

Planning & Development Committee
 City of Burlington
 Re: PD-09-19

“Direct the Director of City Building to include broad stakeholder perspectives in the 2019 Planning Process Review including residents who reside in proximity to infill development applications and to consider recommending the implementation of effective Construction Management Strategies in order to protect adjacent properties throughout the infill development process.”

My name is Leslie Barbetta, I am a resident of Goodram Drive in the Shoreacres neighbourhood. I am here to share my observations and personal experience with the impact caused by infill developments.

Our neighbourhood is blessed with deep, wide lots, one of our defining characteristics. Many residents have made improvements or modest renovations to the existing homes, while maintaining the true character and respecting the scale of neighbouring properties. In recent years, a number of original bungalows have been torn down and trees removed in order to make way for much larger, incompatible infill. This has been a trend that, in my opinion, actually seems to have gotten worse since the implementation of the Character Area designation. Houses are being built to their allowable maximums, and without any regard for neighbouring properties, leaving in their wake an ever-changing streetscape, heightened tensions between neighbours, and long-time residents who suddenly have their privacy compromised and their homes damaged due to “over-building”.

The issue of scale and massing is not properly addressed by our Character designation. 4000+ ft² homes are now the new normal. Take a stroll down Poplar Drive, Elm or Oak Crescent, and it’s difficult to miss the kind of change that has been allowed to take place. ... and more is on the way. It’s a sad thing that the first question I hear when an older home is sold is “So, do you think they’re going to stay, or tear it down?”. As part of the pattern, the “forever” home ends up on the market after a couple of years and the residents who actually want to live here are left with the unwelcome reminders of how the process has failed us. An increased level of distrust has crept its way into our fabric and we have become conditioned to be skeptical of new residents in the area... and isn’t that unfortunate? Not an ideal way to build community.

Earlier this year, the owners of the property on my north side announced plans to build a 5000 ft² home on the lot. If that size wasn’t shocking enough, they then applied for variances to build even wider and deeper. If accepted, the total square footage of the home including basement would be about 8400 ft²... plus an approximately 1000 ft² covered porch. For reference, the existing home is about 1100 ft² plus basement. With the support of my community, we spoke out against this build and the applicants deferred their application, at the advice of the Committee of Adjustment. However, there remains much uncertainty, as the current state of this development is unknown. The fact is, they are still permitted to build a house of this size, even without the variances, due to the depth of the lot. This speaks to a bigger problem though: when someone has maxed out their allowable width and depth and height, and still wants more, at what point do we say “THIS IS JUST TOO BIG!”? If we hadn’t opposed the variances, they likely would have been given the green light to build, since the Planning Department was 100% supportive of the application.

(cont’d...)

Compatibility aside, these infills raise another serious matter with respect to the environment. At a time when the City of Burlington has declared a climate emergency and there is an increased awareness about the footprint we leave behind, permitting infill of this size seems to be incredibly irresponsible, from an energy consumption perspective and for the susceptibility of flooding on neighbouring properties caused by extreme weather events. In our situation, we sit at a lower elevation from the proposed development. The water displacement and runoff caused by a house this size stands to significantly impact our property, particularly during heavy rains and spring thaw. This is not a “what if?” scenario. This is happening to other homeowners under these exact circumstances. As I understand it, the owners next to me have obtained grading & drainage clearance. And so I ask the City, will you accept responsibility and provide compensation if and when I experience water damage caused by the construction of an enormous home?

The recent process concerning this proposed development took a significant personal toll, affecting my physical and mental health, as well as personal relationships. I sit and wait and worry about what is to come, and so the anxiety and stress remain. I know I’m not the only one to be affected in this way. These challenges are compounded by the lack of regard builders & home-flippers have for the noise and disruption they cause. We need better construction management policies that would give greater recognition for public safety and well-being. My family has just endured a house flip on our south side where the builder worked and operated construction vehicles beyond permissible hours on numerous occasions. Current noise bylaws do not adequately protect us from these problems. It was explained to me that I would have to document disturbances for a minimum of 21 days in order for action to occur. So I’m spending those days logging everything, meanwhile the contractor has been able to get his work done without repercussion? This past year, there were several instances where my visibility was compromised by construction vehicles while I tried to exit my driveway. It was so bad one day that my child and I were almost hit by passing cars who couldn’t see us either. Within a day of blasting the contractor for this continued disregard, I was graced with a mysterious burn-type mark on my lawn that appeared to spell out a message which I won’t repeat.

The existing planning process and zoning bylaws are too builder-friendly in their current form. Why are a developer’s or home flipper’s rights more important than those of a resident who has lived in the area & paid their taxes for years? Who is protecting the residents who actually LIKE the area, who WANT to live among smaller homes, and keep the trees? And above all, why do we have to keep fighting to protect our neighbourhood? I submit to you, is our Character Area designation even relevant anymore? It was expressed to me by a neighbour that the remaining bungalows and modestly-sized homes are getting to a point where their value will be that of a tear-down, regardless of what improvements or upgrades have been made. I couldn’t argue with him.

None of us is opposed to development, and we know change is inevitable, but we would like to see a more mindful, collaborative development approach that better considers the interests of those who have the greatest investment in their community, and who stand to be impacted the most. In conclusion, I respectfully ask the Planning and Development Committee to support this motion.

Thank you.