



AGENDA

SESSION 14

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, SEPTEMBER 15, 2010, 9:00 A.M.

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

Please note that Council will recess for lunch between 12 noon and 1 p.m.

Contact: Jessica Reid, Office of the City Clerk (905-615-3200 Ext. 5423)
E-mail address: Jessica.Reid@mississauga.ca

Pursuant to Resolution 0108-2010, Council will recess for lunch between 12 noon and 1 p.m.

1. **CALL TO ORDER**

2. **DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST**

3. **MINUTES OF PREVIOUS COUNCIL MEETINGS**

(a) August 4, 2010 - Session 13

MG.01

4. **APPROVAL OF THE AGENDA**

5. **PRESENTATIONS** - Nil

6. **DEPUTATIONS**

(a) Tax Adjustments pursuant to Sections 357 and 358

There may be persons in attendance to address Council regarding tax apportionments.

Corporate Report R-1/Motion

FA.36

(b) Mississauga Cycling Master Plan

Laura Piette and Anne Farrell of the Community Services Department and Wendy Alexander and Jacqueline Hunter of the Transportation & Works Department will outline the implementation of the Mississauga Cycling Master Plan.

(c) Tour de Mississauga

A representative of the Mississauga Cycling Advisory Committee will highlight this years' Tour de Mississauga event.

(d) Understanding the Early Years Malton

Kevin Black, Research and Community Coordinator for the Peel District School Board will report on the "Understanding the Early Years Malton" project.

(e) "If I should fall", a movie about Trooper Marc Diab

Paul Culliton will present the City with the opportunity to host the premiere event for the movie.

(f) Discover Agriculture in the City - Ontario Farm Animal Council

Margaret Boyd, Agriculture and Agri Food Canada and Heather Hargrave, Ontario Farm Animal Council will provide an overview of the event.

7. **PUBLIC QUESTION PERIOD** (in accordance with Section 36 of the City of Mississauga Procedure By-law 0421-2003, as amended - 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.)

8. **CORPORATE REPORTS**

R-1 Tax Adjustments Pursuant to Sections 357 and 358

Corporate Report dated August 30, 2010 from the Commissioner of Corporate Services and Treasurer

Recommendation:

That the tax adjustments outlined in Appendix 1 attached to the report dated August 30, 2010 from the Commissioner of Corporate Services & Treasurer for applications for cancellation or refund of taxes pursuant to Sections 357 & 358 of the *Municipal Act*, be adopted.

Motion

FA.13.MUN

R-2 Expansion to the Existing Mausoleum, 6933 Tomken Road southeast quadrant of Derry Road East and Tomken Road, Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto), Ward 5

Corporate Report dated August 23, 2010 from the Commissioner of Planning and Building

Recommendation:

That the Report dated August 23, 2010, from the Commissioner of Planning and Building recommending that Council approve the expansion of the existing mausoleum, located at Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto), 6933 Tomken Road, southeast quadrant of Derry Road East and Tomken Road, be adopted, and that notice be given in accordance with the *Cemeteries Act (Revised)*, R.S.O. 1990.

Motion

SP 10/031 W5

- R-3 SUPPLEMENTARY REPORT - Official Plan Amendment and Rezoning Applications to permit a Hyundai motor vehicle sales, leasing and/or rental facility (restricted), 6215, 6225 Mississauga Road and 3 Alpha Mills Road, east side of Mississauga Road, south of Alpha Mills Road, Owner/Applicant: Valjer Holdings Inc./John D. Rogers and Associates Inc., Bill 51, Ward 11

Corporate Report dated August 23, 2010 from the Commissioner of Commissioner of Planning and Building

Recommendation:

That the Report dated August 23, 2010, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 09/003 W11, Valjer Holdings Inc., 6215, 6225 Mississauga Road, 3 Alpha Mills Road, east side of Mississauga Road, south of Alpha Mills Road, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the application to amend Mississauga Plan from "Business Employment" to "Business Employment - Special Site" to permit motor vehicle sales in addition to "Business Employment" uses, be approved.
3. That the application to change the Zoning from "E2-1" (Employment) to "E2-Exception" (Employment) to permit motor vehicle sales, leasing and/or rental facility (restricted) on the subject lands in addition to the "E2-1" (Employment) uses in accordance with the proposed uses and zoning regulations as identified in Appendix S-4, be approved subject to the following condition:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.

4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

Motion/By-laws

OZ 09/003 W11

- R-4 Removal of the "H" Holding Symbol from Zoning By-law 0225-2007, as amended, 2 City Centre Drive, south side of Rathburn Road West, west of City Centre Drive
Owner/Applicant: OMERS Realty Management Corporation/156 Square One Limited, Bill 51, Ward 4

Corporate Report dated August 23, 2010 from the Commissioner of Commissioner of Planning and Building

Recommendation:

That the Report dated August 23, 2010, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file HOZ 10/001 W4, OMERS Realty Management Corporation, 2 City Centre Drive, Block 16, Registered Plan 43M-1010 be adopted, and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

Motion

HOZ 10/001 W4

- R-5 Judicial Inquiry – July 2010 Expense and Status Report

Corporate Report dated August 30, 2010 from the City Solicitor

Recommendation:

That the report of the City Solicitor dated August 30, 2010 entitled “Judicial Inquiry – July 2010 Expense and Status Report” be received for information.

Motion

FA.19.JUD

- R-6 Grants from Natural Resource Canada’s ecoENERGY for Renewable Heat Program and the Ontario Ministry of Energy’s Solar Thermal Heating Incentive Program for Huron Park Community Centre Solar Water Heating Project

Corporate Report dated September 7, 2010 from the Commissioner of Corporate Services and Treasurer

Recommendation:

1. That a by-law be enacted to authorise the Commissioner of Corporate Services and Treasurer to execute all grant contribution agreements with Natural Resource Canada and such other instruments and documents as may be required to give full effect to ecoENERGY for Renewable Heat contribution agreement for Huron Park Community Centre Solar Water Heating Project.
2. That a by-law be enacted to authorise the Commissioner of Corporate Services and Treasurer to execute all grant contribution agreements with the Ontario Ministry of Energy and such other instruments and documents as may be required to give full effect to Ontario Solar Thermal Heating Incentive (OSTHI) contribution agreement for Huron Park Community Centre Solar Water Heating Project.

Motion

FA.05.ECO

R-7 Southwest Greater Toronto Area (GTA) Oakville-Clarkson Airshed Action Plan (Ward 1 and Ward 2)

Corporate Report dated September 3, 2010 from the Commissioner of Community Service

Recommendation:

1. That the Honourable John Wilkinson, Minister of the Environment, be requested to provide the government's response to the Southwest GTA Oakville-Clarkson Airshed Action Plan (Action Plan) as soon as possible.
2. That the City of Mississauga call upon the Government of the Province of Ontario and the Minister of the Environment to consider the recommendations of the Action Plan in reviewing any application for a certificate of approval or any other approval required for any industrial activity in the Oakville-Clarkson Airshed.

Motion

EC.06.CLA

9. COMMITTEE REPORTS

- (a) General Committee – Report 14-2010 dated September 8, 2010

Motion

MG.01

10. UNFINISHED BUSINESSUB-1 Warning Clause Agreement between the City of Mississauga and Shell Canada Limited, pursuant to Site Plan application- SP-10/093 (Ward 3)

Corporate Report dated August 13, 2010 from the Commissioner of Transportation and Works

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 the Warning Clause Agreement between Shell Canada Limited and The Corporation of the City of Mississauga.

Motion/By-law

SP 10/093 W3

UB-2 New Fire Station 106 (Ward 3)

Corporate Report dated August 23, 2010 from the Commissioner of Community Services

Recommendation:

1. That the gross and net budgets of Fire Station 106 PN8265 be increased to \$4,757,008 and \$3,570,400 respectively.
2. That additional funding of \$560,000 be transferred from the Capital Reserve fund to cover the city portion of the additional construction costs.
3. That all necessary by-laws be enacted.

Motion/By-law

CS.01.FIR W3

11. PETITIONSP-1 Taxi Tariff and mandatory taxi driver training

Petition received August 20, 2010 from members of the taxi industry requesting that the City increase the Tariff to off-set the implementation of the Harmonized Sales Tax and to unmandate the five-year taxi driver training course.

Receive and Refer to Enforcement Division for report

MG.01.PET

12. CORRESPONDENCE

Information Items I-1 – I-4

Direction Items - Nil

13. MOTIONS

- (a) To approve recommendations GC-0559-2010 through GC-0596-2010 inclusive, as contained in the General Committee – Report 14-2010 dated September 8, 2010.

MG.01

- (b) To close a portion of the Council meeting to be held on September 15, 2010 under section 239 (2) of the *Municipal Act* to deal with the following matters:

- (i) Potential Litigation – Committee of Adjustment Appeal Matters:
(1) "A"225/10 Vitaly Kovaliv, 1486 Carmen Drive, Ward 1
(3) "A"252/10 Attuque and Gul Asad and Nasira Sultana, 640 Willowbank Trail, Ward 3
- (ii) Proposed Acquisition of Land – Airport Centre Developments, 5155 Matheson Boulevard, Bus Rapid Transit Project, Ward 5
- (iii) Potential Litigation – Committee of Adjustment Appeal Matters:
(1) "B" 043/10 Haydn Northey, 1408 Madigan's Lane, Ward 2
(2) "A" 286/10 Kap & Romelia Dilawri, 2333 Doulton Drive, Ward 8
- (iv) Personal Matter about an identifiable individual, including municipal or local board employees – Citizen Appointments to the Election Campaign Finances Committee
- (v) Personal Matter about an identifiable individual, including municipal or local board employees – Citizen Appointment, Property Standards Committee

MG.20

- (c) To adopt tax adjustments for applications for cancellation or refund pursuant to Sections 357 & 358 of the *Municipal Act*.

Corporate Report R-1
FA.13.MUN

- (d) To approve the expansion of the existing mausoleum, 6933 Tomken Road, southeast quadrant of Derry Road East and Tomken Road, Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto).

Corporate Report R-2

SP 10/031 W5

- (e) To approve the applications under File OZ 09/003 W11 to permit a Hyundai motor vehicle sales, leasing and/or rental facility, Valjer Holdings Inc., 6215, 6225 Mississauga Road, 3 Alpha Mills Road, east side of Mississauga Road, south of Alpha Mills Road.

Corporate Report R-3

OZ 09/003 W11

- (f) To approve the removal of the "H" Holding Symbol application under file HOZ 10/001 W4, OMERS Realty Management Corporation, 2 City Centre Drive, south side of Rathburn Road West, west of City Centre Drive.

Corporate Report R-4

HOZ 10/001 W4

- (g) To receive the report of the City Solicitor dated August 30, 2010 entitled "Judicial Inquiry – July 2010 Expense and Status Report" for information.

Corporate Report R-5

FA.19.JUD

- (h) To authorize the execution of all grant contribution agreements with Natural Resource Canada with respect to the ecoENERGY for Renewable Heat and with the Ontario Ministry of Energy with respect to the Ontario Solar Thermal Heating Incentive (OSTHI) for the Huron Park Community Centre Solar Water Heating Project.

Corporate Report R-6

FA.05.ECO

- (i) To request the Minister of the Environment to provide the government's response to the Southwest GTA Oakville-Clarkson Airshed Action Plan (Action Plan) and to call upon the Province of Ontario and the Minister of the Environment to consider the recommendations of the Action Plan in reviewing any application for a certificate of approval or any other approval required for any industrial activity in the Oakville-Clarkson Airshed.

Corporate Report R-7

EC.06.CLA

- (j) To enact a by-law to authorize the execution of a Warning Clause Agreement with Shell Canada Limited, within the flood plain for Etobicoke Creek.

Corporate Report UB-1/By-law
SP 10/093 W3

- (k) To increase the budgets of Fire Station 106 PN8265 and to transfer funds from the Capital Reserve fund to cover the city portion of the additional construction costs.

Corporate Report UB-2/By-law
CS.01.FIR W3

14. BY-LAWS

- B-1 A by-law to authorize the execution of an Amending Agreement to the Memorandum of Agreement with OMERS Realty Management Corporation and 156 Square One Limited, Hammerson Drive and Square One Drive, north east quadrant of Square One Shopping Centre regarding road and transit issues pertaining to the City Centre.

GC-0567-2010/September 8, 2010
HOZ 10/001 W4

- B-2 A by-law to authorize the execution of a Discount Transit Program Participation Amending Agreement with Smart Commute Mississauga to allow the City to extend its participation in the Discount Transit Program as a registered employer.

GC-0574-2010/September 8, 2010
TS.09/FA.05

- B-3 A by-law to authorize the execution of a Discount Transit Program Amending Agreement with Smart Commute Mississauga to extend the pilot Discount Transit Program.

GC-0574-2010/September 8, 2010
TS.09/FA.05

- B-4 A by-law to authorize the execution of a Development Charges Deferral Agreement with Albert Francis Hustler and Theresa Rose Hustler, 7564 Tenth Line West.

GC-0560-2010/September 8, 2010
BL.08.DEV

- B-5 A by-law to authorize the execution of a Franchise Agreement with Enbridge Gas Distribution Inc.

GC-0576-2010/September 8, 2010

CS.09.ENB

- B-6 A by-law to designate the Dowling House, 2285 Britannia Road West under section 29 of the Ontario Heritage Act as being of cultural heritage value or interest.

GC-0704-2008/October 1, 2008 (HAC0068-2008)

CS.08.BRI W11

- B-7 A by-law to authorize the execution of a Cost Sharing Agreement with the Province of Ontario (MTO), Highway 401 and Hurontario Street interchange.

Resolution 0143-2009/July 8, 2009

PO.13.HUR W5

- B-8 A by-law to transfer funds from Capital Reserve Fund Account 33121 to the Roadway Infrastructure Maintenance Reserve Fund Account 33131.

BC-0008-2010/January 13, 2010

FA.19.CAP

- B-9 A by-law to transfer funds from Capital Reserve Fund Account 33121 to the Facility Repair and Renovations Reserve Fund Account 35381.

BC-0008-2010/January 13, 2010

FA.19.CAP

- B-10 A by-law to authorize the execution of a Development Agreement with Caliber Developments Inc., south of the Queen Elizabeth Way, east of Indian Road.

'B' 24/10 W2

- B-11 A by-law to authorize the execution of a Development Agreement with Casaco Developments Inc. and Casimiro Holdings Inc., east side of Lorne Park Road, north of Queen Victoria Avenue.

Resolution 0306-2008/December 10, 2008

OZ 07/020 W2

- B-12 A by-law to amend the Zoning By-law 0225-2007 on behalf of Casaco Developments Inc. and Casimiro Holdings Inc., east side of Lorne Park Road, north of Queen Victoria Avenue.

Resolution 0306-2008/December 10, 2008

OZ 07/020 W2

- B-13 A by-law to amend the Zoning By-law 0225-2007 on behalf of CAP Reit Apartments Incorporated, west side of Dixie Road, south of Burnhamthorpe Road East.

PDC-0087-2008/December 1, 2008

OZ 02/002 W3

- B-14 A by-law to authorize the execution of a Development Agreement with Valjer Holding Inc., east side of Mississauga Road, south of Alpha Mills Road.

Corporate Report R-3

OZ 09/003 W11

- B-15 A by-law to adopt Mississauga Plan Amendment No. 112 specifically the Meadowvale Business Park District Policies on behalf of Valjer Holding Inc., east side of Mississauga Road, south of Alpha Mills Road.

Corporate Report R-3

OZ 09/003 W11

- B-16 A by-law to amend the Zoning By-law 0225-2007 on behalf of Valjer Holding Inc., east side of Mississauga Road, south of Alpha Mills Road.

Corporate Report R-3

OZ 09/003 W11

- B-17 A by-law to authorize the execution of a Warning Clause Agreement with Shell Canada Limited within the flood plain for Etobicoke Creek.

Corporate Report UB-1

SP 10/093 W3

- B-18 A by-law to allocate sums from the Capital Reserve Fund Account 33121 to the Construction and Renovation of Fire Station 106 project PN08-265 and to authorize the withdrawal therefrom.

Corporate Report UB-2

CS.01.FIR W3

15. OTHER BUSINESS**16. INQUIRIES****17. NOTICE OF MOTION****18. CLOSED SESSION**

Pursuant to the *Municipal Act* section 239. (2)

Unfinished Business - Council August 4, 2010

- (i) Potential Litigation – Committee of Adjustment Appeal Matters:
 - (1) "A"225/10 Vitaly Kovaliv, 1486 Carmen Drive, Ward 1
 - (2) "A" 235/10 - dealt with on August 4, 2010
 - (3) "A"252/10 Attuque and Gul Asad and Nasira Sultana, 640 Willowbank Trail, Ward 3

New Business

- (ii) Proposed Acquisition of Land – Airport Centre Developments, 5155 Matheson Boulevard, Bus Rapid Transit Project, Ward 5
- (iii) Potential Litigation – Committee of Adjustment Appeal Matters:
 - (2) "B" 043/10 Haydn Northey, 1408 Madigan's Lane, Ward 2
 - (2) "A" 286/10 Kap & Romelia Dilawri, 2333 Doulton Drive, Ward 8
- (iv) Personal Matter about an identifiable individual, including municipal or local board employees – Citizen Appointments to the Election Campaign Finances Committee
- (v) Personal Matter about an identifiable individual, including municipal or local board employees – Citizen Appointment, Property Standards Committee

19. CONFIRMATORY BY-LAW

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on September 15, 2010.

MG.01

20. ADJOURNMENT