

July 5th, 2022

City of Burlington
c/o Committee Clerk, Suzanne Gillies
Environment, Infrastructure and Community Services Committee
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

**RE: Park Dedication Bylaw Amendment (ES-06-22)
Branthaven Turnberry Inc. (Branthaven)
2273 Turnberry - 535-002/20**

Dear Committee,

Branthaven is writing to you in response to the release of the Park Dedication Bylaw Amendment on June 27th, 2022.

Branthaven has been advancing a site plan application (File No. 535-002/20) for 2273 Turnberry Road, with the first submission made in January 2020. Since this date, Branthaven has worked cooperatively with staff through this process encompassing; a positive minor variance recommendation report, Council endorsement of the same and despite being declined at the Committee of Adjustment in February 2021, we cooperated at the Ontario Land Tribunal (OLT), ultimately receiving approval of all minor variances in November 2021. We were further committed by Planning staff in October 2020 should we work cooperatively, approval of the site plan would follow shortly since majority of the issues have been addressed. We've been relying on this fact.

Branthaven made the final submission of their site plan application in October 2021, receiving confirmation of no further comments from staff in February 2022. Unfortunately, it then took 1.5 months to issue Conditional Site Plan approval in April 2022. From there, we've been consistently following up with staff for responses on multiple levels from Landscaping, Planning, Engineering, Forestry to advance clearance of the conditions. The reality is that because of staff shortages/high turnover (two planning staff members assigned to this file have left the City), response times have been adversely impacted – 2 weeks were the norm. These delays have been acknowledged by the City Manager, Executive Director of Community Planning Regulation & Mobility and the Mayor.

Our hope was to have building permit applications filed in May 2022; however, this has not yet occurred due to the delays experienced from City staff (high turnover). We're still pushing staff for responses for site plan approval, and despite virtually having all conditions cleared, we're not seeing the cooperation that was committed too in October 2020.

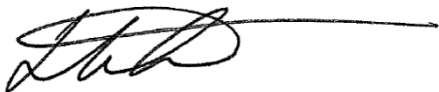
Now the City has released the Park Dedication Bylaw Amendment (ES-06-22) on June 27th, to be presented at Committee for July 7th, and later Council on July 12th. We agree an update to the parkland dedication by-law is required (previous by-law in 2005), as it's of paramount importance to support municipal parkland initiatives. However, introducing such significant increases to the cash-in-lieu capped rates only 1.5 weeks in advance of this committee meeting is inappropriate. Earlier this this, we understood there was a parkland study being undertaken, with the expectation of going to Committee in July, again having only 1.5 weeks to provide commentary on such a significant amendment is inappropriate.

In the site-specific context, the townhouse condition will be subject to an increase from \$6,500 to \$33,400 - an increase of \$26,900 passed onto the purchasers. Given such a significant increase, we would hope for equitable transitional clauses that would not shock new Burlington homeowners with additional closing costs. Should we have filed our building permit applications in May 2022 as previously planned, this cost would not be passed onto the homeowner.

In the full context of City staff delays mentioned above, we believe better consideration for transitional policies are required, and using Building Permit applications as the catalyst for advanced applications such as 2273 Turnberry's is inappropriate. We believe that all S.41 Planning Act (site plan) applications filed prior June 2020 should not be subject to this by-law (grandfathered).

We appreciate the opportunity to file this submission with the Committee and look forward to the ongoing discussions.

Respectfully Submitted,



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Project Manager

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