

July 24, 2020

BEL 217069

Robert Ruggiero  
Development Planner  
City of Mississauga  
300 City Centre Drive  
Mississauga, ON L5B 3C1

**Re: Revised Site Plan for 51 & 57 Tannery Street & 208 Emby Drive, City of Mississauga, Mississauga File: OZ/OPA 18 012**

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Dear Mr. Ruggiero:

Beacon Environmental Limited (Beacon) was retained in 2017 by NYX Capital Corp. (the proponent) to prepare an Environmental Impact Study (EIS), Arborist Report and Geomorphic Assessment in support of a proposed re-development of three adjoining properties located at 51 and 57 Tannery Street and 208 Emby Drive in the City of Mississauga.

The reports were submitted to the City of Mississauga and Credit Valley Conservation Authority (CVC) in June of 2019 as part of a Site Plan Application.

In their comments of November 2019, CVC staff requested that the proposed limit of development adjacent to the Mullet Creek valleylands be regularized relative to the proposed condominium blocks to create a more uniform interface. The proponent has examined opportunities to regularize the development limit and has proposed a revised Site Plan. A copy of the revised Site Plan, prepared by Kirkor Architects and Planners and dated July 21, 2020, is attached to this letter with modifications highlighted (see **Attachment A**). Except for this change to the development limit line, all other elements of the Site Plan remain unchanged.

The purpose of this reliance letter is to provide confirmation that the findings, recommendations, and conclusions outlined in our previously submitted studies remain applicable to the proposed Site Plan.

## Description of Changes to the Site Plan

As was noted above, the only change to proposed Site Plan has been a modification of the development limit. The previous development limits were established by applying a uniform 7.0 m setback to the Long-Term Stable Top of Slope (LTSS) determined by Patriot Engineering (2019). This irregular line intruded into the central portion of the site and fell away to the north, thereby constraining setbacks to the rears of Buildings E & F. To smoothen or regularize the development limit, the Site Plan has been adjusted to reduce the setback adjacent to Buildings E and F and increase it adjacent to Building D. These modifications result in a LTSS setback that exceeds 10 m for approximately half of the setback

with the remainder ranging in width from 3.5 m to <10 m. The net change to the overall setback area is +4.36 m<sup>2</sup>. These changes, including dimensions and area calculations, are highlighted on the attached Site Plan.

To determine if the revised Site Plan still satisfies City and CVC policies as they relate to natural heritage and natural hazards, Beacon has undertaken a review of the findings and recommendations outlined in the EIS, Arborist Report and Slope Stability Assessment.

### **Natural Heritage Resources**

The EIS has confirmed that the Mullet Creek valleylands adjacent to the site support fish habitat and qualify as significant valleylands. The valleyland is recognized as a Significant Natural Area. The proposed changes to the limit of development will not result in buildings being situated close to the valleyland. The changes will however bring the future lot limit closer to the valley in the vicinity of Buildings E and F, and further away from Building D. These changes are nominal and will not adversely affect natural heritage resources associated with the valleylands.

The proposed Site Plan will continue to have a net overall positive benefit to the ecological health and integrity of the Mullet Creek valleylands. At present, industrial development extends to the top of the physical top of slope of the valley and there is no setback provided. Under the proposed Site Plan, buildings and structures will be setback from the physical top of slope by 14-20+ m, thereby creating opportunities to naturalize most of this area. The proposed changes to the Site Plan have slightly increased the overall areas of the setback and provided additional space for enhancement work.

The type and form of development has also not changed. The area at the rear of Building D, E and F will remain common element. This shared ownership will provide for enhanced protection of the valleylands as there will be oversight of the condition of these lands which significantly reduces the probability of illegal encroachments. Fencing continues to be proposed which will prevent encroachment by pets.

### **Natural Hazards**

The proposed Site Plan remains outside natural hazard areas. The development limits continue to be setback from the LTSS and continue to provide for unencumbered access to the valleylands should maintenance or emergency repairs be required. Furthermore, as the locations of proposed buildings and structures remain unchanged, the development setback, as determined through application of CVC's 2014 *Slope Stability Definitions & Determination Guideline*, also remains unchanged.

### **Trees**

The revised Site Plan has the potential to affect one additional tree at the western corner behind Building D. Tree 470 is a small multi-trunked hawthorn in fair condition. Under the previous Site Plan, this tree was located on the limit of development line but was retainable due to the requirement to match grading

at the development limits. Under the proposed Site Plan, the limit of development has been extended approximately 1.5 m further southwest and the tree will now likely be in conflict with grading. The loss of this additional tree will not have a significant affect on overall tree canopy and diversity, as there will be substantial tree replacement provided through the Valleyland Restoration and Enhancement Plan that will be prepared as a conditions of Site Plan approval. The Tree Inventory and Preservation Plan has been updated and is attached to this letter as **Attachment B**.

## Summary

In summary, the proposed changes to the Site Plan do not affect the overall conclusions and recommendations of our studies and investigations. The proposed Site Plan continues to provide the necessary protection from natural hazards in accordance with CVC standards as well as access to the valleylands through the provided setback. The Site Plan also continues to provide for a net ecological benefit to the natural heritage resources and functions associated with the Mullet Creek valleylands. This will be realized with the implementation of a Valleyland Restoration and Enhancement Plan which is to be prepared at detailed design as a condition of site plan approval. In our opinion, the proposed changes to the Site Plan remain consistent with City and CVC policies relating to natural heritage protections as well and natural hazards.

Should you have any questions, please do not hesitate to contact the undersigned.

Prepared by:  
**Beacon Environmental**



Anna Cunningham, B.Sc.(Hons.)  
Ecologist

Reviewed by:  
**Beacon Environmental**



Ken Ursic, B.Sc., M.Sc.  
Principal, Senior Ecologist

Attachment A: Site Plan - Kirkor Architects and Planners (July 21, 2020)

Attachment B: Tree Inventory and Preservation Plan - Beacon (July 24, 2020)

# Attachment A

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# Attachment B

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