

Additional Correspondence via the Planning Department

#	Contact Information	Comments	Date Received
1	Slav Solic [REDACTED]	I just read with interest a development proposal for new high rise development of Oval court in Burlington. Instead of building out Oval court, I suggest you redevelop the lands occupied by Sofina foods. I am happy to provide further insights on my thoughts on this matter.	10/12/2021
2	Matt Sylvester [REDACTED] Cape Avenue Burlington, ON [REDACTED]	<p>Thanks again for taking the time today to so patiently answer all my questions. Very much appreciated.</p> <p>As I mentioned, I am both a tenant of a storefront office just East of the Gas Station at Fairview & Appleby and am also a resident of Cape Avenue on the other side of the bike path from this development. Every day I walk right by this space to work. It's pleasant, calm and quiet as it currently is.</p> <p>Per our conversation, I just wanted to put in writing my formal concern about certain elements of this development. They are...</p> <ul style="list-style-type: none"> •Adding an expansion this size to our community will certainly cause more congestion in a variety of areas, including: <ul style="list-style-type: none"> oLocal stores – Grocery stores and LCBO nearby are smaller than average and in short supply oTraffic – Fairview is a dead-end at that point meaning all traffic from this new development will have to spill out into Appleby. Plus, soccer teams using the fields already park along Mullin Way and Fairview during their games. This would cause further congestion oFoot Traffic – There is only one small park for kids in the immediate neighbourhood and the bike path will also experience more traffic. oSchools – Robert Bateman was closed recently in our neighbourhood. Where will the extra students go? •The height proposed for this development will dwarf all other buildings and create an eyesore in the community •The proximity to the Fearman's Pork Plant is concerning to me, more for the sake of those people who might move into this space. This plant smells awful in the surrounding neighbourhood on certain days and protestors already cause traffic disturbances. I cannot imagine putting a residential building anywhere near such a detestable landmark. •What type of housing is going in here? There is mention of Affordable Housing, but what is the primary focus and how will it affect housing prices in the area. •The 125m rule for notifying home owners seems to me to keep a large number of the families affected by this change in the dark <p>Once again, thank you for including me in the discussion.</p>	10/13/2021
3	Marlene Sutherland [REDACTED] Cape Avenue Burlington, ON [REDACTED]	<p>Thank you for returning my phone call.</p> <p>As stated in my previous email I am opposed to the Oval Court development project almost in my backyard. The traffic in our area is already horrendous and putting that kind of project will just make driving almost impossible. The green space near and inside Sherwood Forest is so needed for our physical and mental health. It is used by hundreds of people daily who walk, run, ride bikes and enjoy outdoor activities there.</p> <p>Please do not allow this project to go further. We want to breathe fresh air and not car fumes and more noise.</p> <p>A concerned citizen.</p>	10/13/2021
4	Stephen White [REDACTED] White Pines Drive Burlington, ON [REDACTED]	<p>As a resident of southeast Burlington and a recent participant in Councillor Sharman's Town Hall Meeting on October 27th I am writing to provide my feedback and comments on the proposed redevelopment of the above-captioned property.</p> <p>Contrary to popular myth I and many other ratepayers in this City do not oppose development. We understand that times and circumstances change, and we recognize that the province has mandated a need for greater intensification. While in principle I personally believe the provincial government's overt focus on GTA intensification represents profound and serious environmental, health and overcrowding risks I willingly acknowledge that the City needs to deal with the realities that confront it.</p> <p>That being said, I believe there are substantial shortcomings in this proposal. The following is a summary of my concerns:</p> <p>1) Density: The proposed development site is adjacent to an existing residential neighbourhood on the south side of Fairview Street which is a mix of 3 storey townhouses and some four to six storey buildings. The developer's application involves several high-rise buildings intended to accommodate 3,681 residents on a site less than 5 hectares.</p> <p>2) Traffic Congestion: Fairview Street east of Appleby Line ends at Sherwood Park. As was mentioned during the Town Hall meeting there are no plans to extend Fairview through the Park or reconfigure the street to connect with Harvester. There is one way into this development and one way out.</p> <p>Because of this there is tremendous possibility for congestion. An influx of residents will add significantly to traffic volumes. This will be exacerbated in the mornings and evenings due to GO train patrons entering and exiting the Appleby GO stations. Assumptions made about increased public use of public transit are naive in the extreme, and there is no empirical evidence presented to infer that GO Train patrons will forego driving. As one who commuted to Toronto by GO Train for much of my forty years career, I can attest to the fact that a high proportion of Appleby station users arrive by car, and a significant number of them commute to the station from Waterdown, Hamilton and even Brantford. All of this will create severe problems for local residents.</p> <p>Because there is only one entrance to the station there is real potential for major traffic backlogs at the intersection of Appleby and Fairview. Currently, there are prolonged waits during rush hour traffic. These problems will be exacerbated once three thousand more residents are added.</p>	10/29/2021

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		<p>3) Impact Upon the Surrounding Neighbourhood: Many attendees at the October 26th meeting were residents of the neighbourhood on the south side of Fairview Street opposite the proposed site. Several of them spoke about the negative consequences associated with a prolonged construction period for this development. Several referenced the fact that they purchased their homes on the understanding that they were living opposite a transportation complex and not a multi-storey residential development. A number expressed concerns about shadowing caused by high rise buildings. The concerns they expressed are both reasonable and justified.</p> <p>4) Residential Housing Mix: One of the reasons cited for the need for a development of this scale is to provide affordable housing to families. That being said, this development proposes 1,996 residential units with 1.5 residents per unit. According to information provided by Branthaven 1,497 (i.e. 75%) of these units are one bedroom. Only 16% are two-bedroom units, and only 9% are configured for three bedroom homes. I would submit that this housing mix is does not meet the provincial government's expectations around affordable housing. In particular, one-bedroom units will not meet the requirements of families, particularly multi-generational households. Furthermore, less than 5% of these units are designated as affordable.</p> <p>5) Architectural Design: The development site proposes 8 buildings ranging in height from 11 to 30 storeys. Aside from the fact that these buildings are compressed into a very tight 4.5-hectare property the building design as reflected in the artist renderings is neither aesthetically pleasing nor unique. The buildings themselves are tall silhouettes in a style that is banal and visually unappealing. There is nothing architecturally distinctive about their design. The way the buildings are situated in a right-angle configuration is overpowering and far-reaching.</p> <p>6) Noise Abatement & Health Risks: A development of this scope and magnitude will occur over several years. It will produce excessive levels of noise that will be disturbing across the eastern part of the city. The forecasted timeline to develop this complex is apparently 4 – 5 years. That being said, there is the potential for hearing damage to children and residents through prolonged periods of construction. This will be exacerbated by dust, dirt and debris that are an inevitable by-product of construction and which will impact residents' breathing. Needless to say, the ability of homeowners in neighbouring locales to enjoy their homes will be adversely impacted.</p> <p>7) Downstream Flooding: In August 2014 a massive storm dumped 192 millimetres of rain in the City in less than four hours. 3,097 homes, most in East Burlington and south of this proposed development, were flooded. Property damage, according to the Insurance Bureau of Canada, was in excess of \$90 million. Global warming has increased the potential for flooding both over land and through storm sewage backup. The Oval Court development, coupled with another approved development at Appleby Village, will dramatically augment the amount of stormwater. Residents south of New Street stand to be adversely impacted if another storm of the calibre of the August 2014 occurs. The responsibility for mitigating flood risks resides with municipalities. The City determines which developments are approved, and, in conjunction with the Region of Halton, for maintaining and managing flood controls. That being said there are no estimates of what the downstream impact will be if this development is approved in its existing configuration, and no indication that Conservation Halton has been consulted on the potential impact that a development of this magnitude will create. I would respectfully submit that these are important preconditions that must be undertaken before this development is approved. As I am sure you are aware there is currently a \$1 billion class action lawsuit filed by homeowners against the Town of Oakville. This lawsuit (i.e. Banfi vs. Oakville et. al.) alleges that the Town knowingly permitted developments on flood plains. Estimates suggest that there are as many as 691 homes and half a dozen neighbourhoods in south Oakville that lie in flood-hazard zones. Regardless of whether this class action is certified by the courts it opens up the real possibility of legal liability against the City in cases where homeowners downstream of large developments experience significant flooding.</p> <p>8) Environmental Considerations: While it is encouraging to learn that Branthaven plans to plant trees, use permeable concrete and provide parkland and landscaping the fact remains that a development of this scope presents formidable environmental challenges. It should be noted that this proposed development site is south of a large area currently zoned for employment lands. To the northwest of this property is Fearnmans, a large animal and food processing plant. The odours emanating from this site are significant as anyone working nearby or using the GO Train facility will attest. Realistically, the ability of the developer to contain or minimize this is limited.</p> <p>9) Amenities: The developer has indicated that there are plans to provide retail space for stores, offices, library, etc. The Urban Design Brief references walkway promenades, open spaces, public art, greenway interfaces, etc. There were previous references to concert venues, farmers' markets, etc. However, there is a substantive difference between making spaces and services available versus actually having the amenities or services in place supported by signed contracts or guarantees. The fact is that many of the features identified and discussed in Branthaven's proposals are nothing more than aspirational objectives. Consequently, these elements should not be accorded any credence when evaluating the purported merits of this development.</p>	

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		<p>10) Shopping: The developer proposes to make spaces available for retail establishments. While in theory this is laudable three things need to be pointed out. First, many of the retail stores will inevitably cater to a limited clientele. Unless the retail facility offers a unique product or service not commonly found elsewhere in the City the likelihood that it will draw patrons from outside the immediate community is severely limited. Second, an increasing proportion of shopping is occurring online and not through “bricks and mortar” establishments. Third, the typical rents for retail space in high rise developments is generally much higher than in strip mall locations.</p> <p>11) Impact upon Area Businesses: During the presentation the President of Branthaven mentioned that several businesses on the existing Oval Court property would be displaced as a result of the redevelopment of this property. He alluded to the fact that they would be offered space in new offices once the new development had been completed. However, there was no mention of financial supports that might be offered to these businesses, and over what period of time.</p> <p>Redevelopment presents a formidable obstacle to any established business or tenant. A development of this scale and magnitude will take years to complete. I would submit that no business operation could be sustained continuously in the midst of such a profound and complete redevelopment. In all likelihood these businesses will likely relocate elsewhere, and there is no guarantee the employer or the jobs will remain in Burlington. That, in turn, represents a loss of revenue for the City.</p> <p>Over and above the preceding concerns, I would respectfully submit that in many ways the principles upon which this development was initially predicated are now somewhat obsolete. The reality is that the COVID-19 pandemic has caused many citizens to seriously re-evaluate lifestyle and working considerations. Within the past year there has been a significant exodus of residents from Toronto and other urban communities to smaller, rural centres. The shift to digitization, coupled with the widespread application and use of online technologies as part of the transformation to remote working, will dramatically reduce the need for people to live close to their place of work.</p> <p>A case in point is Shopify. Their head office is in Ottawa. A significant part of their workforce is now located in various centres around the world. They recruit globally for talent. This company, and others like it, are pioneers in a world that is increasingly oriented towards a global workforce. In short, digitization is rendering the concept of living and working in close proximity obsolete.</p> <p>A Better Approach:</p> <p>In my opening I mentioned that most residents are not opposed to development per se. What would, in my opinion, be a better plan for this site is one medium-sized, six storey building in the centre of this complex surrounded by a mix of three storey buildings and connected townhouses. The majority of these properties would be three-bedroom units that would appeal to and address the housing needs of families.</p> <p>The advantages to this type of plan would be as follows:</p> <ul style="list-style-type: none"> • It would cater to the housing needs of families; • The timeframe in which to complete this development would be significantly reduced, as would the negative impact upon nearby residents; • The impact upon the existing transportation system would be lessened; • A development of this type and scale would be consistent with and complement the existing residential neighbourhood to the south of Fairview Street; • The potential negative externalities caused by downstream flooding would be reduced. <p>Conclusion:</p> <p>In summary, I trust you and other local officials will take seriously the arguments presented in this communication. Thank you for the opportunity to provide feedback on this important issue.</p>	