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July 15, 2022

Thomas Douglas, Senior Planner
Community Planning Development
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, Ontario
L7R 3Z6

RE: Official Plan and Zoning By-law Amendment Application
1010 Downsview Drive & 355 Plains Road East
MHBC FILE: 20391A

On behalf of our client, 335 Plains Holdings Inc. & 355 Plains Holdings Inc. (the 'Owner'), we submitted an Official Plan and Zoning By-law Amendment Application, along with required submission material, for the lands municipally addressed as 1010 Downsview Drive and 355 Plains Road East in the City of Burlington (the 'Subject Lands') on May 31, 2022 to the City of Burlington.

Following this submission, we received a letter, dated July 5, 2022, from the City of Burlington noting that this application was deemed incomplete. In response to the City's letter, please see our responses below to the comments provided with the attached supplemental materials as noted.

#	Submission Requirement	Response
1	Phase One Environmental Site Assessment (Phase One ESA) a) The submission included two outdated Phase One ESAs and a letter from a consultant that indicates new Phase One ESAs should be completed. Current Phase One ESAs are required for each site, signed and stamped by a qualified professional and with a Letter of Reliance.	The current Official Plan does not stipulate a timeframe for the validity of the Phase One ESAs and therefore the Phase One submission materials, as provided on May 31, 2022, satisfy the complete application requirements under the Planning Act. Nevertheless, a Supplemental Environmental Considerations letter dated July 12, 2022 has been prepared by Soil-Mat Engineers & Consultants Ltd.

		in response to the comments provided by the City. This letter has been included with this resubmission for further clarification. In summary, the consulting engineer confirms that the Phase One ESAs dated July 24, 2015 submitted with the applications are provided for each site as required and are valid. The Phase One ESA reports provide a sound basis to proceed with the planning and zoning applications proposed at this time. The reference to an updated Phase One ESA report was intended to support an eventual RSC filing and not for the purposes of Official Plan and Zoning By-law Amendment applications. Please note, all reports and correspondence have been stamped and signed by a qualified Professional Engineer.
2	Phase Two Environmental Site Assessment (Phase Two ESA) a) The submission included an outdated Phase Two ESA and a letter from a consultant that indicates new Phase Two ESA sampling may be needed. Dependent on the recommendations of new Phase One ESAs, current Phase Two ESAs are required for each site, signed and stamped by a qualified professional and with a Letter of Reliance.	The current Official Plan does not stipulate a timeframe for the validity of the Phase Two ESA dated March 29, 2016, and therefore the Phase Two submission materials as provided on May 31, 2022 satisfy the complete application requirements under the Planning Act. Nevertheless, a Supplemental Environmental Considerations letter dated July 15, 2022 has been prepared by Soil-Mat Engineers & Consultants Ltd. in response to the comments provided by the City. This letter has been included with this resubmission for further clarification. In summary, the consulting engineer confirms that the Phase Two ESA dated March 29, 2016 provided is considered

		valid and provides a sound basis for proceeding with due diligence to support the planning and zoning applications at this time. The specific context for the recommended next steps involving new or additional Phase Two ESA work is to support the eventual RSC filing for the property. As noted, this work is to be conducted at a later stage when appropriate and when necessary for the RSC submission. Please note, all reports and correspondence have been stamped and signed by a qualified Professional Engineer.
3	Geotechnical Study including Groundwater a) The submission included a letter entitled "Geotechnical Considerations" that outlined past work done in relation to a previous development proposal. The submission does not include the required Geotechnical Study or analysis of groundwater in relation to the current proposal.	A Geotechnical Study is not required for the submission of an Official Plan and Zoning By-law Amendment Application in the current City of Burlington Official Plan. However, groundwater analysis was included on pages 3 & 4 within the Geotechnical Considerations letter prepared by Soil-Mat Engineers & Consultants Ltd. dated April 8, 2022. In addition, we are enclosing a Supplemental Geotechnical Considerations letter by Soil-Mat Engineers & Consultants Ltd. dated July 12, 2022 in response to comments provided by the City. In summary, while not legally required for the deeming of a complete application, the present report provides ample geotechnical information on the subsurface soil and groundwater analysis in relation to the current proposal to support appropriate due diligence and decision making at this stage of the project.

		Please note, all reports and correspondence have been stamped and signed by a qualified Professional Engineer.
4	Quantitative Wind Impact Study (Wind Tunnel Test) a) A Quantitative Wind Impact Study (Wind Tunnel Test) is required and must be completed in accordance with the City's Pedestrian-Level Wind Impact Study Guidelines and Terms of Reference (2020).	A Quantitative Wind Impact Study (Wind Tunnel Test) is not required for the submission of an Official Plan and Zoning By-law Amendment Application in the current City of Burlington Official Plan. Nevertheless , the Pedestrian Wind Assessment, dated April 25, 2022, prepared by SLR Consulting (Canada) Ltd. was provided with the original submission May 31, 2022.
5	Shadow Study a) The submitted Architectural Drawings include shadow drawings but do not include the required written analysis or Sun Access Factor calculations, and the drawings are not completed in accordance with the City's Shadow Study Guidelines and Terms of Reference (2020).	Shadow Study drawings have been revised in accordance with the City's Shadow Study Guidelines and Terms of Reference (2020). A written analysis has also been prepared by SRM Architects Inc. dated July 11, 2022 and is included with this resubmission. The written analysis includes sun access factor calculations.
6	3-D model of proposed development	While the current City of Burlington Official Plan does not require the submission of a 3-D model for an application to be deemed complete, a 3-D Model has been prepared by SRM Architects Inc. and is included with this resubmission.
7	Phasing Strategy for Development of Retail and Service Commercial Uses	A Phasing Strategy for Development of Retail and Service Commercial Uses is not required for the submission of an Official Plan and Zoning By-law Amendment Application in the current City of Burlington Official Plan. However, a phasing strategy has been included in Section 3.2 of the Planning Justification Report, prepared by MHBC

		Planning, provided with the original submission on May 31, 2022.
8	Park Concept Plan	As cash-in-lieu of parkland is being proposed, no parkland is to be conveyed to the City with this application, and therefore, and as noted on the pre-consultation form, a Park Concept Plan is not required.
9	Survey a) The submitted survey was not signed by an Ontario Land Surveyor	Signed surveys are included with this resubmission.

As noted in the responses above, the following material is being submitted with this letter to the City:

Drawings:	Doc #:	Rev. # & Date:		Consultant:
Shadow Study – Spring Equinox	D4.1	1	2022-05-12	SRM Architects Inc.
Shadow Study – Spring Equinox	D4.2	1	2022-05-12	SRM Architects Inc.
Shadow Study – Fall Equinox	D4.3	1	2022-05-12	SRM Architects Inc.
Shadow Study – Fall Equinox	D4.4	1	2022-05-12	SRM Architects Inc.
Shadow Study – Winter Solstice	D4.5	1	2022-05-12	SRM Architects Inc.
Shadow Study – Summer Solstice	D4.6	1	2022-05-12	SRM Architects Inc.
Shadow Study – Summer Solstice	D4.7	1	2022-05-12	SRM Architects Inc.
3D Model - Plains	-----	---	2022-07-08	SRM Architects Inc.
3D Model - Downsview	-----	---	2022-07-08	SRM Architects Inc.
Surveys – Plains Road	-----	---	2008-01-09	B.A. Jacobs Surveying Ltd.
Surveys - Downsview	-----	---	2013-12-03	B.A. Jacobs Surveying Ltd
Reports and Studies:				
Shadow Study Written Analysis	-----	---	2022-07-11	SRM Architects Inc.
Sun Access Factor Calculations	-----	---	2022-07-11	SRM Architects Inc.
City of Burlington Shadow Study Submission Checklist	-----	---	2202-07-13	SRM Architects Inc.
Supplemental Environmental Considerations Letter	-----	---	2022-07-12	Soil-Mat Engineers & Consultants Ltd.
Supplemental Geotechnical Considerations Letter	-----	---	2022-07-12	Soil-Mat Engineers & Consultants Ltd.
Stamped Phase One ESA – 1010 Downsview Dr	-----	---	2015-07-24	Soil-Mat Engineers & Consultants Ltd.
Stamped Phase Two ESA – 355 Plains Rd E	-----	---	2015-07-24	Soil-Mat Engineers & Consultants Ltd.
Stamped Letter of Reliance – City of Burlington	-----	---	2022-04-11	Soil-Mat Engineers & Consultants Ltd.
Stamped Letter of Reliance – Region of Halton	-----	---	2022-04-11	Soil-Mat Engineers & Consultants Ltd.

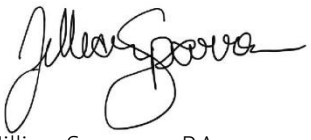
Stamped Environmental Considerations Letter	-----	---	2022-04-08	Soil-Mat Engineers & Consultants Ltd.

It is our opinion that the additional material enclosed with this submission, together with the material provided with the original submission on May 31, 2022, and our responses to the City's comments, meet all of the requirements outlined in the current and in-effect City of Burlington Official Plan.

We would be happy to meet with you to review and discuss any of the materials and responses provided herein and look forward to the City deeming the applications complete.

Sincerely,
MHBC





Dana Anderson, MA, FCIP, RPP
Partner

Jillian Sparrow, BA
Planner

cc. *Paul Kemper, Coletara Development*
Michael Krasic, Coletara Development