

- Mayor, Members of Committee, staff
- John Calvert, 2174 Winchester Court, Burlington. We have lived at our present location for 39 years.
- I am here tonight, along with my colleagues, as a member of the Havendale Advisory Committee, a resident organization with deep roots in the community.
- Initially, we want to address the issue that has been raised that our opposition to the NH proposal is because it consists only of townhouses.
- We want to be clear that our concerns are not NIMBYism. We are not opposed to the construction of townhouses, so let's take that off the table
- Our community has a range of housing types, including several townhouse developments – adjacent to the southern boundary of the site, on Fairchild Blvd., along Upper Middle Road, further north on Brant Street, and east of Brant Street around Paul A. Fisher P.S.
- We could support well-designed townhouses built in accordance with existing development standards.

- Our concerns are based on the proposed over-development of this site, resulting from the non-compliance of the NH proposal with the existing Burlington OP and Zoning By-Law
- I want to refer to our Havendale Advisory Committee Position Paper which we submitted to each member of Council and planning staff in October
- We were pleased to receive very positive feedback from several members of Council
- Our Position paper summarizes the six main areas of concern regarding this application by NH that will be addressed tonight, namely:
  - Over-development
  - Traffic, Safety and Health
  - Parking
  - Drainage and Flooding
  - Urban Design and Streetscape Impacts
  - Housing choice limitations
- My presentation addresses three questions:
  1. Is the NH proposal consistent with the PPS and the concept of intensification?
  2. What is the appropriate policy context to evaluate the NH proposal?
  3. Does the NH proposal satisfy the intent of the policies of the Burlington Official Plan?
- My colleagues will then provide a summary of the serious negative impacts that are a direct result of the number of exemptions and reductions of development standards in the Burlington Zoning By-Law.

### Conformity with Provincial Policy Statement (PPS)

- Let's examine the policies in the PPS
- The applicant NH wants to create the impression that this is a simple straightforward application, merely amending the land use designation at 2100 Brant Street from Residential- Low Density to Residential-Medium Density, and that the proposed amendment to the Zoning By-Law simply implements the amendments to the OP.
- But when you examine the NH proposal in greater detail, it is clear that this application will have far-reaching and very severe impacts on the quality of life and neighbourhood character not only for the existing neighborhood but also for the future residents who will be calling this proposed development home.
- NH wants us to believe that their application should be approved primarily because it conforms to the PPS and the concept of intensification. Their Planning Justification Report devoted over 50 pages to conformity with existing policies but is totally silent on any justification with regard to the non-compliance with the policies of the Burlington OP and for such a drastic reduction in development standards.
- Is this proposal consistent with the PPS?
- The PPS directs planning authorities to “identify appropriate locations and promote opportunities for intensification Where it can be accommodated...and promote appropriate standards while avoiding mitigating risks to public health and safety.”

- While we acknowledge that all planning decisions must be consistent with the Provincial Policy Statement, our submission is that the NH proposal does not comply with the PPS because it is not based on appropriate standards.
- This is the same conclusion reached by staff in a previous report on a different development – based on the same issues – “While the proposed development is consistent with the PPS in principle, the proposal represents over-intensification .... And does not provide adequate setbacks, buffering, amenity space or parking standards.”  
 “The significant reduction of numerous development regulations that are required to facilitate this intensification proposal and the failure to satisfy the City’s OP process...results in an application that is not consistent with the PPS.”
- City Council agreed with the staff recommendation
- We feel the same conclusion applies to this NH proposal.

## 2. Intensification

- The position put forward by National Homes states that it is based on the concept of intensification from the PPS.
- What is meant by Intensification?
- The concept of intensification in the PPS was originally intended to minimize land consumption and to effectively use existing infrastructure ( Examples)
- The intent has been liberally expanded by the Development Industry to imply that intensification means automatic increases in height and density. Every application for increases in height and density just has to say it is “intensification”.

- Intensification does not mean anything goes
- Intensification must be considered within the appropriate policy framework – which we suggest is the OP

### Official Plan

- Our OP is the most important planning document available to our municipality - it provides the vision and direction for our city. It is the basis for reviewing development proposals.
- It is a commitment by our council
- The OP process is lengthy – as our planning staff knows it is not developed easily or quickly
- Our policies are well-thought out – the intent of each objective and policy is clear.
- The PPS is very clear that the “objectives of its policies should be given contextual consideration (meaning they need to be examined in the context of our Official City Plan) and not to be interpreted as unrestricted or unconditional permission to apply PPS policies to specific sites and developments. Not all policies apply to every site.” ( taken from previous staff report)
- This is a quote from the staff report PB-23-15 dated March 30, 2015. “Staff clearly recognizes the importance of “contextual consideration.”
- In fact the PPS also states the OP is the most important vehicle for the implementation of the PPS (Section 4.7) “Comprehensive, integrated and long-term planning is best advanced through the OP.” “Official Plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to

suitable areas.” The OP provides the overarching policy and framework, and evaluation criteria for intensification proposals and development standards in the City of Burlington.

- The PPS has identified the importance and significance of the role of the OP when decision-makers are reviewing a development proposal. It is clear that this application should be reviewed in the context of this OP.
  - The PPS directs our communities to identify appropriate locations and opportunities for intensification. The Burlington OP has identified the appropriate location for intensification.
  - Mobility Hubs (GO Stations) – Mixed Use Centres – Nodes and Corridors. Residential neighbourhoods are not intended to capture a significant portion of the City’s growth.
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- Let’s look at the Burlington OP policies that specifically apply in this situation – Land Use and Design Compatibility
  - Policies in both the Strategic Plan and OP, and Draft OP are aimed at protection of stable residential neighborhoods like ours.
  - SP – objective is Target Intensification. “Older neighbourhoods are important to the character and heritage of Burlington and intensification will be managed to respect these neighbourhoods.”
  - The theme of compatibility and protecting the character of stable residential neighbourhoods is throughout the OP. It is even stronger in the Draft OP.

- All three parts of the OP – policy Framework, Functional Policies, and Land Use Policies all stress the importance and need for compatibility of infill and intensification with existing neighbourhood communities
- It is evident that staff and Council spent a great deal of time and effort to ensure minimal impact from infill and intensification on existing residential neighbourhoods.
- Our Official Plan, Prepared with such care, focuses significant attention on the concept of contextual consideration, For example<

#### 2.5.4 Infill Development

-Compatibility with surrounding area – New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting setbacks, coverage and the amount of open space

-Compatibility with neighbourhood – The creation of new housing that is compatible with existing neighbourhoods, shall be encouraged.

#### Reference 6.0 Design

- 6.2 Objectives – Neighbourhood Character – To ensure that the design of the built environment strengthens and enhances the character of exiting distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.

### Intensification:

“(b) Promote the efficient use of land through intensification within appropriate areas of the City – “However, the Plan also recognizes that the extent and type of intensification must be evaluated in light of other important consideration, such as the protection of the natural environment, health, and safety and the need for compatibility with existing residential neighbourhoods.”

In fact, Land use Compatibility was considered so important, that in addition to these policies the OP contains a separate section.

“Intensification Evaluation Criteria” - 13 criteria to be evaluated.

- When viewed in light of these policies and commitments by the City of Burlington, it is clear to us that the proposed NH development fails to satisfy a number of intensification criteria, specifically:
- The achievement of compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity areas to provide transition between existing and proposed buildings
- The provision of adequate buffering
- The requirement for intensification proposals to be well integrated with the existing neighbourhood in terms of built form, scale and development profile in order to provide a transition between existing and proposed residential buildings.



As a result, this proposal by National Homes:

1. Would lead to over-development of the site
2. Represents over-intensification
3. Fails to satisfy the residential intensification policies of the Burlington OP and does not represent good planning.

## CONCLUSION

We ask a number of questions for your consideration in the review of the NH application.

- Is the NH proposal consistent with the PPS? No
- Does this NH proposal meet the intent of the Burlington OP policies regarding intensification and compatibility? No
- Is this NH proposal compatible with the existing neighbourhood character? No
- Will you respect the OP policies that you have adopted? If not, why have an OP?
- We are asking you to Stand By Your Plan.
- One last point, our Havendale Advisory Committee Position Paper was developed as a combined effort of concerned residents, was well-researched and clearly conveys our concerns.
- While it was included in the appendix of the staff report with all the Public Comments, we are very disappointed that the report (PB -30-18) was silent on the specific issues raised by our document.

- At the same time, the staff report contains three pages on the “Policy Framework”, which appears to be a summary of the “Planning Justification Report” put forth by the applicant.
- The City states in its Strategic Plan that it is an “An Engaging City: Community members are engaged, empowered, welcomed and well-served by their city.”
- We feel that the voice of this neighbourhood committee is not being heard.