

# City of Mississauga Corporate Report



<p>Date: March 6, 2023</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files: SP 18-24 W3</p>
<p>From: Andra L. Maxwell B.A., LL.B., CIC.C, City Solicitor</p>	<p>Meeting date: March 29, 2023</p>

## Subject

**Floodplain Agreement between 2523454 Ontario Limited and The Corporation of the City of Mississauga, 1565 Dundas Street West - Site Plan Application SP 18-24 (W3)**

## Recommendation

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 a Floodplain Agreement between 2523454 Ontario Limited and The Corporation of the City of Mississauga, in a form satisfactory to the City Solicitor.

## Background

2523454 Ontario Limited is the owner of the lands located at 1565 Dundas Street West, in the City of Mississauga (the "Lands"). 2523454 Ontario Limited submitted a Site Plan Application to construct a new 2-storey mixed-use retail, convenience take-out restaurant building with second floor offices on the Lands, which Lands are located within the Little Etobicoke Creek floodplain.

## Comments

The Lands on which the proposed development are situated within the Little Etobicoke Creek floodplain, but permitted as of right under the Zoning By-law. Consistent with City development standards for this type of situation, a Floodplain Agreement is required by the City to be entered into by the applicant to warn current and future owners of the Lands that the Lands are located within the floodplain and that flooding is a possibility in the future. The Floodplain Agreement will also protect the City, through a hold-harmless clause that saves the City harmless from any acts, actions, damages or costs which may arise in the future as a result of the approval of this application. Notice of the Floodplain Agreement will be registered on title to the Lands.

## Financial Impact

None

## Conclusion

This report is seeking authority for the Commissioner of Transportation and Works and the City Clerk to execute and affix the Corporate Seal to the Floodplain Agreement between 2523454 Ontario Limited (the owner of 1565 Dundas Street East) and The Corporation of the City of Mississauga and for staff to register Notice of the agreement on title to the Lands.



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