

G. Parker Delegation To The Planning Development  
Committee on the issue of community benefits  
April 10, 2018

In preparing to delegate on this issue I carefully read section 1.8 of the new OP which covers Community Benefits. I could find little in that document that exactly fits the agreement you're being asked to approve tonight. However the verbiage in this section is vague enough to allow for a wide scope of interpretations. In fact you could interpret the wording in this section in a way that would qualify even the most obscure contribution as an indirect benefit and that appears to be what has happened here. Despite that ambiguity the underlying concept that the benefits should be proportional to the added height or density is made very clear. It's also clear that the monetary value assigned to indirect benefits should reflect their real contribution to the community. It is in this area that I see major faults in this proposal. To determine a rough estimate of what should be offered to the citizens of Burlington I used Mayor Goldring's approved amendment to the new OP that stipulates 8 additional parking spaces or 190 sq. metres of commercial space per floor of height beyond the 'as of right' limit - in this case 17 storeys. How that applies to this already approved development is not clear to me but a calculation based on that formula using Carriage Gate's own estimate of a \$50,000 valuation per parking space tells us that the developer should be liable to provide over 2 million dollars in public benefits.

No exact dollar figure is available for the alternative of commercial space but based on land economics and the per storey formula, the value associated with that option is certainly close to a million dollars. The package of community benefits claimed in the document to be voted on totals 1,775,000 dollars. That amount would represent a fair compromise if all the benefits claimed were properly priced, but in my opinion, they're not. In fact a reasonable accounting of the benefits in the listing amounts to only \$500,000, more than a million dollars less than what's being claimed. So let's look at what our planning department has agreed to for this benefit package:

- **To assist with affordable housing, a discount of \$300,000 to be used against the purchase price of up to 10 dwelling units within the subject development, or an equivalent cash contribution to the city.**

*While we would prefer to see a real community benefit equivalent to any amount of cash, this is at least a measurable benefit assuming of course, we take the cash. Interestingly this concession by Carriage Gate represents the same amount it paid in lieu of meeting its commitments on its Berkeley development.*

- **one (1) publicly accessible car share parking space (indirect non-cash benefit assessed at \$50,000) and a car-share vehicle for a minimum of two years (assessed at \$50,000)**

*What possible benefit does the community at large derive from this one vehicle and its parking space? If it represents a benefit at all that benefit is being provided not for the public, but for the eventual residents of this building?*

*The \$100,000 assessed in this category should not be recognized.*

- \$50,000 contribution towards the future expansion of Civic Square

*Is this potential expansion a reference to the next point which describes the set back at the north east corner of Brant and James? We need to be told specifically how this expansion is to happen in order to assess whether this money really qualifies as even an indirect CB.*

*And while on the subject of the contribution the set back and its purported enhancement of the civic square is to provide I draw to your attention to the architectural rendering of the Carriage Gate building and surrounding*

*area. Appreciating that these renderings are by nature glorified versions of the eventual reality, this one is particularly flattering to the project.*



### Where's The Traffic?

Presented as it is, it conveys the impression that our civic square extends to the local horizon at the base of the Carriage Gate tower.

Unless we're planning to deny vehicle access to this busy intersection the reality is that there is no real connection between these two spaces other than on the few days Brant Street is completely shut down.

- **public access easement for lands located at the northeast corner of Brant Street and James Streets, the minimum dimensions of which are in the form of a triangle measured at 16m by 16m**

**(128m2) (indirect community benefit assessed at \$75,000)**

*This project was approved by city council in large part because of this very easement. Its inclusion was part of the 'lesser evil' rationale our planning department used to recommend that approval. Now we are being asked to include it as a community benefit? The \$75,000 assessed here should be removed.*

- **eight (8) visitor parking spaces (indirect community benefit assessed at \$400,000)**

*The ratio for parking per unit in this building is already constrained so competition for these 8 spots will be intense. I would suggest that the approval for 23 stories would never have been granted if the developer had indicated it would not provide sufficient visitor parking spaces. My own research indicates that, at least in the world of rental apartments, noise complaints are the most numerous followed by the issue of the building's residents parking in already limited visitor spaces. This is to be a condominium complex but can we not expect the same scenario here? To suggest that providing 8 visitor parking spots for 8 people from our community of over 180,000 residents that might be available if they ever chose to visit here and value that access as an indirect benefit to our community valued at \$400,000 makes absolutely no sense!*

- **increased building setbacks, including widened sidewalks on Brant Street, James Street, and John Street, and view corridors on Brant Street and James Street to City Hall and the Cenotaph (indirect community benefit assessed at \$250,000)**

*Again, these are factors that have already made their contributions in the context of why a 23 storey building was approved on this site. How many times does a developer get credit for committing to the same thing? This \$250,000 of indirect benefits should be removed.*

- **\$150,000 towards the public art reserve fund to be used within the publicly accessibly privately owned easement area referred to above and/or in the future Civic Square expansion**

*This benefit potentially benefits both parties. Therefore only 50% of the donation should be allowed at least until we know where this piece of art will be located.*

- **implement green technology and sustainable architecture elements into the subject property in accordance with either**
- **LEED certification standards and/or compliance with the City's Sustainable Building and**

## **Development guidelines (indirect community benefit assessed at \$300,000)**

*How is being 'in compliance' with established standards a community benefit. Once again, the use of green technology for this building was sold to city council as part of the approval process and does not fit the definition of a community benefit. This represents another \$300,000 that should be eliminated based on a true assessment of its contribution.*

- **Implement City of Burlington Streetscape Guidelines Standards within the Brant Street, James Street, and John Street public realm areas, including the expanded building setback areas at-grade and the publicly accessible open space easement area outlined above (assessed at \$150,000).**

*Here again we are asked to see conformance with guidelines and creating set backs that were already committed to as additions to what was expected of this development. Another \$150,000 of dubious benefits to be removed.*

I was in attendance the night city council approved this development. I came away from that meeting with a clear understanding that the approval granted was subject to the provision by the developer of appropriate community benefits **beyond** what we had been presented with in the rationale for approval. In this delegation my aim is to point out to you that most of what you're now being asked to approve was already recognized as part of the approval process. There's is little on offer here by way of direct community benefits and ***the monetary values assigned to the questionable indirect benefits are grossly inflated. These monies were obviously added in order to meet the percentage value required by the 'uplift' formula regardless of their merit!***

I would also point out that those championing the Reserve Properties proposal that seeks approval largely based on what was accepted at 421 Brant, will be closely watching this process. If the at best dubious benefits and inflated valuations included in this document are accepted I would suggest you can expect to see them duplicated in the future.