

WESTON CONSULTING

planning + urban design

City of Mississauga
Planning and Building Department
300 City Centre Drive
Mississauga, ON, L5B 3C1

August 21, 2020
File 8059

Attn: Robert Ruggiero

**RE: Land Use Planning Rationale – Proposed Draft Plan of Subdivision
51 and 57 Tannery Street, 208 Emby Drive (OZ/OPA 18 12)
City of Mississauga**

Weston Consulting is the planning agent for NYX Tannery Ltd., the owner of the above noted properties in the City of Mississauga (the 'subject lands'). This letter has been prepared in support of the enclosed Draft Plan of Subdivision Application, which is required to implement the land division strategy and proposed development for the lands in relation to the associated Official Plan and Zoning By-law Amendment applications. This letter provides further justification for the proposed plan as it relates to the Draft Plan of Subdivision process.

Description of Application

Applications for Official Plan Amendment and Zoning By-law Amendment (OZ/OPA 18 12) were originally submitted on June 15th, 2018, with a revised submission responding to the various department and agency comments submitted on June 28th, 2019. This application is in response to comments received from the previous circulation, requesting the submission of a Draft Plan of Subdivision. The Official Plan designates the subject lands as *Residential High Density* and *Greenlands*. The application proposes to amend the Official Plan in order to recognize horizontal multiple (stacked back-to-back) townhouse units as a permitted built form on the subject lands. Zoning By-law 0225-2007 zones the property "*D*" *Development* and "*G1*" *Greenbelt*. The proposed Zoning By-law Amendment proposes to rezone the portion of the subject lands zoned as *D – Development* to *Horizontal Multiple Dwellings with More Than 6 Dwelling Units (RM9)* and refine the limits of the *G1- Greenbelt* zone to accurately reflect the development limits of the subject lands based on the technical studies undertaken by this application process.

The proposed development in its current form proposes 142 stacked back-to-back townhouse units contained within 6 development blocks situated around a central amenity area, and 1 block of freehold street townhouses containing 5 units at the north west corner of the site fronting Tannery Street. The stacked back-to-back units will be part of a Standard Condominium to be established at a later time in the process, while the street townhouses will be freehold units created through a future Part Lot Control application process. The total residential gross floor area of all blocks is approximately 14,290 square metres, with an FSI of 1.51 for the condominium townhouse block and 0.69 for the freehold townhouse block. The proposed development includes

approximately 999 square metres of contiguous common outdoor amenity space in a centralized courtyard that includes soft and hardscaped landscaping, a tot lot, and a play area.

The buildings are designed to appear as 3.5 storey structures and consist of a flat roof with private terraces for upper units. The terraced area is screened by a parapet, while the upper floor of the building is contained within the mansard roof design that consists of dormered windows and modest slopes to provide the appearance of a sloped roof.

Emby Drive is proposed to be extended through the subject lands and has been incorporated within the required railway setback. The proposed alignment and configuration of Emby Drive has been subject to numerous discussions with City staff and various technical departments. The roadway is proposed to be 15 metres wide and includes boulevards and on-street parallel parking spaces. Traffic calming measures may be implemented by the City of Mississauga at its discretion. The proposed extension begins at the southern end of the subject lands and abuts the eastern property line as it enters the site area. The proposed extension then extends westward, away from the railway to increase the separation of the future municipal intersection of Emby Drive and Tannery Street from the railway crossing. The Emby extension will be conveyed to the City at the appropriate time in the process. The proposed development site plan is illustrated in Figure 1.



Figure 1: Proposed Development Site Plan

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision consists of (6) distinct blocks as shown on Figure 2 and depicted on the Draft Plan of Subdivision enclosed in this submission. The purpose of the subdivision plan is to implement the various development blocks and is consistent with the development site plan submitted by Kirkor Architects, dated August 13, 2020.

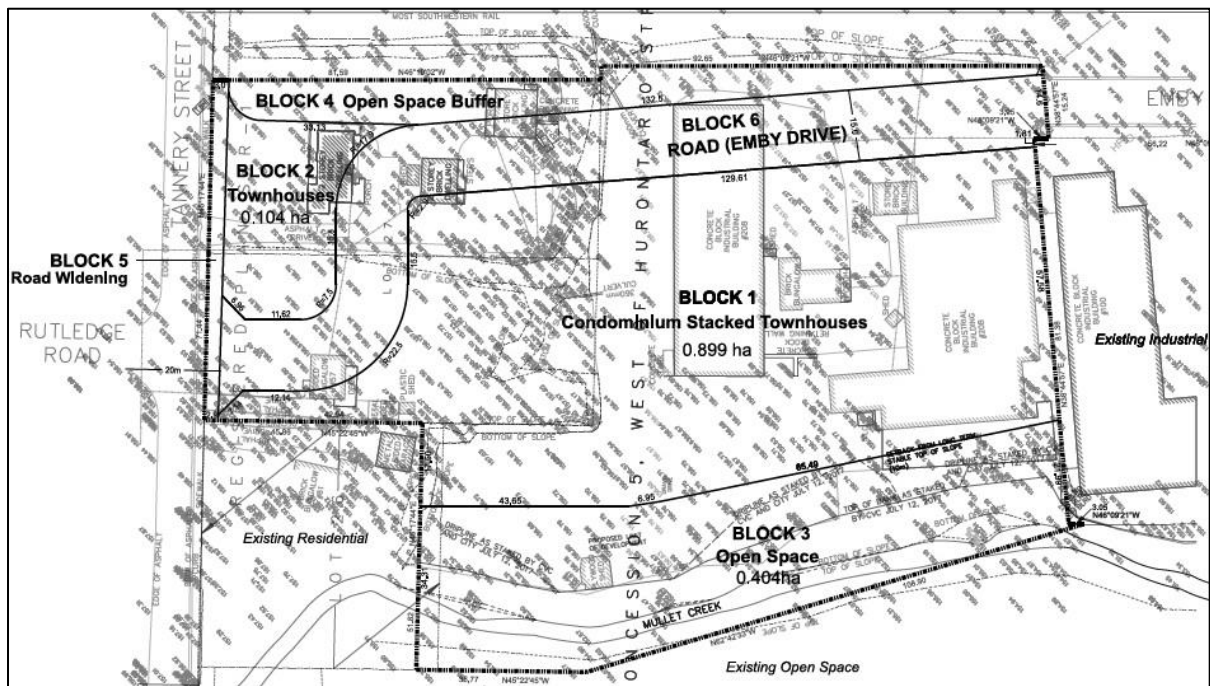


Figure 2: Proposed Draft Plan of Subdivision

The various subdivision blocks will serve different purposes and include some conveyances to the City. In particular, the Tannery Street widening (Block 5), Emby Drive extension (Block 6) and Open Space block within the Mullet Creek (Block 3) will ultimately be conveyed to the City of Mississauga for its long-term protection and stewardship. The lands to be conveyed include the necessary and appropriate buffers as concluded in previously submitted studies, and in conformity with the CVCA policies. A breakdown of the various subdivision blocks is indicated in Table 1.

Table 1: Proposed List of Blocks

Block	Purpose	Area	Ultimate Ownership
1	Condominium Townhomes (Stacked Back-to-Backs)	0.899 ha	Future Condominium Corporation
2	Standard Townhomes	0.104 ha	Freehold Units
3	Open Space (Mullet Creek)	0.404 ha	City of Mississauga
4	Open Space	0.115 ha	Future Condominium Corporation
5	Tannery Street Road Widening	0.023 ha	City of Mississauga
6	Emby Drive Extension	0.308 ha	City of Mississauga

Policy Overview and Justification

The following section will provide justification in support of the proposed Draft Plan of Subdivision in accordance with the applicable policies and regulations of the Region of Peel Official Plan, Mississauga Official Plan and Ontario Planning Act.

Peel Official Plan

The Region of Peel Official Plan seeks to establish an effective and efficient planning review process. Through Policy 7.3.4.2.3 of the Official Plan, Regional Council “*delegates to the area municipalities subdivision and condominium approval authority*”. As such, the processing requirements and implementation policies of the Mississauga Official Plan shall apply to this application.

Mississauga Official Plan

Section 19 “Implementation” of the Mississauga Official Plan contains policies relating to draft plans of subdivision applications. Policy 19.13.1 states that all draft plans of subdivision must comply with city approved policies, including those regarding the provisions of adequate services and transportation facilities, and the maintenance of sound financial position for the City.

Policy 19.13.2 states that “*a condition of draft approval of a plan of subdivision will require that a servicing and development agreement be entered into by the developer to ensure the provision of services, facilities, and other matters to the satisfaction of City Council and the Region of Peel*”.

As indicated, the proposed development has been under review by the City of Mississauga and various external agencies as part of the associated Official Plan and Zoning By-law Amendment applications. Through these processes, the required servicing strategy, transportation configuration and ecological status of the lands have been reviewed and confirmed. LEA Consulting has analyzed the servicing requirements for the proposed development and has demonstrated that the preliminary site servicing design is appropriate and sufficient for the proposed development. Further to policy 19.13.2, in order for the proposed development to be fully realized, an application for Site Plan Approval will also be required to review the technical requirements necessary to implement the development plan. The applicant will execute a Subdivision Agreement at the appropriate time in the development process once all draft approval conditions may be sufficiently cleared.

Policy 19.13.3 states that “*By-laws may be passed to exempt all, or part of registered plans of subdivision from part-lot control. Such exemptions will eliminate the need for further subdivision or consents to convey portions of lots within the registered plan of subdivision*”. It is noted that a future application for Part Lot Control will be submitted to establishing the lotting pattern for the standard/freehold townhomes proposed on Block 2. This application will be submitted at the appropriate time in the process, once the subdivision has been registered and once foundations for the townhomes have been constructed.

Policy 19.19.3 states “that as a condition of approval of a plan of subdivision, Mississauga will require that a portion of the land in the plan be conveyed to the City for park or other public recreational purposes in a form satisfactory to the City, to ensure that the lands are clean at the time of conveyance”. It is acknowledged that the purpose of the policy is to require parkland conveyance in instances of a traditional subdivision applications such as greenfield developments and new community areas. Given that the subject lands are located within an existing community area and represent an infill development, required parkland pursuant to the requirements of the Planning Act will be provided through cash-in-lieu or other applicable implementation methods. Despite the provision of parkland on the subject lands, the proposed development includes a contiguous outdoor amenity area that will serve the purpose of a public park for the residents.

The proposed Draft Plan of Subdivision conforms to the applicable implementation policies outlined in the Official Plan. Further, the submission of the application is at the request of City staff in previous comments issued.

Planning Act

Section 51 of the *Planning Act* authorizes an approval authority to make decisions regarding the subdivision of land. The proposed Draft Plan of Subdivision has been assessed in the context of the criteria outlined in Section 51(24) as is applicable to the proposed application. In our opinion, the proposal satisfies the prescribed criteria as identified in Table 2:

Table 2: Justification of Section 51 (24) of the Planning Act

Criteria	Justification
a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The proposal provides for the development of a safe and healthy community, it supports the provision of a full range of housing and is providing growth and development in an appropriate location within the City. The proposed subdivision will allow for the conveyance and long-term protection of hazardous and ecologically sensitive lands, while also providing additional transportation infrastructure to the City.
b) whether the proposed subdivision is premature or in the public interest;	The proposal is not premature as it was specifically requested by City staff in their comments and will allow for the orderly implementation of various development blocks and land divisions. It is within the public interest as it promotes intensification within an existing built-up area which is targeted for infill based on the City’s Official Plan policies identifying the subject lands as a priority infill area. The site is within proximity of a higher-

	order transit station and is consistent with the hierarchy of applicable land use planning policies and regulations.
c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed draft plan of subdivision generally conforms to the City's Official Plan as it supports a residential use and meets the prescribed density and municipal policy regime applicable to the site. The associated Official Plan Amendment application seeks only to add the proposed built form as a permitted use and does not seek to alter the overall intent and land use planning vision for the area. Further, the proposed Emby extension which has facilitated this application is identified in the City's Official Plan under Section 14.11.6.2.3. Thus, this application is implementing the Official Plan policies requiring a public road within the site.
d) the suitability of the land for the purposes for which it is to be subdivided; (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	The subject lands are suitable to be subdivided as this application creates the various development blocks and future road and buffering blocks to be conveyed to the City, which allows for the implementation of the proposed residential uses based on the existing and planned context, as well as the in-force policy regime for the City, Region, and Province.
e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	The number, width, location and proposed grades and elevations of the proposed Emby extension has been discussed with City staff and is subject to technical review. The width and alignment of the roadway have been approved in principle and will facilitate the orderly implementation of the planned Emby Drive extension.
f) the dimensions and shapes of the proposed lots;	The proposed lot dimensions for the development blocks are appropriate and do not disrupt the lot pattern of the surrounding area. The propose blocks continue the natural progression/alignment of the road and buffer blocks.

<p>g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;</p>	<p>The subject lands are not unnecessarily restricted. The extension of Emby Drive is proposed generally along the eastern property line to minimize any restrictions from the required railway setback. The configuration of the Emby and Tannery intersection is aligned to maximize the setback from the railway crossing.</p>
<p>h) conservation of natural resources and flood control;</p>	<p>The subject lands are adjacent to the Mullet Creek that runs along the western boundary of the site. The proposed development will result in a net ecological benefit to the adjacent natural heritage features through the conveyance and naturalization of buffer lands which have been reviewed and discussed with both the City and CVCA staff.</p>
<p>i) the adequacy of utilities and municipal services;</p>	<p>The proposed draft plan of subdivision will make use of existing water and sanitary services as outlined in the previously submitted Civil Engineering Materials.</p>
<p>j) the adequacy of school sites;</p>	<p>The proposed draft plan of subdivision is located within 1.0 kilometers of multiple educational facilities. Both the Peel District School Board and Dufferin-Peel Catholic District School Boards have reviewed and commented on the associated Official Plan and Zoning By-law Amendment applications and have indicated that sufficient capacity is presently available to service this development with existing facilities.</p>
<p>k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</p>	<p>The proposed development includes the conveyance of an Open Space buffer block to the City of Mississauga.</p>
<p>l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and</p>	<p>The proposed draft plan of subdivision efficiently utilizes land, existing infrastructure and services by optimizing and achieving the prescribed density for this site given its location adjacent to major transportation infrastructure which will support the</p>

	conservation of energy. Detailed energy saving strategies can be further explored as part of a future application for Site Plan Approval.
m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the <i>City of Toronto Act, 2006</i> . 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).	The subject lands are located within a Site Plan Control Area. As such, an application for Site Plan Approval will be required to fully implement the proposed development and will be submitted at the appropriate time in the planning process.

Conclusion

It is our opinion that the proposed Draft Plan of Subdivision represents good planning, is in the public interest and is consistent with the hierarchy of applicable land use planning policies as identified in this letter. This application is a required step in the realization and implementation of the proposed development and is necessary to support the conveyance of the Emby Drive road extension, the Tannery Street road widening and the Mullet Creek Buffer Lands, while also creating the future development blocks required of this development. As such, we request that this application be reviewed and circulated so that it may proceed through the planning process.

In support of the Draft Plan of Subdivision Application, the required Application Form, Draft Plan of Subdivision Plan and applicable application fee are provided to the City for review and circulation. This submission is being provided digitally given the ongoing Covid-19 Pandemic; however, hard copy materials may be provided if required upon request.

Should you have any questions or need any addition information, please feel free to contact the undersigned at extension 252, or Liam O'Toole at extension 316.

Yours truly,

Weston Consulting

Per:



Michael A. Vani, BURPI, MCIP, RPP
Senior Planner

c NYX Tannery Ltd.