

PLANNING JUSTIFICATION REPORT

SECOND LINE WEST DEVELOPMENT PROPERTY
MISSISSAUGA

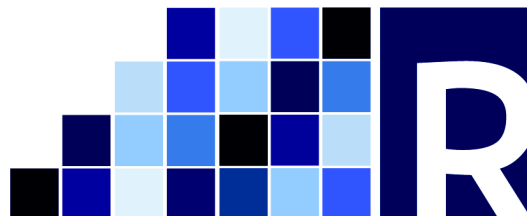
6611 SECOND LINE WEST

2512461 ONTARIO LIMITED

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1.0 BACKGROUND

Robert Russell Planning Consultants Inc. has been retained by 2512461 Ontario Limited to undertake development applications on 6611 Second Line West in the City of Mississauga.

The property is located between Second Line West and Harmony Hill approximately 180 metres north of Highway 401. To the south and east of the subject site is existing residential development. To the north of subject site is small natural area associated with Fletcher's Creek, beyond which is existing residential development. To the west of the subject property is Second Line West, beyond which is natural area associated with Fletcher's Creek.

The site contains a single detached dwelling built previous to the recent suburban development that surrounds it. This property appears to be a holdout parcel during the development of the surrounding lands.

There is a significant difference in elevation across the property, sloping down from the high point at the east boundary adjacent to Harmony Hill to the west property line at Second Line West. Total fall across the property is approximately 10 metres.

Due to the topographic challenges of this site, there is an adjacent lot, known as Lot 20 of Registered Plan 43M-1475 that cannot be built upon until grading issues are resolved along the common property line.

The previous owner of the subject site had submitted applications for development. The property has since changed ownership and the previous application files have been closed.

2.0 DEVELOPMENT CONCEPT

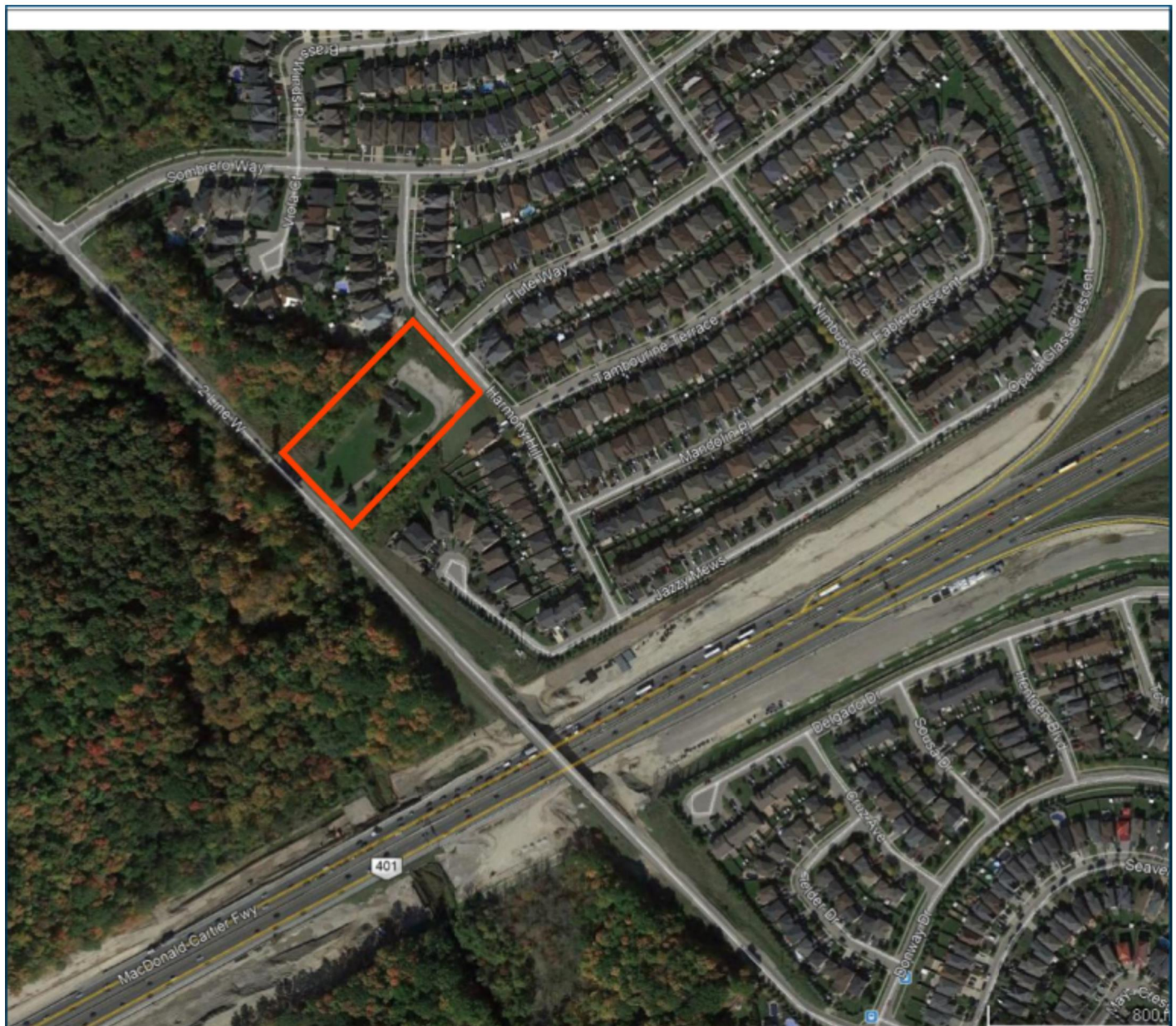
2512461 Ontario Limited proposes to develop the subject site for a mix of ground oriented townhouses accessed via a common element condominium lane and semi-detached dwellings fronting on Harmony Hill.

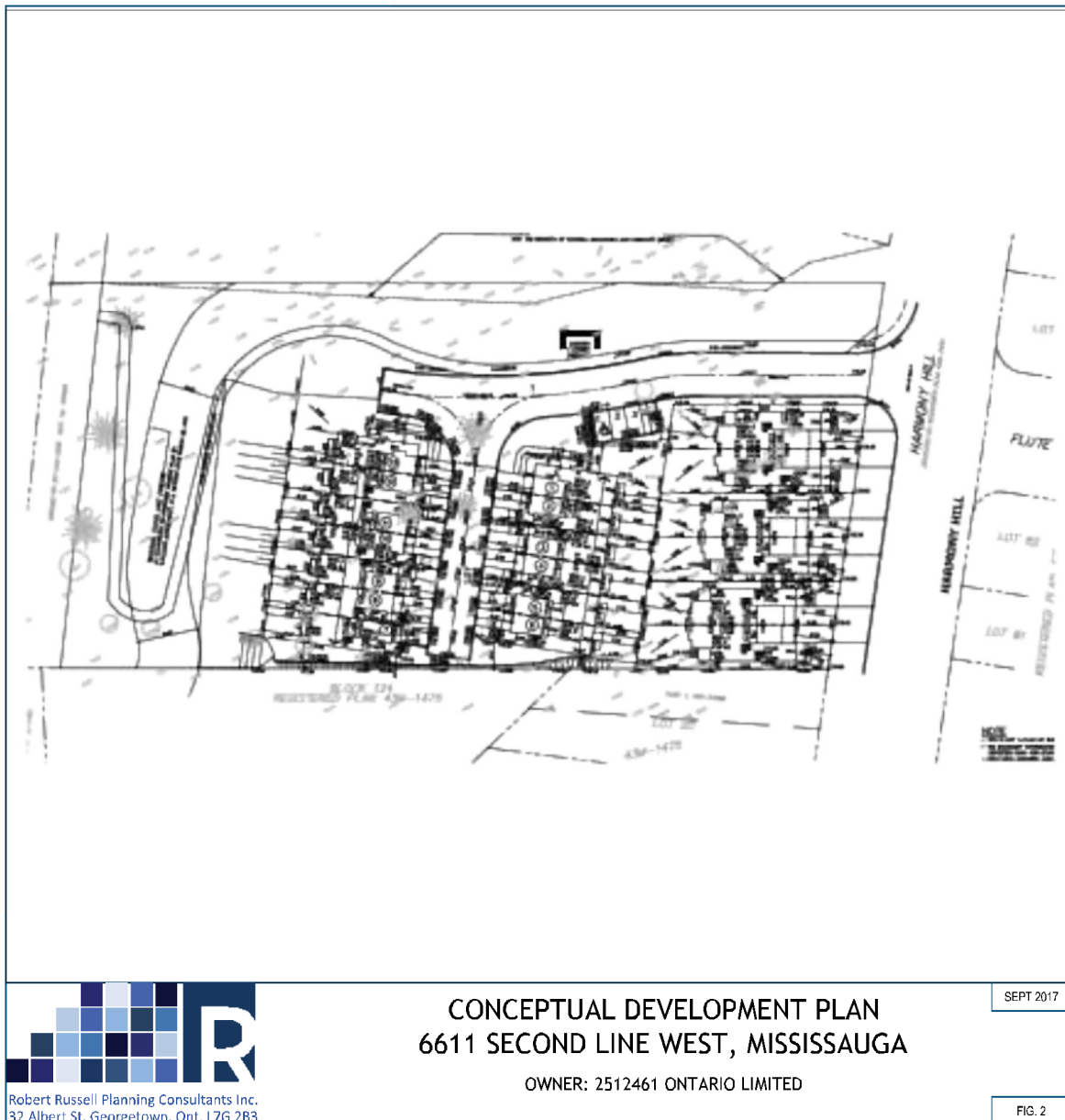
As per the Site Context Plan prepared by VA3 Design and with a revision date of August 24, 2017 there are 13 townhouse units proposed, along with the necessary laneway, and visitor parking, along with 3 semi-detached lots with 6 total units.

The semi-detached units will be freehold lots fronting onto a public road. The individual lots will be created by a future application for exemption from Part Lot Control. The townhouse units will be developed by way of standard condominium.

The 13 townhouse units will have 3 storeys and will be built in 2 townhouse blocks. All units will be provided with one internal parking space in a garage and one external in the driveway. 4 visitor parking spaces are provided.

Townhouse units are proposed to be 5.0 metres wide and 14.0 metres deep and provide an exclusive use area in the front yard of 6.0 metres between the lane and the front wall of the dwelling, and an exclusive use area in the back yard of 7.5 metres.





The proposed semi-detached lots are 14.6 metres wide (7.3 metres each dwelling) and 32.0 metres deep.

Total site area is 0.83 hectares

The surrounding neighbourhood context is a mix of single detached, semi-detached and townhouses. The subject site appears to be at a transition point between mostly single detached dwellings to the north and the semi-detached dwellings immediately adjacent to the site. The existing townhouses are located adjacent to Highway 401.

3.0 PLANNING POLICY

3.1 PROVINCIAL POLICY STATEMENT 2014

The current Provincial Policy Statement (PPS) was released in 2014 and applies to all Planning Act decisions subsequent April 30, 2014.

Several policies in the PPS support the proposed development.

- "1.1.1 Healthy, liveable and safe communities are sustained by:*
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;"*

The proposed development provides infill development and appropriately designed intensification within a community that has existing services with sufficient servicing capacity to accommodate the development. When compared with the current uses on the property the proposed development provides a more efficient use of land, and maximizes the efficiency of the existing services.

- "1.1.3.2 Land use patterns within settlement areas shall be based on:*
- a) densities and a mix of land uses which:*
 - 1. efficiently use land and resources;*
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;...*
 - 5. are transit-supportive, where transit is planned, exists or may be developed..."*

The proposed density makes for a more efficient use of land. The site is less than 1,000 metres from three schools, and has good access to transportation and transit facilities provided along Mavis Road, including quick access to Highway 401. The subject property is also in close proximity to existing employment and retail uses south of Highway 401 along Mavis Road.

- "1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types*

and densities to meet projected requirements of current and future residents of the regional market area by:

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities..."*

The immediately surrounding neighbourhood contains a mix of single detached dwellings, semi-detached dwellings and townhouse dwellings. The development of the subject site for townhouses and semi-detached will conform with the established densities of the neighbourhood. As noted previously in this report, the redevelopment and intensification of this site will be a more efficient use of land and infrastructure.

- "1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:
a) promote compact form..."*

As stated above, the proposed development provides redevelopment and intensification on an underdeveloped site.

Given the above examples, and a review of the remaining policies within Part V Sections 1, 2 and 3 of the PPS, we are of the opinion that the proposed development is consistent with the policies related to Building Strong Communities, Wise Use and Management of Resources and Protecting Public Health and Safety.

3.2 GROWTH PLAN

The Province of Ontario released the Growth Plan for the Greater Golden Horseshoe in 2006. The Growth Plan was recently amended in May of 2017 and all Planning Decisions after July 1, 2017 must conform to the policies in the new Growth Plan.

The subject site currently contains an existing residential structure, as such, form part of the urban fabric of the City of Mississauga. Additionally, the property is within the Built Boundary as per Schedule 2 – Places to Grow Concept, of the Growth Plan for the Greater Golden Horseshoe.

The Growth Plan contains the following policies:

- "2.2.2.1 By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area."*

The proposed development is within the built up area of the City of Mississauga as per the Schedules in the Growth Plan 2017, and represents intensification of an underdeveloped site in conformance with this policy.

- "2.2.2.4 All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
a) encourage intensification generally to achieve the desired urban structure;*

- b) *identify the appropriate type and scale of development and transition of built form to adjacent areas;*

The development of the subject property will provide a contextually appropriate scale of intensification within the parameters of the existing neighbourhood. This premise is more fully discussed in the analysis of Mississauga Official Plan later in this report.

“4.2.2.4 The natural heritage systems identified in official plans that are approved and in effect as of July 1, 2017 will continue to be protected in accordance with the relevant official plan until the Natural Heritage System has been issued. “

The proposed development meets Mississauga Official Plan policies for protecting the adjacent natural heritage system in accordance with the EIS submitted in support of the applications.

Given the above examples, and a review of the remaining policies within Sections 2, 3, 4, and 5 of the Growth Plan for the Greater Golden Horseshoe 2017, we are of the opinion that the proposed development is consistent with the policies related to growth, infrastructure and protection of natural systems.

3.3 REGION OF PEEL OFFICIAL PLAN

The Region of Peel Official Plan was approved by the Minister of Municipal Affairs and Housing on October 22, 1996 and subsequently appealed to the Ontario Municipal Board (the Board). As of 1998 all appeals to the 1996 Official Plan were resolved at the Board. Since that time, the Plan has been reviewed and amended several times. The December 2016 consolidation of the Official Plan was used in the following analysis.

Schedule D – Regional Structure of the Region of Peel Official Plan designates the subject site as Urban System.

Schedule D4 – The Growth Plan Policy Areas in Peel identifies the subject site as Built-up Area.

Schedule H – Toronto Pearson International Airport Operating Area indicates that the subject site is outside of the Operating Area Boundary.

The following objectives and policies in the Region of Peel Official Plan apply to the subject site:

“5.3.1.4 To achieve intensified and compact form ... that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services.”

“5.3.1.5 To achieve an urban structure, form and densities which are pedestrian-friendly and transit supportive.”

The increased density of the proposed development requires less linear infrastructure per dwelling unit than the typical densities of the surrounding community. However, the density increase of the site is sensitive to

and in general conformity with the existing densities and built form of the neighbourhood. Higher densities are also inherently more pedestrian friendly due to shorter road requirements per dwelling unit. This site is located within close proximity of three schools and a proposed pedestrian trail system within Fletcher's Creek and the former Second Line West right of way, which will enhance and promote the pedestrian friendly attributes of the development.

“5.3.2.4 *Require development and redevelopment in the Urban System to proceed according to the growth management and phasing policies of this plan, and the planned provision of necessary services.*”

The subject site was originally developed long before the surrounding area was urbanized, and it representative of a rural residential property. The surrounding properties have recently developed in accordance with both the Region of Peel Official Plan and the City of Mississauga Official Plan. As such the services that were previously planned and are already in place for the surrounding development, and are now available for the subject property.

“5.5.1.5 *To optimize the use of existing and planned infrastructure and services.*”

As noted above, the density of the proposed development will be more efficient than current underdeveloped dwelling and will optimize the use of existing infrastructure. Furthermore, as discussed in a later section of this report, the existing services were designed to allow development of this site. Thus the Regional infrastructure in this neighbourhood has planned surplus capacity intended for the development of this site. Development of the site will create a more optimal balance between servicing capacity and demand.

5.5.3.2.2 *Facilitate and promote intensification.*”

As the subject property was previously developed for low density, rural residential uses, the redevelopment of the site for uses with a higher density meets the definition of intensification as per the Glossary contained in the Official Plan.

“5.5.4.1.2 *To achieve compact urban forms within the designated greenfield area that support walking, cycling and the early integration and sustained viability of transit services.*”

The proposed Site Plan includes a pedestrian trail connections to the future multi-use trail within the former Second Line West right of way, the multi-use trail will also connect with Fletcher's Creek Trail immediately north of the subject site. The City has requested that the proposed development provide pedestrian linkage between Harmony Hill and the future multi-use trail.

“5.8.1.1 *To provide for an appropriate range and mix of housing types, densities, sizes and tenure to meet the projected requirements and housing needs of current and future residents of Peel.*”

The surrounding neighbourhood appears to primarily contain freehold properties, approval of the proposed

development will introduce condominium ownership options.

Given the above examples, and after a review of the remaining policies within the Region of Peel Official Plan, we are of the opinion that the proposed development is consistent with the policies in Chapters 2, 3, 4, 5, 6, and 7 of the Region of Peel Official Plan.

3.4 CITY OF MISSISSAUGA OFFICIAL PLAN

City Council adopted the Mississauga Official Plan (MOP) on September 29, 2010. The Region of Peel partially approved the Plan on September 22, 2011. There have been a number of appeals and amendments since that approval. The August 2, 2017 consolidation was utilized in preparation of this analysis.

Schedule 10 – Land Use Designations, designates the property as Greenlands with a Natural Hazard Overlay on the west portion of the property.

Schedule 10 – Land Use Designations also shows the property within the Noise Exposure Forecast 28 area.

Schedules 1a Urban System – Green System and 1b – Urban System – City Structure, do not show the detailed road network and as such it is difficult to determine with certainty where the subject property is located. However, it is assumed that in conformity with Schedule 10, the property is within the Green System as shown on Schedule 1

Schedule 9 – Character Areas shows the property within the Meadowvale Village Neighbourhood.

Policy 11.2.3.2 provides the list of permitted uses in the Greenlands designation. Residential uses are not included on this list. As such it is acknowledged that an Official Plan Amendment will be required to change the designation of the developable area of the property to one that permits residential development. The policy review below is based upon this premise.

Policy 11.2.5.4 provides the list of permitted uses in the Residential Low Density II designation. This designation will permit semi-detached dwellings, but not condominium townhouses. As such, the semi-detached lots are proposed to be designated for Residential Low Density II.

Policy 11.2.5.5 provides the list of permitted uses in the Residential Medium Density designation. This designation allows for townhouse dwellings. Therefore, the condominium townhouse site will be proposed to be designated as Residential Medium Density.

- “5.1.3** *Forecast growth will be directed to appropriate locations to ensure that resources and assets are managed in a sustainable manner to:...*
- b. utilize existing and proposed services and infrastructure such as transit and community infrastructure;...”*

The proposed development is located adjacent to a relatively recent residential subdivision. The existing municipal infrastructure installed within the adjacent subdivision has sufficient capacity to accommodate the

proposed dwellings as per the Functional Servicing Report prepared by Urbantech and submitted in support of the proposed development. The sanitary drainage area drawings from Rand Engineering for the surrounding development appear to have included the subject property in the sanitary sewer design. As such, the proposed development makes efficient and sustainable use of existing infrastructure including, sewers, water and roads.

- “5.1.7 Mississauga will protect and conserve the character of stable residential Neighbourhoods. “*
- “5.3.5.1 Neighbourhoods will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved. “*
- “5.3.5.5 Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan. “*

Notwithstanding the fact that the proposed development by definition is considered to be a form of intensification, it provides similar uses, similar scale and similar built form relative to what is currently found in the surrounding stable residential neighbourhood, thus protecting, and extending the existing character.

- “5.3.5.7 Transportation planning within Neighbourhoods will give priority to active transportation modes.”*

The proposed development includes a pedestrian connection from Harmony Hill to the pedestrian walkway within the former Second Line right of way.”

- “6.2.7 Mississauga will require development proposals to address the management of stormwater using stormwater best management practices.”*
- “6.2.8 Mississauga will encourage the use of green technologies and design to assist in minimizing the impacts of development on the health of the environment.”*

The stormwater design, as prepared by Urbantech, for the proposed development includes maintaining the pre-development run off volumes of water to the adjacent woodlot/wetland to the west of the property.

The EIS prepared by Riverstone Environmental Solutions recommends measures to protect the natural features both on site and adjacent to it.

- “6.3.7 Buffers which are vegetated protection areas that provide a physical separation of development from the limits of natural heritage features and Natural Hazard Lands, will be provided ...”*
- “6.3.8 Buffers shall be determined on a site specific basis as part of an Environmental Impact Study or other similar study, to the satisfaction of the City and appropriate conservation authority.”*

A buffer is provided between the proposed development and the top of bank. This buffer varies from 5 metres wide at the narrowest location, to more than 10 m wide in other locations. CVC has indicated that 10 metres is preferred, but 5 metres may be considered. A variable buffer with a minimum width of 10 metres is provided between the Regional Floodline and the proposed parkland.

- “6.3.10 The exact limit of components of the Natural Heritage System will be determined through site specific studies such as an Environmental Impact Study. “*
- “6.3.11 Minor refinements to the boundaries of the Natural Heritage System may occur through Environmental Impact Studies, updates of the Natural Heritage System, or other appropriate studies accepted by the City without amendment to this Plan.”*

As per section 5.1 of the EIS, Riverstone Environmental has determined that a portion of a Significant Woodland and associated valleyland extends into the northeastern area of the subject property. Additionally, there is a wetland approximately 5 metres to the north on adjacent lands. The limits of these features were identified on site during the January 2016 site visit with CVC staff and representatives from the MNRF, and these limits have been confirmed and slightly modified through the Slope Stability Study and EIS.

- “6.3.24 The Natural Heritage System will be protected, enhanced, restored and expanded...”*

The EIS includes a number of recommendations from Riverstone Environmental, that will protect, enhance and restore the Natural Heritage System. Such recommendations include:

- Provision of sediment control fencing in identified locations throughout the construction period
- Cleaning and fueling of construction equipment to occur a minimum of 30 metres from the natural features
- Storage of fuel, deleterious substances and aggregate to be a minimum of 30 metres from the natural features
- Halt construction activities if species at risk are encountered within the subject property
- Schedule work to avoid rainy and wet periods
- Implement a woodlot enhancement plan with native species
- Vegetate the proposed swale that conveys runoff to the wetland
- Incorporate LID during detailed design
- Vegetation removal to occur outside of the breeding bird nesting window
- Ensure materials and equipment are free from invasive species

- “6.3.26 Lands identified as or meeting the criteria of a Significant Natural Area, as well as their associated buffers will be designated Greenlands and zoned to ensure their long term protection. Uses will be limited to conservation, flood and/or erosion control, essential infrastructure and passive recreation.”*

These lands are identified and the Greenlands zoning will be maintained. Furthermore, these lands will be conveyed to the appropriate agency.

- “6.3.29 Development and site alteration on lands adjacent to a Provincially significant wetland, Provincially significant coastal wetland and habitat of endangered species*

and threatened species or other Significant Natural Area will require an Environmental Impact Study, demonstrating no negative impact to the natural heritage features or on their ecological function, to the satisfaction of the City and appropriate conservation authority.”

“6.3.31 Setbacks and buffers adjacent to fish habitat areas will be determined by an Environmental Impact Study, which will conform to approved fisheries management plans. “

The EIS prepared by Riverstone Environmental is submitted for review in accordance with these policies. The EIS also addresses MOP policies 6.3.32, 6.3.33,

“6.3.35 The expansion and connection of the Natural Heritage System will be encouraged. Where appropriate, Significant Natural Areas, Natural Green Spaces, Linkages, Special Management Areas and buffers will be incorporated with public parkland and will be managed in accordance with Natural Heritage System policies.”

“6.3.79 The potential for Public Open Space areas to expand or connect the Natural Heritage System will be encouraged ...”

It is proposed that Block 5 be dedicated to the City of Mississauga as part of the parkland dedication requirements for the proposed development. Block 5 is outside of the natural features and required buffer, and is considered to be develop able. Thus, the dedication of Block 5, as parkland, is in conformance with policy 6.3.35 and 6.3.79.

“6.3.47 Development and site alteration will not be permitted within erosion hazards associated with valleyland and watercourse features. In addition, development and site alteration must provide appropriate buffer to erosion hazards, as established to the satisfaction of the City and appropriate conservation authority.”

“6.3.48 Development adjacent to valleyland and watercourse features may be required to be supported by detailed slope stability and stream erosion studies, where appropriate. “

Please refer to the slope stability study dated January 26, 2016 and an addendum dated February 9, 2017 both prepared by Soil Engineers, which has identified the long term stable top of slope.

“6.3.51 Development and site alteration is generally prohibited on lands subject to flooding.”

The regional floodline has been identified in the supporting documents and the Draft Plan of Subdivision provides a minimum 10 metre buffer between the extent of Block 5 and the floodline.

“6.4.2.1 Mississauga will use a water balance approach in the management of stormwater by encouraging and supporting measures and activities that reduce stormwater runoff, improve water quality, promote evapotranspiration and infiltration, and reduce erosion using stormwater best management practices.”

“6.4.2.2 Mississauga will require that development applications be supported by stormwater best management practices...”

The EIS by Riverstone Environmental recommends LID measures, and vegetated swales. The Stormwater Management report by Urbantech has reviewed the current water balance and proposes to maintain the existing flows to the adjacent wetland.

- “6.5.1 To improve air quality, Mississauga will:*
a. promote the use of alternative modes of transportation such as transit, cycling and walking;...”

The walkway through the proposed development will connect Harmony Hill with the pedestrian walkway in the former Second Line right of way, thus enhancing the current active transportation network. The convenience of the location in proximity to the proposed units, in addition to the improved network this connection provides should encourage greater use of active transportation alternatives.

- “6.6.1 Proponents of development and site alteration will ensure there are no risks to life, safety, health, property and ecosystem health associated with soil erosion.”*
“6.6.2. Proposals for development and site alteration will incorporate appropriate buffers adjacent to watercourses, Natural areas and parks to protect against soil erosion and sediment impacts.”

The EIS provides several recommendations for the provision and monitoring of the erosion control measures.

- “6.10.2.1 Land uses located at or above the corresponding 1996 noise exposure projection (NEP)/2000 noise exposure forecast (NEF) composite noise contour as determined by the Federal Government, will require a noise study as a condition of development. The noise study is to be undertaken by a licensed professional engineer with acoustical expertise in accordance with the applicable Provincial Government environmental noise guideline to the satisfaction of the City prior to development approval to determine appropriate acoustic design criteria.”*
“6.10.2.2 Mississauga will require tenants and purchasers to be notified when a proposed development is located at the noise exposure projection (NEP)/noise exposure forecast (NEF) composite noise contour of 25 and above.”
“6.10.2.3 A noise warning clause will be included in agreements that are registered on title, including condominium disclosure statements and declarations.”

The Environmental Noise Assessment prepared by YCA Engineering has determined the development is at the NEF/NEP 29 contour and that all units will require central air conditioning and noise warning clauses to be registered on title.

The subject property is not within the designated Airport Operating Area, as such the policies for lands within the Airport Operating Area do not apply.

The property is within 500 metres of a freeway, and as such the Noise Assessment has reviewed the potential impact of traffic noise from Highway 401 in accordance with policy 6.10.3.4. Outdoor living area noise is predicted to be within allowable limits and will not require noise barriers. However a warning clause

stating that noise levels may increase will be provided to future residents.

- “7.2.2 Mississauga will provide opportunities for:*
a. the development of a range of housing choices in terms of type, tenure and price ...”

The surrounding residential community does not currently provide options for a condominium townhouse ownership. The proposed development will introduce a small amount of variety of housing choice, and ostensibly price, into the community.

- “7.4.5.1 As a condition of development, the City in consultation with the Provincial Government, may require that an archaeological assessment be undertaken....”*

A Stage 1 and a Stage 2 archaeological assessment was undertaken on the subject property by Archaeoglix Inc. No archaeological resources were found during the Stage 2 field assessment. The Ministry of Culture clearance letter dated July 16, 2009 is included with this submission.

- “9.1.3 Infill and redevelopment within Neighbourhoods will respect the existing and planned character.”*

The proposed infill development is located within the Neighbourhoods designation. The public frontage of the proposed development will closely match the existing semi-detached units immediately adjacent, and to the south of the subject property. The existing neighbourhood also includes a number of townhouse blocks in close proximity, similar in scale and appearance to the proposed condominium townhouses that are located behind the semi-detached units. The primary difference the existing townhouses and the proposed units, is with respect to the location and site access. The existing units are were developed as street townhouse, and the proposed units are condominium ownership with a private road providing access. Although the character of the private road is marginally different than the public local roads surrounding the subject property, because these proposed units and road are situated behind the proposed semi-detached units, they will not have a strong street presence and due to their relatively hidden location will be compatible with the existing neighbourhood.

- “9.2.2.3 While new development need not mirror existing development, new development in Neighbourhoods will:*
a. respect existing lotting patterns;
b. respect the continuity of front, rear and side yard setbacks;
c. respect the scale and character of the surrounding area;
d. minimize overshadowing and overlook on adjacent neighbours;
e. incorporate stormwater best management practices;
f. preserve mature high quality trees and ensure replacement of the tree canopy; and
g. be designed to respect the existing scale, massing, character and grades of the surrounding area.”

As noted above the existing semi-detached lot pattern, including setbacks, scale and character, immediately

adjacent to the south boundary of the subject property, will be continued through the majority of the street frontage of the proposed development.

The tree preservation report prepared by Kuntz Forestry Consulting has identified a number of trees that are to be preserved during the development of the subject property.

The existing topography of the subject property includes an approximate 10 metre grade differential between the east and west property lines. Proposed grading within the site will be limited to those areas outside of the stable top of bank and buffer and the Regional floodline and buffer. Due to the challenges create by a site with a substantial grade differential, there will be a significant amount of grading required to meet existing grades at the proposed limits of development.

“9.2.3.1 Development will be sensitive to the site and ensure that Natural Heritage Systems are protected, enhanced and restored.”

As per the EIS and Slope Stability Study, the Natural Heritage Systems are protected. The EIS includes measures intended to enhance and restore the Natural Heritage System.

“9.3.5.5 Private open space and/or amenity areas will be required for all development.”

All proposed units include private rear yard outdoor amenity area.

“9.5.1.2 Developments should be compatible and provide appropriate transition to existing and planned development ...”

In accordance with the elements listed in policy 9.5.1.2, the proposed development will preserve and enhance the Natural Heritage System, as per the recommendations of the EIS. A minimum 10 metre buffer is provided to the Regional floodline. The public streetscape presence of the proposed development continues the existing pattern of housing type, orientation, frontage and yard setbacks.

“10.6.5 Mississauga will ensure that full Regional and municipal services are available to serve all development.”

The Functional Servicing Study prepared by Urbantech has determined that the municipal services existing on Harmony Hill have sufficient capacity to support the proposed development.

“16.1.1.1 For lands within a Neighbourhood, a maximum building height of four storeys will apply...”

The proposed semi-detached and townhouse units will be a maximum of 3 storeys in conformity with this policy.

“16.1.2.1 To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots created by land division...”

- a. *The average frontage and area of residential lots,...on the same street within 120 m..."*

The lots north of the subject property on Harmony Hill are single detached with frontages generally 11 metres or greater. The lots to the south of the subject property are semi-detached with frontages approximately 7.0 to 7.5 metres. The proposed semi-detached lots for the subject property are 7.37 metres in frontage in keeping with the existing semi-detached immediately to the south. The proposed lot area for the semi-detached units are approximately 236 m² in keeping with the existing semi-detached units to the south. However, it should be noted that the closest 8 existing semi-detached dwellings are slightly larger in area due to additional lot depth necessitated by the layout of Registered Plan of Subdivision 43M-1475.

- "19.4.3** *To provide consistent application of planning and urban design principles, all development applications will address, among other matters:*
- a. *the compatibility of the proposed development to existing or planned land uses and forms, including the transition in height, density, and built form;*
 - b. *conformity with the policies in this Plan;*
 - c. *the sustainability of the development to support public transit and to be oriented to pedestrians;*
 - d. *in circumstances where medium and high density residential uses are in proximity to developments of a lower density, measures, such as increased setback; sensitive building location, transition and design; and landscaping, may be required to ensure compatibility with the lower density designations;*
 - e. *the adequacy of engineering services;*
 - f. *the adequacy of community infrastructure;*
 - g. *the adequacy of the multi-modal transportation systems;*
 - h. *the suitability of the site in terms of size and shape, to accommodate the necessary on site functions, parking, landscaping, and on site amenities;*
 - i. *the relationship of the proposed development to the street environment and its contribution to an effective and attractive public realm;*
 - j. *the impact of the height and form of development, in terms of overshadowing and amenity loss, on neighbouring residential and park uses;*
 - k. *site specific opportunities and constraints;*
 - l. *sustainable design strategies; and*
 - m. *urban form and public health."*

The proposed development is situated within a recent, but established neighbourhood. More specifically, it is located in the transition area between medium density and low density residential uses. The publicly viewable built form of the proposal provides semi-detached lots fronting onto Harmony Hill, and will appear as a contiguous extension of the existing semi-detached dwellings to the immediate south. The existing neighbourhood includes some medium density street townhouse dwellings approximately 150 metres to the

south. The proposed development includes condominium townhouses. The built form, massing and scale of the proposed townhouses will be similar to the existing, however, there is a contrast in streetscape appearance. The proposed townhouses and the private lane to access them, will generally not be visible from Harmony Hill as they will be set behind the proposed semi-detached units.

The proposed density of the subject property is 36 units per net hectare. Although this density is less than that of transit supportive intensification areas, the built form maximizes the density that is appropriate for this site under the current MOP policies.

Medium density uses are proposed in proximity to existing low density residential. However, they are not adjacent, as there are existing Greenlands blocks between the proposed townhouses and existing residential. The Greenlands blocks will provide a substantial setback and buffering between the uses.

The Functional Servicing Study, prepared by Urbantech, concludes that the existing infrastructure adjacent to the subject property has sufficient capacity for the proposed development.

The proposed development was designed to conform to the size and shape of the subject property, and to also meet City standards and provide typical sub-urban unit sizes and outdoor amenity areas.

The proposed development provides the City with an opportunity to secure a public pedestrian connection from the existing community to the proposed walkway on the former Second Line right of way.

- “19.5.1** *City Council will consider applications for site specific amendments to this Plan within the context of the policies and criteria set out throughout this Plan. The proponent of an official plan amendment will be required to submit satisfactory reports to demonstrate the rationale for the amendment; including, among other matters:*
- a. that the proposed redesignation would not adversely impact or destabilize the following:*
 - the achievement of the overall intent, goals, objectives, and policies of this Plan; and*
 - the development or functioning of the remaining lands that have the same designation, or neighbouring lands; and*
 - b. that a municipal comprehensive review of land use designations or a five year review is not required;*
 - c. that the lands are suitable for the proposed use, and a planning rationale with reference to the policies of this Plan, other applicable policies, and sound planning principles is provided, setting out the merits of the proposed amendment in comparison with the existing designation;*
 - d. land use compatibility with the existing and future uses of surrounding lands; and*
 - e. the adequacy of engineering services, community infrastructure and multi-modal transportation systems to support the proposed application.*

This Planning Justification Report demonstrates that the lands are suitable for the proposed development and that the site specific Official Plan Amendment required to implement the proposed development is in generally conformity with the overall intent, goals, objectives and policies of this Plan, and will not adversely impact neighbouring lands.

A municipal comprehensive review is not required as the potential issues related to this proposal are geographically limited to the immediate neighbourhood.

“19.11.1 Vacant lands and legally existing land uses that do not conform to this Plan, may be recognized in the zoning by-law as a “D” (Development) Zone. It is intended that these lands will eventually be redeveloped in accordance with the policies contained in this Plan, but in the meantime allow legally existing uses to continue without a non-conforming status.”

As noted below in the analysis of the Zoning By-law, the lands are currently zoned as “D” - Development. Policy 19.11.1 intends that the zoning eventually would be changed to reflect the Greenlands Official Plan designation. Notwithstanding this singular and specific policy, the supporting documents submitted with this development proposal have demonstrated that a portion of the subject property is suitable for development in conformity with the remaining policies of the Official Plan.

“19.18.1 As a condition of development approval, natural hazard lands may be placed in public ownership for their long term protection.

19.18.2 Greenlands is determined on a site by site basis and is defined by natural hazards associated with watercourse corridors and Lake Ontario, and the limits of identified natural areas. The limits of the Greenlands are determined in consultation with the City and appropriate conservation authority and through studies, where required, completed by the proponent to the satisfaction of the City and the appropriate conservation authority.”

A portion of the subject property is located below the proposed top of bank and is considered to be Greenlands. The top of bank was staked with CVC January 12, 2016 and a slope stability study (Soil Engineers on January 26, 2016 and February 9, 2017) is provided with this application. The proposed stable top of bank shown in the development proposal is an amalgamation of the greater of the staked top of bank and the top of stable slope. The limits of the natural features were staked with the Ministry of Natural Resources on January 12, 2016.

“19.18.4 Greenlands lands will be conveyed to the City or other public agency. Such lands will not be accepted as part of the dedication of land for park or other public recreational purposes contribution or credited against any cash in lieu for park or other public recreational purposes or be included in the calculation of density for building coverage.”

The lands located below the proposed top of bank will be conveyed to the City or CVC as appropriate.

“19.18.6 Prior to conveyance of Greenlands lands, the proponent may be requested to conduct

a Phase 1 Environmental Site Assessment (ESA) in accordance with the latest standards of the Canadian Standards Association and the Ministry of Environment....”

Please refer to the Phase 1 ESA prepared by Soil Engineers and dated January 26, 2016, and the Phase 2 ESA prepared by Soil Engineers and dated October 30, 2017. The Phase 1 ESA identified some Areas of Potential Environmental Concern (APEC) which were later investigated in the Phase 2 ESA. The Phase 2 investigation noted that some of the samples did not meet the Table 1 standards. The contaminated soil was excavated and exported from the site. A second stage of testing occurred after removal of the contaminated soil and determined that the site now met Table 1 standards.

Given the above examples, and after a review of the remaining policies within Mississauga Official Plan, we are of the opinion that the proposed development, upon implementation of the necessary Official Plan Amendment, is consistent with the policies in Part Two: City Wide Policies, Chapters 4, 5, 6, 7, and 9, and Part Three: Land Use Designations, Chapters 11 and 16 of Mississauga Official Plan. Furthermore, the proposed Official Plan Amendment meets the intent of Part Two: City Wide Policies

3.5 CITY OF MISSISSAUGA ZONING BY-LAW 0225-2007

The City of Mississauga Zoning By-law 0225-2007 was passed June 20, 2017. A large number of amendments have been made since the By-law was originally approved. The consolidated version used for the analysis below was the PDF version that was available on the City of Mississauga website as of September 22, 2017.

Schedule 44W of the City of Mississauga Zoning By-law zones the subject property as “D” - Development. The property is bounded by lands zoned as G1 to the north and south, to the east are lands zoned RM2-33 and R10-1.

The “D” zone in place on the subject property only permits buildings or structures that legally existing on the date of passing of the By-law. As such, it is acknowledged that a Zoning By-law Amendment will be required to facilitate the proposed development.

The proposed Zoning By-law Amendment seeks to change the zoning of the subject property from “D” - Development to “G1” - Greenlands, RM2-?? - Semi-Detached Dwellings, and RM4-?? - Townhouse Dwellings.

The “G” Greenlands zone will be implemented on all lands that are below the long term stable top of bank, this includes steep slopes and the Regional Floodline.

The “RM2-??” Semi-detached zone will apply to the 6 semi-detached units that front onto Harmony Hill, and the “RM4-??” Townhouse zone will apply to the condominium block and will allow it to develop as a 13 unit standard condominium townhouse.

The semi-detached units are mostly in conformance with the standard RM2 zone. The only relief being sought is a site specific reduction to the exterior side yard from 4.5 metres to 1.2 metres. The northernmost unit is adjacent to the private road that functions as the driveway entrance to the condominium site. The site

specific exception is necessary for this unit as due to a combination of a number of factors.

1. The condominium driveway is located as far to the north on the subject site as possible due to the required 10 m buffer to the greater of the staked top of bank or the long term stable top of slope.
2. The 6 semi-detached units are designed with approximately the same width as the existing semi-detached units to the south to ensure conformity with the existing character of the neighbourhood.
3. The driveway is aligned as close as possible with the intersection of Flute Way and Harmony Hill.

The Townhouse units will require a number of changes to the standard RM4 zoning regulations. These changes are mostly driven by the severe constraints imposed by the topography of the subject property coupled with the need to provide semi-detached units along Harmony Hill to ensure the proposed development conforms to the existing character of the surrounding neighbourhood.

The minimum lot area required in the Zoning By-law is 200 m² which is only appropriate for condominium townhouses that include the front and rear yard as part of the individual units. The proposed development will include the front and rear yards as part of the common element, however they will be reserved for the exclusive use of the adjacent unit owner. As such each lot/unit, as per the definition in the zoning by-law, will only include the area within the exterior building walls and the interior party wall. The smallest proposed unit is 73 m² in ground floor area, as such the requested minimum lot area in the site specific zoning exception for this property is 70 m².

The minimum lot frontage in the Zoning By-law is 30 metres. The proposed development includes 6 semi-detached units along Harmony Hill, and the condominium site is predominantly located behind the semi-detached units. Due to this arrangement, the only portion of the condominium site that extends to Harmony Hill is the private road. As such, the proposed minimum lot frontage is 8.5 metres.

The minimum landscape area in the Zoning By-law is 40% of the lot area. The proposed development would currently provide 34.3%. The draft Zoning By-law Amendment requests a minimum landscape area of 30% to allow for any potential changes to the conceptual plan that could affect this calculation. The proposed reduction to the minimum landscape area is appropriate due to the significant amount of natural area that will be conveyed to the City or the CVC, that otherwise would qualify as landscaped area. Furthermore, the proposed parkland block, if included as part of the development site would have the effect of raising the provided landscape area to 44% of the lot area.

The minimum lot line setback from a side wall to a lot line that is not a street requirement in the Zoning By-law is 2.5 metres. Additionally the minimum lot line setback of a dwelling to lands zoned G1 base is 5.0 metres. On the south side of the property the proposed townhouse side walls are as close as 2.0 metres to the side lot line. This lot line is also the boundary of the adjacent G1 zone. The lands that are zoned G1, adjacent to the south side of the subject property were zoned as such due to the presence of a steep slope. This steep slope appears to be a man-made hazard, created to implement the adjacent Registered Plan of Subdivision 43M-1475. This is evident when comparing the contour elevations of the Ontario Base Maps with the current topography surround the subject property. As such, although this area is zoned G1, it is approximately 17 metres in width, and is surrounded on 3 sides by residential uses. As such, it does not have the necessary attributes to function as a significant natural feature, and does not warrant the large 5.0 metre setback.

The Zoning By-law requirement for a wing wall setback to a lot line is 3.0 metres. One of the proposed wing walls is in line with and an extension of the side wall that is subject to the reduced side lot line setback noted

in the preceding paragraph. As such, for the reasons noted above, the proposed reduction to 2.0 metres for a setback from a wing wall to a lot line is also appropriate.

The Zoning By-law requirement for a setback from a garage face to an internal road is 6.0 metres. Generally all proposed garages meet or exceed this standard, however, due to the variation in front yard sizes and front wall setbacks, one garage is marginally below. As such, the proposed setback from a garage face to an internal road is 5.9 metres.

The Zoning By-law requirement for maximum projection of a porch attached to the front or side wall of a townhouse dwelling is 1.6 metres. All porches attached to the front wall meet this requirement. The porch along the side wall of Building 2 is slightly closer to the hammerhead portion of the internal road than the allowable projection. The porch along the side wall is a function of the urban design vision for the proposed development and an integral part of the desired aesthetic. As such the proposed allowable projection of 2.0 metres is appropriate.

The Zoning By-law requirement for maximum dwelling height is 10.7 metres. The height of the proposed townhouse Building 1 is 11.03 metres and the height of proposed townhouse Building 2 is 10.89 metres. The draft Zoning By-law Amendment provided with this application proposes a maximum dwelling height of 11.25 metres. As these townhouses are located behind a row of semi-detached units and at a lower grade elevation, the minor increase in allowable height will not be visually noticeable and will have limited impact on the surrounding neighbourhood. Furthermore, Mississauga Official Plan allows for a maximum of 4 storeys and the proposed townhouses only contain 3 storeys.

The Zoning By-law requirement for the minimum setback from a visitor parking space to a lot line is 3.0 metres. The proposed visitor parking location can only provide a 1.26 metres setback to the lot line. This lot line is adjacent to the rear yard of one of the future semi-detached units that are part of this application, and prospective purchasers of the semi-detached units will be made aware of the location of the townhouse parking. Furthermore, the parking is skewed at an angle to the lot line, as such, only 3.5 m² of the first parking space is within the 3.0 metres setback. A typical parking space is 13.52 m², as such, the portion of the single parking space in contravention of the zoning standard is roughly 26%, as such, it will not have the same visual impact as a row of parking spaces located at the proposed reduced setback.

Given the above examples, and rationale for the site specific zoning amendments, we are of the opinion that the proposed development will be in conformance with Zoning By-law 0225.-2007 upon implementation of the proposed Zoning By-law Amendment. Furthermore, the proposed Zoning By-law Amendment is consistent with Mississauga Official Plan and will facilitate the construction of a development that is compatible with the existing neighbourhood context.

4.0 SUMMARY

The proposed applications for a Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment to permit the development of 6 semi-detached dwelling units, a block intended to contain 13 condominium townhouse units, a public park block and a Greenlands block meets the policies and objectives of the Province of Ontario and Region of Peel. The proposed applications also meet the general intent and vision of Mississauga Official Plan by providing infill development that fits within and is an extension of the existing neighbourhood context.

The subject property is currently designated as Greenlands, however, a substantial portion of the site meets



the City's and CVC's standards for development, as it is above the long term stable top of slope, outside of the Regional floodline, and the proposed buffers and setbacks to the surrounding natural areas are sufficient to preserve and enhance their function, in accordance with the EIS submitted in support of these applications.

It is our opinion that the proposed Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment represent good and sound planning and are appropriate for this property.

Yours Truly,

ROBERT RUSSELL PLANNING CONSULTANTS INC.

A handwritten signature in blue ink, appearing to read 'Rob Russell', is positioned above the printed name.

Rob Russell, MCIP, RPP
President