

PL-02-20
January 16, 2020 CPRM Committee

The Attached letter addresses the Martha Street Resident's Concerns regarding the "New Village Square Precinct".

The overall concept is very desirable, in that, the New Village Square Precinct provides an ideal transition from the North and the East communities into the core of the City and its amenities including Spencer Smith Park.

The notion of maintaining a village like character on South Martha and Pine St Corridor leading into the Village Square area appears to be totally lost due to the maximum height allowance in the New Precinct. Allowing an 11 storeys maximum designation for 2085 Pine St which is, located in the center of the Precinct and surrounded with 3 storey townhouses with the 3 storey Village Square on the other, defeats the ambition of the transitioning. The 11 Storeys is completely out of character with the New Precinct.

What is most disheartening, is that the 2085 Pine St property is currently zoned for 3 storeys DRM which eventually was approved with special exemptions to allow 5 storey maximum after an extensive 5-year process that was initiated 7 years ago.

Why didn't the City representatives that created the New Village Square Precinct designate the already approved 5 storeys for 2085 Pine?

What is very discouraging as well as quite insightful, is that the designated 11 storeys at 2085 Pine in the New Village Square Precinct coincidentally matches the current 2085 Pine Application recently submitted for an 11 Storey structure. It appears that the New Precinct proposal is in support of the developer application over the local residents and the previous City's approval.

Knowing the history, why is the City now appearing to be moving away from the 5 storey maximum it previously approved?

The 5 Storey approval and its design along with the Historic Heritage Home *Nelson Ogg-Jabez Clark House* built in 1847 on the site would be ideally suited in the New Village Square Precinct

Hopefully, a City representative will contact us in order to set up a meeting where there will be a response to our concerns and questions.

Please see our recommendation in the attached letter.

Please attach this recommendation to two Files namely;

1. Official Plan Recommended Land Use

2. 2085 Pine St 11 Storey Application Files:
505-03/19 & 520-06/19 -Previous File No 520-05/15 (PB-02/17) Approval -
October 2017 -5 Storeys

Sincerely
Gary Care

Memorandum

January 13, 2020

To: The Corporation of the City of Burlington

Alison Enns - Project Manager - Official Plan
Melissa Morgan Planner II
Brynn Nheiley, Manager of Development Planning
Heather MacDonald, Director of the Department of City Building
Lisa Kearns, Ward 2 Councillor
Marianne Meed Ward, Mayor

From: Gary Care, Sylvia Christie	402 Martha Street
Jim Shaw and Beth Shaw	404 Martha Street
Joe Donnell	406 Martha Street
Josh Lindsay	408 Martha Street
Don Wilson, Liz Wilson	410 Martha Street

Re: Response to Official Plan Recommended Land Use "Village Square Precinct V1 and V2" as Related to 2085 Pine St. 11 Storey Application Files: 505-03/19 & 520-06/19 - Previous File No 520-05/15 (PB-02/17) Approval -October 2017 -5 Storeys

As residents in the townhouses on Martha St which include five homes (402-410) and are located to the immediate east and adjacent to the 2085 Pine property, are writing this Memorandum in response to the Recommended Land Use as it specifically relates to the "New Village Square Precinct" and the property located in such Precinct namely 2085 Pine St. (*see map attached*)

Firstly, we would like to indicate our positive support for the New Village Square Precinct which includes east and west sides of Martha St, south from the Elgin St Promenade to Pine St and along the north side of Pine St extending west to and including the Village Square area from Pearl St to Elizabeth St.

Issue

Our concern with this Precinct as described in the recently released Recommendation Land Use is that it has two distinct areas in the Precinct that differ extensively. One area is designated as **V1** and has a maximum allowance of 3 storeys for the Martha St and the Village Square areas. The second area is designated as **V2** with a maximum allowance of 11 Storeys. One section of the second area V2 is located between the V1 Martha St area and the V1 Village Square area and contains the properties of 2085 Pine St directly behind the Martha St residents and the Ukrainian Church located at Pine and Pearl.

More specifically, we are greatly concerned that the City, in the process, has designated the 2085 Pine St property V2 at 11 Storeys which just happens to match the 11 storeys requested in the most recent Application for this property.

Our Councillor Lisa Kearns and Mayor Marianne Meed-Ward and City Planning are well aware of the history associated with this property as to the Applications, processes and decisions. After 5 years of countless meetings, studies, intensive negotiations and at the emotional expense of the adjacent

Martha Street Residents and at a substantial cost to the City and taxpayers, approximately two years ago, on October 17th, 2017 The City of Burlington's previous Mayor and Council passed a resolution to substantially alter the previous zoning bylaws governing the 2085 Pine St property as to height (originally 3 Storeys), mass and setbacks resulting in the City's approval of a 5 storey plus 1 storey parking structure.

The Martha St residents are concerned that designating the 2085 Pine St property as V2 - 11 Storeys clearly supports the developer's current Application for 11 Storeys and could result in influencing decisions by Planning Staff, Council and other governmental institutions in the future. We are also not convinced that this property can/will be restricted in height due to the conditions listed under the V2 designation of "requiring a 45 degree angular plane above 80% of the street width", as it is felt that this requirement may get lost in the planning/decision process.

Our Recommendation;

Remove completely the V2 designation from the New Village Square Precinct (except the V2 area above Village Square West of Pearl St) and proceed with the V1 designation from Martha St along Pine through to the Village Square along to Elizabeth St that includes both the 2085 Pine St Property and the Ukrainian Church with special designation as outlined following:

"The Village Square Precinct V1 shall be a Maximum 3 Storeys with the exception of 2085 Pine St with a Maximum of 5 Storeys as previously approved and the Church with a Maximum of 5 Storeys."

"The area directly above the Village Square West of Pearl St shall remain designated V2".

In closing we were most discouraged to see the V2 – 11 Storey designation being applied to 2085 Pine St particularly after all the issues the City and the Martha St residents went through with the approval to move the zoning from 3 storeys to 5 storeys just two years ago. We certainly hope that the City can assist with our recommendations to guarantee that this New Precinct will achieve its objectives namely; "to ensure a proper transition for the residents to the East and North of the New Village Square Precinct".

Sincerely



Gary Care



Don Wilson

Per the Martha St. Residents

(The Martha St. Residents have agreed and support the content herein.)

SOUTH MARTHA PINE ST CORRIDOR

"New Village Square Precinct"



- V1** New Village Square Precinct- Maximum 3 Storeys
- V2** New Village Square Precinct- Maximum 11 Storeys

Lake