

Mayor and Members of Council

Re: A-!-25-Z 22 MacDonald Avenue

The twin tower high density apartment complex proposed for 22 MacDonald presents many concerns for neighbours and interested others across the city.

It's too much structure, too many people and vehicles for a small property. The complex can be broken down to four components. The two core structures are the 9-storey high-rise high-density towers. Think of the new Legion building and then put another one beside it. The third component will be a four-storey structure connecting the two towers and the fourth element proposed is a three-tiered concrete structure of patio areas. Another significant amount of subject property will be covered with walkways, connecting driving areas, entrances/exits and parking areas that all could be counted as a fifth element. And, a sixth element we learned about today in a news item is, 'communal recreation areas' including a playground and basketball court. What won't be covered by asphalt, concrete or brick will be strips of grass with small trees or bushes noted as landscaping.

These twin sore thumbs sticking into the sky are in the middle of a primarily single detached home neighbourhood established about 125 years ago and adjacent to two city-designated heritage areas. This massive complex should not be built here – most will admit, it doesn't fit.

Allowing this massive twin tower complex to be built with its impacts to the immediate neighbourhood also brings with it a signal that there's new building policy is in town - Any development. Anywhere. Anytime. Call it Triple A. Citizens in every neighbourhood should be watchful for something like this coming their way.

This project may be the biggest complex ever proposed for development in a primarily single-detached housing area, on just 4.5 acres of property producing the possibly highest population density/unit of subject matter land in Sault Ste. Marie. The development complex is 230 units meaning at a potentially 460 additional people in the neighbourhood at 2 persons/unit. Using the 2021 average household size in Sault Ste. Marie of 2.2/unit, new residents could number 506 on just 4.5 acres of land. Is this kind of massive development, height and density something new for the top of hill part of the city? (By contrast the public notice area contains about 500 residents over 93 acres of primarily single detached homes.)

In a recently approved Sal Dan Sudbury three 9-storey towers development in a single detached home area, an objector there said, "The planning committee has now set a precedent that it's okay to build a nine-floor building right next to a lot with a single-family dwelling." Sault taxpayers will have the same concern following Council approval.

Council will recall the applicant proposed a 12-storey tower for the same property that was scaled back to 8-storeys, both drawing neighbourhood objection and the filing of two appeals of Council's approvals to the Local Planning Appeal Tribunal (LPAT).

While the neighbours lost the appeals, the project didn't go ahead and we learned from Sal Dan recently it was because it wasn't feasible. Those objecting were stunned to hear that, given all the time, effort, costs and invested, certainly by the Applicant but also by those making the appeals.

When the advisory letter of this project came to those in the notice area, it was on Sal Dan letterhead said, "...we will be applying to rezone..." and so the conclusion was the 'we' was Sal Dan. The letter had no mention of any other entity. The impression this was a Sal Dan project was reinforced when company representatives conducted the neighbourhood and prospective tenants meeting. No mention was made of any other entity being involved.

When the 'Notice of Application and Public Meeting' was received from the City was when it was learned that Sal Dan was in fact not the project Applicant. It was Joe Ruscio, who was also listed as Applicant for the not feasible project in 2019. To us it seemed we had been misled. For transparency citizens should be advised who the Applicant is at the earliest stage of any project.

In addition to development pressure on single detached home neighbourhoods through Any Development. Anywhere. Anytime approach, another pressure comes from the City's new Housing Action Plan allowing essentially any homeowner to renovate or build up to four new rental units on their property. And, as one more thing for some single detached home neighbourhoods to deal with is a City Strategic Development Areas document intensification details for certain areas of the city.

City Council should not approve this project. Does a not feasible 8-storey development really have to become two 9-storey towers to make it feasible? It's understood Council is in a tough spot – you think you can't be seen by the two upper levels of government to be saying no a housing development, even though it is too big to be squashed into a primarily single detached home area? Do you think you can be seen by your constituents to be saying yes to Any development. Anywhere. Anytime?

The following pages are comments on specific areas of your Council Report on this project.

Art Osborne  
Homeowner  
February 24, 2025

## Sections from the Report to Council:

### Integration with Surrounding Area (pg 80)

This section references "...a significantly sized development compatible to some of the city's largest apartment complexes."

- Subject to figures being provided to the contrary, 'comparable' may not be correct. This project may be the biggest complex ever proposed in recent times for development in 1) a primarily single-detached housing area 2) on just 4.5 acres of property 3) producing the possibly highest population density/unity of land in Sault Ste. Marie. The development complex is 230 units meaning at a potentially 460 additional people in the neighbourhood at 2 persons/unit. Using the 2021 average household size in Sault Ste. Marie of 2.2/unit, new residents could number 506 on 4.5 acres of land. By contrast in density the public notice area contains about 500 residents spread over approximately 93 acres of primarily single detached homes.

"... there are a number of site-specific circumstances that minimize neighbourhood impact and therefor justify consideration of this proposal." "As a result, despite the project's size, it does not significantly compromise the overall character of the neighbourhood." (pg 80-81)

- Fortunately there are a number of Subject Matter Experts available to correct that opinion and they are those who have lived in the area for decades. The massive complex is a huge visual intrusion for the entire area and bounded by trees on one side that only provide a partial visual buffer for about half of the year during full leaf canopy. New twin towers of 9 floors with balconies surrounded by concrete and asphalt, a 4-storey building connecting the twin towers, large tiered concrete patios areas. All of these are nothing like the surrounding area of older single detached residences.
- The 'Shape The Sault' document contains this: "Intensification should be context sensitive. It must be compatible with and reinforce the existing and planned character of an area. This can be accomplished through good urban design, as outlined in Section 3 of this Plan. Within this context, Residential Areas will remain stable, but not static."

A City 'Strategic Development Area' document states:

- o "Promote ... a range of housing options through intensification, redevelopment and infill development, *subject to compatibility with the existing and planned character of the area* and the suitability of existing and planned infrastructure and services." (Italics added for this submission.)
- o R.2 Low and high density development should be integrated and compatible in density, height and building setbacks. Generally, high density development shall be restricted to major arterial streets and areas abutting the downtown core.

- Strategic Development Area - The First Neighbourhoods are characterized as the initial settlement areas within the city. This includes the Downtown as described in the Official Plan as well as the areas west of Downtown and south of the railway.
- The Other SDAs are shown in the map in Appendix A and can be described as:

East End SDA areas surrounding major intersections of Trunk Road at Wellington Street East, Lake Street, Black Road / Capp Avenue, and South Market Street.

Great Northern Road SDA areas surrounding major intersections of Great Northern Road at Second Line East, Northern Avenue, Willoughy (should be Willoughby) Street / Wawanosh Avenue, and McNabb Street. (Planning says the 22 MacDonald subject property falls within those boundaries – its not clear how based on the boundaries noted.)

Steelton SDA the neighbourhoods surrounding Steelton and areas north of downtown.

West End SDA centered around the intersection of Second Line West and Korah Road.

(Observations: 22 MacDonald seems not to be in a SDA and the proposed development seems, by City Planning submission to Council May 2024 to be better suited to one of those areas.)

- Proximity to Amenities is also ranked in the same document ranging from Few, Some, Most, Almost All, All. The Subject Property for 22 MacDonald appears to be in a 'Some' area again suggesting the development should be located elsewhere.

City planning references to "...despite the project's size..." and "...a significantly sized development compatible to some of the city's largest apartment complexes," and, "... large scale development in a single-detached residential neighbourhood..." acknowledges that the development is massive complex and again in the view of many, is far too massive for the subject property and the long established, single detached home neighbourhood area.

### Street Network and Pattern

This section mentions "...the minimal number of homes that abut MacDonald Ave. ..." but does not mention the homes on Grosvenor to Bruce, which is essentially an extension of MacDonald and is the pathway that traffic from the twin towers will take to reach Bruce that will be an increase to what's experienced now. Regardless of the number of homes, those on MacDonald will not agree with the report comment "...further emphasizing the subject property's position outside of any established neighbourhood." Similarly, all residents with homes in much of the notice area will see the towers every day from their yards and/or when they pass the property driving or walking. It's not outside any established neighbourhood, it's in the heart of neighbourhoods.

## Land Use

Features identified are seen by residents as part of the neighbourhood and some places are called that, e.g. neighbourhood church. These features are not perceived as 'transitions', 'buffers' nor 'a break' in character as suggested in the report.

## Tree Cover

The point that leaf canopy provides partial and only part of the year buffer has already been made but this section of the report is the first advisory of some tree removal being required. It's noted, "The site plan identifies the location where this is to occur," but we could not find that in the material. It would of possible assurance or alarm to know where and how many trees, previously referenced in the report as serving as a 'significant' buffer. We note in January 2020 when a smaller project was proposed for the property, planning said: "The 'Urban Forest' concept of maintaining existing and establishing new forested areas shall be encouraged. Tree planting shall be required for new development."

## Required Amendments

The report notes, "This application proposes an entirely new development plan...." This entirely new plan presents challenges to area residents in reviewing, discussing and seeking opinions of material that was first available at day's end Friday February 21, 2025. Later in the Summary section it's noted that the applicant wanted implementing bylaws to be available at Council's meeting of February 24, 2025 for approval, that the report says, "...shortens the approval process by one month."

Those who may wish to take any next steps were not consulted about this expedited process, which to our understanding removes one month of time during which consultation, preparation of materials for possible next steps and fundraising if/as required could be conducted.

It should be remembered that the notice area residents and concerned others are the only ones without resources to advance our concerns. Our efforts must be fit into busy lives and come at the expense of previous commitments and life events. Again, we are the only ones where this matter is not part of our daily job. Removal of time could be considered prejudicial to any efforts we may wish to take. This deferential accommodation for the applicant is requested to be denied and the usual bylaw process be adhered to for this application.

## Limiting Building height and number of dwellings:

This section refers to providing 'predictability' for the neighbours. We had the understanding these specifications were required in any zoning matter particularly one as massive as this proposal. Previous proposals for the property by the applicant have been abandoned twice creating a notable absence of predictability.

## Vehicular parking and landscaping within a required front and exterior side yard:

It appears parking spaces are close to the sidewalk from the concept image (pg 103). Being advised of a development(s) where there is a similar positioning of parking spots and

sidewalks would help understanding of the safety of this arrangement. While planning staff may not object, residents and their children using those sidewalks may have a different view.

“Driveways will be limited to one along MacDonald Avenue and two along Gladstone Avenue.” During the neighbourhood meeting residents from the notice area and some prospective tenants from elsewhere, we heard during the presentation the MacDonald Avenue would be limited to service/emergency vehicles. We read in a news item today that includes passenger pickup/drop off and visitors. Prior to this development proposal, there’s been an ongoing safety concern now at the peak of the blind curving MacDonald hill at Fauquier and any extra traffic – which we learn today will be more than our first understanding - will make it is more hazardous.

#### Property values will be negatively impacted:

It’s understandable planning can’t comment as noted in the report but at the neighbourhood meeting a Sal Dan representative said our property values would increase and we will hold the company to that assurance.

#### Inappropriate location for a dense development:

“..... this proposal does not present significant concerns.” Again, this is the view of planning staff but Subject Matter Experts – those living in the area – have a different view. In the immediate area around the twin tower complex are about 56 homes (Lansdowne properties abutting subject property and about the first six homes on each of Farquier, Ferris, South Gladstone, Summit), so about 123 residents. They will see the two towers daily from their yards and/or as they are driving walking. For them, the immediate area population will now be about 600 people – almost a five-fold increase. That’s significant. In the overall notice area, the population will be doubled.

As previously outlined, there are city defined areas that would be a better location for a project this size. In another location the twin towers complex may not result in creating what will be among the densest project population on 4.5 acres in the city, setting a new standard of permission for similar developments. Councillors may also view that as significant.

“... resulting community benefits must be weighed against the localized concerns...” That of course is the job of Council, but it seems Council can’t say no to any development, anywhere, anytime and so, it appears localized concerns will always lose. Citizens should take note.

“...minimizing privacy impacts...” Again, trees have no buffer capacity for about half of the year. In a previous neighbourhood meeting on an earlier project, the applicant said sightlines were determined by drones flying at different altitudes to provide assurances of privacy to the neighbours concerned about balconies facing their yards. No report, photos or related material were ever provided. In future high-rise projects it could be a consideration to require developers to conduct such studies. Viewshed analysis would also be helpful in assessing visual impact high-rise towers.

## Financial implications:

"Approval of this application will not result in any incremental changes to municipal finances."

That's not a complete statement in that it doesn't refer to an increase in city tax revenue resulting from the proposed complex. For a recent Sal Dan project report in Sudbury, planners there included this: "If approved, staff estimates approximately \$1.3 million in taxation revenue, based on the assumption of 324 multiple dwelling units based on an estimated assessed value of \$275,000 per dwelling unit at the 2023 property tax rates."

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## Matters arising

There are a number of places in the report that refer to future site planning for compliance. How do neighbours stay informed of these developments during the process? E.g. trees to be cut; landscaping plans; stormwater easement management; further site plans required by the Conservation Authority, etc?

On matters that directly affect neighbours and applicant/builder e.g. confirming details of pre and post construction foundation inspections and repairs if needed; use of development pickle ball court by neighbours (mentioned by Sal Dan representative at the neighbourhood meeting) and maybe use of other amenities; opinion expressed that individual home values will go up and not down because of the development; and possibly other matters.

In a literature review, a 2014 Ontario Municipal Board Decision (PL121280) was found involving Ruscio Investments and a named third party, Sal Dan, regarding the Queensgate residential development. The Decision introduction said: "In the City of Sault Ste. Marie ("City"), Ruscio Investments Inc. ("applicant") proposed a residential subdivision on a former private golf course, which had gone into receivership some years ago. Neighbours "strenuously objected." They said the golf course's "vista of green" had been part of the marketing on which they had bought their own properties."

The Decision said in part: "... the Board has no illusions about the frustration which the neighbours must feel. For them, this must appear to be an unsatisfactory outcome, from an unsatisfactory system. The Board can only advise that if there were any enforceable legal documents, whereby the seller of the neighbours' properties committed the subject property to the future they desired, then the neighbours might have a claim in the courts under Ontario property law."

Can Council attach to any approvals of building projects a requirement that the applicant/builder enter into legal agreements as required, based on verbal commitments made with individuals as involved at no cost to those citizens?

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Summary of actions suggested:

1. Deny the application.
2. Restore the usual bylaw process and timing.
3. In future high-rise projects it could be a consideration to require developers to conduct sightline drone studies. Viewshed analysis would also be helpful in assessing the visual impact of high-rise towers.
4. Attach to any approvals of building projects a requirement that the applicant/builder enter into legal agreements with residents to solidify verbal commitments made with individuals as involved and that these agreements be at no cost to those citizens?
5. Conduct an effective communications campaign to help single detached homeowners become aware of and provide comments on the various housing initiatives affecting them.
6. For transparency citizens should be advised who the Applicant is of all proposed projects at the earliest stage possible.