MINUTES

SESSION 2

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, FEBRUARY 9, 2011, 9:00 A. M.

COUNCIL CHAMBER

300 CITY CENTRE DRIVE

MISSISSAUGA, ONTARIO L5B 3C1

PRESENT: Mayor Hazel McCallion
Councillor Jim Tovey Ward 1
Councillor Chris Fonseca Ward 3
Councillor Frank Dale Ward 4 (Departure 12:57 pm Other Mun. Business)
Councillor Eve Adams Ward 5
Councillor Ron Starr Ward 6
Councillor Nando Iannicca Ward 7
Councillor Katie Mahoney Ward 8
Councillor Pat Saito Ward 9
Councillor Sue McFadden Ward 10
Councillor George Carlson Ward 11

ABSENT: Councillor Pat Mullin Ward 2

STAFF: Janice Baker, City Manager and Chief Administrative Officer
Brenda Breault, Commissioner of Corporate Services and Treasurer
Paul Mitcham, Commissioner of Community Services
Martin Powell, Commissioner of Transportation and Works
Ed Sajecki, Commissioner of Planning and Building
Mary Ellen Bench, City Solicitor
Crystal Greer, Director of Legislative Services and City Clerk
Jessica Reid, Legislative Coordinator, Legislative Services Division
Sacha Smith, Legislative Coordinator, Legislative Services Division
John Britto, Legislative Coordinator, Legislative Services Division
1. **CALL TO ORDER**

The meeting was called to order at 9:14 a.m. by Mayor Hazel McCallion, with the saying of the Lord’s Prayer.

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

3. **MINUTES OF PREVIOUS COUNCIL MEETINGS**

   (a) January 19, 2011 - Session 1

   **MOTION:** Moved by: Jim Tovey  Seconded by: Ron Starr
   That the Minutes of the Council meeting in January 19, 2011 – Session 1, be approved as presented.
   Carried

4. **APPROVAL OF THE AGENDA**

   Later in the meeting, a deputation by Glen Broll was added to the Agenda with respect to Corporate Report R-3 development application under file OZ 09/002 Ward 1.

5. **PRESENTATIONS** - Nil

6. **DEPUTATIONS**

   (a) Research Innovation Commercialization (RIC) Centre

   John Switzer Chair and Pam Banks Commercialization Director highlighted the Research Innovation Commercialization Centre’s 2010 activities, funding update from the Ministry of Research & Innovation and 2011 program overview.

   Councillors Starr posed questions to the deputants. Councillors Saito, Iannicca and Adams and Mayor McCallion spoke to the matter.

   (b) Heritage Mississauga

   Barbara O’Neil, President Heritage Mississauga, provided information about Heritage Mississauga in honour of Heritage Month.

   Councillors Mahoney and Tovey and Mayor McCallion spoke to the matter.
(d) **Mississauga Summit**

Shelley White and Brian Crombie provided information about the Mississauga Summit and the program overview.

Councillors Tovey and Fonseca and Mayor McCallion spoke to the matter.

(e) **Addendum Supplementary Report - Pelican (Lakeshore) Commercial Inc and Lightower Commercial Inc., 305, 315, 321, 333 Lakeshore Road West, 3 Pine Avenue South and 7 Maple Avenue South**

Glen Broll, Glen Schnarr and Associates Inc., spoke to the Corporate Report R-3 development application under file OZ 09/002 Ward 1, 305, 315, 321, 333 Lakeshore Road West, 3 Pine Avenue South and 7 Maple Avenue South. He requested an amendment to the recommendation with respect to the number of parking spaces and lay-by parking in front of the medical building.

Ray Poitras, Manager, Development South Area, responded to the Applicant’s request and Councillor Tovey spoke to the matter.

**Corporate Report R-3**

Ward 1

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).

Two individuals came forward with respect to Direction Item D-1 and the item was brought forward at this time.

12. **CORRESPONDENCE**

(b) Direction Items D-1

D-1 Letter dated January 31, 2011 from Daniel Ghanime, M.V.C. Towing & Storage Inc., requesting a temporary increase of overnight storage fees for towing

Crystal Greer responded to an inquiry from Mayor McCallion. Councillor Iannicca, as Chair of the Towing Industry Subcommittee, commented on the matter.

Daniel Wallace, a member of the Towing Industry Subcommittee, spoke to the matter and supported an increase of the overnight storage fee to $60.
James Bisson, Manager Enforcement, and Jamie Hinton, Acting Director Enforcement, spoke to the matter.

Todd Kealy of PLC Towing spoke to the matter.

Councillors Starr, Mahoney, and Iannicca and Mayor McCallion spoke to the matter.

Resolution 0033-2011

8. CORPORATE REPORTS

R-1 Delegation of Regional Tax Ratio Setting Authority for 2011

Corporate Report dated January 19, 2011 from the Commissioner of Corporate Services & Treasurer

Resolution 0030-2011

R-2 SUPPLEMENTARY REPORT - Official Plan Amendment, Rezoning and Amendment to Draft Plan of Subdivision Applications, 5353 Terry Fox Way, Owner: Paradise Homes Cobblestone Inc. (formerly Embee Properties Limited), Applicant: Lethbridge & Lawson Inc., Bill 51, OZ 10/010 W6

Corporate Report dated January 21, 2011 from the Commissioner of Planning and Building

Resolution 0031-2011/By-law 0023-2011 and 0024-2011
Ward 6

R-3 ADDENDUM SUPPLEMENTARY REPORT - Official Plan Amendment and Rezoning Applications, 305, 315, 321, 333 Lakeshore Road West, 3 Pine Avenue South and 7 Maple Avenue South, south side of Lakeshore Road West, on both the west and east sides of Pine Avenue South, Owner: Pelican (Lakeshore) Commercial Inc. and Lightower Commercial Inc., Applicant: Glen Schnarr and Associates Inc., Bill 51, OZ 09/002 W1

Corporate Report dated February 4, 2011 from the Commissioner of Planning and Building

Councillor Tovey moved an amendment to the staff recommendation as outlined earlier in the meeting under Deputation 6. (e).

Resolution 0032-2011
Deputation 6. (e)
OZ 09/002 Ward 1
9. COMMITTEE REPORTS

(a) General Committee (Corporate Grants) Report 2-2011 dated January 26, 2011

Resolution 0029-2011

(b) Planning and Development Committee Report 2-2011 dated January 31, 2011

Resolution 0029-2011

(c) General Committee Report 3-2011 dated February 2, 2011

Councillor Mahoney posed a question to staff on GC-0081-2011 regarding the Mayor’s Gala discussion and requested an amendment to the recommendation. Councillors McFadden and Saito spoke to the matter.

An alternate recommendation was moved as follows:
GC-0081-2011
That staff prepare responses where possible to the questions provided by Councillor Sue McFadden regarding the Mayor’s Gala, without incurring overtime.

Mayor McCallion spoke to GC-0051-2011 regarding the Feasibility Study for an Artifact Preservation Centre. Paul Mitcham responded to the comments made by the Mayor. Councillors Saito, Adams, McFadden, Fonseca, and Starr and Janice Baker and Paul Mitcham spoke to the matter.

An alternate recommendation was moved as follows:
GC-0051-2011
That the matter regarding the Feasibility Study for an Artifact Preservation Centre, Museums of Mississauga be referred back to General Committee for further discussion.

Council concurred to move into Closed Session at this point in the meeting, with the remainder of the General Committee Report 3-2011 dated February 2, 2011 to be dealt with after.

RESOLUTION:

0026-2011 Moved by: Ron Starr Seconded by: Frank Dale

WHEREAS the Municipal Act, 2001, as amended (the "Act"), requires Council to pass a resolution prior to closing part of a meeting to the public;
AND WHEREAS the Act requires that the resolution states the act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

NOW THEREFORE be it resolved that a portion of the Council meeting held on January 19, 2011, shall be closed to the public to deal with the following matters pursuant to the Municipal Act section 239. (2):

(i) Potential Litigation – Committee of Adjustment Appeal Matters:


(2) “A”449/10 – 883929 Ontario Limited – 6730 Davand Drive – Ward 5

Carried

At this time, Councillor Dale requested Council’s indulgence to take the Chair as Acting Mayor to deal with the following:

RESOLUTION:

0027-2011 Moved by: Katie Mahoney Seconded by: Pat Saito

WHEREAS Hazel McCallion has served as Mayor of the City of Mississauga since 1978;

AND WHEREAS she has been a dynamic leader who is well known internationally for her drive, dedication and sincere commitment to our City;

AND WHEREAS our Mayor Hazel McCallion is celebrating her 90th Birthday on February 14, 2011;

AND WHEREAS her energy and enthusiasm never fails;

AND WHEREAS the Council of the City of Mississauga, on behalf of all citizens and staff of Mississauga wishes to recognize and celebrate this significant event;

NOW THEREFORE BE IT RESOLVED that Council wishes Mayor Hazel McCallion a very Happy Birthday and many more years of good health, longevity and vitality.
A recorded vote was called with the following results:

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Recorded Vote
Carried – (Unanimously) 2 Absent, 1 Abstain

18. CLOSED SESSION

Pursuant to Resolution 0026-2011, Council moved into Closed Session at 12:01 p.m. to discuss the following matters:

Section 239 (2) of the Municipal Act

(i) Potential Litigation – Committee of Adjustment Appeal Matters:


Councillor Starr spoke to the matter. Councillor Tovey posed questions to staff.

Resolution 0035-2011

(2) “A”449/10 – 883929 Ontario Limited – 6730 Davand Drive – Ward 5

Councillor Adams spoke to the matter.

Resolution 0034-2011

Council moved out of Closed Session at 12:49 p.m.
9. **COMMITTEE REPORTS** - Continued
(c) General Committee Report 3-2011 dated February 2, 2011

Mayor McCallion and Councillors Adams and Tovey posed questions to the City Solicitor on GC-0057-2011 regarding the Integrity Commissioner.

Resolution 0029-2011

10. **UNFINISHED BUSINESS**

UB-1 Recreation and Parks Rental Rates 2011 - 2012

*Budget Committee January 31, 2011*

Corporate Report dated November 22, 2010 from the Commissioner of Community Services

Memorandum dated February 4, 2011 from the Manager, Mississauga Celebration Square, titled Budget Committee Inquiry: Mississauga Celebration Square Fees and Rates

Paul Damaso, Manager Mississauga Celebration Square responded to questions from Councillor Saito.

Councillor Saito moved an amendment that the Rental Rates 2011 – 2012 for the Celebration Square be the same as the Parks Rates 2011 - 2012.

Councillor Tovey posed questions to staff and Councillor Iannicca and Mayor McCallion commented on the matter.

**RESOLUTION:**

0028-2011 Moved by: Nando Iannicca Seconded by: Katie Mahoney

1. That a by-law be enacted incorporating revisions to the Recreation and Parks Ice and Facility Rental Rates for the period September 1, 2011 through August 31, 2012 as outlined in Appendix 1 of the Corporate Report dated November 22, 2010 from the Commissioner of Community Services.

2. That a by-law be enacted incorporating revisions to the Recreation and Parks Sport Field Rental Rates for the period January 1, 2012 through December 31, 2012 as outlined in Appendix 1 as outlined in Appendix 1 of the Corporate Report dated November 22, 2010 from the Commissioner of Community Services, as revised.

By-law 0022-2011
Carried
11. **PETITIONS**

P-1 Petition received January 13, 2011 from V.N. Somasundram requesting a bus shelter at Twain and Magistrate Terrace, on Bus routes 61 and 61A North.

Received and referred to Transit Division for appropriate action
Ward 11

12. **CORRESPONDENCE**

(a) Information Items I-1 – I-7

I-1 Letter dated January 10, 2011 from the Minister of the Environment with respect to the Air Quality Task Force for the Oakville-Clarkson Airshed and the Ministry’s plans for proceeding further.

Received and referred to Community Services for reply


Received and referred to Planning & Building for appropriate action

I-3 Letter dated January 17, 2011 from the Museums of Mississauga Advisory Committee with respect to the Feasibility Study for an Artifact Preservation Centre.

Received

I-4 Letter dated January 19, 2011 from the Minister of Transport, Infrastructure and Communities and the Minister of Infrastructure with respect to the Infrastructure Stimulus Fund program, Hershey Centre redevelopment project.

Received and referred to Community Services for appropriate action

I-5 Email dated January 25, 2011 from Michael Dobson, Resident, requesting the City to recognize the contributions that the late Lou Parsons has given to the City.

Received and referred to Community Services for appropriate action

I-6 Corporate Report dated May 5, 2010 from the City Solicitor titled Code of Conduct for Mayor and Members of Council and Appointment of an Integrity Commissioner.
I-7 Corporate Report dated September 22, 2010 from the City Solicitor titled Code of Conduct for Mayor and Members of Council and Appointment of an Integrity Commissioner.

(b) Direction Items D-1


See Public Question Period above for discussion on this item.

Resolution 0033-2011

13. RESOLUTIONS

  0026-2011 See Page 4
  0027-2011 See Page 5
  0028-2011 See Page 7

  0029-2011 Moved by: George Carlson Seconded by: Chris Fonseca


    Carried

  0030-2011 Moved by: Katie Mahoney Seconded by: Pat Saito

    WHEREAS section 310(1) of the Municipal Act allows the Council of an upper-tier municipality through by-law to delegate the establishment of tax ratios for the year within the lower-tier municipality for both lower-tier and upper-tier purposes;

    AND WHEREAS section 310(2) of the Municipal Act requires the Regional By-law to contain a methodology to apportion the Regional Levy to the lower-tier municipalities;

    AND WHEREAS section 310(3) of the Municipal Act requires all of the lower-tier municipalities within an upper-tier municipality to pass a resolution consenting to the Regional by-law;
NOW BE IT HEREBY RESOLVED THAT:

1. The Council of the Corporation of the City of Mississauga consents to the enactment of a Regional by-law delegating tax ratio setting from the Region of Peel to the Cities of Mississauga and Brampton and the Town of Caledon, in accordance with section 310 of the Municipal Act for the 2011 property tax year;

2. That Council consents to the apportionment of the Regional Levy based on the following:

   (a) Waste management costs apportioned based on relative lower-tier municipal household counts according to the roll data provided by MPAC;

   (b) Peel Regional Police costs apportioned between Mississauga and Brampton based on weighted Current Value Assessment. Caledon to fully assume the cost of the Ontario Provincial Police.

   (c) Remaining Regional services apportioned among the lower-tier municipalities according to relative shares of weighted Current Value Assessment;

3. That the Council of the Regional Municipality of Peel be so advised.

Carried

0031-2011 Moved by: Ron Starr Seconded by: George Carlson

That the Report dated January 21, 2011, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 10/010 W6 and T-M86095 W6 Phase 2, Lethbridge & Lawson Inc., 5353 Terry Fox Way, southeast corner of Bristol Road West & Terry Fox Way, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Public Open Space" to "Residential Medium Density I" and amended local road network to accommodate the limits of the revised park block and allow the additional lands to be developed for detached and semi-detached dwellings, be approved.

2. That the Region of Peel be requested to make appropriate modifications to the new Mississauga Official Plan through the Regional approval process to re-designate the lands from "Public Open Space" and "Residential Medium Density" to "Public Open Space" and "Residential Low Density II", and amend the local road network.

3. That the application to change the Zoning from "R3-29" (Detached Dwellings), "R5-38" (Detached Dwellings), "RM2-42" (Semi-Detached Dwellings) and "OS1" (Open Space) to "R3-70" (Detached Dwellings), "R5-46" (Detached Dwellings), "RM2-52" (Semi-Detached Dwellings), "RM2-53" (Semi-Detached Dwellings), and "OS1" (Open Space) to permit 32 detached dwellings, 132 semi-detached dwellings, and an
addition to the existing Heatherleigh Park block in accordance with the proposed zoning standards described in the Appendix S-3, be approved subject to the following conditions:

(a) That the draft plan of subdivision be amended.
(b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
(c) In accordance with Council Resolution 152-98: That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards not apply to the subject lands.
(d) That Council Resolution 160-91 requiring that a minimum of three car spaces per dwelling, including those in a garage be required on-site and a minimum of 0.25 on-street visitor parking spaces per dwelling be required for dwellings on lots less than 12 m (39.4 ft.) of frontage for the subject development, not apply to the subject lands.

4. That the existing "RM2-42" (Semi-Detached Dwellings) zone be amended to remove the public school use, as the Peel Board of Education has indicated they no longer require the school block.

5. That the Plan of Subdivision under file T-86095 W6 Phase 2, be recommended for amendment subject to the conditions contained in Appendix S-4, attached to the report dated January 21, 2011, from the Commissioner of Planning and Building, and those from any other official agency.

6. That the owner provide a cash contribution in the amount of $100,000 for park redevelopment works within the adjacent community park (Heatherleigh Park).

7. 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.

Carried
By-laws 0023-2011 and 0024-2011
Ward 6

0032-2011 Moved by: Jim Tovey Seconded by: Chris Fonseca

That the Report dated February 4, 2011, from the Commissioner of Planning and Building regarding the applications under File OZ 09/002 W1, Pelican (Lakeshore) Commercial Inc. and Lightower Commercial Inc., 305, 315, 321, 333 Lakeshore Road West, 3 Pine Avenue South and 7 Maple Avenue South, south side of Lakeshore Road West, on both the west and east sides of Pine Avenue South, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications 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 "Mainstreet Retail Commercial-
Special Site 7" and "Residential-Low Density I" to "Mainstreet Retail Commercial" to
permit retail, medical office and financial institution uses, be approved only for the
properties at 321 and 333 Lakeshore Road West and 7 Maple Avenue South.

3. That the application to change the Zoning from "C4-13" (Mainstreet Commercial) and
"R15" (Detached Dwellings-Port Credit) to "C4-Exception" (Mainstreet Commercial) to
permit retail, medical office and financial institution uses in accordance with the zoning
standards outlined in Appendix S-1 and as revised in this report, be approved only for the
properties at 321 and 333 Lakeshore Road West and 7 Maple Avenue South.

4. That the recommendation for the properties at 305 and 315 Lakeshore Road West and 3
Pine Avenue South be deferred allowing for further discussions with the Ward 1
Councillor Jim Tovey, the Applicant, Planning staff and the surrounding community
regarding the development of these lands; and further that a subsequent Supplementary
Report be brought back to a future Planning and Development Committee meeting.

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

6. 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.

7. That the Region of Peel be requested to make appropriate modifications to the new
Mississauga Official Plan through the Regional approval process to redesignate the
properties at 321 and 333 Lakeshore Road West and 7 Maple Avenue South lands from
"Mixed Use – Special Site 6" and "Residential Low Density I" to "Mixed Use".

8. That the proposed zoning standards for these lands be revised to reflect the parking
available for these lands being a total of 96 spaces.

9. That lay-by parking be required in front of the new medical office building only.

Carried
Councillor Iannicca requested that the City Clerk bring forward an appropriate Resolution for the next Council meeting to establish the Towing Industry Subcommittee as an Advisory Committee of Council and that Councillor Starr be the Chair.

0033-2011 Moved by: Nando Iannicca  Seconded by: Ron Starr

That the letter dated January 31, 2011 from Daniel Ghanime, M.V.C. Towing & Storage Inc. be received and referred to the Towing Industry Subcommittee of the Public Vehicle Advisory Committee for appropriate action.

Carried

0034-2011 Moved by: Eve Adams  Seconded by: Katie Mahoney

That Legal Services be instructed to SUPPORT the decisions of the Committee of Adjustment (File No. "A"449/10 with respect to 883929 Ontario Limited – 6730 Davand Drive – Ward 5) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga.

Carried

0035-2011 Moved by: Ron Starr  Seconded by George Carlson


Carried

14. **BY-LAWS**

0018-2011
A by-law to establish certain lands as part of the municipal highway system to be known as Ninth Line and Dundas Street West, Plan 43R-33721 and 43R-33428.
Ward 8

0019-2011
A by-law to establish certain lands as part of the municipal highway system to be known as Encino Street, Part of Lot 6, Concession 2, North of Dundas Street.
Ward 3

0020-2011
A by-law to establish certain lands as part of the municipal highway system to be known as Eglinton Avenue West and Creditview Road, 43M-642, 43R-33432.
Ward 6
0021-2011
A by-law to establish certain lands as part of the municipal highway system to be known as Silverthorn Mill Avenue, 43M-1246, 43R-22366, 43R-22030.
Ward 11

0022-2011
A by-law to establish and require the payment of Recreation and Parks Rental Rates and Mandatory Liability Insurance Rates for rental of City facilities.
Resolution 0028-2011/February 9, 2011

0023-2011
A by-law to adopt Mississauga Plan (Official Plan) Amendment No. 115, specifically the East Credit District Policies, Paradise Homes Cobblestone Inc., southeast corner of Bristol Road West and Terry Fox Way, OZ 10/010.
Resolution 0031-2011/February 9, 2011
Ward 6

0024-2011
A by-law to amend the Zoning By-law 0225-2007, Paradise Homes Cobblestone Inc., southeast corner of Bristol Road West and Terry Fox Way, OZ 10/010.
Resolution 0031-2011/February 9, 2011
Ward 6

0025-2011
A by-law to amend the Zoning By-law 0225-2007, Prologis (Meadowvale) Canada, north of St. Lawrence and Hudson Railway between Ninth Line and Tenth Line West, OZ 08/018.
Resolution 0300-2010/December 15, 2010
Ward 9

0026-2011
A by-law to amend the Traffic By-law 555-2000, to implement No Stopping Anytime, Southdown Road between Royal Windsor Drive, Lakeshore Road West and the south limit of the roadway.
GC-0052-2011/February 2, 2011
Ward 2

0027-2011
A by-law to amend the Traffic By-law 555-2000, to implement Bicycle Lanes and Parking Prohibition, Erin Centre Boulevard.
GC-0003-2011/January 12, 2011
Ward 10

15. OTHER BUSINESS - Nil
16. **INQUIRIES**

(a) In response to Councillor Carlson inquiry, Crystal Greer advised that the Police have provided a letter with respect to their investigation on the 2010 Municipal Election allegations, and that the letter will be placed on a future Council Agenda.

(b) Councillor Mahoney reported on the Region of Peel Budget meeting which took place February 8, 2011. Janice Baker and Councillors Saito and Tovey spoke to the matter.

(c) Mayor McCallion advised that the Cooksville Creek Task Force was receiving an award.

(d) Mayor McCallion spoke about funding for the Pan/Parapan Am Games.

(e) Mayor McCallion spoke about the passing of Tommy Longo, founder of Longo’s Supermarket.

(f) Mayor McCallion spoke about the passing of Grant Clarkson.

17. **NOTICE OF MOTION** - Nil

18. **CLOSED SESSION** – This item was dealt with earlier in the meeting

19. **CONFIRMATORY BY-LAW**

0028-2011
A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on February 9, 2011.

20. **ADJOURNMENT** – 2:05p.m.