SUBJECT: Statutory Public Meeting – 441 Maple Avenue Official Plan Zoning By-law Amendments

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-23-19

Wards Affected: 2

File Numbers: 505-02/19 and 520-03/19

Date to Committee: April 1, 2019

Date to Council: April 23, 2019

Recommendation:

Receive and file department of city building report PB-23-19 regarding official plan and zoning by-law amendments for 441 Maple Avenue.

Purpose:

The following objectives of the City's Strategic Plan apply:

A City that Grows

- Intensification
    - Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.

- Focused Population Growth
    - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.

REPORT FACT SHEET

RECOMMENDATION:	None; information only		***Ward:***	2
Application Details	***APPLICANT:***	*MHBC Planning (Kelly Martel)*		
	OWNER:	*Better Life Retirement Residence*		
	FILE NUMBERS:	*505-02/19 & 520-03/19*		
	TYPE OF APPLICATION:	*Official Plan and Zoning By-law Amendment*		
	PROPOSED USE:	*11-storey residential building*		
Property Details	***PROPERTY LOCATION:***	*East side of Maple Avenue, north of Lakeshore Road*		
	MUNICIPAL ADDRESSES:	*441 Maple Avenue*		
	PROPERTY AREA:	*0.28 hectares*		
	EXISTING USE:	*Two-storey long-term care facility*		
Documents	***OFFICIAL PLAN Existing:***	*Downtown Residential – Medium and/or High Density Precinct*		
	OFFICIAL PLAN Proposed:	*Downtown Residential – Medium and/or High Density Precinct with site specific policy*		
	ZONING Existing:	*Downtown Residential High-Density (DRH)*		
	ZONING Proposed:	*Downtown Residential High-Density with site specific exception (DRH-XXX)*		
Processing Details	***APPLICATION RECEIVED:***	January 11, 2019		
	STATUTORY DEADLINE:	September 24, 2019		
	NEIGHBOURHOOD MEETING:	November 14, 2018		
	PUBLIC COMMENTS:	5 e-mails and 2 letters		

Background and Discussion:

On January 11, 2019, the Department of City Building acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 441 Maple Avenue. The purpose of these applications is to amend the Official Plan and Zoning By-law in order to facilitate a residential development consisting of one 11-storey residential building. The location of the subject lands is illustrated in “Appendix A”. A Detail Sketch of the development proposal is provided in “Appendix B”.

The purpose of this report is to provide an overview of the proposed application and provide an outline of the applicable policies and regulations as well as a summary of the technical and public comments received to date. This report is intended as background information for the Statutory Public Meeting.

Site Description:

The subject property is located on the east side of Maple Avenue, north of Lakeshore Road. The property has an area of 0.28 hectares (0.69 acres). The site currently supports a two-storey long-term care facility which is proposed to be demolished. Surrounding land uses include the following:

North: Mid-rise apartment buildings (6 and 11 storeys)

East: Hydro Corridor and Pipeline Right-of-Way, currently used for parking

South: Mid-rise apartment building (11 storeys)

West: High-rise apartment building (14 storeys) and low-density residential (2 storeys)

Discussion

Description of Application

The City of Burlington is in receipt of the following applications:

- 505-02/19 – Official Plan Amendment to re-designate the subject lands from “Downtown Residential – Medium and/or High Density Precinct” to “Downtown Residential – Medium and/or High Density Precinct” with a site specific policy to permit additional density; and,
- 520-03/19 – Zoning By-law Amendment application to rezone the subject lands from “Downtown Residential High-Density (DRH)” to “Downtown Residential High-Density with site specific exception (DRH-XXX)”.

The current Official Plan designation on the subject lands is “Mixed Use Centre” in accordance with Schedule “B” of the Official Plan and is further designated “Downtown

Residential – Medium and/or High Density Precinct" in accordance with Schedule "E" of the City's Official Plan. The current zoning is "Downtown Residential High-Density (DRH)". The applicant is proposing to construct a new 11-storey residential building. Site specific amendments to the Official Plan and Zoning By-law are required to facilitate the proposal.

The proposed development would contain 153 units and have a density of 547 units per hectare. The building is proposed to be stepped down to 9 storeys abutting Maple Avenue with a pedestrian entrance facing Maple Avenue. 164 parking spaces are proposed within three levels of underground parking, and an additional 15 parking spaces are proposed to be used as visitor parking spaces on the adjacent hydro lands through a lease with Hydro One. The underground parking garage is proposed to be accessed from the south side of the site, where a drop-off location is also provided. Common indoor amenity space is proposed on the ground floor, with outdoor amenity space proposed on the tenth floor.

Technical Reports

The applicant submitted the following technical reports in support of the subject application to be reviewed by various departments and technical agencies.

- Planning Justification Report, prepared by MHBC Planning Limited, dated December 2018.
    - Discusses the proposed development with respect to the applicable policy framework;
    - Concludes that the proposal is in keeping with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Halton Region Official Plan;
    - Concludes that the proposal is not in keeping with the City's Official Plan and Zoning By-law; and provides rationale for the proposed amendments.
- Site Plan and Elevations, prepared by Michael Spaziana Architect Inc., dated December 2018.
    - Includes the Site Plan, building statistics, building elevations and proposed features of the site such as entrances and amenity area.
- Urban Design Brief, prepared by Michael Spaziana Architect Inc., dated December 2018.
    - Provides a summary of surrounding developments and heights of adjacent buildings;
    - Reviews the proposal in light of the urban design policies of the Official Plan;

    - Provides angular plane study and shadow analysis which identifies no negative impacts due to increased shadow;
    - Concludes that the proposal is compatible with the existing neighbourhood character.
- Functional Servicing Report, prepared by GHD, dated November 2018.
    - Outlines proposed strategy for site servicing and stormwater management;
    - Concludes that the site can be adequately serviced by the existing municipal infrastructure without negatively impacting existing development.
- Tree Inventory and Preservation Plan, prepared by BTi, dated December 2018.
    - Identifies 10 trees on the subject lands; two of which are to be preserved, eight of which are to be removed;
    - Notes that one tree will be removed for construction, two trees require city approval for removal and four trees require approval from neighbours.
- Traffic Impact Study, prepared by Crozier Consulting Engineers, dated December 2018.
    - Indicates that the proposed development will generate 50 two-way trips during the weekday am peak hour and 55 two-way trips during the weekday pm peak hour;
    - Concludes that the proposed development can accommodate the increased volumes and will have little impact on the operations of nearby major roads during these times;
    - Indicates that the proposed parking reduction can be supported based on results of parking rate data and proximity to major active transportation facilities in the downtown.
- Pedestrian Wind Study, prepared by RWDI, dated December 2018.
    - Reviews the wind conditions pre- and post-development;
    - Provides recommendations with respect to mitigating wind impacts.
- Phase I Environmental Site Assessment, prepared by BlueFrog Environmental Consulting Inc., dated January 2019.
    - Presents existing environmental conditions on the subject property;
    - Identifies potential presence of substances on the site from previous underground oil heating tank, and outlines recommendations for handling, management and disposal of such substances.
- Geotechnical Investigation and Engineering Design Report, prepared by Terraprobe, dated December 2017.
    - Investigates subsurface soil rock and groundwater conditions;
    - Contains recommendations on design of foundation, floor slabs-on-grade, basement drainage and paving.

- Noise Feasibility Study, prepared by RWDI, dated November, 2018.
    - Assesses noise sources affecting proposed development and determines whether proposed development is feasible;
    - Provides recommendations based on the findings which will help mitigate noise impacts.

Interim Control By-law

On March 5th, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City's Urban Growth Centre and the Burlington GO mobility hub area in order to complete a land use study assessing the role and function of these Major Transit Station Areas. The ICBL is in place for a period of one year which can be extended for a second year.

The Planning Act preserves the priority of zoning passed during the period of breathing created by Interim Control By-law and, if passed in that period, the prior zoning does not come back into effect unless the new zoning is appealed and is defeated on appeal. The effect of the interim control by-law is to permit existing uses only. The application is therefore premature, and it would not be appropriate to process it further, including providing any analysis or recommendations at this time.

Following the statutory public meeting, these applications will be held in abeyance until the ICBL is no longer in effect.

Technical Review

The Official Plan Amendment and Zoning By-law Amendment applications and supporting documents were circulated for review to internal departments and external agencies. Comments are still forthcoming from Halton Region, Union Gas, Bell, the Burlington Economic Development Corporation, Burlington Hydro, the City's Fire and Emergency Services, Landscaping, Transportation and Parks and Open Space sections.

Transit:

Transit has reviewed the proposal and note that a new bus shelter is recommended in front of the subject lands. Funds in the amount of approximately $18,000 are requested to construct a new concrete pad and bus shelter. This number would be confirmed at the Site Plan stage.

Site Engineering:

Site Engineering has reviewed the proposal and note that a Phase II Environmental Site Assessment will be required as there might be potential contamination on the site. Site

Engineering also provided comments on submitted documents, and minor changes will be required.

Burlington Accessibility Advisory Committee (BAAC):

Comments from the BAAC indicate that the request to reduce the size of accessible parking stalls and access aisles is not permitted, that accessible parking stalls should be relocated to be adjacent to the entrance of the elevator lobby, and that one Type A spaces and access aisle should be accommodated within the surface parking.

Other:

The City's Finance Department have provided their standard comments and have advised that they have no issues or concerns at this stage.

Policy Framework:

The application is subject to the following policy framework: the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan and the City of Burlington Zoning By-law 2020. Consideration of applicable policies from these documents will be addressed in the subsequent recommendation report. Listed below is an overview of the land use designations and policy directions at the provincial, regional and local level.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a range and mix of land uses. Through the PPS, growth and development are to be focused within the established settlement areas. Decisions affecting planning matters made on or after April 30, 2014 "shall be consistent with" the PPS.

Growth Plan for the Greater Golden Horseshoe

The updated Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area. The subject lands are located within an Urban Growth Centre within the Growth Plan. Through this plan, growth is focused in the existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient and well-designed form.

Halton Region Official Plan

The subject lands are designated “Urban Area” in accordance with the Halton Region Official Plan (ROP), and is located within an Urban Growth Centre. The Urban Area objectives promote growth that is compact and transit-supportive. This designation also encourages intensification and increased densities. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Halton Region Official Plan.

City of Burlington Official Plan

The current Official Plan designation on the subject lands is “Mixed Use Centre”, in accordance with Schedule “B” of the Official Plan and the property is located within the Downtown Urban Growth Centre Boundary. Within the Downtown Mixed-Use Centre, the lands are further designated “Downtown Residential – Medium and/or High Density Precinct” in accordance with Schedule “E” of the City’s Official Plan. This designation allows for ground-oriented housing units ranging between 26 and 185 units per net hectare; home occupations and cottage industries; neighbourhood parks and office uses. No height limit is specified in the Official Plan for this property. The applicant is proposing a residential building having a density of 547 units per net hectare, which is above the permitted maximum density of 185 units per hectare. As such, an Official Plan Amendment has been applied for.

According to Part III, Subsection 5.5.5 a) of the City’s Official Plan, the objective for the Downtown Residential Medium and/or High Density Precinct is *“to recognize the variety of the existing residential medium and/or high density development that currently exists within these precincts and to provide for future medium or high density residential development or redevelopment which is compatible with the existing development”.* The proposal will be assessed for compatibility with the surrounding area throughout the development application process.

In addition to the above and in keeping with Provincial requirements, Part III, Section 2.5.2 of the Official Plan contains policies pertaining to residential intensification. While the policies are intended for intensification within established neighbourhoods, the proposal is surrounded by established residential areas and these policies are a useful means of evaluating land use compatibility. As such, the proposed development will be reviewed in accordance with these criteria.

City of Burlington Adopted Official Plan, 2018

The proposed New Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such,

the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions. As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

City of Burlington Zoning By-law 2020

The property is zoned "Downtown Residential High-Density (DRH)" in accordance with Zoning By-law 2020. The DRH Zone permits apartment buildings, retirement homes and offices within an existing building or on the ground floor of a residential building. The proposed development does not comply with some regulations, including setbacks, density, building height, parking and landscape buffers and areas. A Zoning By-law Amendment application is therefore required. The following table outlines which requirements of the "Downtown Residential High-Density (DRH) Zone" will need site specific zoning exceptions. It should be noted that this chart is a preliminary review by staff of the current proposal. A more detailed review of the proposal will be undertaken by Zoning staff at a later stage in the process.

Regulation	Current DRH Requirement	Proposed
Front Yard Setback	7.5 metres abutting a street having a deemed width of 36 metres or more	4.5 metres
Side Yard Setback	6 metres	4 metres (north side)
Maximum Density	185 units per hectare	547 units per hectare
Maximum Building Height	22 metres	36 metres
Visitor Parking Occupant Parking	0.25 visitor parking spaces per unit (39 spaces) 1 occupant parking space per unit (153 spaces)	0.17 visitor parking spaces per unit (27 spaces) • 15 of these spaces proposed to be located on Hydro lands 1 occupant space per unit (153 spaces)
Transformers, Exhaust Shafts and Air Shafts within Landscape Area	Not Permitted	Permitted
Landscape Buffer (South side)	3 metres	0 metres
Balcony Encroachments	0.5 metres into side yard 1.6 metres into other yard	1 metre into north side yard 1.5 metres into south side yard
Encroachment of	Not Permitted	Permitted

Regulation	Current DRH Requirement	Proposed
Parking Structure to Lot Line and Within Landscape Areas and Buffers		

As mentioned above, those development standards shown on the chart above do not comply with the Zoning By-law requirements, and as such a Zoning By-law Amendment is being requested. The applicant is requesting to add a site-specific exception to the existing “Downtown Residential High-Density (DRH)” Zone.

Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined have been received.

Public Engagement Matters:

Public Circulation/Notification

The applicant posted a public notice sign on the property to reflect their submission on February 22, 2019. All of the technical studies and supporting materials for this development were posted on the City’s website at www.burlington.ca/441Maple. The application was subject to the standard circulation requirements for Official Plan and Zoning By-law Amendment applications. A public notice with a request for comments was circulated to surrounding property owners in February 2019.

Burlington Urban Design Advisory Panel Meeting

The applicant met with the Burlington Urban Design Advisory Panel on September 18, 2018. Based on the advice given, a number of changes were made to the proposal, including the following:

- Underground parking ramp relocated;
- Garbage room relocated to underground level to allow for additional amenity space;
- Rear yard redesigned to allow for more landscape features and an outdoor patio adjacent to the amenity area;
- Ground floor extended to provide a step back on the 10th floor; and,
- Revisions to balcony design.

Pre-Application Consultation Meeting

The applicant conducted a pre-application neighbourhood open house for the proposal on November 14, 2018 at the Burlington Art Gallery that was attended by approximately 50 members of the public who reside in the area. The open house included displays showing the proposed building. The key concerns raised by the public at the meeting were related to the building height, traffic and access, parking and noise. Changes have not been made to reflect these concerns.

Public Comments

As a result of the public consultation, seven written comments have been received from a member of the public as of the time of the writing of this report. Should future comments be received, they will be considered and included within a future recommendation report. The comments received following the pre-application open house meeting highlighted the following themes and areas of concern about the development and are summarized below:

- Building Height
    - Building will be taller in linear height than others in the area;
    - Too many tall buildings exist in the area.
- Traffic and Access
    - Increased traffic congestion and air pollution;
    - Not enough space for more cars;
    - Decreased safety.
- Parking
    - Concerns about underground parking impacts on groundwater;
    - Questions regarding visitor parking and provision of accessible parking spaces;
    - Concerns with visitor parking being on Hydro One lands;
    - Space for moving trucks and maintenance trucks.
- Noise
    - Concerns about noise from mechanical room and outdoor amenity area on 10^{th} floor;
    - Concerns about noise and vibration on nearby properties.

Conclusion:

This report provides a description of the development application, an update on the technical review of this application and advises that public comments have not been received as of the writing of this report. A subsequent report will provide an analysis of

the proposal in terms of the applicable planning policies and will provide a recommendation on the proposed application.

Respectfully submitted,

Melissa Morgan, MCIP RPP

Planner II – Development Review

905-335-7600 extension 7788

Appendices:

A. Location/Zoning Sketch

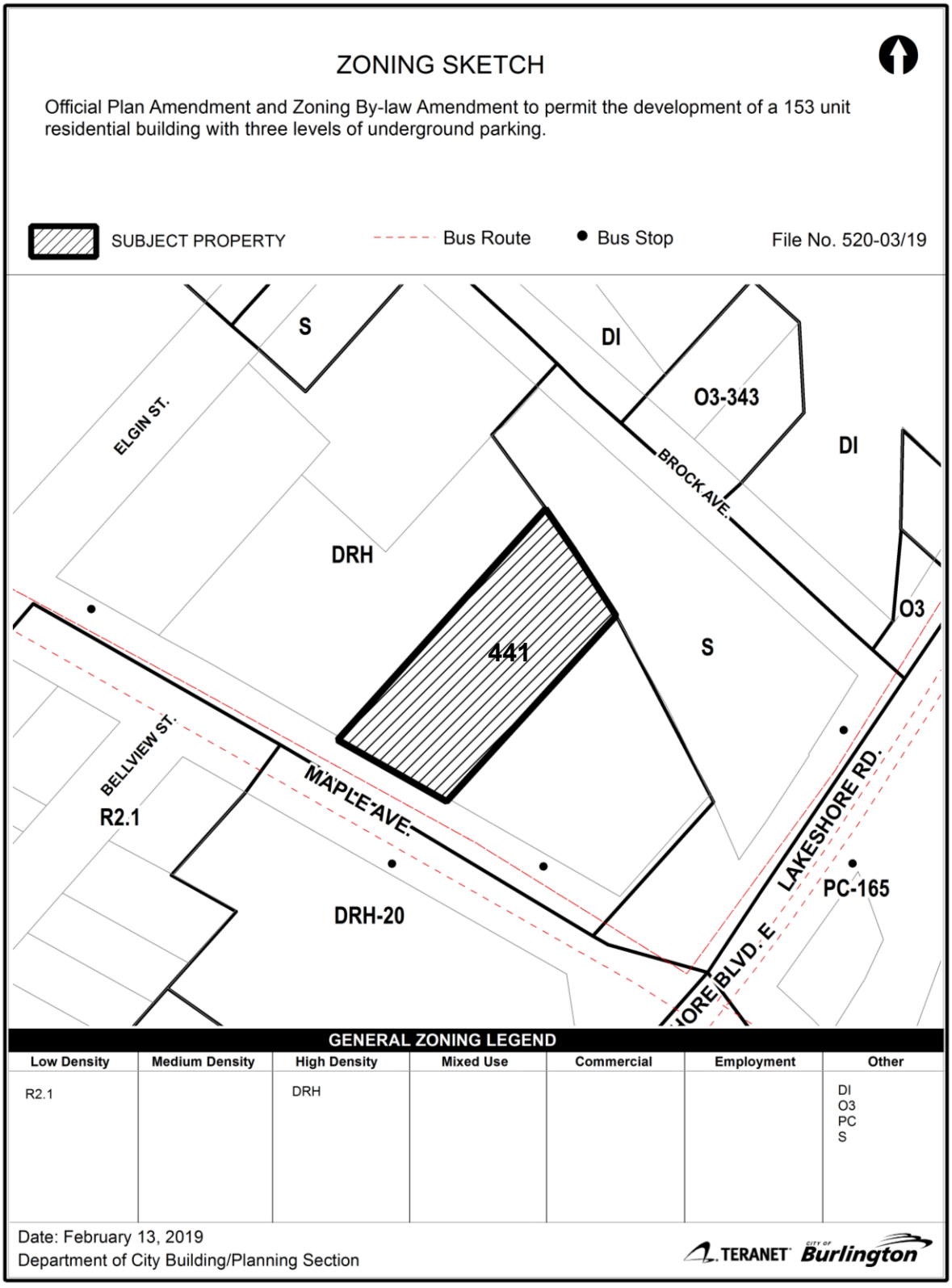
B. Detail Sketch

C. Public Comments

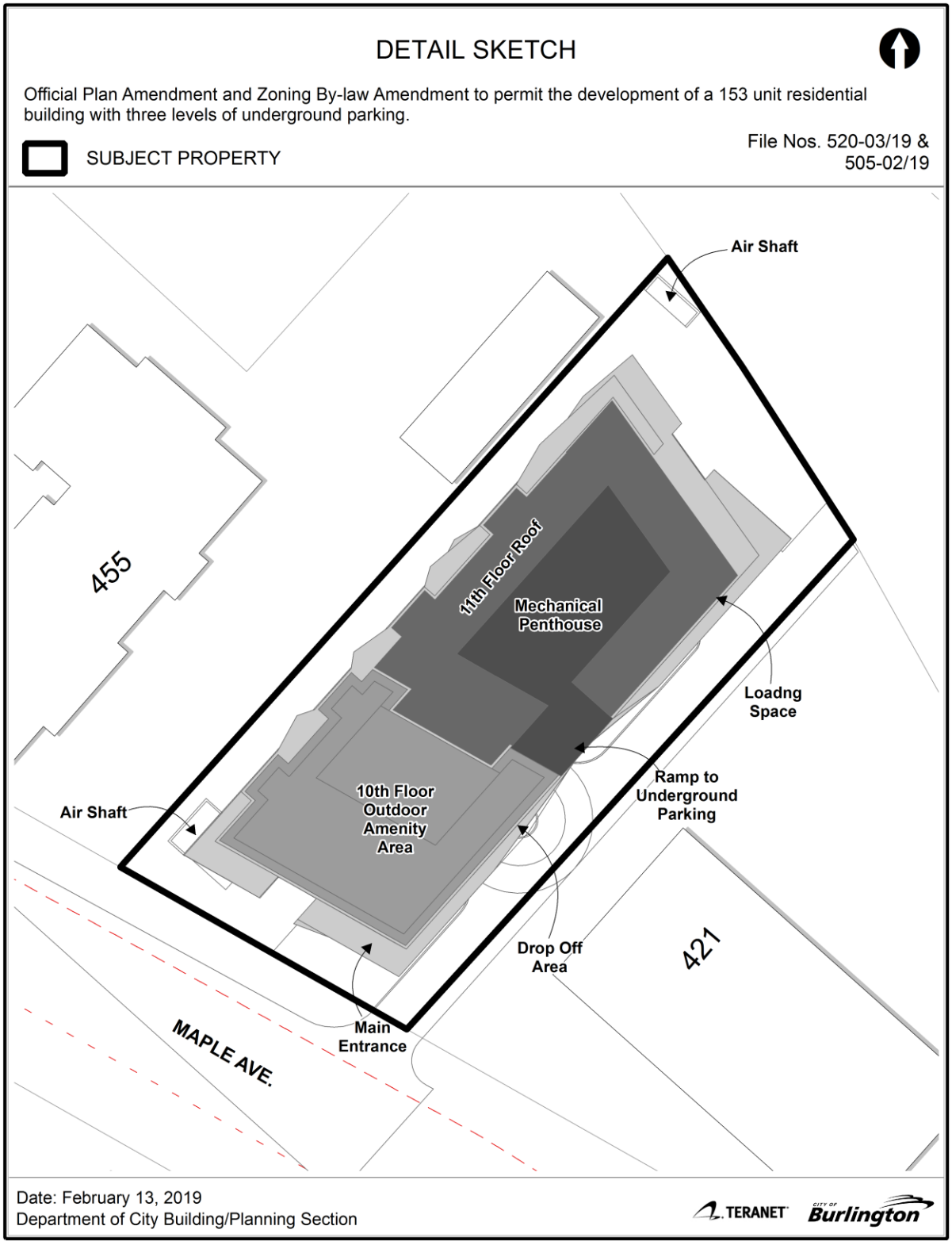
Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

APPENDIX "A"


ZONING SKETCH
Official Plan Amendment and Zoning By-law Amendment to permit the development of a 153 unit residential building with three levels of underground parking.
SUBJECT PROPERTY
Bus Route
Bus Stop
File No. 520-03/19
S
DI
O3-343
DI
ELGIN ST.
BROCK AVE.
DRH
441
S
O3
BELLVIEW ST.
MAPLE AVE.
R2.1
LAKESHORE RD.
PC-165
DRH-20
BLVD. E
GENERAL ZONING LEGEND
Low Density
Medium Density
High Density
Mixed Use
Commercial
Employment
Other
R2.1
DRH
DI
O3
PC
S
Date: February 13, 2019
Department of City Building/Planning Section
TERANET
Burlington

APPENDIX "B"


DETAIL SKETCH
Official Plan Amendment and Zoning By-law Amendment to permit the development of a 153 unit residential building with three levels of underground parking.
SUBJECT PROPERTY
File Nos. 520-03/19 & 505-02/19
Air Shaft
455
11th Floor Roof
Mechanical Penthouse
Loadng Space
Ramp to Underground Parking
Air Shaft
10th Floor Outdoor Amenity Area
Drop Off Area
421
Main Entrance
MAPLE AVE.
Date: February 13, 2019
Department of City Building/Planning Section
TERANET
Burlington

APPENDIX "C"

-----Original Message-----
From: Mike Hopkins [mailto:]
Sent: Tuesday, February 26, 2019 6:42 PM
To: Morgan, Melissa
Subject: None

My answer is no We enough condos in Burlington and the traffic at rush hour on maple is bumber to bumber. At 5.00 pm. Too much high rise building going on.

Mike

From: Doug B [mailto:]
Sent: Friday, March 08, 2019 2:03 PM
To: Morgan, Melissa
Subject: Files: 505-02/19 & 520-03/19 Condo Proposal @ 441 Maple Avenue

We live at 442 Maple Avenue (Spencer's Landing).

We take extreme opposition to the new proposed condo building at 441 Maple Avenue.

1. The proposal is for 153 condo units. This is approximately 33% MORE units than the number of units in our building.

2 Traffic congestion at the intersection of Maple and Lakeshore Road is horrendous. At evening rush hour, especially if there are problems on the QEW or Skyway Bridge, total gridlock is almost guaranteed. This happens frequently.

3. This SERIOUSLY impedes ambulances trying to reach Joseph Brant Hospital, or fire rescue crews attending major accidents on the QEW or the Skyway Bridge.

4 Adding vehicle traffic coming and going from 153 units in this proposed condo building on Maple Avenue would make an already bad situation much worse.

4. There is only ONE entry access lane from Maple Avenue on the South side of the proposed condo. Apparently, there is a space for a moving truck on the site.

   Where will all the service vehicles park? These are CONDOS and owners will be making constant changes and upgrades. Service vehicles include plumbers, electricians, floor installers, painters, kitchen installers, etc. Large waste management trucks are also frequent.

   There is NO parking on Maple Avenue.

5. Snow removal will be a challenge . Where will it go?

   In summary, we feel this proposal is a bad idea, contributing significantly to an already heavily congested area of our beloved Burlington.

   Thank you for allowing us to voice our concerns.

   Sincerely,

   Fran and Doug Ballingall

From: wendy boles [mailto:]
Sent: Thursday, February 28, 2019 1:17 PM
To: Morgan, Melissa
Subject: 505-02/19 & 520-03/19 - 441 Maple Ave.

Hi Melissa,

We would like to let you know that we are **OPPOSED** to the development at 441 Maple Avenue.

With all of the construction currently going on in the downtown core, (we can currently see 5 cranes from our window), there is no need OR ROOM for more condo's which = cars in the downtown core. There are already 2 more 17 story condo's going up on Brant Street that most residents don't want, we don't need another one. Not to mention the 3 condo's by Walmart (Fairview and Brant).

Burlington downtown **does not** have the infrastructure to handle more people and more cars. Nor does the city seem to have the employee staff to take care of things like emptying local public garbage can's regularly, or proper clearance of snow on both roads and sidewalks. Living at Maple and Lakeshore, there is already such a backup of traffic in that area that another 11 storeys would make it that much worse. Not to mention the already daily huge traffic backup to get onto Lakeshore off Maple Ave. for those going to the highway every day after work. Plus when there are accidents, getting home is a nightmare.

We get that the growth is necessary, but do it where there's room for roads to be widened and vehicle use can be accommodated. Thinking that people will be using bikes and walking is unrealistic.

Please stop ruining the reason why we moved to Burlington in the first place.. If i wanted to live in Toronto, we'd have moved there instead.

Thank you

Brett and Wendy Boles

From: Andrew G [mailto:]
Sent: Thursday, March 14, 2019 9:09 AM
To: Morgan, Melissa
Subject: 441 Maple Avenue

To whom it may concern,

I am a resident of 455 Maple Avenue, and I have a few issues with the proposed new building at 441 Maple Avenue. My building is oriented lengthwise similar to this new building. However, 455 is only 6 stories high and the new building (twice the height) is going to be quite close to mine. I am sure we will not have any direct sunlight most of the day. Living in shadow is unpleasant and unhealthy.

As an aside, no one will see the Lake any longer from our building, just our parking lot and the new building. I also do not know how this new building will affect wind patterns for the neighborhood.

Having 160 or so more cars accessing Maple daily will undoubtedly make traffic even more congested on Maple which is already heavy. The entrance/exit of the new building is next to the existing one for the building at the corner of Maple and Lakeshore, and could become dangerous for pedestrians, cyclists, and cars using that side of Maple. Construction noise and dirt are also an issue.

Please take into consideration the reduction in the quality of life for the existing residents of this neighborhood.

Sincerely,

Andrew Grieve,

407/455 Maple Avenue,

Burlington, ON

L7S 1M1

From: Jim Ryan [mailto:]
Sent: Tuesday, March 12, 2019 9:24 AM
To: Morgan, Melissa
Subject: Planning Application for 441 Maple Avenue

Melissa Morgan:

Re: 441 Maple Avenue Development Proposal

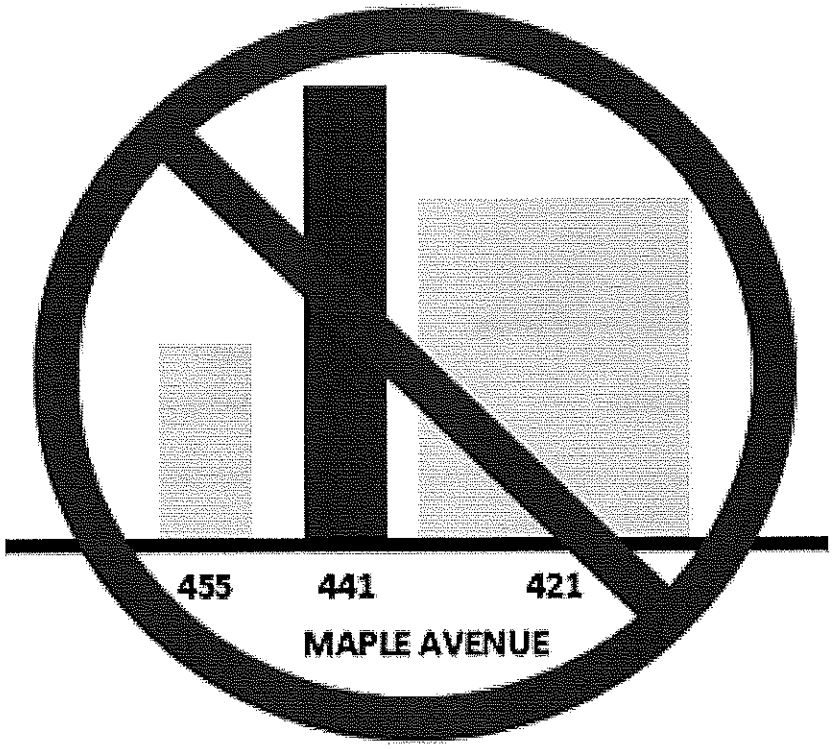
Thank you for notification of this development and the opportunity to comment.

The proposed plan as presented appears to be an over-development of the property, particularly in light of the need for the reductions in set-backs and parking requirements and the need to find additional off-site parking. We are particularly concerned with any reduction in the set-back from Maple Avenue. We live directly across the street at 442 Maple Avenue and any reduced set-back would only encroach on our privacy.

Another concern of ours is the traffic issues, on a street that is already a busy artery, dealing with additional traffic from 153 new units exiting onto Maple Avenue. With the French Language School on Lockhart Avenue, there are multiple school buses on Maple Avenue during morning rush hour and also again in the afternoon as well as a back-up of traffic during the evening rush hour.

Jim & Judy Ryan, 504 - 442 Maple Avenue, Burlington, L7S 2L7

Protect Downtown Burlington Skyline

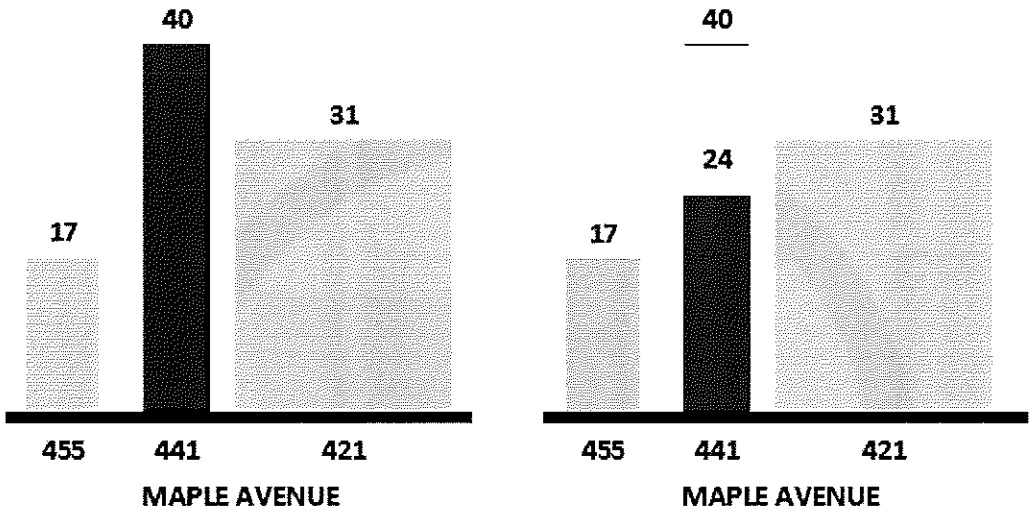


The proposed 441 Maple building will be twice taller than the 455 Maple and a third taller than the 421 Maple

Protect
Downtown Burlington
Skyline

Feedback and objection on the proposal to build a 40 meters tower adjacent to two existing building of 17 meters and 31 meters. To maintain the sky line of Downtown Burlington, we recommend 22 meters to 24 meters building for the 441 Maple and the denial of increase "density" from 56 units to 153 units driven by "financial greed" versus quality of life of the resident.

Building high versus total floor in the building:



- The propose building has 11 floors same than the 421 Maple but his nearly third higher and over twice the high of the 455 Maple.
- The developer designed higher floor high than the adjacent buildings. This proposed building height will be higher than all the adjacent building including the 14 floors of the 442 Maple.
- To respect the Downtown Burlington Skyline, the developer could use the same floor height than the 421 Maple and be the same height.

The argument about having only floor as qualifier of the building height is misleading as the project show.

- One day, a developer will use this loophole to build "loft apartments" resulting in doubling the height of the building but meeting the guide line about the number of the floors.
- Playing with floor high brake the purpose of the rule. The numbers of floor were an easy way to gage the height versus the neighborhood.

Protect
Downtown Burlington
Skyline

Parking Requirement:

This project use a misleading Parking study to justify reducing the number of parking required. The parking requirement need to stay at least at 191 spaces **excluding** the 15 rented space from Hydro One.

- The Parking Study alleges the peak usage to be 107 parking spaces. This approach doesn't take in account that in condo building the parking space are privately own by the condo unit and it is restricted for other than the owner to use. For this reason the minimum peak demand is equal to the number of condo unit plus some unit will demand a second parking if the unit owner own 2 cars. The bylaw is a minimum requirement at 153 parking spaces for the resident.
- Using the rented 15 parking spaces from Hydro One part of their application is risky for the City and the future condo owners as Hydro one could take back the land for their own use.
    - For example, if Hydro One decides to move the power line underground along the Burlington Beach or relocate them. This will free the renting parking to be developed.
    - It will be too late at that time to find/create those 15 extra spaces.
- As the condo owner will be unable to purchase more than one parking space. It is highly possible that the adjacent city parking become the parking solution, resulting in limiting the availability for other Burlington resident to come Downtown during the weekend.
- The reduced visitor parking availability will result in blocking space of parking at the city parking lot. Reducing access to city visitor to come downtown.

Protect
Downtown Burlington
Skyline

Setback, Landscaping and buffers.

We are not Toronto Downtown! Green space and buffers area are making a great and enjoyable area to leave in.

Reducing the Setback from 6 meter to 4.5 meter is not building a quality of life in the downtown.

- Walking along that new building need to reflect our value and reflect what Maple Avenue existing look. A nice buffer and landscape in front of each the existing buildings need to be maintained in this application.
- Shortening distance from the Maple Avenue and the main entrance of the building can increase illegal stopping for Pizza Delivery, UPS or Post Canada. Moving the Main entrance to the side or to the back of the Main Lobby could help.

Reducing de North side yard from 6 meter to 4 meter is not the right call for the future and beautification of the downtown.

- Presently the parking and garage of the 455 Maple is along that propriety line. If one day the 455 Maple is redeveloped the 6 meters buffer from both property will not be obtainable.
- We need to keep green space, the condo owner need space to enjoy the grass and to play with their dog. The North side will be a major grass area for that building.

Amendment require to eliminate the "Below Grade Parking Encroachments" is great for the developer but very risky for the city and the condo owners.

- Any repair of the foundation will require the permission of the city or the neighbor to use their land to get access.
- Heavy lifting equipment required for replacement of mechanical equipment on the roof will be problematic. When the air-conditioning compressor needed replacement on the roof of a condo tower in Mississauga, the neighbor refused to aloud the use of his land to install the crane and the garage structure could not handle the weigh. Forcing the condo owner to rent a lifting helicopter to do the work or to shut down the city road.
- Parking encroachment will limit choice of tree and type that can be use on top of the garage structure due to the root system.
- Risk of expensive repair for condo owner as the tree and grass of top will require regular watering and could be leak in.

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Increase density

This project requires amendment on density bylaws with **3 times** the bylaws limits

(153 units versus 56 units from the bylaws for property of that size)
(The Bylaws maximum of 200 units by hectares * 0.28 Hectares for that propriety =56 units)

Table 4: Proposed Site Statistics – Unit Breakdown and GFA		
Description	**Units**	**Proportion of Unit Mix**
Residential – 1 Bedroom	30	20%
Residential – 1 Bedroom + den	56	37%
Residential – 2 Bedroom	40	26%
Residential – 3 Bedroom	27	17%
Total	**153**	**100%**

- The project request amendment to **547 UPH versus the bylaws of 200 UPH**
- The 0.28 Hectares include 1.88m access easement from the 421 Maple. It is wrong to include someone else land in this calculation. For example, if in the future 421 Maple is redeveloped they will also use that piece of land in their calculation creating a double accounting of that land. With the exclusion of that land the development is now at 577UPH and the land is only 0.26 Hectares (153 units / (0.28 Hectares *(35.94-1.88)/35.94)) (52 units for this development)
- This 3 times the bylaws target is not a minor deviations and need to be rejected.
- Existing and future bylaws are also around 3 times UPH over by this projects
- Close to 60% of the unit are small one bedroom unit. The level of small unit is driven by financial gorging has some of those unit will be only 620 square feet.
- The "Density" is a measure of environment enjoyment. Approving this density increase over the existing regulation will result of people leaving in smaller and smaller apartment to meet developer greed!
- The traffic is out of control due to those high density building. Often it takes over one hour to get from Guelf Line to Maple Avenue with the existing traffic. The traffic will continue worsen with the approved project underway in the Burlington Downtown. The traffic problematic will need to be addressed by the city at high cost to the citizen.

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Social responsibility

I understand it is not the responsibility of the developer to keep the quality of life in Burlington. The existing and potential users of the service "Better Life Retirement Residence" are the loser of this project.

Also, I understand that it is not the responsibility of the developer to keep "Jobs" in Burlington. By closing the "Better Life Retirement Residence" those jobs could be lost for Burlington and/or Downtown.

Burlington resident could lose service in the city due to greed of a developer as the developer is under the obligation to replace those beds within the Hamilton Niagara Haldimand Brant Local Health Integration Network. When my father needed similar service as "Better Life Retirement Residence" provide, one of the criteria was to end is day close to families & friends and where he leaved his life.

Project Financial Feasibility

By applying the bylaws, this building will have no more than 52 units, 22 meters high and no less than 65 parking space excluding the 15 on Hydro One propriety.

It is not the responsibility of the city of Burlington to ensure that this project is financially feasible but to ensure that the future resident of Burlington in that building will enjoy leaving in Burlington Downton.

The developer have a short term interest to get the project approved, build, shove as many unit that they can knowing that future issue will be for the unit owner and the city to resolve. Clear example is the parking situation, if the city approved the use of the Hydro One parking in the calculation and Hydro One doesn't renew in the future.

If the project becomes not financially feasible for the developer, the social solution will be to rebuild the Better Life Retirement Residence if possible. If not; a cheaper approach could be a row of town house like in front of the 442 Maple.

Conclusion

Why having Bylaws if the city is not ready to make the developer follow them!

- By applying the Bylaws, the development of that small piece of land would integrate in the skyline of Downton Burlington.
- Keep the downtown environment enjoyable for all by protecting green space, high, density and city parking.

I strongly oppose this proposal to change the official plan designation + zoning for property located at 441 Maple Avenue

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MAR 13 2019
City of Burlington
Planning Department

My reasons for this opposition is as follows

① There is a Nursing Home presently in this location.
With the shortage of Nursing Homes to accomodate the increasing needs of our population, It is important not to remove this existing Nursing Home.
I imagine this Nursing Home requires some measures for renovations.
This should be done, not destroyed.

② The construction of this proposed 11 storey residential apartment building development would increase the traffic on Maple Avenue and Lakeshore.
This increase in traffic would result in safety issues.
Ambulance, fire trucks and other first responders use this route many times daily, an increase in traffic would be a problem for safe flow of this traffic.
Also many pedestrians use this route and the increase in traffic would be a

over

potential safety issue.

③ The skyline of Burlington is disappearing with the increase of the many high rise developments being built in the beautiful and popular core.
The building of these developments does not provide improvements to the Waterfront area.

I appreciate you reading my concerns, I know there are many more issues presented by the building of these developments.
Thank you.

Occupant of
455 Maple Ave
Burlington ON