


Burlington, Ontario

November 12, 2017

To: Burlington City Council

From: Tom Muir

Subject: Planning and Development meeting of November 1, 2017 - Official plan and zoning by-law amendment for 421 – 431 Brant Street (PB-62-17)

Dear Councilors,

I provided written correspondence on this item to the P&D meeting of Nov. 1, but I was unable to attend that meeting personally.

At this stage in the process, with Committee approval, the conversation here is largely political. With this in mind, a quote credited to Councilor Meed Ward, summarizes accurately and succinctly a question I have been wondering about in terms of how I see this Council operating.

"Whose City is it?"

To which I must add from my own experience; Councilors, Who do you represent?

From the evidence that I have been easily able to gather, on this matter, you are, most of you, not representing the citizens that elected you. You appear to have been immunized against the opinions of your constituents.

It is their city, but you do not appear to be hearing them. They are telling you loud and clear that they don't want these building heights/density, with the associated problems, and they want to know why you are not enforcing the existing laws.

I looked at several recent staff report sections containing public comments. Many of these comments were lengthy and reasoned.

421 Brant St. Neighborhood Meeting: 22 comments - 20 opposed 2 supportive, of which 1 was in the development business.

421 Brant St Statutory Meeting: Of 10 comments, with no exception, the original proposed height of 27 stories was unacceptable – not just a little bit, like 23 is okay, but it was a rejection. For representative examples you can see my P&D correspondence.

421 Brant St. P&D Meeting Nov. 1. There was 1 personal delegation opposed.

There were 3 letters of correspondence, of which 2 were opposed, and 1 offered support for redevelopment but wanted to see compliance with existing OP and bylaws.

So out of 36 public comments received, 33, or 92% are opposed.

And the city says the public is broadly consulted, and uses that claim to defend decisions that are clearly opposed by the public in these consultations.

So who is represented here, and whose city is it really?

Going further in my findings of public comments on current proposals, let's consider the Molinaro proposal for 22 (or 24?) stories on Brock St.

Molinaro Brock St. Neighborhood meeting: 9 are opposed, and none spoke in support.

Molinaro Statutory Meeting of Nov. 6/17: There were 4 personal delegations and all were opposed.

There were 13 additional written comments, 12 of which are opposed, and 1 was neither clearly opposed nor supportive, but had several issues and concerns.

So on the Molinaro proposal, there are 26 public expressions of comments, of which 0 speak in support, 1 is equivocal, and 25 are opposed. So basically 100% do not support the proposal.

We can go to the Waterfront, and see the same dominant opposition to the city planners and developer proposals. Or elsewhere, and let's not forget the ADI Martha St. proposal.

Comments are often lengthy, and basically express the same issues and problems. Consistent concerns are always height, density, no respect for bylaw limits and creeping up proposal by proposal, staff traffic, congestion, parking assertions that are completely at odds with public comment and concern and reality even, and many others you can read.

And adding insult to injury, city and Council can't wait to hear the residents comment on what they think of the new OP, bylaws, and Mobility Hub ideas before voting to go far beyond anything in those documents for this location.

The draft plan ideas are still just that – not vetted, not discussed or debated, and have no approval and are therefore not policy relevant or legal. Given this, the Committee approval here makes a farce out of the formal consultation to come before it even happens.

To me this erases all doubt that the city, planners, and Council don't respect or really care to hear what the public thinks of these plans, and wants for what is their city.

Instead of waiting, as is legitimate and appropriate, decisions are made to go over and above even the 17 story limit proposed, but not approved, for this site in the new Mobility Hub Precinct ideas.

The existing limit is 12, the proposed is 17, but the City Manager and his planners, want 23. And Committee voted 5 to 2 in favor

Is that how Council wants to be seen as representing the people? In a way that drives cynicism?

Some of you say "tall buildings are the future" and "citizens need to get over their concerns". Well, "tall" buildings in Burlington are anything above 11 stories. So the present permissible of 12 is tall. And certainly the 17 proposed in the Mobility Hub Brant St Precinct is tall. So we are there already.

Consider that the draft 17 is about half way between the existing 12 allowed, and the 23 proposed, perhaps that would be a satisfactory compromise, a hair-splitting solution, to meet there, half-way.

There are other buildings nearby that are tall, so perhaps, in that context, the citizens "could get over their concerns" with this height, if they saw something of their wants being heard.

The people have spoken pretty loud and clear - note the almost 1300 (as of Sunday Nov. 12 at 5:00PM) who signed the petition opposing the proposal.

My ask is this. I read that the Mayor and Councillor Meed Ward, in voting against approval at Committee, suggested that 17 stories was something they could live with, since we seem to be going in that direction in the draft, but not approved plans.

So I ask one of them to move, and the other to second, a motion to debate modifying the proposal to 17 stories, and for Council to approve that modification, and send it to staff for appropriate action.

Thank you,

Tom Muir