

May 16, 2019

Committee of The Whole (Planning and Development)

Council Chamber, Town Hall
6311 Old Church Road
Caledon, Ontario
L7C 1J6

Dear Members of Committee:

Re: 50 Ann Street, Bolton
File No. SPA 17-35, RZ 17-05
Request for Project Fee Consideration

We are writing to formally request your consideration of two fees related to our development proposal at 50 Ann Street in Bolton. Specifically, our request relates to the Town's 2019 development charge update which we understand is currently in process, and to the Town's Cash in Lieu of Parking policy.

First, we want to outline a brief chronology of the process we have undertaken to bring this application forward.

- 2014 – We identified 50 Ann as a potential site for a mid-rise redevelopment opportunity, we initiated discussions with both the owner of what was then the former Legion, and with the Town of Caledon on this opportunity.
- 2015 – We completed our due diligence efforts, closed on the property and continued with more formal pre-consultation meetings with the Town.
- 2016 – Most of our technical reporting and preliminary design work was completed in 2016 in preparation for what was going to be a two tiered Site Plan Application – one to deal with our environmental remediation program to address the site's Brownfield's condition, and a second application to deal with the actual proposed building.
- 2017 – The initial Site Plan Application was submitted to the Town for Phase 1 works (remediation program) on April 4th, 2017 and received approval on August 28th, 2017. The Phase 2 Site Plan Application and Zoning By-law Amendment was submitted in support of our mid-rise condominium proposal on May 3rd, 2017.
- 2018 – Development review process.
- 2019 – Development review process continued to a point where we are now able to come forward with a staff recommendation for Committee's consideration.

As detailed in the Phase 1 site plan application process, this site has revealed numerous constraints including; a high groundwater table, significant Brownfield conditions and contaminated soil, an undisclosed non-operational municipal storm sewer (which we've been required to accommodate), numerous additional easements and an overall building height restriction. Due to the numerous site constraints of this project along with increasing construction costs and limited development yield and

parking supply, the multitude of municipal and agency review fees have put additional pressure on this project.

As such, we request your consideration of the following to help protect the economic viability of our proposal, and to ensure that we can move forward to deliver the type of quality condominium building that Downtown Bolton deserves.

Town of Caledon – Development Charge Update

Brookfield is aware that the Town of Caledon is in the process of revising its 2014 development charge by-law. We also understand that as part of your current update, the town is considering eliminating the local development charge exemption that is currently available to residential development applications with the Bolton Business Improvement Area.

Consistent with our initial discussions with the Town back in 2014 / 2015, and our initial due diligence on this opportunity, exemption of Caledon's component of development charges was fundamental in our decision to move forward with this project. Further we were encouraged on several occasions by member of staff and Council while considering this opportunity that one of the benefits of investing in Bolton, and in particular the Business Improvement Area was the fact that there was the exemption of local development charges.

We understand that this exemption was originally put in place to both encourage investment in Bolton's downtown, and to offset the potential costs of environmental clean-up and Brownfield remediation. We have satisfied both objectives, but at a significant cost.

We provided the chronology at the beginning of this letter to map out the process we have been through, and the timing realities and delays we have faced in trying to advance this project, and while we appreciate that things may change over time, in our view the Town has committed to this exemption, and frankly it is a crucial component of this project moving forward.

As such, we respectfully request that Council ensures that the exemption of the local component of the development charge continue to apply to our project, regardless of whatever the timing of our final approval may be, and regardless of when your new development charge update is formally in-effect.

Cash in Lieu of Parking - Request for Reduction

The Town's in-effect Zoning By-law requires 1.75 spaces per residential unit regardless of the type of unit (1 bedroom – 2 bedroom etc.). Within this number is a ratio of 0.25 parking spaces per unit for visitors. Based on our 73 unit proposal, we would be required to provide 129 total parking spaces.

Our current application provides 80 parking spaces, at a ratio of 1.1 spaces per residential unit, representing a shortfall of 49 spaces from your current By-Law. Our restrictions to providing more parking relate to all

of the site specific challenges mentioned above, which have “squeezed” our site to a point where there is no additional room to accommodate parking.

You currently have a policy allowing applications like ours to pay Cash in Lieu (CIL) of parking spaces at a rate of \$7,500 per space we are deficient. This equated to a fee of **\$367,500.00** as an additional cost burden to the project.

In reviewing this issue, our traffic consultant (The BA Group), conducted a Traffic Impact Study which justified a parking ratio of 1.10 spaces per unit (0.10 for visitor parking) due to the proximity to amenities, usage rates of adjacent parking lots and location in a walkable downtown with transit (albeit in Bolton’s case – limited transit). The adjacent condominium at 60 Ann Street (River’s Edge) has a site specific Zoning By-law which requires a parking ratio of 1.2 spaces per unit. In our consultant’s traffic review they found that parking spaces were underutilized at the adjacent property and in the surrounding area. This highlights a significant discrepancy between the 2002 Caledon Zoning By-law parking standards, the actual required parking for a downtown residential condominium, and the Town’s planning goals to reduce auto dependency and promote active transportation.

And while we appreciate that Bolton already has significant parking challenges, and we are aware that these challenges exist as issues throughout communities in Caledon, our parking ratio of 1.1 spaces per unit is much more in keeping with other examples throughout the GTA of this type of urban infill development (even in areas with limited transit).

As part of our analysis we reviewed Paradigm Transportation Solutions Ltd., report prepared for the Town of Caledon in 2012 titled *Bolton Downtown Core Public Parking Study* which outlined an approach to determining cash-in-lieu of parking (refer to “Appendix A”). The study confirmed that the cash-in-lieu allowance for a parking space of \$7,500 represents the approximate cost of a stall. The report recommends that the cash-in-lieu formula not be based on the full cost but rather use a portion of the cost within a range of 50% to 75%.

Also, in comparison to Caledon’s approach, many municipalities review each application based on its own merits in terms of CIL of parking. Payment schedules are set out in agreements between the municipality and the proponent. The below excerpt from Paradigm’s report outlines fees used by municipalities in Ontario.

Municipalities in Ontario - Cash-In-Lieu of Parking Rates

Excerpt from Bolton Downtown Core Public Parking Study (refer to Appendix A)

<i>Municipality</i>	<i>Cost (per parking space)</i>
<i>Port Dover (Norfolk)</i>	\$945.75
<i>Norwich</i>	\$1,069.75
<i>East York (Toronto)</i>	\$2,365.50
<i>Milton</i>	\$7,143.00
<i>Woolwich</i>	\$1,725.00
<i>Muskoka Lakes</i>	\$1,500.00
<i>Hamilton</i>	\$2,743.75
<i>London</i>	\$8,000.00
<i>Ottawa (suburban)</i>	\$3,000.00
<i>(urban)</i>	\$8,000.00

The above chart demonstrates the variability in cash-in-lieu of parking rates across varying municipalities, with the average being \$3,649.28, and while noting your Paradigm report in our request, we are aware that this work is dated (2012), but it is also the same report that the Town continues to base it's \$7,500 per unit requirement on.

We believe strongly that our development application addresses the Town's goal of attracting investment and redevelopment in downtown Bolton. We also feel that consideration for a reduced cash-in-lieu of parking is appropriate to encourage and promote urban residential development as an alternative housing option in this area, not just in our example, but for future opportunities as well. As such, we again respectfully request that Council consider reducing the \$7,500 per parking space requirement to a value which better reflects the realities of what is needed in an urban setting, and the realities of the economic challenges of this type of redevelopment proposal.

We appreciate your time and consideration, and we look forward to continuing to work with the Town of Caledon to advance this project.

Sincerely,

Brookfield Residential (Ontario) Bolton Limited

Pete Schut
Senior Vice President, Acquisitions and Development