

70 Townsend Ave.,

Burlington. L7T 1Y7

June 11, 2018

To: Members, Burlington Planning and Development Committee

From: Tom Muir, Resident

Subject: June 11 2018 Statutory P&D Meeting on 53 -71 Plains Rd East (Solid Gold)
Comments

Dear Councilors;

I provided some comments on this proposal to the Neighborhood Meeting record, and these are in your information package for this meeting. This evening, I would like to select from and add to these previous comments, for the purposes of this meeting record.

1. I accept that some redevelopment of this site can occur, and is permitted by the existing OP, and while not planning policy relevant to this application, the proposed revisions to the adopted OP also permit some development.

My concern is that this proposal is based on asking for permissions that are not based on the existing OP, but are based on drafts of the proposed OP and zoning, and Mobility Hub language existing at the time of this application initiation, that is not yet approved and not in force.

2. As a result of the admission of “jumping the gun” the application asks for variances that go far beyond these stated permissions of the existing OP, and even of the proposed but not in force OP, and represent an over-intensification and over-development of this site

The developer's planning justification report is, as usual for such hired reports, based on fantasy not reality..

The existing permissions themselves would already represent intensification of this largely vacant site, but no exploration of these possibilities are presented or discussed. Even the proposed OP heights for this site, at 7 to 11 stories, could conceivably translate into something acceptable, but such lower and less massive forms are not considered.

Instead, the applicant asks for 10 to 11 to 12 stories, greater than even the proposed OP permissions; asks for a non-application of the tall building criteria; and to try and justify the resultant form and massing of the build asked for, they further ask for a slew of

height, density or FAR, parking, amenity, set-back, and green space variances, so as to arbitrarily bend the rules to try and make the building proposed fit, to shoe horn it in.

The applicant has requested:

- Increased height (10 and 12 story)
- Increased density
- Reduce minimum set backs
- Reduce amenity area
- Reduce parking standards
- Reduced landscaping/green space

They also request an exemption from the tall building standards.

The Burlington Urban Design Advisory Panel voiced the opinion that it was too high and too massive. Their report is attached to your information package.

This overall results in an application that is inconsistent with the “Key Directions”¹ paragraph from section 11 of the Draft Precinct Plan of the Aldershot Mobility Hub.

This states; “establish a maximum building height of 6 storeys on the north side of Plains Road adjacent to low-density residential areas and up to a maximum of 11 storeys in a mid-rise form where properties are not adjacent to low-rise residential uses. On the south side of Plains Road, establish a maximum building height of 6 storeys with compatibility criteria to adjacent low-density residential uses.”

Properties on the north side of the Main Street Precinct (Plains Rd.) are very much adjacent to Clearview Avenue and will impact what is already an existing low density residential area.

It makes no sense to permit up to 11 storeys on the west side of the street and retain 2 storey residential on the east.

The new Official Plan (OP) that has recently been submitted to the Region also very clearly states that low density residential areas will be protected: “Protects established residential neighbourhoods by directing growth to other areas of the city”.

The White Oaks area which is all low rise residential has been fully protected and falls outside of the Mobility Hub catchment area.

Why is Clearview Avenue not afforded the same protection?

3. In addition to zoning amendments, the application requests an OP Amendment Mixed Use Corridor - General and Employment to Mixed Use Corridor - General with site specific exception. This removes the prohibition on residential for the Employment part,

and removes the Employment designation, which is an issue raised in the 35 Plains Rd application and conditional approval (now at OMB).

The staff report says this area is also being considered generally for conversion from Employment uses.

This requested amendment needs to be reconsidered as regards how the city is going to achieve its goal of mixed uses, complete communities, and a local economic, business and employment base, according to the PPS.

Regarding the relevant policy framework issue, I submit;

"Section 1.3.1 of the PPS states that Planning authorities shall promote live/work, economic development and competitiveness by: a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

In other words, the Strategic Plan and the PPS mandates the need for commercial uses to be planned for and increased not reduced, and the needs of existing business to be accounted for, not sacrificed. But the proposal contradicts what the policy calls for.

There is already limited employment and commercial designation in this area and existing commercial parcels are being torn down and not replaced.

In another lack of policy compliance, the proposed commercial is not stated as being full commercial venting and service capability so as to provide opportunity over the building life for maximum potential for uses consistent with the City vision

4. The incorporation of a significant employment and/or commercial function must be an integral part of this application.

Plains Rd is supposed to be a face of commercial and retail, with small business as well, like what is in the Cooke Business park.

The massing and density of the application is a big driver of land speculation and inflation, and is driving out business and commercial.

The Growth Plan has a jobs component too.

And people have an absolute requirement for the necessities of life. This is worth repeating - right now, these sources are being torn down locally, but not replaced.

And despite planning and city claims that they are building a community that walks, the steady loss of commercial and employment is forcing residents to drive more and farther, while the population grows along with car use..

And the planning I've heard has said not much about how this is going to be taken care of. I want to see "good planning" - no excuses.

Requiring at least two uses is essential. Minimum heights, and maximum venting and service functions for the commercial/employment use of at least the entire first floor is needed or parts of the first two floors. The commercial space needs to be large.

I talked last week to the Home Hardware people. They told me they have been unable to find another location to lease, and also, have been unable to find a land parcel to build.

They want to stay in Aldershot, but city development policies are creating economic forces of land speculation and assembly that results in large economic values in conversion of commercial to residential, and there is no real consideration for the businesses that are driven out of business as they are unable to find or afford another location because of the land price inflation and loss of locations.

This is a very real and important impact that is not being considered.

It is essential to understand that you cannot build a functioning economy and jobs component of these Hubs with one-way traffic to Toronto and points East in the morning, and the reverse in the evening.

5. Parking is a particular concern. 874 spaces are required under zoning. Applicants propose 581. There is no rationality except fantasy.

This number of spaces that is short – 293 – is the equivalent of almost 4 storeys (3.7 exactly). So this means down to 7 storeys.

In units, this amounts to 151 less than the 450 asked for.

I imagine that accounting for the massing equivalent of all the reduced standards asked for, and needed to make the application fit, would cut it down to under 6 storeys.

I was especially struck by the applicant assertion that to overcome the already severe parking problems at this location, that for the 22 parking spots proposed for street side, that the City should set up a system of monitoring or supervising these parking spots to ensure only use by residents or commercial customers, and no others.

The parking requirements applied for are nonsensical to me.

I agree that not every unit will have 2 or more cars, but it's just fantasy to say and assume that all units will have mostly 1 car, and visitors and commercial will be few, and thus dismiss the parking issue that is a reality.

All those thousands of unaccounted for vehicles are not going to disappear because the planners refuse to recognize they exist.

Resident comments were made:

"This is how you start parking wars (quoted a Guelph Line example). If you are 300 spaces short there is no way you can do this. There will be cars everywhere. Maybe not in 30 years' time. There will be a car or two for every unit with this building."

"Parking will be a colossal issue. I know the issues downtown because we sacrificed parking to the developers. It will spill out onto Clearview and impact Townsend. It's unfair for the developer to say we have a lot of land in order to justify height."

On this issue, Roz Minaji was reported to have said; . *"Just because proposed OP says 7 – 11 doesn't mean 11 is the best fit. Technical studies and parking play a role. "We won't allow 12 if there isn't adequate parking and amenity area"*

6. Set-backs on the North side are stated to be 26 feet, but all except perhaps 6 feet are one large parking lot and facilities, with no visible green space or screening, to separate from the single family neighborhood accesses by Clearview Ave.

A resident comment; *"I don't see greenery or landscaping in the plans. Just access and setbacks. Needs to be more pleasant."*

Roz Minaji is reported as saying: *"there is significant reduction in amenity area and we'll discuss that. Will also talk to applicant about green space along borders. Parks and Recreation will also review. ADI is providing a new 2 acre City park as part of 101 Masonry Court development."*

6. On traffic, a resident commented;

"Solid Gold is closed during the day and added 590 cars at rush hour will be a problem. Will there be any traffic calming?"

Going further on the traffic issue, no account appears to be made for the cumulative effects of proposed developments on the Plains Rd corridor. These developments include the present one, 35 Plains Rd E, 92 Plains Rd. E, Bingo-Home Hardware, and others that are likely in the future. This has clear implications for the reliability of the traffic, congestion, and safety estimates.

More generally, this proposal, as well as the others mentioned, (and staff are generally guilty of this too) is assuming car ownership rates to fit the proposal design.

This proposal is not discouraging car usage, as stated, but is clearly increasing the cars and their usage.

Despite this, with the help of car ownership and modal split assumptions, we have never seen a traffic study for an application ever fail the test – there is never a traffic impact, and the roads can handle whatever.

For just one thing that always stands out in the application reports, is the traffic and parking assertions. These are completely at odds with public comment and concern. I suggest that they do this in part to enable the heights and densities that are wanted, and cannot be physically accommodated in the build.

Further enabling are assertions that traffic is never above the road capacity, no matter how much is added, and the cumulative load is never considered. It doesn't matter what the real road congestion situation is.

Taken collectively, the assertions and conclusions made in support of the application are not substantiated by an evidence-based research design that can predict the future, and are professionally frowned on statements that overreach the research design.

7. In my view, 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.

Also negatively impacted are neighbourhood character, quality of life, traffic, safety, parking, scale, massing, setbacks, space for amenities, landscaping and buffering, noise and health.

The proposal does not consider a variety of community stakeholders, or any future residents, but particularly for families with children. Where will the children play and interact as community? There is no provision of green space. The proposal asks for reduced amenity area.

Overall, I conclude that the proposal for Solid Gold does not conform to the existing Official Plan of Burlington (OP), does not achieve compatible intensification, represents over-development of the site, and does not demonstrate good planning.

Thank you,

Tom Muir

70 Townsend Ave.