

# City of Mississauga

# Corporate Report



<p>Date: February 12, 2025</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p>	<p>Originator's file: OZ/OPA 24-7 W11</p>
	<p>Meeting date: March 3, 2025</p>

## Subject

### **PUBLIC MEETING RECOMMENDATION REPORT (WARD 11)**

**Official Plan Amendment and Rezoning applications to permit a 12 to 14 storey apartment building with 633 units**

**51-57 Tannery Street and 208 Emby Drive, south of Tannery Street and east of Mullet Creek**

**Owner: NYX Tannery LP**

**File: OZ/OPA 24-7 W11**

## Recommendation

1. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend the Ontario Land Tribunal proceeding in opposition of the proposed development associated with File OZ/OPA 24-7 W11, NYX Tannery LP, 51-57 Tannery Street and 208 Emby Drive to permit a 12 to 14 storey apartment building containing 633 units, in accordance with the recommendations outlined in the report dated February 12, 2025 from the Commissioner of Planning and Building, which concludes that the proposed official plan amendment and rezoning applications are not acceptable from a planning standpoint and should not be approved.
2. That City Council provide the Planning and Building Department with the authority to instruct Legal Services on modifications to the position deemed necessary during or before the Ontario Land Tribunal hearing process, however if there is a potential for settlement then a report shall be brought back to Council by Legal Services.

## Executive Summary

- The applications are to amend the policies of the official plan and change the zoning by-law to allow a 12 to 14 storey apartment building connected by a six storey podium, containing 633 units and serviced by a private driveway
- The official plan amendment and rezoning applications have been appealed to the Ontario Land Tribunal (OLT) by the applicant for non-decision. A case management conference has been scheduled for March 4, 2025
- The applicant has made minor revisions to the built form in a scoped resubmission that addressed issues raised by staff related to building stepbacks at the upper storeys facing the south lot line. However, there remains substantive outstanding information and analysis to be provided through technical studies, as well as concerns regarding compatibility of the proposal within the planned and existing context of the surrounding area
- Provincial, Regional, and Local planning policies support intensification on the site and high density residential development has merit. However, Staff have concluded that the proposed development is not supportable from a planning perspective and recommend refusal of these applications
- This recommendation is based on a number of factors including outstanding information related to servicing, transportation, rail safety, impacts on adjacent lands and other matters to be addressed through technical studies, as outlined below:
  - The Region requires updated servicing analysis to confirm sufficient sanitary capacity is available to support the proposal
  - City Staff require revised traffic analysis to evaluate the impact of the proposed density on the local road network
  - Canadian Pacific Kansas City Southern, the owner of the neighbouring railway, requires updated stormwater analysis to address rail safety concerns
  - To evaluate site layout and potential development impacts on neighbouring lands, City staff require a concept plan demonstrating how the proposed driveway could extend south to Thomas Street
  - The environmental compliance review remains incomplete until all necessary documentation is provided
  - Justification for the proposed maximum height and density, which represents a significant departure from the local policy framework, remains outstanding
  - Insufficient sun factor on the principal amenity area
  - CVC requirements remain unaddressed
- Staff require direction from Council to attend any OLT proceedings which may take place in connection with the applications to oppose the proposed development, in accordance with recommendations outlined in this report

## Background

Official plan amendment and rezoning applications were deemed complete on July 17, 2024 and subsequently circulated for technical comments. On November 18, 2024, the owner appealed the City's non-decision on the applications to the OLT. A Case Management

Conference (CMC) has been scheduled for March 4, 2025. The purpose of this report is to make a recommendation to Planning and Development Committee on the applications and to seek direction with respect to the appeal.

## Present Status

### 1. Site Information

#### (a) Site Location and Description

The site is located northwest of the intersection of Queen Street South and Thomas Street within the Streetsville Community Node Character Area. The site is currently occupied by a detached house that was recently damaged by fire. Several other detached houses and industrial buildings on the site were recently demolished. The subject property includes a portion of Mullet Creek along the west side of the site while the Canadian Pacific Kansas City Southern rail line corridor abuts the east property line. Emby Drive, which starts at Thomas Street, terminates at the south property line of the subject site.

The surrounding uses contain a mix of industrial, residential, and commercial uses. To the north there is a seven storey retirement home and the remains of a condominium apartment building that was destroyed by fire during construction. Industrial lands are located to the west and south. The Queen Street South mainstreet commercial area is located to the east.



**Aerial Photo of 51-57 Tannery Street**

<b>Property Size and Use</b>	
Frontages:	
Tannery Street	71.4 m (234.3 ft.)
Emby Drive	15.2 m (49.9 ft.)
Depth (irregular):	174.3 m (571.9 ft.)
Gross Lot Area:	1.9 ha (4.6 ac.)
Existing Uses:	A detached house (recently damaged by fire), vacant land formerly accommodating a second detached house with accessory structures and industrial buildings



**Photo of Existing Site Condition**  
**(view from the north side of Tannery Street, looking south)**





**Photo of Existing Site Condition  
(view from the north side of Tannery Street, looking southwest)**



**Google Streetview Photo with seven-storey Retirement Residence and  
Rutledge Road connection north of the Site  
(view looking northeast down Tannery Street)**

**(b) Site History**

- June 20, 2007 - Zoning By-law 0225-2007 came into force except for those sites which were appealed. At that time, the subject lands were zoned D (Development), which

permits only legally existing uses and G1 (Greenlands) which permits conservation and parkland

- November 14, 2012 – Mississauga Official Plan (MOP) came into force except for those sites/policies which have been appealed. The subject lands are designated Residential High Density – Special Site 2 and Greenlands in the Streetsville Community Node Character Area
- December 8, 2021 - City Council approved OPA, ZBA, and draft plan of subdivision for the subject site, permitting street and stacked townhomes, revising the boundary of the natural area/floodplain and creating a new public road across the subject site connecting from Tannery Street to Emby Drive. The subdivision has not yet been registered (OZ 18/012 W11 and T-M20004 W11)
- May 18, 2022 - A Development Application Review Committee (DARC) meeting was held with the proponent and City staff to provide submission requirements and preliminary feedback, under file DARC 22-174 W11. The proposal consisted of two 12 storey apartment buildings and five townhomes and a public road connection
- June 28, 2023 – A DARC meeting was held with the proponent and City staff to provide submission requirements and preliminary feedback, under File DARC 23-94 W11. This proposal more closely resembles the current proposal and consists of two 15 storey apartment towers, a 12 storey podium and serviced by a private driveway
- July 17, 2024 - The subject applications were deemed complete (OZ/OPA 24-7 W11)
- October 22, 2024 – The proponent emailed a "Planning Justification Addendum Letter" to City planning staff proposing certain design changes including additional stepbacks
- November 18, 2024 - The proponent appealed the City's non-decision on the subject applications to the Ontario Land Tribunal

### **(c) Site Context**

The subject property is located in the Streetsville Community Node Character Area. The Streetsville Community Node is a historic area, incorporated in 1858 as a village. The immediate area has a mix of former industrial uses, and more recent medium and high density residential developments. The node contains a variety of housing forms, stores, restaurants, personal services, and places of religious assembly along Queen Street South.

The surrounding land uses are planned as follows in MOP:

North: Residential High Density  
 West: Greenlands / Natural Hazards  
 South: Residential High Density  
 East: Existing rail line, Mixed Use

## **2. Surrounding Development Applications**

The following development applications are in process or were recently approved in the immediate vicinity of the subject property:

- SP 21-155 W11 – 190 Rutledge Road – application for a five storey apartment building containing 79 apartment units
- OZ/OPA 24-12 W11– 150 Rutledge Road – applications in process for a ten storey apartment building
- OZ/OPA 25-3 W11 - 64 & 66 Thomas Street and 65 Tannery Street – applications in process for two apartment buildings and three towers with heights of 12, 18 and 22 storeys

### 3. Official Plan

The lands are located within the **Streetsville Community Node Character Area**. The proposed development area is designated **Residential High Density – Special Site 2**. The **Greenlands** designation applies to the westerly portion of the site adjacent to Mullet Creek outside of the proposed development area. The MOP permits apartment dwellings and townhomes and a maximum Floor Space Index (FSI) of 1.8 on the subject site. Community Nodes are identified as Intensification Areas in the MOP and are, therefore, intended to be the focus of intensification within the City. Refer to Appendix 1 for the existing land use designation map.

The subject property is within 800 m (2,625 ft.) of the Streetsville GO Station and, therefore, may be located within a "planned" Major Transit Station Area (MTSA). The boundaries for the Streetsville GO Station MTSA will be delineated through a future review process.

### 4. Zoning

The portion of the site proposed for redevelopment is currently zoned **H-RM5-59** (Street Townhouses – Exception 59), **H-RM9-4** (Back to Back and Stacked Townhouses - Exception 4) which permits stacked townhomes and street townhomes. Refer to Appendix 1 for the existing and proposed Zoning.

### 5. Proposed Development

#### (a) Description

The applicant proposes to develop the property with a 12 to 14 storey apartment building connected by a six storey podium, containing 633 units and serviced by a private driveway. The building transitions down to 12 storeys towards Tannery Street. Official plan amendment and rezoning applications are required to permit the proposed development. Refer to Appendix 1 for details of the proposed development.







**Applicant's Building Perspectives of Proposed Development**

### **(b) Supporting Studies**

The applicant submitted various materials and studies in support of the applications which can be viewed at: <https://yoursay.mississauga.ca/oz-opa-24-7-w11>.

## **Comments**

The following section summarizes the various elements that were considered in developing the Planning and Building Department's position on the applications.

### **1. Applications Under Consideration**

#### **Official Plan Amendment**

An amendment to the MOP is required to accommodate the proposal. The following summarizes the amendments required:

- Amend Map 14-10 for the Streetsville Community Node Character Area to increase the maximum permitted FSI on the subject site from 1.8 to 3.5
- Amend Special Site Policy 2 to increase the maximum permitted height on the subject site from six storeys to 14 storeys
- Amend Special Site Policy 2 to provide relief from the policy that supports the provision of a public road connecting from Tannery Street to Thomas Street west of the railway corridor so that a private driveway with a public easement is also supported

#### **Zoning By-law Amendment**

An amendment to Zoning By-law 0225-2007 is required to implement the proposal. The current zoning on the site, **H-RM5-59** (Street Townhouses – Exception 59), **H-RM9-4** (Back to Back and Stacked Townhouses - Exception 4), allows street townhomes and stacked townhomes. The



Zoning By-law map also identifies an unregistered road across the subject site connection from Tannery Street to Emby Drive. There are also holding provisions in place which require the delivery of an executed development agreement and a number of technical matters to be addressed including the detailed design and construction of municipal infrastructure and a crash wall/berm abutting the railway corridor lands, grading and drainage, land dedication and easements and Record(s) of Site Conditions.

The applicant has proposed to rezone the subject property to **RA3-Exception** (Residential Apartment-Exception) with site specific provisions that provide relief from the building requirements of the **RA3** (Residential Apartment) zone including an increase in maximum height and FSI requirements.

Refer to Appendix 1 to view a more detailed list of the requested zoning amendments.

## 2. Policy Summary

The *Planning Act* allows any property owner within the Province of Ontario the ability to make a development application to their respective municipality in order to accommodate a particular development proposal on their site. Upon the submission of mandated technical information, the municipality is obligated under the *Planning Act* to process and consider the application within the rules set out in the Act.

### (a) Provincial Planning Statement, 2024 (PPS)

The Provincial Planning Statement, 2024 (PPS) was released on August 20, 2024, and came into effect on October 20, 2024, replacing the Provincial Policy Statement, 2020. This new document replaces both the Provincial Policy Statement, 2020, and the Growth Plan for the Greater Golden Horseshoe, consolidating the two frameworks into a single, province-wide document. The update aims to streamline policies and place greater responsibility on municipalities to manage growth locally, with a focus on intensification, housing development, and transit supportive communities. The new PPS provides direction on land use planning by ensuring that municipal decisions align with provincial interests such as promoting efficient land use, encouraging diverse housing options, and supporting sustainable development by coordinating land use with existing and planned public infrastructure.

The PPS 2024 includes several statements and policies relevant to this proposal, including:

- Chapter 1 recognizes municipal official plans as the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long term planning
- Sections 2.1 and 2.2 promote the achievement of complete communities by accommodating land uses, housing options, transportation options with multimodal access and other uses that meet long term needs such as recreation, parks and open space. These sections also endorse densities for new housing that efficiently

- use land, resources, infrastructure, public service facilities and support active transportation and also prioritize intensification in proximity to transit including corridors and stations
- Sections 2.3 and 2.4 prioritizes planning and investment in the necessary infrastructure and housing options within strategic growth areas to support complete communities, general intensification and redevelopment. Appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas is also supported
  - Section 3.1 directs municipalities to provide infrastructure in an efficient manner that accommodates projected needs. Infrastructure planning shall be coordinated and integrated with land use planning and growth management in a financially responsible manner and that leverages the capacity of development proponents, where appropriate and ensures the protection of public health and safety. The optimization of existing infrastructure is prioritized, and adaptive reuse opportunities should be considered where appropriate
  - Section 3.2 promotes the efficient use of existing and planned transportation infrastructure and prioritizes connectivity as part of a multi-modal transportation system. Section 3.3 directs municipalities to plan for and protect corridors and rights-of-way for infrastructure including transportation to meet current and projected needs and to co-locate linear infrastructure, where feasible
  - Section 3.5 requires major facilities and sensitive land uses to be planned and developed in a manner that safeguards land use compatibility
  - Section 3.6 requires that sewage and water services be planned responsibly to ensure feasibility and sustainability, promote conservation and efficiency, integrate servicing and land use considerations at all stages of the planning process and accommodate forecasted growth in a timely manner

Proposing a high density built form generally meets the PPS with respect to accommodating a range of housing options and densities (2.2.1) and the efficient use of land for residential intensification. However, insufficient justification has been presented to support the proposed exceedances to the existing maximum density and height requirements in the official plan to reflect appropriate development standards related to type and scale of development (2.4.1.3). The proposal does not adequately support the coordination of infrastructure planning with growth management, connectivity and the use of existing and planned transportation infrastructure (3.1, 3.2 and 3.3) as there are outstanding issues relating to traffic analysis and road connectivity. The Region of Peel has also stated it cannot confirm that there is sufficient sanitary capacity to support the proposed development until additional information is provided through a revised Functional Servicing Report.

The proposed development is not consistent with the PPS.

**(b) Regional Official Plan**

General objectives of ROP, as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian friendly and transit supportive.

The proposed development does not require an amendment to the Region of Peel Official Plan.

**(c) Mississauga Official Plan**

The application requests an amendment to the MOP Policies for the Streetsville Community Node Character Area, to permit the proposed maximum height and FSI. An amendment to the provision supporting a public road connecting from Tannery Street to Thomas Street is also necessary. Section 19.5.1 of the MOP provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has a planning rationale with reference to MOP policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?***

Planning staff have undertaken an evaluation of the relevant policies of MOP against this proposed development application.

The following is an analysis of the key policies and criteria:

**(i) Directing Growth**

The Direct Growth chapter of MOP indicates where and how Mississauga will accommodate intensification. Most of Mississauga's future growth is directed to Intensification Areas (Policy 5.1.4) which include Community Nodes (Policy 5.3.3.3) such as the Streetsville Community Node Character Area, in which the subject site is located.

To facilitate the responsible management of intensification across Mississauga, growth forecasts are set out in Regional and City official plans which feed into projecting community infrastructure requirements. With respect to the Region, this means determining capacity requirements for servicing in order to handle anticipated population. For redevelopment to occur, the provision of services must be available to accommodate any increase in density. The MOP contains the following policy:

5.1.9 New development will not exceed the capacity of existing and planned engineering services, transit services and community infrastructure. Development proposals may be refused if existing or planned servicing and/or infrastructure are inadequate to support the additional population...

Section 19.5.1 of the MOP requires that Official Plan Amendment applications demonstrate the "adequacy of engineering services" for their development.

The Region of Peel has stated it cannot confirm that there is sufficient sanitary capacity to support the proposed development until outstanding information is provided through a revised Functional Servicing Report. Please refer to Appendix I for detailed comments from the Region of Peel.

## (ii) Compatibility with the Character Area

In addition to capacity considerations, the density, and type of intensification is informed by the policy framework for the particular City Structure element and local character area.

Community Nodes provide for a mix of population and employment uses, but with lower densities than Major Nodes (Section 5.3). The way in which density and population targets are achieved within Community Nodes are further established by the Character area policies (Policy 5.3.3.7). Additionally, development in Community Nodes will be in a form and density that complements the existing character of historical nodes or that achieves a high quality urban environment within more recently developed Nodes (Policy 5.3.3.11).

The Streetsville Community Node Character Area is characterized by its historic and village character. As shown in section 3 of Appendix 1, the subject site is located west of the CPKC rail corridor and east of Mullet Creek and is designated **High Density Residential** with a maximum FSI of 1.8. A seven storey maximum height is permitted on lands designated **High Density Residential** in the Streetsville Character Area. Special Site Policy 2 further moderates height and density on the site by supporting low profile buildings ranging in height from three storeys near Mullet Creek to six storeys near the railway tracks.

The proposed increase in maximum height and FSI represents a significant change to existing permissions in the context of the Streetsville Community Node Character Area. The local policy framework for the Streetsville Community Node balances higher density



intensification with the preservation of village character which includes compact, mixed use development, pleasant, walkable streets and a strong sense of place and community identity. The proposed increase in maximum height and density on the subject site is not supportable at this time from a compatibility perspective considering the outstanding issues with the proponent's submission, as outlined in this report.

### **(iii) Connectivity**

The Create a Multi-Modal City chapter of the MOP directs Mississauga to create a well connected multi-modal transportation system that prioritizes services and infrastructure for Intensification Areas (Policy 8.1.7) and creates a fine-grained system of roads that seeks to increase the number of road intersections and overall connectivity throughout the city (Policy 8.2.2.3). Intensification Areas are prioritized for the creation of this pattern and MOP allows for the identification of additional roads and completion of road connections through the review of local area reviews and development applications.

Special Site Policy 2, which applies to the subject site, works to create a finer grain road pattern in the Streetsville Community Node Character Area by providing for a public road connecting Thomas Street and Tannery Street west of the adjacent CPKC rail corridor as part of any future redevelopment of the subject site and the neighbouring lands to the south. (Policy 14.10.6.2.3) The previous townhome development that was approved on this site in 2021 (File no. OZ 18-012 W11 and T-M20004 W11) conformed to this policy by providing for a public road across the site and utilizing the existing Emby Drive to create a connection from Tannery Street to Thomas Street.

The current development proposal provides a private driveway running adjacent to Mullet Creek, connecting from Tannery Street to the apartment building. City staff requested a concept plan that demonstrates how the proposed driveway (with a public access easement) could extend across the holdout properties to the south and provide a connection from Tannery Street to Thomas Street, while maintaining the feasibility of redevelopment on these neighbouring lands.

City objectives include the creation of a finer grain road network in the Streetsville Community Node, optimizing the use of existing infrastructure, such as Emby Drive, and minimizing the impacts of development on neighbouring sites. City staff cannot conduct a comprehensive assessment of the compatibility and impacts of the proposal without the requested concept plan.

### **(iv) Rail Protection**

With respect to the safety and compatibility of redevelopment in close proximity to railway corridors, MOP contains the following policy:

6.10.4.6 Development applications for dwellings, significant additions thereto and places of public assembly, will incorporate an appropriate safety setback as necessary to meet industry best practices and the requirements of the applicable

rail company, to the satisfaction of the City, which takes into account safety barriers (e.g. berms, walls), topography, intervening structures and the surrounding pattern of development.

As summarized in the proponent's Rail Protection Report, the proposed rail safety measures include a setback of 25 m (82 ft.) from the easternmost property line and an earthen berm along the east property line. The proponent was advised that the City requires a reliance letter completed and signed by a qualified person to accompany the Rail Protection Report. The City cannot approve the proposed rail protection measures until the requested reliance letter is provided by the applicant.

Canadian Pacific Kansas City Southern (CPKC), the owner of the adjacent railway line, provides comments on development applications to ensure that safety, protection and functionality are preserved. CPKC has a concern with the applicant's Stormwater Management Report which proposes to redirect existing CPKC external flows. CPKC concluded that they do not support the development with its current Stormwater Management Report.

#### **(v) Sun Access Factor**

The sun access factor for the principal amenity area located on the east side of the building is not acceptable. New developments require applicants to submit Sun/Shadow studies to the City that demonstrate general compliance with the City's Sun and Shadow Guidelines. In this case, the applicant's study dated April 2024 indicates a sun access factor of 32.5% in September and 4.22% in December for the principal amenity area, whereas the City's Sun and Shadow Guidelines require 50% sun access factor. Based on the applicant's findings, the principal amenity area, on the east side of the building, will receive insufficient sunlight in the fall and winter months which may impact future residents.

The applicant suggested some amenity area revisions in the Planning Addendum Letter emailed to staff on October 22, 2024, but did not provide the information needed to evaluate if there were improvements to the sun access factor for this amenity area. The Build a Desirable Urban Form chapter of the MOP directs tall buildings to minimize adverse microclimatic impacts on private amenity areas (Policy 9.2.1.16). The proponent has been requested to investigate design alterations that increase the sun access factor to an acceptable level for the proposed amenity area.

#### **(vi) Other Development Issues**

The remainder of the concerns raised by City staff and external agencies primarily relate to missing information required to complete the review of the applications, as summarized below:

- Credit Valley Conservation (CVC) requested confirmation of the extent of the hazards through the resubmission of revised drawings accurately delineating all

hazards. The CVC also requires information regarding the proposed enhancement plan for the area adjacent to Mullet Creek

- City staff requested revisions to landscaping plans and related information to confirm that the proposed landscape and restoration areas are suitable, feasible and do not conflict with site functions and below grade infrastructure
- City staff are not satisfied with the Traffic Impact Study and require further clarification and analysis regarding traffic generation, study area intersections, site circulation and access points
- Peel Region cannot confirm that the turning radius of garbage trucks can be accommodated along the proposed access route until the waste management plan is updated to provide the outstanding information
- The environmental site assessment information submitted by the proponent was found to be incomplete and City staff require a number of additional studies and documents to complete an environmental compliance review. Furthermore, provincial regulations require a Record of Site Condition to be filed prior to enactment of the rezoning by-law

#### **(vii) Services and Infrastructure**

Based on the comments received from the applicable City Departments and external agencies, the information and analysis submitted by the proponent is insufficient to determine if existing infrastructure is adequate to support the proposed development.

##### *Servicing*

The Region of Peel has advised that it will not be able to move forward on sewer capacity modelling without a Functional Servicing Report that is revised to provide the outstanding information identified by the Region. The Region cannot confirm that there is sufficient sanitary capacity to support the proposed development until the outstanding information is provided through a revised report.

##### *Parks and Community Amenity*

The following community services are located in proximity to the site: Jon Clipperton Park, Streetsville Rotary Park, Vic Johnston Area, Streetsville Memorial Park and the Credit River.

There is the Streetsville GO train service located to the south of the subject site which is on the Milton Line providing connection to Union Station. The walking distance to the GO station is 400 m (1,312 ft.) if Emby Drive is used as a mid-block connection south to Thomas Street and 870 m (2,854 ft.) if pedestrians are required to take Broadway Street instead. The following major MiWay bus routes currently service the site: Route 9 - Rathburn, Route 44 - Mississauga Road, Route 49A - McDowell, Route 306 - Streetsville SS and Route 313 - Streetsville SS.

There is a transit stop on Thomas Street that is within 250 m (820 ft.) of the site if Emby Drive is used as a mid-block connection and 500 m (1,640 ft.) if pedestrians are required to take Broadway Street to go south instead.

There are many restaurant, retail and service establishments located along Queen Street South. There is a commercial plaza which includes various retail uses which is located within a seven minute walk.

#### **(d) Zoning By-law**

The proposed **RA3-Exception** (Residential Apartment-Exception) zone is appropriate to accommodate the proposed apartment building with a maximum height range of 12 to 14 storeys and an FSI of 3.5. However, as noted in this report, the proposed maximum height and density and associated site specific amendments may not be supportable from a servicing and compatibility perspective and also in terms of achieving official plan objectives. A different apartment zone may be more suitable to implement a revised apartment proposal that achieves City objectives for this site and more closely aligns with existing official plan permissions.

A table summarizing the proposed zoning regulations can be found in Appendix 1.

### **3. Departmental and Agency Comments**

The applications were circulated to all City departments and commenting agencies on July 17, 2024. The following section summarizes the comments received. Refer to Appendix 1 for detailed comments.

#### **(a) Region of Peel**

Comments dated January 27, 2025 state that the Region cannot evaluate the applications until the FSR and waste management plan are updated to provide outstanding information. The FSR resubmission is required to confirm that there is sufficient sanitary capacity to support the proposal. The waste management plan updates are necessary to evaluate the design of the proposed access route which could potentially require changes to the proposed site design and built form.

#### **(b) City Transportation and Works Department**

Comments dated January 27, 2025, state that technical reports and drawings were reviewed to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance can be satisfactorily addressed to confirm the feasibility of the project, in accordance with City requirements.

Based on a review of the materials submitted to date, staff are not satisfied with the details provided in the reports, plans or studies in order to confirm the engineering feasibility of the development proposal.



The notable engineering issues can be summarized as follows:

- Staff are not satisfied with the Traffic Impact Study and require further information and analysis regarding traffic generation, study area intersections, site circulation and access points. The impact of the proposed density on the local road network cannot be evaluated until further information and analysis regarding traffic generation, study area intersections are provided
- A draft reference plan is required to address future property boundaries due to the road allowance widening of Tannery Street
- City staff requested a concept plan that demonstrates how the proposed driveway way can extend across the holdout properties to the south and connect to Thomas Street, while maintaining the feasibility of redevelopment on these neighbouring lands
- The environmental site assessment information submitted by the proponent was found to be incomplete and a number of additional studies and documents are required to complete an environmental compliance review

Additional technical details and revisions are required to comply with City requirements and to confirm feasibility of the development proposal from an engineering standpoint (see Appendix 1).

### **(c) City Community Services Department**

#### *Fire Prevention Plans Examination*

Comments dated January 29, 2025, state that Fire has reviewed the rezoning application from an emergency response perspective and has no concerns. Emergency response time to the site is acceptable.

#### *Parks and Culture Planning*

Comments dated January 27, 2025, state that the subject property is not conducive to achieving unencumbered public parkland due to the lack of public road frontage and size/configuration of the property adjacent to the Canadian Pacific Kansas City Southern railway. It is recommended the identified Greenlands are deeded gratuitously to the City and shall be appropriately zoned for protection and conservation purposes. Hoarding and fencing will be required along the boundary of the Greenlands for long term protection. Additionally, securities will be required for greenbelt clean up, restoration, parkland protection, hoarding, and fencing.

### **(d) Canadian Pacific Kansas City Southern**

Canadian Pacific Kansas City Southern (CPKC) is the combination of the Canadian Pacific and Kansas City Southern historic railways. CPKC is the owner of the adjacent railway line and provides comments on development applications to ensure that safety, protection and functionality are preserved.

Comments dated February 4, 2025, state that CPKC has concerns with the applicant's Stormwater Management Report which proposes to redirect existing CPKC external flows

and does not appear to elaborate on how the flows will be redirected or what work will need to be done in order to enable it. CPKC staff indicate that their culverts and ditches are designed to ensure safe rail operations, so any alterations to our drainage system must be preceded by proper engineering studies and agreements to avoid posing a safety risk. CPKC concludes that they do not support the development with its current Stormwater Management Report.

CPKC also issued a standard comment letter on September 6, 2024 prepared for all development proposals within 500 m (1,640 ft.) of a CPKC Rail Line. This letter provides the general note that CPKC is not in favour of residential uses that are not compatible with rail operations as the safety and welfare of residents can be adversely affected by rail operations and that they continue to recommend that all proposed developments follow the 2013 Proximity Guidelines. CPKC recommends that a warning clause to be placed in all property and tenancy agreements or future offers of purchase and sale for all dwelling units in the proposed buildings.

#### **(e) Credit Valley Conservation**

In comments dated January 27, 2025, Credit Valley Conservation (CVC) requested confirmation of the extent of the hazards. This confirmation is to be provided through a resubmission of drawings that accurately delineate all erosion and floodplain hazards associated with the adjacent valleylands and Mullet Creek. The CVC also requires information regarding the proposed enhancement plan to guide the restoration of the area adjacent to Mullet Creek.

#### **(f) School Boards**

In comments dated January 29, 2025, the Dufferin-Peel Catholic District School Board states that the applicant shall agree in the Development Agreement to include warning clauses in all offers of purchase and sale. Prospective buyers need to be made aware of potential student accommodation issues that could require students to be accommodated in temporary facilities and/or bussed outside of the neighbourhood, as well as the need to meet the school bus on roads presently in existence or at another designated place convenient to the Board.

In comments dated January 28, 2025, the Peel District School Board states that the applicant shall agree to three conditions in the Development Agreement. A sign is to be installed at the entrance to the development warning prospective buyers of potential school accommodation issues in the area. Also, warning clauses must be placed in all offers of purchase and sale. Prospective buyers need to be made aware of potential student accommodation issues that could require students to be accommodated in temporary facilities and/or bussed outside of the neighbourhood, as well as the need to meet the school bus on roads presently in existence or at another designated place convenient to the Board.

Refer to Appendix 1 for the School Accommodations Summary.

#### **4. Affordable Housing**

Housing supply and affordability within the City of Mississauga is a critical priority. As Mississauga continues to grow, a broad range of housing options and tenures are necessary to fulfill increasing demand.

To achieve a balanced mix of unit types and sizes, and support the creation of housing suitable for families, development containing more than 50 new residential units is encouraged to include 50 percent of a mix of 2-bedroom units and 3-bedroom units.

For development applications of 50 units or more, the applicant may be required to demonstrate how the application can meet the City's housing objectives and policies and can contribute to the regional housing unit target of 30 percent of all new housing units being affordable, and that 25 percent of all new housing units be rental tenure.

#### **5. Next Steps**

##### **(a) Site Plan**

Prior to development of the lands, the applicant will be required to obtain site plan approval.

### **Financial Impact**

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

### **Engagement and Consultation**

A community meeting was held by Ward 11 Councillor, Brad Butt, on June 29, 2023. The following summarizes comments received on the applications:

#### **Comment**

Concern expressed regarding traffic volumes, congestion and overflow parking on surrounding streets.

#### **Response**

City staff are not satisfied with the Traffic Impact Study and require further information and analysis regarding traffic generation, study area intersections, site circulation and access points.

#### **Comment**

Concern expressed regarding shadowing from proposed buildings.

#### **Response**

City staff requested an investigation into design alterations that would increase the sun access factor to an acceptable level for the private amenity area on the east side of the building. With

respect to public realm, the proponent was requested to decrease the shadow impact on the north side of Tannery Street on September 21 in the morning hours.

### **Comment**

Concern expressed regarding mid-rise built form and preference expressed for townhome style developments, such as the one previously approved on this site, or one that comprises eight storey apartment buildings.

### **Response**

The proposal is technically considered a tall building since the proposed maximum building height of 53.5 metres (175.5 ft.) is greater than the width of the street on which it fronts (the planned right-of-way width of Tannery Street is 20 m (65.6 ft.)). As outlined in this report, the proposed increase in the permitted maximum height and density on the subject site is not supportable at this time from a compatibility perspective, especially in light of the substantive outstanding issues with the proponent's submission.

### **Comment**

Concern expressed regarding frequency of transit service and current traffic.

### **Response**

Staff are not satisfied with the Traffic Impact Study and require further information and analysis regarding traffic generation, study area intersections, site circulation and access points. The impact of the proposed density on the local road network cannot be evaluated until further information and analysis regarding traffic generation, study area intersections are provided.

### **Comment**

Concern expressed regarding the density of development being proposed on the subject site, especially in the context of other higher density proposals in the area, and the cumulative impact of proposed density on facilities, services and amenities in the area.

### **Response**

As outlined in this report, the proposed increase in the permitted maximum height and density on the subject site is not supportable at this time from a compatibility perspective, especially in light of the substantive outstanding issues with the proponent's submission.

## **Conclusion**

Overall, the applications are not considered acceptable from a planning standpoint and should not be approved.

City staff has evaluated the applications to permit the 12 to 14 storey apartment building containing 633 units with an FSI of 3.5 against the *Provincial Planning Statement*, the Region of Peel Official Plan and MOP. Provincial, Regional, and Local planning policies support intensification on the site and high density residential development has merit.

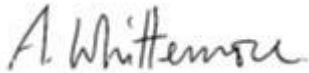


However, due to substantive outstanding information, technical studies and analysis, it is not possible for staff from the City and external agencies to complete an evaluation of the applications, including from wastewater servicing, rail safety and traffic perspectives, among others.

Furthermore, an investigation into the planned connection to Thomas Street and the feasibility of redevelopment on neighbouring lands to the south are required to understand the appropriateness of the proposed site layout and massing. Due to the outstanding information, analysis and other matters identified in this report, as well as compatibility considerations in the context of surrounding built form and local policy framework for Streetsville, the proposed maximum height of 12 to 14 storeys is not supportable at this time.

## Attachments

Appendix 1: Supplementary Information



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Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

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