AGENDA

SESSION 17

SPECIAL MEETING OF

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA
(www.mississauga.ca)

WEDNESDAY, October 23, 2013 – 9:00 A.M.

COUNCIL CHAMBER
300 CITY CENTRE DRIVE
MISSISSAUGA, ONTARIO L5B 3C1

Contact: Carmela Radice, Legislative Coordinator, Office of the City Clerk
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Meetings of Council streamed
live and archived at mississauga.ca/videos
1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. DECLARATIONS OF CONFLICT OF INTEREST

4. PUBLIC QUESTION PERIOD – 15 Minute Limit
   (in accordance with Section 36 of the City of Mississauga Procedure By-law 0139-2013 - Council may
   grant permission to a person who is present and at Council and wishes to address Council on a matter on
   the Agenda. Public Question Period is limited to a total of 15 minutes. Persons addressing Council with a
   question should limit preamble to a maximum of two statements sufficient to establish the context for the
   question. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

5. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

   R-1 Report dated August 21, 2013, from the Commissioner of Planning and Building
   re: Site Plan Applications to permit a retirement home with 132 dwelling
   units and three apartment buildings with 56 dwelling units, 175 Rutledge
   Road (formerly 56 Tannery Street) 170, 180 and 190 Rutledge Road
   (formerly 60 Tannery Street) North side of Tannery Street, west of the CP
   Railway line. Owner: Kings Mill Development Inc. (257057 Ontario Limited
   and 967579 Ontario Inc.) Applicant: Freeman Planning Solutions Bill 51
   Ward 11

   Recommendation

   That the Report dated October 7, 2013, from the Commissioner of Planning and
   Building recommending the City enter into a Development Commitment
   Agreement with the applicant and agreeing to defer the execution of Development
   and Municipal Works Only Servicing Agreements in connection with the
   developments being proposed under Files SP 12/143 W11 and SP 12/144 W11,
   Kings Mill Development Inc., 175 Rutledge Road (formerly 56 Tannery Street)
   and 170, 180 and 190 Rutledge Road (formerly 60 Tannery Street), north side of
   Tannery Street, west of the CP Railway line, be adopted in accordance with the
   following:
   
   1. That a By-law be enacted to authorize the Commissioner of
      Transportation and Works and the City Clerk to execute and affix the
      Corporate Seal to the Development Commitment Agreement between
      Kings Mill Development Inc. and the Corporation of the City of
      Mississauga to the satisfaction of the City Solicitor;
2. That a By-law be enacted to authorize the Commissioner of Planning and Building and the City Clerk to execute and affix the Corporate Seal to the Development Agreement between Kings Mill Development Inc. and the Corporation of the City of Mississauga to the satisfaction of the City Solicitor;

3. That a By-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute and affix the Corporate Seal to the Municipal Works Only Servicing Agreement between Kings Mill Development Inc., the Corporation of the City of Mississauga and the Regional Municipality of Peel to the satisfaction of the City Solicitor; and

4. That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.

Motion

6. MOTIONS

(a) To enact by-laws for the Development Commitment, Development and Municipal Works Only Serving Agreements between Kings Mill Development Inc. and the Corporation of the City of Mississauga.

Corporate Report R-1

7. INTRODUCTION AND CONSIDERATION OF BY-LAWS

B-1 A by-law to authorize the execution of a Development Commitment Agreement and other related documents between Kings Mill Development Inc. (257057 Ontario Limited and 967579 Ontario Inc.) and The Corporation of the City of Mississauga north side of Tannery Street, west of the CP Railway Line (SP 12/143 W11 and SP 12/144 W11).

Corporate Report R-1

8. CONFIRMATORY BILL

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on October 23, 2013.

9. ADJOURNMENT
DATE: October 7, 2013

TO: Mayor and Members of Council
Meeting Date: October 23, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: Site Plan Applications
To permit a retirement home with 132 dwelling units and three apartment buildings with 56 dwelling units
175 Rutledge Road (formerly 56 Tannery Street)
170, 180 and 190 Rutledge Road (formerly 60 Tannery Street)
North side of Tannery Street, west of the CP Railway line
Owner: Kings Mill Development Inc. (257057 Ontario Limited and 967579 Ontario Inc.)
Applicant: Freeman Planning Solutions
Bill 51

RECOMMENDATION: That the Report dated October 7, 2013, from the Commissioner of Planning and Building recommending the City enter into a Development Commitment Agreement with the applicant and agreeing to defer the execution of Development and Municipal Works Only Servicing Agreements in connection with the developments being proposed under Files SP 12/143 W11 and SP 12/144 W11, Kings Mill Development Inc., 175 Rutledge Road (formerly 56 Tannery Street) and 170, 180 and 190 Rutledge Road (formerly 60 Tannery Street), north side of Tannery Street, west of the CP Railway line, be adopted in accordance with the following:
1. That a By-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute and affix the Corporate Seal to the Development Commitment Agreement between Kings Mill Development Inc. and the Corporation of the City of Mississauga to the satisfaction of the City Solicitor;

2. That a By-law be enacted to authorize the Commissioner of Planning and Building and the City Clerk to execute and affix the Corporate Seal to the Development Agreement between Kings Mill Development Inc. and the Corporation of the City of Mississauga to the satisfaction of the City Solicitor;

3. That a By-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute and affix the Corporate Seal to the Municipal Works Only Servicing Agreement between Kings Mill Development Inc., the Corporation of the City of Mississauga and the Regional Municipality of Peel to the satisfaction of the City Solicitor; and

4. That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.

**REPORT HIGHLIGHTS:**

- The purpose of this report is to allow the City to enter into a Development Commitment Agreement with the applicant and defer the required Development Agreement and Municipal Works Only Servicing Agreement in order for the applicant to obtain required building permits for their proposals on or before October 31, 2013.

**BACKGROUND:**

On September 23, 2013, representatives of Kings Mill Development Inc. met with the Mayor, Ward 11 Councillor, George Carlson, and City staff to request accommodation to permit the development of the subject lands in an expeditious manner. Specifically, the City was requested to defer the requirement to enter into the required Development Agreement and Municipal...
Works Only Servicing Agreement in support of the subject development proposals. The applicant's request was made contingent on the condition that the applicant prepare and enter into a binding Development Commitment Agreement with the City. The developer would subsequently enter into the above mentioned agreements to satisfy all other requirements and conditions imposed by the City in connection with the development applications.

On September 13, 2012 Kings Mill Development Inc. applied for and received the approval of three (3) minor variance applications under files 'A' 419/12, 'A' 420/12 and 'A' 421/12 and two (2) consent applications under files 'B' 59/12 and 'B' 60/12 to permit the development of a 132 unit retirement dwelling and three connected apartment buildings with 56 dwelling units. The variance applications were approved contingent upon each of the developments receiving a building permit on or before October 31, 2013. The consent applications lapsed on September 24, 2013; however, the conditions of these applications will be addressed through the required Agreements.

Since the approval of three (3) minor variance applications, the applicant has progressed both site plan applications to a near satisfactory stage, and has been working with City staff on the required Municipal Works Only Servicing and Development Agreements. Given the pending October 31, 2013 deadline noted above, it will not be possible to finalize the Development Agreement and the Municipal Works Only Agreement by that date. In order to ensure that the deadline is met and that the approvals are not lost, it is necessary for the applicant to enter into a Development Commitment Agreement. The applicant will be dedicating the future extension of Rutledge Road and greenbelt lands through the Municipal Works Only Servicing Agreement (see Appendix 4). The site is also subject to a purchase and sale agreement with the City concerning the closed Bellvue Street road allowance (see Appendix 2) that is nearing completion, which the applicant has agreed to purchase in a separate transaction. In addition, this property is the subject of a Risk Assessment (RA) due to site contamination. The applicant has filed the RA with the
Ministry of the Environment (MOE) and a draft Certificate of Property Use (CPU) has been posted on the Environmental Bill of Rights (EBR) Registry for comment until October 19, 2013. With the exception of the Development Commitment Agreement, the required agreements cannot be finalized until the CPU has been issued and a Record of Site Condition (RSC) has been posted to the Environmental Registry.

COMMENTS: The various City Departments have been consulted and are in agreement with the approach outlined above. The Development Commitment Agreement has been circulated and reviewed by City staff and has been found to be acceptable.

CONCLUSION: The request by Kings Mill Development Inc. to defer entering into the required Development and Municipal Works Only Servicing Agreements and to enter into a Development Commitment Agreement is acceptable subject to the applicant satisfying all the requirements of the City and any other official agency concerned with the development.

ATTACHMENTS: Appendix 1: General Context Map
Appendix 2: Aerial Photograph
Appendix 3: Excerpt of Existing Land Use Map
Appendix 4: Reference Plan 43R-35355

Edward R. Sajecoki
Commissioner of Planning and Building

Prepared By: Lauren Eramo-Russo, Development Planner