

Good morning Chair, Councillors, Your Worship.

- I am Lynn Crosby and with me is my colleague, Blair Smith, and we represent the advocacy group, WeLoveBurlington. WLB fought against the prospects of municipal amalgamation in order to preserve and protect local voice. We are here today because we continue to advocate for local voice. We believe that Council and the citizens in Burlington are at a crucial point where we have one last chance to fight for the vision of Burlington that citizens have been expressing for years. We have one final opportunity to protect our downtown, preserve our waterfront and ensure that the people are heard.
- While we applaud the committed efforts of Planning staff, we would like to add our opinion to that of many of the citizens of Burlington and express both disappointment and concern with the 2 options or “concepts” that are being offered for the development of the downtown core. We will leave discussion of our main issues for whenever Council will be endorsing amendments to the Adopted Official Plan. We have many technical and policy arguments which justify a more popularly supported vision for the downtown – we will offer them then. This morning, we would like to speak to fundamental flaws in the concepts.
- WLB members attended two different sessions (hence received two different perspectives) of the recent ‘action labs’ designed to garner public opinion on what the vision and conceptual layout should be for the development of Burlington’s downtown. We also received feedback from several of our associates who attended different sessions. Notably, all sessions had the same deficiencies.
- The two concepts (and the mention of a possible third melded concept) were presented – each based on the existence of the same factors or planning constraints:
 - The urban growth centre designation for downtown
 - The mobility hub located at the current bus station, and
 - The major transit station area designation

No consideration was given to any concept that was not based on and framed by these constraints. So, if these constraints change, and we believe that they should, then don’t the concepts also need to change? Indeed, if after the ICBL expires, and Burlington is successful in removing the classification of the urban growth centre or moving its location further north, then the limiting factors underlying the two concepts become irrelevant. Our fear is that if either of the options are selected for the downtown or anything substantially similar, then the relocation of the Urban Growth Centre becomes moot. You will be backing yourself unnecessarily into a corner that is inconsistent with your stated direction and intent.

- Both concepts presented this morning are based on the Adopted Official Plan. The Adopted Official Plan reflects the direction and desire of the past Council. So, first we ask “what does this Council want?” Is the Adopted Official Plan your vision as well? The vision of the past Council,

which we believe largely ignored what the people wanted for the downtown, should not automatically be inherited or repeated by you. To be fair, many of the errors made with regard to the future of Burlington's downtown cannot be completely laid at the feet of the immediate past Council - they go further back. However, what does stand before you is the opportunity to correct these mistakes. This will be your lasting legacy.

- In the 'Action Labs,' participants were told that the two concepts were developed because they were "defensible". In other words, they would be consistent with the Provincial Policy Statement and satisfy the requirements of Halton Region as sole approval authority of the plan. But both concepts represent just slightly different flavours of the same thing – tall buildings in the downtown. Should there not be at least one true alternative? Participants were told that any concept that involved 'no more tall buildings' was not "defensible" and could not be included. So, when choosing a concept, participants selected the one that was the least offensive of the two rather than that which might actually reflect what they wanted to see.
- Many participants that we questioned felt that neither concept was what was desired for downtown. Many felt that they were voting for the option that was 'the best of a bad lot'; that even the informing vision for downtown (Section 3.3 of the Report) missed the fact, frequently expressed, that it cannot be achieved if tall buildings are part of the environment. This feeling of dissatisfaction with both process and available options is also apparent on the City's facebook page where over 160 negative comments are registered. Overall, we believe this means any results from the polls and selections made by attendees are skewed and have little if any validity.
- Perhaps the most fundamental question concerns the starting point of this process – the Adopted Official Plan. Why was this chosen when it clearly has neither legal status nor resonance with the citizens. Many who participated in the workshops had expected that this exercise was building a fresh view rather than one that merely "refines" an existing and frankly unpopular vision. Indeed, Section 3.4 of the report states that "the overall vision for the downtown remains the same". Why? Add to this the fact that an Official Plan is intended to be read as a whole. The parts are interconnected and must be considered together to avoid taking things out of context. The downtown, which we are examining here and through this whole exercise, may be the most controversial portion of the OP but it is not the only one and each impacts the other.
- WLB believes that the people need to be heard; that 'tall building' development in Burlington should not occur in the downtown core and particularly not in proximity to the waterfront. We will expand on this position whenever the final concept is brought back. However, we would like to be clear. WLB is not opposed to development in the interests of intensification but believes that this form of development should occur in areas other than the downtown core; if in the downtown at all, then much further north. The waterfront and our downtown are vitally important to our city and must be protected. The OP is the best way to protect them.

- WLB believes that Council should carefully listen to the voice of the people and defend it to the best of their ability. We believe that the new OP should be redrafted to present a 'no more tall building' concept for Burlington's downtown core. Indeed, what is the rush? Why are we here now? There is no deadline in the Provincial Planning Act that is forcing us to push this through without sober second thought. We have been given a "time-out" to carefully reconsider what Burlington needs and what the people want. Why are we here today at the beginning of the Christmas season, rushing to execute on a consultant's vision for our downtown with arbitrary deadlines and timeframes for response?
- We read Mayor Meed Ward's article piece published last week in Inside Halton about the recommended changes to the OP for the downtown. We were encouraged that she feels "they still represent overdevelopment" and that she's "looking for an option that is more in line with what residents have expressed throughout the OP process that began in 2017." We note that Councillor Kearns appears to have similar concerns and are equally encouraged by statements in her recent Newsletter. We also agree that the Urban Growth Centre and Major Transit Station Area designations are a concern and should officially be removed or relocated.
- This whole process to date - the Action labs, the downtown tours, the surveys, the one-on-one discussions with staff and council members - is rather meaningless since it was all predicated on a direction that we believe is flawed; the premise that the popular desire for no more tall buildings at all downtown isn't defensible and thus can't even be considered. And why? Because we have designed these options based on the current existence of the Urban Growth Centre and Major Transit Station Area being downtown, in fact they are "givens". A circular argument at best.
- And we should neither fear nor anticipate LPAT. We believe that at LPAT the position of a municipal Council is paramount. The hearing must first understand the position of Council and the relationship between this position and the existing OP and the PPS. The type of LPAT hearing to be held and the decision resulting can be totally based on Council's stance and direction. The new or reintroduced issue is the 'de novo' hearing and we will get into detail on that when we delegate next. But the critical thing is the strength of Council's voice and the consistency of its position. A good municipal lawyer will use this to maximum advantage. This position of fearless champion of what is best for Burlington is what we expect our Council to adopt.
- Finally, the result is that we feel that we are again not being sincerely engaged or truly heard. All the public engagement that has been done has landed us here in a position where the two concepts presented do not reflect what the public wants. We understand that Council will work with staff on modifications to produce an option for endorsement by early next year. This is far too important to be done in haste. We respectfully request that Council take as long as is needed to produce the right solution for Burlington; one that protects the waterfront for generations to come and preserves a downtown free of any additional tall buildings. Please extend the ICBL if need be, complete the necessary studies, including the transportation study,

the market analysis and the fiscal impact study, among others, acknowledge that the Official Plan is an integration of perspectives and should be addressed as a single entity. There is only one waterfront and one downtown – once gone there will be no bringing anything back and, fairly or not, you as a Council will be judged by the Burlington you saved or permitted to be lost.