



# EMSHIH DEVELOPMENTS INC.

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Monday August 24, 2020

**Via E-Mail**

City of Burlington  
426 Brant Street  
Burlington ON L7R 2G2

**RE: Delegation Notes from Kristina Didiano (Emshih Developments Inc.) regarding Supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)**

Dear Mayor Meed-Ward and members of Council,

I am here today along with Dr. Michael Shih of Emshih Developments and Ian Shaw of Soil-Mat Engineers with regard to Item **10.3(f) Garden Trail Subdivision Extension Request** on your agenda today.

As you are aware, our representative Dana Anderson of MHBC, and Dr. Michael Shih of Emshih Developments delegated at the August 11<sup>th</sup> Community Planning, Regulations & Mobility Committee meeting. Ms. Anderson presented an alternative approach which would allow the extension of draft plan approval to take place without the need of a new subdivision application. Our approach included a set of updated scoped studies to inform and address any remaining outstanding agency concerns and continue the progress that has been made over the past 2 months working with City, Region and Conservation Halton (CH) staff.

Emshih understand that the Committee voted in favour of staff's recommendation to refuse our request for extension. We believe that some information presented on August 11<sup>th</sup> was not entirely accurate, and as a result, we would like to take this time to address these facts. You have before you a written submission prepared by our legal counsel with an attached letter from Soil Mat Engineers outlining these key points as follows:

1. Conservation Halton was incorrect to state the no work has been completed on this file since 2001.
  - As summarized in the attached letter prepared by Soil-Mat, working with CH has been an ongoing process of a technical nature which commenced in 2010
  - These discussions have informed all the evolving reports and studies that have been completed to date, related to slope stability, stable top of slope and developable land area
2. Per By-Law 52-2019, the City can charge an increased fee for revisions to a draft plan approval, at its discretion, to reflect the staff resources required to complete its review of the requested resubmission materials.

- This is a unique circumstance in which we maintain the position that it would be appropriate for the City to do so
3. The process for a new application is much more extensive than is required in this case.
    - We continue to maintain the position that an extension of draft plan approval is the most efficient and effective way to the same outcome
    - Staff resources are already strained and an extension would make the best use of their time
    - Engaging in a full Planning Act process only adds additional requirements that are redundant and do not add any value to the ultimate outcome of this file
  4. Lastly, we want to work collaboratively with the City to complete the outstanding work related to this file.
    - If we are forced to submit a new subdivision application by way of refusal of our extension request, we will not pursue that path.

Emshih respectfully requests that Council reconsider the Committee recommendation carried on August 11<sup>th</sup> and grant a motion to extend our draft plan approval for a minimum 1-year extension.

This timeline would allow our team to resolve the outstanding CH matters, prepare an updated and scoped EIS, including additional updates provided by staff in the submission requirements and clear all outstanding draft plan and subdivision conditions.