

Bajwa, Reena

From: Tom Betty.muir [REDACTED]
Sent: Sunday, March 03, 2019 12:21 PM
To: Bajwa, Reena; Sharman, Paul; Meed Ward, Marianne
Subject: Re: City of Burlington DC Consultation Committee - Meeting Package March 4th

Follow Up Flag: Follow up
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Hi,

Thank you for the meeting reminder and package.

This message is in followup to my my message of February 19 regarding the Transportation and Transit services parts of the DC Background study.

I note with interest the Agenda item of the March 4 Meeting providing Transit Background information.

1.To cut to the chase, this reflects the concerns and critical review of my previous message regarding the lack of any rationale in the form of Methods and Materials to support the 2019 - 2031 Ridership and Modal Split Forecasts. Instead, we are presented with something based on assumptions and assertions.

It reminds me far too much of my Feb. comment that it reflects the Grow Bold OP model where the City transportation system, and residents behavior, will somehow be forced to a configuration where people use and have fewer cars, and they walk, bike and bus everywhere, whether they like it or not. You can see this describing language in the Summer 2018 City Talk pamphlet describing the Grow Bold OP model, and in particular, how residents will change their behaviors so as to own and use fewer cars and to instead walk, bike and bus much more. In fact, during the election the former Mayor actually told residents that in the Grow Bold future, there would actually be fewer cars.

Plainly put, I do not agree with any of these forecasts and, as I indicated, I see absolutely no foundation for any of it. And I don't think that focusing on the Peak PM period really changes the crux of the matter, or the underlying policy analysis problem that all we are presented with here are numbers based on unsubstantiated assumptions, and assertions. It's plainly an imaginary world.

My key concern is that I see a simile of the Grow Bold transportation and transit model, a key reason the adopted OP was refused by the Region, has not been vetted publicly, and in fact does not exist, coming in the back door to form a major component on this draft DC Plan. As a result, I see this as dangerous to the recent unanimous Council policy decision to revise the adopted but unapproved OP moving forward.

A consequence of building these Grow Bold copy-cat Transportation Forecasts into the DC bylaw, they will become an approved 10 year Plan and will become a vexing obstacle to whatever the Council might decide to do in the OP revision. No matter what you may think of these forecasts, they are a very serious long-term and costly commitment that has no public process whatsoever, and was a key issue in the election.

We should never allow such a decision to come in the back door as a component of a DC Bylaw that will never garner the public attention and engagement that the OP revision process will. This is serious business.

2.This traffic mess we are in has been consistently worked on for 40 years, so without a credible, evidence based rationale why the Forecasts laid out here have any credibility, why would any sane person think it will become any different?

Trips have multiple and interrelated functions, and practical purposes, that make them more than just numbers and percentages that can be added and subtracted at will like they are perfect substitutes. This is simply not correct.

They are at best imperfect substitutes that have complex contextual determinants that vary in time and place. They are subject to a functional arithmetic, so you can't just add and subtract trip and modal splits like each trip type or function can be identified exactly, and separated, acting like it is okay to assume they can be treated as such and add up linearly to 100%.

In any real world that we can get to from here, biking and walking will never replace any meaningful number of functional car trips. Where is the evidence and analysis to support a doubling of walking and biking. The dedicated biking lane pilot on New St. only increased measured average peak use by 25%, but these were trivial numbers, as I recall the reported data said.

And if the substantial DC cost for transit presented here as BTE and the increase in transit share, is needed to increase transit trips 600% then where is the evidence and analysis to support this rationally, and publicly/politically?

Again, I think it's all assumptions, and moreover, again, it is based on the Grow Bold Planning model of the adopted but not approved OP that the present Council has rejected. Again, I say read the Summer 2018 City Talk pamphlet for yourself to see what is in store in this imaginary world. That pamphlet treats these modes in an exact add and subtract arithmetic manner as I described here. There is no room for doubt, error or consequences in the model presented in this pamphlet.

3. According to the DC reports; *"The 10-year gross capital costs of the transit program is significantly greater than the 2013 DC Study (i.e. \$1.9 million in 2013 vs. \$42.7 million in 2019). However, the DC recoverable costs are similar at approximately \$1.4 million. This is due to the benefit to existing deduction (83%) and the underlying increase in transit mode share assumptions to 2029."*

And this is just the capital costs (more than \$3.6 million/yr), to which have to be added the operation and maintenance overheads, all added to taxes. Where is all this extra cost and taxes going to come from? From where I sit, this scale of forced rejigging of people's lives, without yet consulting them, without a new OP, without a new Transportation and Transit Plan and new Parking Plan, doesn't pencil out in either process or fact.

Providing free service to seniors and the working poor is one thing I surely support, without hesitation, but this is another thing altogether.

4. It does not fit together. It never will because what they say is not possible in our world. It doesn't visibly take into account Burlington's contextual reality, and the constraints it imposes. Context is everything.

Future primary mode of transportation, based on available empirical evidence (observed facts continuing to build up as we speak) will always be cars, is a short answer.

A longer answer with some explanation - despite wishful thinking, and stupid talk about there being "fewer cars" in the OP future, no other alternative modes can replace all the existing and additional cars and trucks sufficiently to make a real dent in growing numbers of people (intensification based or not) bringing along more cars as a rule.

And we must not forget that more people density, more people per hectare, means more transport and other supply trucks are needed per hectare, compared to the lower density now.

It is nonsense talking about this growth producing a reduction in the number of cars and trucks that already exist.

A little more answer – walk and bike and bus all you want, but most people basically have to drive to survive in Burlington and surrounds. It's called needs and distance and time and family and so on in reality.

Commercial and jobs are being threatened or destroyed by City policy allowing conversions to tall condos as we speak, so walk and bike to what?

Empty buses I see a lot of. I saw one the other day heading towards Aldershot high school – it runs part of the day. Why do we need more capacity if it will be empty? It's expensive the way it is being run at present. Where are the overcapacity estimates of the Forecasts? What about the overall capital and current costs, and tax impacts?

Years ago, for this reason of empty buses, they cut my bus, the Aldershot route down Townsend Ave to downtown, which I used daily to get to the hospital and then walk the rest of the way to work in winter. I biked the rest of the year. This cancelled route alternative thus became a disjointed, transfer needy, and longer walk, so it didn't work for me.

Isn't the way it used to be for me just what the City dreams about? I did it, so I'm in favor, but what City Hall has in mind doesn't work for me – it doesn't pencil out.

The only cure for the uncertainty in whether people will actually ride the bus is to make the ride something like Doug Ford's "Buck a Beer". How about a "Buck a Bus-Ride?". Seniors for free whenever is a no-brainer.

5. The story reflects the way I have seen how this City works during my lifetime in Burlington and Hamilton. Whatever they want to do they tell a story about it. If what they want to do changes, they make up another story.

Each story always includes a bright and rosy future for The Plan of the day. 15 or 20 years ago The Plan was the Big Box stores and Power Centers, so everyone had to own a car and drive a distance.

This is still in control of how we live, and is growing – Clappison's Corners in Waterdown is just one example. Remember we are going to rebuild and expand Waterdown Road - so we can drive less? Big bright future was the word.

Then some New Plan comes along, based on disavowing the tenets and requirements of the Big Box Plan previously touted as the great way we had to live, but we are supposed love the new Plan and look forward to the blue sky future.

But hidden in this future we are now supposed to give up all the standards of living, and city, that the Previous Plan was based on, and provided. Now everything has to be standardized downward. We have to make everything fit the New Plan.

Out with the car. Walk, bike and bus are the rosy future. But Big Box still rules, so how do we walk or bike or bus there?

How to get to Costco, Walmart, Clappison's Corners, Terra Landscape, Connon's Garden Center, Canadian Tire, and so on.

The bus doesn't go there. I need a case of beer, a lawnmower, lumber, groceries for a week, hockey for the kids, music lessons, all of this on Saturday, etc etc. Try walking, biking or busing this stuff there and home.

How is this rosy? In fact, it isn't the best of all possible worlds, but is being imposed by unthinking stupidity, by planners and some politicians who told us, and may still tell us, not to believe our eyes and ears.

What we just went through trying to remake all this in a New Plan, the adopted Official Plan, recently put on a track of revision by the present Council unanimously, suggested recently that we don't have a choice - the province is making us do it. It's the monster called intensification, and it needs to be tamed. But let's not relapse to the refused OP.

And now I see that the intensification plan that came to be the adopted OP is reflected in this DC Draft report, and is also coming with a very big price tag and cost to existing residents. As always and even more, the new development won't be paying for the services that are needed according to some of the service plans, like Transportation and Transit.

I think the Mayor and Council have their work cut out for them to get the procedural orders in place to organize and schedule the work that needs to be done to get this juggernaut train still moving on us from the past, redirected to what we said we wanted, voted for, and what our newly elected Council have vowed to deliver.

The DC exercise now underway is a good place to start, and needs good sense and a good job from this DC Consultation Committee. This needs to be taken seriously.

I invite a counterargument and good faith attempt at rebuttal of my argument here. I think this is the job of staff as a means of accountability.

Thank you,

Tom Muir

----- Original Message -----

From: "Bajwa, Reena" <Reena.Bajwa@burlington.ca>

Date: March 1, 2019 at 3:12 PM

Good Afternoon,

Just a reminder we have our next meeting scheduled for **Monday March 4th from 8:00 – 10:30 AM** in room 305.

Attached is the agenda and additional materials for your review and discussion on Monday.

The attachment includes:

- Agenda
- Meeting minutes (February 19)
- Email from Tom Muir (public representative on the Consultation Cmte.)
- Follow Up Items:
 - Building Permit Activity
 - Comparison to BPE figures
- Transit Background Information

City staff from Transportation, Transit, and Parks will be present at the meeting for any detailed project specific questions and will provide maps that details project location for certain growth projects. Copies of the attached meeting package will be provided at the meeting.

Also a friendly reminder to please bring along with you the overview presentation and draft technical appendix handed out at the first meeting for continued reference and discussion.

Have a good weekend,

Regards,

Reena

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**City of Burlington 2019 D.C. Study
New Projects Identified in 2019 D.C. Study by Service**

	Date	Gross Capital Cost	D.C. Recoverable Cost
<u>Fire Protection Services</u>			
Fire Master Plan and Community Risk Assessment	2019	150,000	60,000
<u>Transportation Services</u>			
Harvester Road at Walker's Line Intersection Improvements & Widening	2028	5,800,000	2,755,000
Harvester Road Sidewalk (South Service Road to Century Drive)	2020	1,080,000	972,000
Integrated Mobility Plan	2030	400,000	160,000
Asset Managemen Plan - Legislated Update	2020	50,000	20,000
<u>Transit Services</u>			
Burlington Transit Operations Expansion	2021	650,000	26,325
Burlington Transit Operations Expansion	2022	10,500,000	425,250
Burlington Transit Operations Expansion	2023	10,500,000	425,250
Transit 5 Year Business Plan Update	2023	250,000	11,475
Stop and Shelter Improvements at Key City Locations	2020	500,000	22,950
Stop and Shelter Improvements at Key City Locations	2021	500,000	22,950
Fairview Street Bus Bays	2019	402,000	68,340
Expansion Conventional Transit Vehicles	2019	1,901,745	323,297
Expansion Conventional Transit Vehicles	2020	1,267,830	58,193
Expansion Conventional Transit Vehicles	2021	1,267,830	58,193
Expansion Conventional Transit Vehicles	2022	1,267,830	58,193
Expansion Conventional Transit Vehicles	2023	1,267,830	58,193
Expansion Conventional Transit Vehicles	2024	1,901,745	87,290
Expansion Conventional Transit Vehicles	2025	1,901,745	87,290
Expansion Conventional Transit Vehicles	2026	1,901,745	87,290
Expansion Conventional Transit Vehicles	2027	1,901,745	87,290
Expansion Conventional Transit Vehicles	2028	1,901,745	87,290
Expansion Handi-Van Vehicles	2019	233,700	39,729
Expansion Handi-Van Vehicles	2020	233,700	39,729
Expansion Handi-Van Vehicles	2022	233,700	39,729
Expansion Handi-Van Vehicles	2024	233,700	39,729
Expansion Handi-Van Vehicles	2026	233,700	39,729
Expansion Handi-Van Vehicles	2027	233,700	39,729
Expansion Handi-Van Vehicles	2028	233,700	39,729
<u>Parks and Recreation Services</u>			
Multi-Use Trail	2024	100,000	21,600
Multi-Use Trail	2025	909,100	196,366
Multi-Use Trail	2026	909,100	196,366
Multi-Use Trail	2027	909,100	196,366
Multi-Use Trail	2028	909,100	196,366
Multi-Use Trail - Sheldon Creek	2021	200,000	43,200
Multi-Use Trail, Hydro Corridor - Mainway to Upper Middle	2022	350,000	75,600
<u>Library Services</u>			
Library (New Appleby) - Southeast Service Expansion Study	2020	30,000	15,519

Note: project list does not include removed/completed projects.



City of Burlington Development Charges Background Study


Consultation Committee Meeting #4

March 18, 2019

Agenda



1. Background of City's Current Development Charges (D.C.) By-Law & Policies
2. Proposed Changes DC By-Law, Policies & Discussion (separate handout provided)



Background of City's Current Development Charges By-Law & Policies

Proposed Schedule of Charges



- Services and types of development maintained from current D.C By-Law
- Charges are payable at the time of first building permit issued (i.e. foundation permit)
- City may enter into an agreement, providing for all or part of a development charge to be paid before or after it otherwise would be payable

Calculated Draft Rates

Service	RESIDENTIAL						NON-RESIDENTIAL (per m ² of GFA)	
	Single and Semi-Detached Dwelling	Apartments - 2 or more Bedrooms	Apartments - Bachelor or 1 Bedroom	Multiples - 3 or more Bedrooms	Multiples - 1 or 2 Bedrooms	Special Care/Special Need	Retail	Non-Retail
Transportation	\$ 8,952	\$ 4,553	\$ 3,355	\$ 6,445	\$ 5,103	\$ 2,878	\$ 121.22	\$ 82.50
Storm Drainage	\$ 1,344	\$ 684	\$ 504	\$ 968	\$ 766	\$ 432	\$ 4.83	\$ 4.83
Fire Protection	\$ 157	\$ 80	\$ 59	\$ 113	\$ 89	\$ 50	\$ 1.71	\$ 1.71
Transit	\$ 214	\$ 109	\$ 80	\$ 154	\$ 122	\$ 69	\$ 2.15	\$ 2.15
Parks & Recreation	\$ 2,249	\$ 1,144	\$ 843	\$ 1,619	\$ 1,282	\$ 723	\$ 1.05	\$ 1.05
Library	\$ 166	\$ 84	\$ 62	\$ 120	\$ 95	\$ 53	\$ 0.08	\$ 0.08
Studies	\$ 25	\$ 13	\$ 9	\$ 18	\$ 14	\$ 8	\$ 0.25	\$ 0.25
TOTAL	\$ 13,107	\$ 6,667	\$ 4,912	\$ 9,437	\$ 7,471	\$ 4,213	\$ 131.29	\$ 92.57

Statutory Exemptions



- The *Development Charges Act*, along with regulation O.Reg. 82/98, provides legislated statutory exemptions from payment of development charges for:
 - Industrial expansions of up to and including 50% of the existing GFA of the building - for industrial additions which exceed 50% of the existing GFA, only the portion of the addition in excess of 50% is subject to D.C.s
 - Land used for Municipal or Board of Education purposes
 - Residential development that results in only the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units

Non-Statutory Exemptions



- The City's D.C. By-Law (46-2014) also provides non-statutory exemptions from payment of development charges with respect to:
 - Places of Worship
 - Hospitals, excluding any portion of the lands, building or structures occupied by the tenant of the hospital
 - Conservation Authority
 - Parking Garages
 - Agricultural Uses
 - Seasonal Structures and Temporary Venues

Lot Coverage Relief



- Where there is a non-residential development, the development charges otherwise payable shall be calculated in accordance with the following:
 - for the portion of the total floor area of the development that is less than or equal to one (1.0) times the area of the lot or block, the non-residential development charges under the by-law apply
 - for the portion of the total floor area of the development that is greater than one (1.0) times the area of the lot or block, the non-residential development charges does not apply

Redevelopment Credits

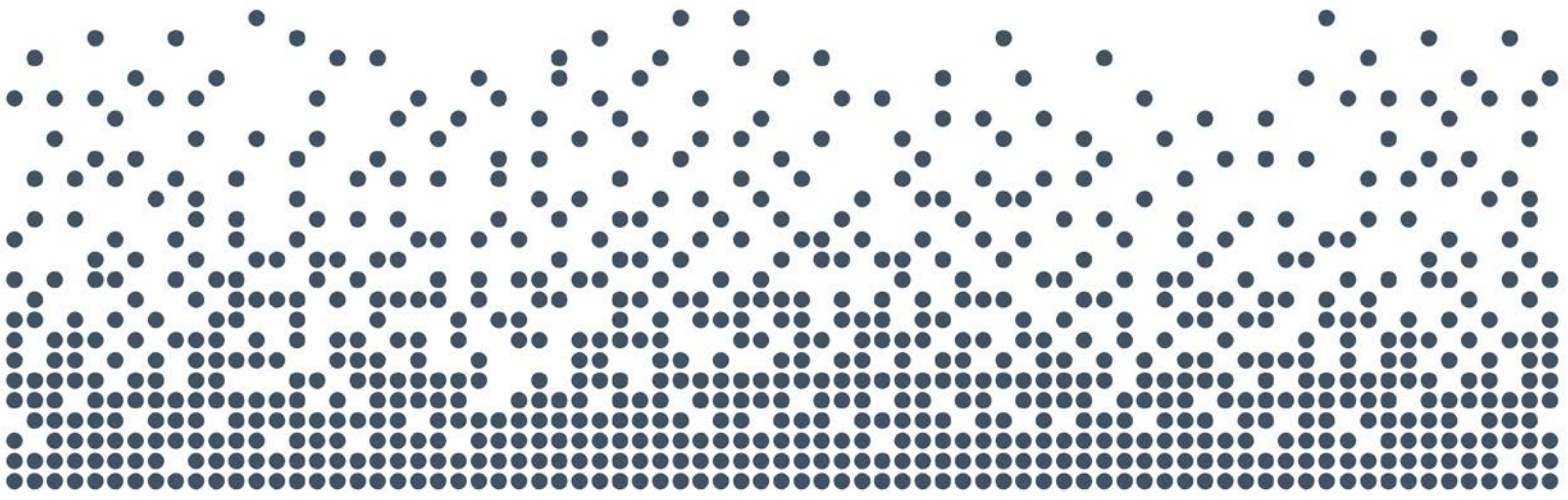


- Redevelopment credits are provided for the redevelopment of lands through the demolition or conversion of an existing building or structure
- Where a building permit has been issued for the redevelopment within five (5) years from the date that the demolition permit was issued, a credit is provided against the D.C. otherwise payable
- The credit is calculated based on the portion of the building or structure demolished, multiplying the number and type of dwelling units or non-residential total floor area demolished/converted by the relevant D.C. in effect at the time of payment
- No credit is allowed where the demolished/converted building or structure would have been exempt for D.C. payment under the by-law
- Where the amount of any credit exceeds the amount of the D.C. payable no refunds are provided, and shall not be carried forward unless expressly permitted by a phasing plan acceptable to the Director of Finance or equivalent

D.C. Indexing



- Development charges imposed under the City's by-law are adjusted annually on April 1st
- The charges are indexed in accordance with the year-over-year change in the prescribed index, i.e. Statistics Canada Quarterly, Construction Price Statistics (catalogue number 62-007)



D.C. Policy Changes



D.C. Policy Discussion

1. Definitions

1.1 Agricultural Use

Refine agricultural use definition to exclude commercial uses of breeding and grooming domestic animals and marijuana facilities.

By-Law 46-2014

- “agricultural use” means a bona fide farming operation, including greenhouses which are not connected to Regional water services or wastewater services, sod farms and farms for the breeding and boarding of horses, and includes, but is not limited to, barns, silos and other ancillary buildings to such agricultural use but excluding in all circumstances any portion thereof used for a residential use, a retail use, a non-retail use, or the boarding of domestic animals

Proposed Change

- “agricultural use” means a bona fide farming operation, including greenhouses which are not connected to Regional water services or wastewater services, sod farms and farms for the breeding and boarding of horses, and includes, but is not limited to, barns, silos and other ancillary buildings to such agricultural use but excluding in all circumstances any portion thereof used for a residential use, a retail use, a non-retail use, marijuana production facility, or the breeding, grooming, or boarding of domestic animals
- “marijuana production facilities” means a building used, designed or intended for growing, producing, testing, destroying, storing or distribution, excluding retail sales, of medical marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, S.C. 1996, c.19



1.2 Industrial

Replace City's definition with that in the Region's D.C. by-law for consistency of treatment between jurisdictions and reflecting the underlying D.C. growth forecast assumptions.

By-Law 46-2014

- currently undefined, with the exception of applying “rules with respect to industrial expansion exemption” (s.19)

Proposed Change

- “industrial” means non-retail uses where the land or buildings, or portions thereof are intended or designed for manufacturing, producing, processing, storing or distribution of something, including research or development in connection with manufacturing, producing or processing something, and the retail sale by a manufacturer, producer or processor of something that they have manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place, as well as office space that is ancillary to the producing, processing, storing or distribution of something at the site, but shall not include self-storage facilities or retail warehouses

1.3 Retail Use

Replace City's definition with that in the Region's D.C. by-law for consistency of treatment between jurisdictions and reflecting the underlying D.C. growth forecast assumptions.

By-Law 46-2014

- “retail use” means lands, buildings or structures or portions thereof used, or designed or intended for use for the offering of foods, wares, merchandise, substances, articles or things for sale directly to the public or providing services or entertainment to the public. Retail use:
 - (i) includes, but is not limited to:



(1) land, buildings or portions thereof used, designed or intended for use for the rental of wares, merchandise, substances, articles or things;

(2) offices and storage in connection with, related to or ancillary to retail use; and

(3) conventional restaurants; fast food restaurants; concert halls/theatres/cinemas/movie houses/drive-in theatres; automotive fuel stations with or without service facilities; specialty automotive shops/auto repairs/collision services/car or truck washes; auto dealerships; shopping centres and plaza, including more than two attached stores under one ownership; department/discount stores; banks and similar financial institutions, including credit unions; warehouse clubs and retail warehouses; and

(ii) excludes freestanding bank kiosks

Proposed Change

- “retail” means lands, buildings, structures or any portions thereof, used, designed or intended to be used for the sale, lease or rental or offer for sale, lease or rental of any manner of goods, commodities, services or entertainment to the public, for consumption or use, whether directly or through membership, but shall exclude commercial, industrial, hotels/motels/bed and breakfast facilities, as well as offices not located within or as part of a retail development, and self-storage facilities”

1.4 D.C. Treatment for Mobile Homes

Include rule within the D.C. by-law that these developments would be treated as seasonal structures (where not permitted to occupy year-round) and would be exempt for payment of development charges.

By-Law 46-2014

- “single-detached dwelling” means a completely detached building containing only one dwelling unit and includes a mobile home



Proposed Change

- “seasonal structure” means a building or structure placed on land and used, designed or intended for use for a non-residential purpose during a single season of the year where such building or structure is designed to be easily demolished or removed from the land at the end of the season, including mobile homes unable to be occupied year-round

1.5 Payment of D.C. where One Building Permit is required for Multiple Structures

Current D.C. by-law requires payment D.C.s for all units (multiple towers) at the time of first building permit issued (foundation). Separate policy would allow developer to enter into an agreement with the City to have developments within subsequent structures paid at the time of super structure.

By-Law 46-2014

- Development charges, adjusted in accordance with section 38 of this By-law to the date of payment, are payable at the following times:
 - (a) Charges imposed under section 16 in relation to residential use are payable on the date that the first building permit approving the construction of a foundation is issued; and
 - (b) Charges imposed under section 17 in relation to non-residential use and retail use are payable on the date that the first building permit approving the construction of a foundation is issued

Proposed Change

- City to develop a new policy to deal with “super structures”, capturing the deferral of D.C. payments for both residential and non-residential developments to allow for deferral based on timing of super structures (e.g. towers) and not foundation building permit



1.6 D.C. Treatment of Hospices

Clarify D.C. treatment of hospices to be included within Hospital definition, where affiliated with a public hospital, and exempt for D.C. payment accordingly.

By-Law 46-2014

Notwithstanding section 17, development charges shall not apply to lands, buildings or structures used or to be used for the purposes of:

- (a) a hospital, excluding any portion of the lands, buildings or structures occupied by a tenant of the hospital
- “hospital” means land, building or structures used and occupied by a public hospital that receives provincial aid under the Public Hospitals Act, R.S.O. 1990, c. P. 40, excluding any portion of the land occupied by a tenant of the hospital

Proposed Change

- City to clarify and modify D.C. by-law policy as required