is this any different from the original build where they mention the thought was that there was too much parking. The entire ½ acre is still basically asphalt, only this new proposal is worse by design..

- No matter how the developers offer up the perception, this is not in actuality a 6 storey building which would be typically 60 feet. With the extra height of the ground floor retail and the penthouse mechanical , we have now stretched this build to approximately 75 feet. They tend to do this in all cases.
- Reference is made to the Seasons Condo at 34 Plans Road . Yes this is a 6 storey 41 unit building. If they want to use this building as justification let's compare them equally. If the developer had followed suite with their original intent of 8 units per floor, this would also be a 40 unit complex. Less parking required, so more green less asphalt. The Seasons also has increased amenities , non indicated here. Seasons is a much larger lot size so there was and still actually space for equipment to construct the build.
- Quite using the Mobility Hub Scenario as justification for any developer to overdevelop. If a Postal Code study was actually done, I believe the findings would be very few of the Aldershot Go users are even Burlington/Aldershot residents. At present, one only needs to observe the traffic flow patterns leaving the Go to see the majority of traffic heads North on Waterdown Road or West on 403.

Developers have the luxury of using large companies to provide their justification reports, and, as I have seen from this and other immediate area proposals, are actually companies I do deal with on a regular basis. So first hand I know, these companies are less reality and fact , but more fantasy to sway the less informed. They are only working for the developer's interest , not that of the community.

Let's not vote this one through as proposed.

Regards,

Thank you for this opportunity to respond to the proposal for development of the property at 92 Plains Rd. E. I was not able to attend the public meeting held recently.

As I perused the documents relating to the developer's proposal, I was impressed by the quantity of material that has to be submitted, but I was also upset to see one very important item that was missing; that is, a rendering this proposed structure *in situ*. There are a few fine drawings of the structure, but none that show what it would look like, from various perspectives, on the property and surrounded by what would be its neighbouring buildings. It is a very important drawing as it would show what we all, Aldershot residents and neighbourhood investors, will have to live with forever. We must therefore visualize it. And as I do so, a number of words and phrases used in the proposal jump out for their incorrect and even absurd use when consider next to what this structure actually would look like if built as currently proposed.

Let me explain.

1. In the first place, this developer refers often to the City's planning document as justification/support for the structure. In one instance we find this: "5. (x) where intensification potential exists on more than one adjacent property, any redevelopment proposals on an individual property shall demonstrate that future redevelopment on adjacent properties will not be compromised…."

The astounding response by the developer is "**N/A** - the intensification potential on adjacent lands are limited due to small parcel size." In fact, as can you can imagine and the missing drawing would show, if built the proposed structure is forever doomed to be surrounded by buildings that are a fraction of its mass and proportions—a visual mismatch with no hope of correction. Rather than being "N/A," this point made by the developer highlights the imperative that the developer needs to come up with a plan that is in a better scale with the neighbourhood. Once built, this eye-jarring vista won't be something we can change.

2. Further to the previous point, in another attempt at justification for this development, the "Official Plan Part III Section 2.5.1" is quoted by the developer, referring to "additions to the housing stock provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood." While the guidelines do not define "compatible," leaving that unfortunately open to interpretation, when considering this proposed structure in its final setting it boggles the mind to understand how this developer could consider that "(v) **compatibility** is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;" or that this structure could "**integrate seamlessly** with the surrounding area" through the use of "adequate setbacks, and privacy measures." In another fit of fantasy, the developer states, "(ix) capability exists to provide adequate **buffering** and other measures to minimize any identified impacts; Screening in the side and rear yards are proposed to **provide a transition** to existing low density residential properties.

None of those lofty-sounding measures as in evidence on any drawing that does exist, and the missing drawing would reveal that "buffering, transitioning, and screening" this building would be impossible in this situation. This is a neighbourhood of, on average, 1.5-story buildings, which is the ground floor height, alone, of the proposed structure. Already at the second-story height, 7.3 metres, this proposed structure exceeds the height of the tallest surrounding residence. And then there are an additional four stories, 16 metres in height beyond the tallest surrounding residence, which, as the developer notes, probably cannot be altered by redeveloping anything nearby. This proposed structure will have a mass

30x greater than its neighbours. It will cover 42% of the property surface area where the average lot coverage in the neighbourhood is about 10%. There is not a single item of visual compatibility between this structure and anything around it and the mention of seamless integration causes me to question the developer's grasp of reality.

3. This developer also seems to feel that since the structure fronts on Plains Rd. it is irrelevant what the back side looks like. It may respect the emerging character of Plains Rd as City council members may wish to envision it and it may totally coincide with the developer's thirst to maximize the investment potential, but the proposal absolutely and blatantly ignores the surrounding established neighbourhood as any visualization of the effect will show. And in spite of the developer's assertion that, "The proposal respects the emerging character on Plains Road and **transitions** to low-rise residential areas through its site layout and design." There is no evidence of "transition" anywhere here. The effect will be abrupt, stark, and permanent.

4. Another miscomprehension displayed by this developer is the point that that the planned structure is within the 500m [sic] **mobility hub** area and therefore must undergo high-density development. Given the enthusiastic use of the term "mobility hub" by City staff and council members for the vicinity of Aldershot station, one cannot altogether blame the developer for using the term in the justification of this proposal. But it needs to be repeated here that this title of mobility hub is a contrived designation given to the area by City staff/council members, and it has left many with the impression that this is an official designation applied by some higher authority and something that has to happen. This is very misleading; as I'm sure you know, Aldershot is not considered by Metrolinx, the body designating the mobility hubs, to be anywhere close to meeting the criteria for this designation. In fact, Metrolinx considers Aldershot station to be an access point for commuters, and it is planning to build additional parking space soon as proof of this. The 800m diameter boundary is therefore an arbitrary imposition on the surrounding neighbourhood and not something that can be used to justify making all types inappropriate and ill-considered planning decisions.

Along with many other people, I am excited about future development potential in Aldershot. I enjoy seeing the emerging shapes of some nicely integrated and diverse housing stock being built along Plains Rd by seasoned developers. Most of those developers seem to understand that Aldershot is neighbourhood enjoyed by those who walk the well-treed streets and seek a reasonable pace of life for their family, people who want to put down roots and make use of amenities already here. We are seeing larger units and a variety of styles of town homes being built to suit their needs.

I can only hope that those making the decisions on this proposal have the ability to visualize that this development, as proposed, will be an anomaly. This developer, rather than attempting to hit the outer limits of what might be allowed, if appropriate, under the guidelines in order to maximize profits at our expense must be asked to "go back to the drawing board." We can have greater housing density and a more vibrant Aldershot through a structure that actually shows, on a drawing, some real rather than fantasy integration with this beautiful neighbourhood.

Thank you for your consideration.
Julie van Tol (Glenwood Ave.) and Jo-Anne Faber (Birchwood Ave.)