

From: Mark Bales [REDACTED]
Sent: Friday, November 1, 2024 4:48 PM
To: Mailbox, Office of the Mayor <mayor@burlington.ca>; Galbraith, Kelvin <Kelvin.Galbraith@burlington.ca>; Kearns, Lisa <Lisa.Kearns@burlington.ca>; Nisan, Rory <Rory.Nisan@burlington.ca>; Sharman, Paul <Paul.Sharman@burlington.ca>; Bentivegna, Angelo <Angelo.Bentivegna@burlington.ca>; Stolte, Shawna <Shawna.Stolte@burlington.ca>
Cc: Basit, Hassaan <Hassaan.Basit@burlington.ca>; Benson, Curt <Curt.Benson@burlington.ca>; Palermo, Lisa <Lisa.Palermo@burlington.ca>
Subject: 2030 Caroline Street - City Files: 505-03/24 and 520-08/26 (PL-85-24) - Committee of the Whole

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Dear Mayor Meed Ward and Members of Council:

Inaria Burlington Inc. is the owner of the property located at 2030 Caroline Street and we are writing with respect to the above noted applications to request that Council direct staff to continue to work with us to process the applications, consider the flood mitigation strategy report being considered at Committee of the Whole on December 4th, 2024 and to work with the applicant to address comments received by the committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments. A detailed direction request is provided at the end of this email.

Proposal Background – First Rental Building in Downtown Burlington in Over 50 Years

The proposed development is a significant milestone for the City of Burlington - the first purpose-built rental apartment building in downtown Burlington in over 50 years. As such, it will not only assist the City in providing its share of much needed housing for Ontarian's, but also be a crucial component in providing housing options in a form (new purpose built rental) that is rare throughout the GTA, not just in Burlington.

Applications Circulation and Comments Received:

The applications were submitted to the City of Burlington on July 10th, 2024 and deemed complete and circulated on July 17th, 2024 and then were circulated for comment to various city departments, Conservation Halton and other commenting agencies and the public.

While the deadline for comments was August 15th, 2024, due to summer holidays and other commitments, many of the comments were not received by City Planning staff until well after that date and there are some comments that were not provided to the applicant at all. For example, we were provided comments from Transportation Services on September 23rd, 2024 and we have not received Engineering Services and City Planning and Urban Design comments. As another example, we were unaware of the critical City Planning and Urban Design comments until we reviewed staff report PL-85-24 that was released on the evening of October 25th, 2024.

Clearly, there is little time to materially address comments received just ten days in advance of the November 5th, 2024 Committee of the Whole meeting.

As you are aware, a critical component of the land use planning process in Ontario is to encourage applicants, municipalities and the public to work together to find the right balance to address the public interest. Achieving the public interest is aided not by rushing to conclusions, but by taking the time to have meaningful dialogue, prepare technical studies and review and consider the concerns of all parties so as to ensure that the end result implements the overall public interest.

We have discussed these concerns with City Planning staff and have been advised that only City Council has the authority to permit an extension to the processing of planning applications. We note that City Council has recently approved extension requests where Council recognized that there are important issues to be discussed and that all interested parties would benefit from additional time to do so.

Additional Matter - Flood Risk to Existing Residents and Potential Mitigation:

Through the processing of our applications, formal comments from Conservation Halton have been received that raised considerable concerns on our end. In particular, Conservation Halton has raised a concern over a potential flood risk in the downtown that they identified could have a significant risk to hundreds of existing homes, and businesses, not to mention our applications and, most concerning, even to human health and safety. Conservation Halton has identified the risk as being serious and immediate.

To effectively address this matter, significant effort is required by all parties and we believe that we can be part of a solution. Having learned of this risk, we have not only directly engaged with the City and Conservation Halton on the ongoing studies to find a solution before it is too late, but we have also instructed our own team to look into any interim measures that might be implemented in short order so as to avoid or reduce any risk to the community.

It is our understanding that a City Staff report will be considered by the Committee of the Whole on December 4, 2024 to consider flood mitigation strategies to address this flood risk in the Downtown.

The delay in the release of the mitigation strategy and the lack of a coordinated response leaves the public exposed to risk and adversely impacts the processing of the Inaria applications. A coordinated approach is in the best interest of all.

Request for Direction to Continue Processing Application and Work with Applicant

Given all of the above, we are requesting City Council to:

Direct staff to continue to proceed with the processing of application for Official Plan and Zoning By-law Amendments for 2030 Caroline Street, including the consideration of the flood mitigation strategy report being considered at Committee of the Whole on December 4th, 2024 and work with the applicant to address comments received by the committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

This request is intended to provide all parties an opportunity to resolve comments and concerns. During this additional period of time, Inaria Burlington Inc. agrees not to appeal its official plan and zoning amendment applications to the Tribunal based on the City's failure to make a decision on the applications within the 120 day "planning window". We are of the

opinion that rushing forward to meet an aspirational reporting date is not good planning. Should the City of Burlington agree, Inaria would agree to not file an appeal prior to April 1st, 2025 at the earliest. We are optimistic the issues and concerns raised in the staff report can be addressed..

We wish to work with the City and Conservation Halton to resolve the concerns noted in Staff Report PL-85-24 and assist the City's efforts to resolve the downtown flood risks identified by Conservation Halton. There is no risk to the City in extending the period to process the application and we are of the strong opinion that a rush to consider a refusal report at this time is counterproductive.

Attached, please find additional background information that you may find helpful.

Thank you very much for considering this request.

Regards,

Mark Bales | MCIP, RPP, MLAI



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Memorandum

To: Mayor Meed Ward
Members of Council
Hassaan Basit, Chief Administrative Officer
Curt Benson, Commissioner Development and Growth Management

From: Mark Bales, Inaria Burlington Inc.

Date: November 1, 2024

**Subject: Redevelopment of 2030 Caroline Street
Official Plan and Zoning By-law Amendment
City Files: 505-03/24 and 520-08/24
Staff Report: PL-85-24**

This memorandum is in support of the November 1, 2024, email sent to the above noted parties requesting that Council direct staff to continue to work with Inaria Burlington Inc. to process the application for 2030 Caroline Street.

This memorandum is intended to provide more detail as to the relevant background information as it relates to the subject land (2030 Caroline Street) which we believe will assist Council in understanding the context of both the application and the request to continue working with the City of Burlington (“**City**”).

Historic Background:

Original Land Assembly in 2006:

Further to several meetings with senior city staff, the development group was advised that the city block bound by Caroline Street, John Street, Maria Street, and Elizabeth Street should be redeveloped as a block. In the mid-2000’s most of the underutilized lands comprising the block were assembled into a parcel that had the potential to be turned into a comprehensive redevelopment. One small parcel in the middle of the block was owned by the City and operated as a municipal parking lot with approximately 30 parking spaces. There were no buildings on the city-owned property and the area of the land was approximately 1,201m². The development group also owned 2019 Caroline Street at the northeast corner of Caroline and John Street, adjacent to City-owned parking Lot #2. The lands included a two-storey building that was used as a medical clinic and private parking with an area of approximately 969m².

Land negotiations between the City and the development group commenced in 2008, ultimately resulting in a land exchange being agreed to with the City based on land appraisals prepared and provided by the City. A formal land exchange agreement was executed on **August 10th, 2010**. Under the Agreement, the City would acquire 2019 Caroline Street and receive a

payment for the difference between the market value of the lands transferred to the development group and the lands received by the City. The city lands were valued at \$1,754,570 and the development group's lands were valued at \$1,371,858. The net difference of \$381,712 was to be paid in cash on closing to the City of Burlington. Title to the lands were transferred on **August 27th, 2010**. As a result of the land exchange and other land acquisitions, the City was able to expand its existing parking lot to accommodate approximately 64 additional public parking spaces within municipal parking lot #2 immediately north of 2019 Caroline Street, while also receiving additional funds, and the development group was able to pursue a comprehensive redevelopment of the block.

Historic Planning Application:

- In **September 2008**, official plan and zoning amendment applications were submitted for a development proposal that would consist of an 8 storey office on the northern portion of the block, a 17 storey mixed-use building on the southerly portion of the site (completed and occupied in 2019) and a 6 storey above-grade parking facility.
- In **July 2010**, an OPA was approved by the City to implement the Proposal.
- On **January 27th, 2014**, the Zoning bylaw amendment to implement the OPA was enacted. The implementing zoning by-law permitted the proposed development and included a requirement to provide parking above the legal requirements in downtown Burlington. The City's desire to secure additional parking was driven by the fact that downtown zoning has no requirement for parking for proposed medical office uses and there was a concern that the proposed office building would not be sufficiently served.
- On **November 14th, 2016**, site plan approval was issued.
- On **March 24th 2017**, building permit was issued for the 17 storey mixed use building (the "Berkeley").

Hurdles for Proposed Office Building:

- Through the rezoning and development of the mixed use building, the development group continued its efforts to lease the medical office portion of the project.
- The City passed an Interim Control By-law 10-2019 (the "ICBL") on **March 5th, 2019**. This by-law effectively froze all new development in the vicinity of the Burlington GO Station lands and within the downtown to allow the city an opportunity to re-examine the redevelopment of the Burlington GO Station Lands and the Official Plan policies that were adopted for the Downtown by the previous Council in **2018**. Notably, at that time, the downtown area that was frozen (which included the subject land) was within the Downtown Burlington Urban Growth Centre.
- In an attempt to keep the office development viable, several requests were made to the City to exempt these lands from the ICBL. Unfortunately, the City refused these requests despite granting similar requests to other properties.

- On **January 30th, 2020**, the City passed its response to the ICBL: OPA 119 and zoning by-law 2020-418. The by-law established new zoning standards for the lands within the Burlington GO Station area, however, no zoning modifications were proposed or approved that affected the downtown including the subject land. These policies were appealed, resulting in an automatic extension of the ICBL. Again, requests were made by the owner to relieve the property from the ICBL. Unfortunately, the City not only refused such requests, but actively opposed them while consenting to other requests in the Downtown.
- Of course, in this same period, the Covid-19 Pandemic was declared on **March 11th, 2020**. The office market changed dramatically because of the Covid-19 Pandemic. The amount of vacant office space increased dramatically throughout the GTHA, including Burlington, and a market capable of supporting office buildings in downtown Burlington does not exist. This presents a policy paradigm shift that is not reflected in the policies of the City of Burlington Official Plan (1997) and the New Official Plan (2020) that was adopted by City Council on **September 7th, 2020** (under appeal).
- The landowners met with city staff and various commenting agencies at a pre-submission consultation meeting on **November 10th, 2021** to discuss the potential redevelopment of the subject land to include a retirement residence and grade-related commercial and medical office uses. The proposal generally maintained the previously approved built form, however, the City identified onerous submission requirements including Official Plan and Zoning amendments. The development group was anticipating that the required modifications could be accommodated through minor variances. As a result, that development option did not proceed.
- Despite this, efforts to lease the approved medical office building continued but were unsuccessful. It became clear that the subject land and the market could not accommodate and support an office building.
- At the same time, the Province of Ontario began to experience a significant housing shortage, including a critical shortage of purpose-built rental housing.

Current Application:

- The new ownership group, Inaria Burlington Inc., completed an analysis of the site and its redevelopment potential.
- As part of this process, Inaria representatives met with the City Manager and the Ward Councillor on **May 10th, 2023** and **October 3rd, 2023** to discuss the potential redevelopment of the subject land with a high-rise building. At this meeting, the City also expressed its desire to use the subject land as a temporary public parking lot for a minimum of two years. In a sign of good faith, Inaria agreed to provide its lands to the City for the public parking lot at no cost to the City.
- On **August 23rd, 2023**, Inaria presented to the City a new development concept at a pre-submission consultation meeting. The pre-submission consultation meeting was attended by staff of the City, the Region of Halton and Conservation Halton. Out of this meeting, a go-forward process and the complete application checklist were developed.

- BUD panel presentation occurred on **February 29th 2024**. The panel did not oppose a tall building on the site and opined that John Street is not a major pedestrian route, but rather serves as a service road for the land uses fronting on to Brant Street.
- A community information meeting was held on **April 9th, 2024**. Subsequent to meeting, the proponent revised the conceptual design of the project based on comments received at the BUD meeting, discussions with Council members and the Mayor and the comments received at the non-statutory community information meeting. These revisions were dramatic and included:
 - o a significant increase in the separation distance between the existing high-rise building on the southern portion of the block and the proposed development,
 - o the inclusion of community space fronting onto John Street,
 - o the provision of grade-related housing fronting onto Elizabeth Street to enhance compatibility with the existing residential uses to the east, and,
 - o an adjustment to the location and size of the tower floorplate component of the building.
- Inaria Burlington Inc. submitted official plan and zoning amendment applications to the City of Burlington on **July 10th, 2024** and the submission was accepted and deemed complete on **July 17th, 2024**. The applications were circulated for comment at that time with a commenting deadline of **August 15th, 2024**.
- The proponent has actively engaged with city staff to promote a spirit of cooperation and coordination and on **August 12th, 2024** (prior to the expiry of the commenting period), as per Conservation Halton protocol, the proponent requested a meeting with Conservation Halton through City Planning staff.
- In an effort to expedite the application review process, the proponent reached out to city staff over 20 times requesting:
 - o circulation lists,
 - o contact information for those responsible to provide formal comments,
 - o copies of circulation comments,
 - o meetings to discuss and resolve issues and concerns.
- At the request of Conservation Halton, a meeting with Conservation Halton did not occur until **September 5th, 2024** and Conservation Halton's formal written comments were not released to the city until **September 20th, 2024**. As the Conservation Halton comments arrived so late in the planning process, there was no time left to effectively review and respond to resolve matters that were raised.
- On **September 6th, 2024**, the proponent met with Curt Benson, Commissioner of Development and Growth Management to discuss the project and to confirm that this project is to provide Burlington's first purpose built rental building. The proponent indicated that a purpose-built rental housing building has not been constructed in downtown Burlington in over 50 years and that the proposed development would assist the City by contributing 302 affordable rental units to its efforts to satisfy the City's Housing Pledge and implement the City's Housing Strategy. The proponent inquired

about the best way to communicate this information with staff and the community and if any additional submissions regarding this matter may be required. Mr. Benson advised that he would review the matter with staff and advise if anything further was required.

- Comments from various City departments and commenting agencies were not received until very late in the review timeline and City staff have focused on the preparation of the staff report. There has been no time for City staff to work with the applicant to discuss and resolve the issues that have been raised. For example, Conservation Halton did not issue its comments until **September 20, 2024** and **October 7th, 2024** and Transportation Services did not respond until **September 23rd, 2024**. To date, we still have not received detailed comments from Engineering Services and at no time have we been provided with City Planning and Urban Design comments. The very first time we became aware of City Planning and Urban Design comments was through the staff report (PL-85-24) when it was released to the public on **October 25th, 2024**. Until this report was released, Planning and Urban Design comments were not provided to us and there has been no opportunity to address the issues and concerns that are raised in the staff report.

- On **October 1st, 2024**, the proponent wrote to city staff stating:

“At this time, we are not able to authorize the release of the notice for the statutory public meeting. We have yet to receive all of the circulation comments and other related materials and both Conservation Halton and the proponent have a desire to work together to resolve Regional Storm Risk matters. More time is required to not only provide you an opportunity to provide us with all of the circulation comments but also to allow us adequate time to comprehensively review, analyze and respond. Not only are we in discussions with Development Engineering regarding a soon to be released and eagerly anticipated Regional Storm Risk mitigation strategy, but as you have seen through the recent email exchanges between ourselves and Conservation Halton, it is mutually agreed that time is needed to work towards potential solutions. All of this takes time.

- We discussed these concerns with City Planning staff and have been advised that only City Council has the authority to permit an extension to the processing of planning applications. We note that City Council has recently approved extension requests where Council recognized that there are important issues to be addressed and that all interested parties would benefit from additional time to do so.
- Consequently, the proponent has been prevented from responding to comments and has had no opportunity to work with all parties to find solutions to the matters that have been raised.

Conservation Halton – Potential Flood Risks

Given the potential significance of the matter of potential flood risk, it is important to take the time to separately detail the process relating to this matter.

- In consultations we had with Engineering Services staff in **April and May 2024**, we confirmed that the flood modelling/mapping being relied upon at that time is subject to further review, updates, changes and possible corrections.

- However, based on analysis completed to-date, Conservation Halton identified vast portions of downtown Burlington (the city’s most urbanized and densely developed areas and a priority growth area) are susceptible to significant flooding and that the health, safety and well-being of hundreds of existing residents, properties and businesses are at immanent risk and appropriate flood mitigation is required.
- Conservation Halton has indicated that the Province of Ontario has “downloaded” flood risk identification and regulation responsibilities to the conservation authorities and as such, the conservation authorities have “no choice” but to protect against flood risks as they interpret them to exist at the time development applications are submitted. Conservation Halton has also noted that a flood mitigation strategy is expected to be prepared by the City with their input and the proponent was provided a list of submission requirements including a detailed hydraulic model to confirm hazard limits for existing and proposed conditions at and surrounding the subject land. Conservation Halton and the City of Burlington did not indicate the applications should not be submitted, accepted, processed or refused.
- We agree that all parties, including Conservation Halton, the City of Burlington, and the applicant should be focused on protecting the health, safety and well-being of existing and future residents. The need to prioritize a solution to protect people living and operating businesses with this risk today is paramount. Upon being informed by Conservation Halton of the potential risk suggested by their Model, the applicant has instructed its project team to focus on any and all means to identify and, if appropriate, mitigate and even prevent any such risk to human health and safety. We wish to work with the authorities to find a solution to this problem before a crisis occurs.
- It is unclear why Conservation Halton would not wish to incorporate the City’s mitigation strategy that is being considered by Committee of the Whole on **December 4th, 2024** and the role of the subject lands can play in the solution prior to finalizing its comments on the proposed official plan and zoning amendment applications for the subject land. The flood risk model relied upon by Conservation Halton and the City of Burlington will be required to be comprehensively updated to reflect the mitigation strategy and the role that the redevelopment of the subject land could provide as part of the solution.
- Formal comments from Conservation Halton on the proposed official plan and zoning amendments we issued on **September 20th, 2024** and **October 7th, 2024**. These comments were provided well after the **August 15th, 2024** submission deadline and they are “based on the best available information at that time”. Conservation Halton identified downtown Burlington (the city’s most urbanized and developed area) as being susceptible to flood risks related to both 100 year and Regional Storm events. Since that date the applicant has focused its team on this potential risk and sought meetings with Conservation Halton and Staff to put a halt on the processing of its application so that all parties can focus on this matter and the City’s mitigation strategy.
- A Conservation Halton Board meeting was held on **October 19, 2023**. The minutes of this meeting included the following motion:
 - o **THAT** the Conservation Halton Board approves updated flood hazard mapping for the Lower Rambo Creek watershed based on the results of the “Major Transit Station Area (MTSA) Phase 2 Flood Hazard Assessment, Burlington GO and

Downtown” report prepared by WSP, dated March 6, 2023, and local updates completed by Conservation Halton staff;

- **And THAT** the Conservation Halton Board directs staff to incorporate the approved mapping into Conservation Halton’s Approximate Regulation Limit mapping in 30 days to allow time for Burlington City Council to discuss the initiation of a City study that assesses and evaluates potential solutions to mitigate or reduce flood hazard risks in downtown Burlington / Burlington GO MTSA and build climate change resiliency, in collaboration with Conservation Halton. (*underline added for emphasis*).

- In response to the actions taken by Conservation Halton and the flood risks identified, the City of Burlington has a responsibility to mitigate these risks and to protect the health, safety and well-being of existing and future residents and businesses. A staff direction was provided to ensure that flood mitigation measures were developed and implemented to address flooding risks in downtown Burlington and the Burlington GO MTSA.

- The following staff direction was unanimously approved by Council on **November 14th, 2023**:
 - **Direct the Director of Engineering Services** to work with Conservation Halton to expedite a study to assess and evaluate potential solutions (e.g., infrastructure, policy) to mitigate or reduce flood hazard risks, build climate change resiliency, and support growth and development in the Burlington GO MTSA and Downtown areas (that are included within the Phase 2 study area), recognizing the highly urbanized nature of the watershed and historic Conservation Halton and City flood mitigation measures. The analysis shall include an examination of the future role and function of the Hager-Rambo Diversion Channel and other features within the Sub-Watershed Study Area. Similar studies are to be undertaken for the East Burlington Creeks study areas, following the initiation of the aforementioned study;
and
 - **Direct the Director of Engineering Services and the Executive Director of Community Planning** to report back by Q1-2024 with a workplan to expedite a comprehensive review of the Phase 2 Study Area, inclusive of engagement with the public and development community on the initiated studies;
and
 - **Direct the Director of Community Planning** to undertake any necessary updates to schedules or overlays within the City’s Official Plan and/or Zoning By-Law to reflect the latest up-to-date flood hazard mapping, subject to the findings of the study referred to in item #1 above, inclusive of phased options for an implementation schedule and work plan;
and
 - That consultation be immediately undertaken by the **Director of Engineering Services and the Executive Director of Community Planning** in association with Conservation Halton to identify and mitigate stakeholder needs on a priority basis to enable development applications to proceed in order for Burlington to reach its Housing Pledge. (SD-43-23)

- As noted in the staff direction, in the event official plan and/or zoning amendments were determined to be required to protect the public and address flood risk and natural hazard lands, these matters are to be addressed by City Planning staff, if necessary, subsequent to the mitigation strategy as a comprehensive update to the flood risk modelling relied upon by Conservation Halton would need to be comprehensively updated.
- We are pleased that the City of Burlington is moving forward to address public health and safety matters related to the city's most urbanized and developed area that is also recognized as a priority growth area. However, the delay bringing forward the flood mitigation report to Council is concerning given the potential impacts. Although City Council directed staff to bring forward this report in **Q1-2024**, it has been delayed to **Q4-2024 (December 4th, 2024)**. The proponent anticipated that any required flood mitigation measures required for the downtown (including the redevelopment of the subject lands) would have been identified well before the expiration of an aspirational 120 day application review period.
- Regardless, through the processing of the Inaria official plan and zoning amendment applications, it became clear that the proposed development could play an important role in the mitigation strategy and the solutions needed to mitigate flood risks in the downtown.
- It is unclear what criteria Conservation Halton has used in determining the location and extent of new floodlines it has identified in its comments of the Inaria official plan and zoning amendment applications. However, we are currently engaged with Conservation Halton staff to gain a better understanding of this issue and time is needed to work through this matter with Conservation Halton staff. Our project engineer is engaged with Conservation Halton to gain a better understanding

Unique Circumstances and Good Planning Practice Clearly Justify the Parties Working Together On the Issues:

Given all of the above, the parties have not yet had the opportunity to thoroughly discuss and review the issues, let alone having provided time for the applicant to respond to comments. In this context, Inaria had requested that Staff defer the matter to allow such discussions to occur. However, on **October 1st, 2024**, Inaria received an email from City Planning requesting our sign-off on the publishing of the public notice for the statutory public meeting which the city has scheduled **for November 5th, 2024**.

It is very important to recognize that as a result of **Bill 185**, the City of Burlington is no longer at risk of being penalized in the event that the processing of official plan and zoning amendments extend beyond the **120 day** review period established by the Planning Act. Therefore, the extension poses **NO RISK** to the municipality.

The application processing timelines established by the Planning Act exist for one purpose, to allow applicants to force matters forward in the event that they are being ignored. In no way does this preclude or prevent discussions, correspondence, collaboration or the submission or resubmission of relevant materials to address comments that may be received through the statutory planning process.

Prior to the release of the staff recommendation report, City Planning staff responded to Inaria on **October 3rd, 2024** stating that only Council could permit the extension. We note that City Council has recently approved extension requests where Council recognized that there are important issues to be addressed and that all interested parties would benefit from additional time to do so.

Upon our review of the staff recommendation report that was issued on **October 25th, 2024**, City staff have released significant new comments that the proponent has been unaware of and an opportunity to allow the proponent to work with city staff to resolve these matters is not available.

Therefore, as Inaria has not been provided an opportunity to receive all circulation comments and to work with city staff and Conservation Halton, we have written to City Council requesting that it **Direct staff to continue to proceed with the processing of applications** for Official Plan and Zoning By-law Amendments for 2030 Caroline Street, including the consideration of the flood mitigation strategy report being considered at Committee of the Whole on **December 4th, 2024** and work with the applicant to address comments received by the committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

This request is intended to provide all parties an opportunity to resolve comments and concerns. During this additional period of time, Inaria Burlington Inc. agrees not to appeal its official plan and zoning amendment applications to the Tribunal based on the City's failure to make a decision on the applications within the **120 day** "planning window". We are of the opinion that rushing forward to meet an aspirational reporting date is not good planning. Should the City of Burlington agree, Inaria would agree to not file an appeal prior to **April 1st, 2025**. We are optimistic the issues and concerns can be addressed, and we want to work with the City to address the concerns raised in the Staff Report related to the subject applications.

We wish to work with the City and Conservation Halton to resolve the concerns noted in Staff Report PL-85-24 and assist the City's efforts to resolve the identified downtown flood risks identified by Conservation Halton. There is no risk to the City in extending the period to process the application and we are of the strong opinion that a rush to consider a refusal report at this time is counterproductive.

A rush to a judgement when opportunities present themselves to work together in collaboration to resolve issues and concerns is not in anyone's interest and does not represent good planning. This is precisely what the Province of Ontario would expect to assist the City of Burlington to achieve its housing pledge and to implement its Housing Strategy.

We trust that you will appreciate the merits of our request and should you require any additional information or insight, please do not hesitate to contact us.