

For years now everybody has known that the OMB was a very developer friendly organisation.

Its decisions usually favoured developer's amendments over official plans and that in any fight for increased density or increased height the developer would win and the citizens would lose.

That changed recently. The new Local Planning Appeal Tribunal LPAT will be much more cognisant of city official plans and will apparently favour Official Plans in effect at the time of any appeal.

The current Official Plan is the plan that would have to be considered by LPAT. That's the plan that has low to medium heights all the way up Brant St. and limits intensification and height to around the go stations.

So if a developer were to take the city to LPAT today, LPAT would probably rule in favour of the heights laid out in the existing plan.

For years developers have bought up land on Brant street, the core and along Plains Rd knowing that the city Official Plan limits would be easily over ruled at the old OMB. City council accepted some drastic amendments knowing that the OMB would do just that.

Now there is a good chance that a similar appeal to the LPAT would result in the present heights in the present official plan being upheld.

That would be good news for citizens but bad news for Developers.

On TV recently Councillor Sharman defended a council position that since developers investments cannot break even until their building plans exceed 16/17 storeys, it is incumbent upon city council to help them achieve this. He repeated this statement at a meeting I attended with ECoB, City Planning and Himself. This philosophy seems to be shared by a majority on council.

So if developers need at least 16 storeys to break even and current city plans limit heights to between 4 and 12 storeys downtown where can a developer go?

They can't go to LPAT, because LPAT may well favour the current city official Plan Heights and rule in favour of the lower heights.

The only alternative was to go to a developer friendly city council and ask for a New Official Plan that would permit higher buildings in the downtown core making any future appeal to LPAT more plan friendly and therefore more developer friendly.

And that is exactly what our New Official Plan has become. A permit for Developers to build higher while avoiding the risk of losing arguments at the New LPAT.

All the talk of Grow Bold, Urban Growth Centres, Downtown Mobility Hubs and Special Development Precincts have simply been a smoke screen to cloak a very developer friendly plan in a veneer of planning respectability.

That also explains the rush to get the plan on to the books. The longer the old plan remains in effect the longer the developers are left holding properties they cannot turn into profits. This is a serious cash flow and business problem for them.

So from a somewhat banal project to review the official plan starting seven years ago, suddenly as the OMB LPAT differences became obvious last year, the push was on to get this done.

The only delays that were allowed were to help council to be clearer on exactly what was being proposed, to give staff the time to tweak the plan to ensure that the “Special Development Precincts” were exactly where the developers owned property, while dressing it up as “Public Consultation”. We are now at the 3rd or 4th rewrite I believe of this Official Plan.

As I recall the original plan was to have it adopted by council and submitted to the region by November last year. It has now been delayed three or four times, once for council, once for staff once to allow a regional agricultural mapping inclusion. It seems it can be delayed for just about anybody or anything except the people it most impacts. The people of Burlington.

At least one member of council, a large number of private delegations, delegations on behalf of various citizen advocacy groups asked time and time again if this process might be delayed to allow the people of Burlington greater input and real engagement in the process and then put the plan to them in the upcoming election. Every attempt to delay that process to allow greater citizen engagement or input was rejected by council.

Now we know why.

It seems we can delay the adoption of this extremely unpopular official plan for councillors, for city staff, for developers and even for the region. Yet when your citizens, your constituents, your voters suggest it be delayed we are told NO!

Now we know why.

We are told that the Official Plan is way too important to delay it and allow the final say by the very people it is supposed to be written for, The Citizens of Burlington, Rural, Urban and Downtown who will have to live with it for the next several decades.

Now we know why.

Now that the citizens of Burlington are becoming aware of the reasons for rushing this flawed and developer friendly plan through council, very much against their wishes, they are mobilising to defeat it in the upcoming election.

Across the city from Alton to Aldershot and in every area in between groups are looking for candidates who will oppose and overturn this Official Plan. Candidates who will rewrite it with real input from citizens whose views have been so ignored and overlooked in this truly terrible Official Plan Process. Candidates who will fight to make citizen engagement a reality in Burlington.

The issue you tried to hide from the electorate will be front and centre in that campaign and you will be reminded of the folly of ignoring your citizens when the votes are counted in October.

If you choose to be the candidates who still, after all these delegations, after all these raised protest voices are still not listening, still not getting it, the electorate have the right to ask: “Are you with the citizens or the developers?”

You cannot continue to ignore us and claim you are with both.

It is not too late. You can still delay this, still fulfil the wishes of your citizens. Or you can go ahead and adopt it. The choice is yours and in a democracy that is as it should be.

Just remember that come October, the choice will be ours and in a democracy that too, is as it should be.

Jim Young