

Delegation to City Council, December 17, 2018

Item 10-1-f, 2100 Brant Street.

Worshipful Mayor, Councillors, Staff Members and Fellow Citizens.

I delegate tonight to seek clarification on, and an explanation of, the apparent secrecy surrounding the “LPAT Prehearing Conference / Settlement Agreement” between National Homes and The City of Burlington concerning The Development at 2100 Brant St, with particular regard to the exclusion of neighbourhood groups and their input and contribution to the process.

It is possible that I am simply not smart enough to understand the issue, in which case your explanation will help me, or it is equally possible that in fact there is an overly secretive process which needs the light of transparency shone upon it to help others in our ward and in our city understand how this process works and why our city allows it to work in that secretive way.

So my questions for clarification and explanation are:

1. Will council or staff please explain the process by which a Pre-Hearing Conference becomes a Settlement Agreement Meeting?
2. Is it legal for staff and developers to circumvent local resident input by moving directly from a pre-hearing conference to a settlement agreement?
3. Does the frequency of “Failure to Respond” appeals by developers make this kind of circumvention more likely? And what steps do council and staff intend take to eliminate appeals based on failure to respond?
4. In the case of 2100 Brant St, did our previous council agree, in camera, to such a settlement agreement?
5. If that is in fact legal, and if our previous council allowed this to happen, will council now affirm for concerned local and city wide residents that:
 - a. Council will move to reinstate the pre-hearing conference for 2100 Brant St. and negate any settlement agreement either considered or reached, in camera, without meaningful resident input and participation.
 - b. That all future applications for in camera settlements by developers, staff or others which circumvent a public, accountable and transparent bylaw amendment process will be denied.

While I am hardly surprised that our previous iteration of City Council would avail themselves of this kind of non-transparency, I would hope that this council, elected on platforms of increasing transparency and accountability, will provide the people of Ward One and throughout the city, with answers on how and why this was allowed to happen and how you, as our elected representatives propose to undo this miscarriage of process and ensure it does not happen again.

Based on much election rhetoric on the need for change, the people of Burlington are watching this new council's approach to citizen involvement with neighbourhood developments very closely.

If the real and genuine concerns of the good people of Havendale Blvd / Silwell Ct are not addressed, then, despite all the fine words and campaign rhetoric, nothing has really changed has it?

I thank you all for your time and attention to this matter and look forward to your responses.

Jim Young.

Burlington, December 17, 2018.