

CPRM April 12, 2022

PL-24-22

Delegation material from Don Fletcher



## Citizens' PLAN B Delegation

Statutory Public Meeting re:  
Planning's Recommendation PL-24-22

D. Fletcher  
April 12<sup>th</sup>, 2022

# Vrancor Application

- **Mixed use development featuring:**
  - **Two towers (30 & 35 storeys) atop 5/6 storey podium**
  - **557 residential units & 122-room hotel**
  - **4 floors underground parking**
  - **Floor Area Ratio 7.6:1**
- **Level of intensification proposed heavily dependent on MTSA/UGC designations downtown**
- **Application originally submitted October 22<sup>nd</sup> (just prior to ROPA 48) but not deemed complete until December 17<sup>th</sup>, now being assessed & decided on by City on April 12<sup>th</sup>, 2022 (prior to April 16<sup>th</sup> deadline).**

THIS IMAGE SOLELY REPRESENTS PLAN B'S INTERPRETATION OF THE PROPOSED DEVELOPMENT

# Application from PLAN B's Perspective

- Our focus remains on ensuring that any redevelopment of the Waterfront Hotel
  - Enhances the Brant Street gateway to Lake Ontario &
  - Extends the green/ open space of Spencer Smith Park
  - The Application fails to accomplish either.
  
- We acknowledge & respect the property owner's right to profit from his investment, and that this will necessitate a "reasonable" amount of massing & building height.
  - The BUD panel experts & majority of residents consider inappropriate for its' context.
  
- PLAN B has sought a "Win Win Win" for all parties.
  - Application provides little to no evidence that community feedback has been considered

# Planners' Assessment (PL-24-22) of Application

- *Proposed development is at a scale & intensity that is inappropriate for the existing & emerging local context.*
- It is not consistent with the Burlington OPs, Halton ROP or Ontario Provincial Policy Statement (PPS) & does not conform to local policies of built form, urban design & parkland dedication
- Application has not provided for land being conveyed to the City under existing Parkland Dedication policies & by-laws. Parks Design & Construction clearly requires land on the West & South sides of the property to improve pedestrian mobility and access for emergency/ maintenance & large event vehicles, for the future. *The City can exercise this right, in good faith.*

## Planners' Assessment (PL-24-22) cont'd

- Only 4 of 13 Intensification Criteria (1997 OP) are satisfied, and 8 of 16 WHPS June 2018 Key Policy Directions are met.
- Applicant's Park Concept Plan offers a public washroom, but is sadly deficient in integration of planned development with Spencer Smith Park.
- Shortfall of 100 +/- parking spaces
- Below-grade parking that is built out to lot lines (& apparently beyond) ignoring the 3m setback Zoning By-law requirement.
- Ramp from underground parking that does not provide minimum 7.5m setback to allow those exiting in cars to see pedestrians & cyclists at street level.
- 49 of 53 (arguably healthy) trees on-site and within 5m will be removed.

# PLAN B endorses Planning's Recommendation

- The analysis is objective, well-researched and comprehensive.
- Based on the extent of the deficiencies, errors & omissions and violations identified in the analysis, the Approve with Modifications option that we recommended at the February 15<sup>th</sup> Statutory Public Meeting is obviously not workable.
- PLAN B wholeheartedly endorses recommendation PL-24-22 to **REFUSE this application**

# Waterfront Hotel Planning Study Impact

- The Preferred Concept 2022 provides a development design concept that balances the viewpoints of Residents, vision of City & its' Planners and the needs of the Property Owner. It also solidifies the City's Parkland Dedication requirement.
- 16 Key Policy Directions (PB-23-18) have already provided a planning framework & informed the Applicant's development of the Application & the Planners' Assessment.
- WHPS PL-28-22 will uniquely influence any future:
  - Negotiations between the City & the Applicant
  - OLT appeal(s)
  - New Application(s)
- PLAN B strongly recommends that **WHPS PL-28-22 (as amended) be approved without delay.**

## Assuming PL-24-22 Approval, What's Next?

- Reach out to Vrancor < 20 days, attempting to:
  - Separate Wants from Needs
  - Establish WHPS's TPC 2022 as Basis for Moving Forward
  - Negotiate a "Win Win Win"
  
- Be Prepared for OLT Appeal



# Apply Lessons Learned at OLT

- **Develop a Comprehensive Strategy**
  - Identify Points of Leverage
  - Establish Goals
- **Build Competent Multi-disciplinary Team**
  - Top Gun Litigator(s)
  - Bona fide Expert Witnesses
  - Project Manager
- **Execute Plan**
  - With Passion & Persistence



Questions?

