



**BUILDING A GREATER GTA**  
Building Industry and Land  
Development Association

September 28, 2020

Mayor Marianne Meed Ward and Members of Council  
City of Burlington  
426 Brant Street  
Burlington, ON  
L7R 3Z6

Dear Mayor Meed Ward and Members of Council,

**RE: Proposed Protocol for Implementing Pre-Application Community Meetings (PL-23-20)**

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*BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area. The building and renovation industry provides \$33 billion in investment value and employs 271,000 people in the region. BILD is proudly affiliated with the Ontario and Canadian Home Builders' Associations.*

BILD is in receipt of Report PL-23-20 entitled *Development Review – Pre-application Community Meeting Protocol*, which was endorsed at the September 15<sup>th</sup> Community Planning, Regulation and Mobility Committee and is now being brought forward at today's (September 28<sup>th</sup>) Council meeting for final adoption. We understand that this report seeks to introduce a revised protocol for pre-application community meetings that is to replace the City's Current Applicant's Guide to Pre-application Public Consultation.

This matter is of significant interest to the BILD Halton Chapter and we have been monitoring this subject closely alongside our partner association, the West End Home Builders' Association (WEHBA). As directly affected stakeholders, BILD previously discussed this matter with City staff to share our thoughts on a pre-application protocol as well our experience with similar approaches that were considered in other municipalities. We would like to take the opportunity to reiterate our feedback directly with City Council.

BILD and its members strongly believe that public engagement brings value to the planning and development process, and that it is important to create opportunities for the public to be engaged in matters that affect them in transparent, meaningful ways. Often, our members go beyond the public consultation set out within the *Planning Act* in an effort to ensure they bring forward a proposal that the neighbouring community can better understand and provide feedback on.

In our review of the recommended pre-application protocol put forward by staff, we share the same concerns with WEHBA that the outlined process may result in a premature, and therefore misinforming engagement with the public. The requirements for the pre-application process is also incredibly onerous to prospective applicants seeking to bring much needed housing options and employment opportunities to the City of Burlington.

BILD understands that some members of the development community have been subject to this new - pre-application protocol, prior to Council making a final approval on it. While we do not agree with this protocol being implemented before Council adoption, the preliminary feedback and experiences BILD has heard from its members indicate that the protocol presents some initial challenges and

complications. As a new process, there needs to be flexibility and opportunity to monitor what is and isn't working, and where improvements need to be made accordingly.

For these reasons, we believe that this protocol should only be applied in appropriate circumstances, determined collectively by a proponent, staff and City councillor. BILD and its Halton Chapter members recognize that the report explicitly states that public consultation by a proponent prior to an application has and continues to be voluntary - a condition that we strongly support, and trust will be upheld moving forward. In keeping the process voluntary, the City avoids unnecessarily straining the time and resources of staff and City Council members. It should also be noted that this process shouldn't be applied for proposals that fulfill future growth objectives as laid out in City, Regional, and Provincial plans.

Furthermore, as an option to the development community, this protocol and those who undertake it must be assured that this is not a prerequisite for approvals, but rather a process that simply informs an application. Applications must be considered based on their planning merit, and against conformity to applicable planning policies. In this regard, being that this protocol directs the developer to take ownership and lead these meetings on their own accord, staff and council should work in a collaborative spirit with the proponent in coordinating and conducting these meetings.

Council and staff should be aware that BILD and its Halton Chapter do share a broader, significant concern that the pre-application protocol may inhibit the ability of a proponent to make an application under the *Planning Act* and the legal due process set out within. It also has an ability to reduce industry efforts to bring forward more housing supply sooner and stimulate the economy during this unprecedented time where COVID-19 continues to detrimentally impact our communities, businesses and the viability of future projects.

BILD will continue to seek the feedback of its Halton members on this protocol moving forward and welcome opportunities to openly evaluate how successful it has been in achieving its intended purposes after the six-month and one-year mark with City staff and Council members.

As your community building partners, we hope you will find our feedback helpful. Thank you for taking the time to consider our comments and should you have any questions, please do not hesitate to contact the undersigned at [ctupe@bildgta.ca](mailto:ctupe@bildgta.ca).

Sincerely,



Carmina Tupe, MCIP RPP  
Manager, Policy & Advocacy BILD

CC: Heather MacDonald, City of Burlington  
Tim Comisso, City of Burlington  
Jason Sheldon, BILD Vice Chair  
Kevin Singh, BILD Halton Chapter Co-Chair  
Shane Cooney, BILD Halton Chapter Co-Chair  
Halton Chapter Members  
West End Home Builders' Association