

MINUTES

SESSION 18

THE COUNCIL OF

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

WEDNESDAY, OCTOBER 24, 2007, 9:00 A. M.

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

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PRESENT:	Mayor Hazel McCallion	
	Councillor Carmen Corbasson	Ward 1
	Councillor Pat Mullin	Ward 2
	Councillor Maja Prentice	Ward 3
	Councillor Frank Dale	Ward 4
	Councillor Eve Adams	Ward 5
	Councillor Carolyn Parrish	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: NIL

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
 Marilyn Ball, Acting Commissioner of Planning and Building
 Mary Ellen Bench, City Solicitor
 Crystal Greer, City Clerk
 Denise Peternell, Council Coordinator
 Diana Haas, Council Support Services Assistant

1. <u>CALL TO ORDER</u>

The meeting was called to order at 9:10 a.m. by Mayor McCallion with the saying of the Lord's Prayer.

2. <u>DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST</u>

The following members of Council declared a conflict of interest with respect to all items on the agenda regarding Enersource Corporation owing to their relationship as a Director on the Board of Directors of the Enersource Corporation: Councillor Carmen Corbasson, Councillor Nando Iannicca, Councillor Sue McFadden.

3. <u>MINUTES OF PREVIOUS COUNCIL MEETINGS</u>

(a) October 10, 2007, Session 17 - Adopted as presented.

MG.01

3a. <u>CLOSED SESSION</u>

Pursuant to Resolution 0261-2007, Council moved into Committee of the Whole in closed session at 9:11 a.m. to discuss the following matter:

(a) <u>Solicitor-Client Privilege – Enersource Corporation</u>

Mr. Jeffrey Singer, Outside Legal Counsel for the City of Mississauga and Mr. William Houston, former Outside Legal Counsel for the City of Mississauga, responded to questions of Council pertaining to the April 2000 Strategic Alliance Agreement and the December 2000 Shareholder's Agreement.

MG.11.Enersource

Council moved out of Closed Session at 11:26 a.m. and the following resolution was read and adopted as a result of the closed session:

RESOLUTIONS (AS A RESULT OF CLOSED SESSION):

0267-2007 Moved by: M. Prentice

Seconded by: P. Mullin

That Council of The Corporation of the City of Mississauga has no current intention of renegotiating the Shareholders Agreement dated December 6, 2000 between the City and Borealis respecting Enersource Corporation.

Carried MG.11.Enersource

4. <u>PRESENTATIONS</u>

(a) <u>Local History Book – Kathleen Hicks</u>

Don Mills, Director of Library Services distributed to Council, the seventh book in a series of local history books by the author, Kathleen Hicks, who was also in attendance. This new book is on the history of Port Credit.

PR.04

5. <u>DEPUTATIONS</u>

(a) <u>Peel Youth Violence Charter</u>

Janette Smith, Commissioner of Health Services, Region of Peel, appeared before Council with respect to the Peel Youth Violence Charter (PYVC). Ms. Smith advised that the PYVC Committee is one of the largest organized committees on anti-violence in Ontario. Ms. Smith expressed appreciation to Council for showing leadership by signing the Peel Youth Violence Charter and recognized Recreation and Parks staff for their leadership with youth programs. Councillor Katie Mahoney advised that she and Councillor Pat Saito were the founding members of this committee two years ago and that she was looking forward to continuing this initiative. Councillor Saito advised of the accomplishments that had occurred since its inception and that this presentation is part of the media strategy to get the message out to the public. She further advised that each member of Council would receive a copy of the charter for their office. Councillor Saito advised that she and Councillor Mahoney had prepared a motion requesting Council's endorsement to install the Youth Charter in a prominent location in all City facilities.

Mayor McCallion read the following motion, moved by Councillor Pat Saito, seconded by Councillor Katie Mahoney, which was voted on and carried:

Whereas the Council of the Region of Peel established the Peel Youth Violence Prevention Strategy Steering Committee by resolution in December 2005;

And whereas Councillors Pat Saito and Katie Mahoney have served as Co-Vice Chairs of the committee since its inception; and

Whereas the PYVPC's goal is to bring together all agencies, governments and organizations in the region to work towards a common goal of preventing violence among our youth; and

Whereas the PYVPC has developed a Youth Charter which has been signed by the Mayors of all municipalities in Peel as well as the Regional Chair, Chiefs of Police, Chairs of both school boards and Crime Prevention Associations, the Peel Police Services Board and the United Way of Peel; and

Whereas the Council of the Corporation of the City of Mississauga supports this initiative and encourages all organizations within the city to work together to support our youth; and

Whereas Mississauga Council believes that by promoting the strategy and the Youth Charter, we can make all residents aware of the needs of our youth.

Therefore be it resolved that Council endorses the request from the Peel Youth Violence Prevention Strategy Committee to install the Youth Charter in a prominent location in all city facilities.

Resolution 0262-2007 PR.05

(b) <u>OfficeforUrbanism</u>

Bruce Carr, Director, Strategic Planning & Business Service, appeared before Council with respect to the 21st Century Conversation Speakers' Series. Mr. Carr advised that the second of four speakers' series had been held the previous evening at the Living Arts Centre with Roberta Bodnar and Tim Jones as guest speakers. Mr. Carr advised that he would be providing Council with an update after each speaking engagement.

CA.01.CIT

6. <u>PUBLIC QUESTION PERIOD</u> (in accordance with Section 36 of the City of Mississauga Procedure By-law 0421-2003 - Council may grant permission to a person who is present and at Council and wishes to address Council on a matter on the Agenda. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

7. <u>CORPORATE REPORTS</u>

R-1 <u>Payment-in-Lieu of Off-Street Parking (PIL) Application, 6 Elizabeth Street</u> South (Ward 1)

Report dated October 1, 2007 from the Commissioner of Planning and Building with respect to Payment-in-Lieu of Off-Street Parking (PIL) Application, 6 Elizabeth Street South.

RECOMMENDATION

That the Report dated October 1, 2007 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 07/005 W1, Marina Anne Nawrocki, 6 Elizabeth Street South, west side of Elizabeth Street South, south of Lakeshore Road East, be adopted in accordance with the following for "Lump Sum" agreements:

- 1. That the sum of \$4,060.00 be approved as the amount for the payment in lieu of one (1) off-street parking space and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, lump sum payment.
- 2. That City Council enact a by-law under Section 40 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to authorize the execution of the PIL agreement with Marina Anne Nawrocki for the conversion of a second floor residential unit into retail space expanding the retail use from the ground floor into the second storey.

3. That the execution of the PIL agreement and payment must be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval then the approval will lapse and a new PIL application along with the application fee will be required.

<u>Resolution 0264-2007/By-law 0391-2007</u> FA.31 07/005 W1

R-2 Proposed Amendments to By-law 0225-2007, 1907 Lakeshore Road West (Ward 2)

Report dated October 1, 2007 from the Commissioner of Planning and Building with respect to Proposed Amendments to By-law 0225-2007, 1907 Lakeshore Road West (Ward 2).

RECOMMENDATION

- 1. That the Report titled "Proposed Amendments to By-law 0225-2007 for 1907 Lakeshore Road West" dated October 1, 2007, from the Commissioner of Planning and Building recommending approval of the amendments to Zoning By-law 0225-2007, be adopted.
- 2. That City Council direct Legal Services and representatives from the appropriate City Departments to attend the Ontario Municipal Board hearings respecting appeals to By-law 0225-2007 and any related prehearing conferences and to retain expert witnesses, if necessary, to support the necessary amendments to By-law 0225-2007.

Resolution 0265-2007 OZ 06/029 W2

8. <u>COMMITTEE REPORTS</u>

(a) Planning and Development Committee Report 15-2007 dated October 15, 2007.

Approved as presented – Resolution 0263-2007 MG.03

PDC-0072-2007	That the report titled "Introduction to Mississauga Parking Strategy - Phase One - Mississauga Plan Review", dated September 25, 2007, from the Commissioner of Planning and Building, be received for information and referred back to staff to evaluate if Phases 1 and 2 can be undertaken together as well as the financial impact on City Budgets if undertaken together.			
	CD.04	Mississauga		
PDC-0073-2007	That the Report dated September 25, 2007, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 07/001 W3, VANDYK Group of Companies, Part of Lot 10, Concession 1, N.D.S., be adopted and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.			
H-OZ 07/001 W3				
PDC-0074-2007	That the report titled "2006 Census Results – Age and Sex", dated September 25, 2007, from the Commissioner of Planning and Building, be received for information.			
	CA.17	Cen		
PDC-0075-2007	1.	That the Report dated September 25, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Low Density I" and "Motor Vehicle Commercial" to "Residential High Density II - Special Site" and to change the Zoning from "R4" (Residential Detached) and "AC" (Automotive Commercial) to "RM7D5-Special Section" (Residential Multiple Family) to permit a 21 storey, 260 unit condominium apartment building and 6 back-to-back row dwellings under file OZ 06/003 W1, Queenscorp (Lakeshore) Inc., 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, be received for information.		
	2.	That the petitions with signatures, form letters and form e-mails distributed prior to and presented at the Planning and Development Committee expressing objection to the above mentioned development, be received and referred to the Planning and Building Department.		
	3.	That the e-mails from area residents expressing objection to the above development be received.		

OZ 06/003 W1

PDC-0076-2007	1.	That the Report dated September 25, 2007, from the Commissioner of Planning and Building regarding the application to change the Zoning from "D" (Development) to "R7-5" (Detached Dwellings), "RM2-18" (Semi-detached dwellings), "RM5-37" (Street townhouses), "RM9 – Exception" (Horizontal multiple dwellings), "RA2 – Exception" (Apartment dwellings, horizontal multiples and townhouses) and "OS1" (Open Space) to permit detached dwellings, semi-detached dwellings, street townhouse dwellings, condominium townhouse dwellings, horizontal multiple dwellings, apartment dwellings and a community park under file OZ 94/077 W10 Phase 5, Erin Mills Development Corporation, Part of Lot 1, Concession 10 N.S., lands located at the Northwest quadrant of Eglinton Avenue West and Winston Churchill Boulevard, be received for information and notwithstanding Planning Protocol, that the Supplementary Report be brought directly to a future Council meeting.		
		respect to the above development, be received.		
	/077 W10 Phase 5 4025 W10 Phase 5			
(b) Gener	al Com	nittee Report 16-2007 dated October 17, 2007.		
<u>Appro</u> MG.2		presented – Resolution 0263-2007		
GC-0678-2007	That the presentation made by Bruce Carr, Director, Strategic Planning & Business Service and Antonio Gomez-Palacio, Consultant, Office for Urbanism with respect to 21 st Century Conversation Speakers' Series be received for information.			
	CA.01	.CIT		
GC-0679-2007	1.	That a by-law be enacted to grant an exemption from Section 5 (1) of the Fence By-law 397-78, as amended, to 7 Wenonah Drive, to allow for the continued existence of the backyard fence consisting of four sections over the permitted height of 2 metres (6 feet 7 inches) as follows:		
		a) Section one made up of five panels to be permitted to be approximately 2.4 meters (7 feet 8 inches) in height, commencing on the southeast side of the property as it enters into the rear yard of the house and running approximately 6.8 metres (22 feet 5 inches) to the rear of the property.		

- b) Section two consisting of two panels to be permitted to be approximately 2.2 metres (7 feet 2 inches) in height, commencing from the end of the first section and running approximately 2.6 metres (8 feet 5 inches) continuing to the rear of the property.
- c) Section three consisting of two panels commencing from the southwest corner of the property be permitted to be approximately 2.3 metres (7 feet 5 inches) in height, running 1.38 metres (4 feet 5 inches) towards the rear of the house.
- d) Section four made up of one panel to be permitted to be approximately 2.1 metres (7 feet) in height, commencing from the end of the third section and running approximately 1.2 metres (4 feet) towards the rear of the house.
- 2. That the deputation made by Ms. Nicole Geldart, 7 Wenonah Drive with respect to a proposed fence exemption for 7 Wenonah Drive be received for information.

BL.08.FEN (Ward 1)

GC-0680-2007 That a by-law be enacted to grant an exemption from Section 5 (1) of the Fence By-law 397-78, as amended, to 4220 Capilano Court to allow for the continued existence of the backyard fence consisting of two sections over the permitted height of 2 metres (6 feet 7 inches) as follows:

- 1. Section one made up of thirteen panels to be permitted to be no more than 2.7 metres (9 feet) in height and running approximately 27.7 metres (91 feet) starting at the southwest corner of the property and running along the property line adjacent to 4254 Capilano Court.
- 2. Section two made up of nine panels to be permitted to be no more than 2.21 metres (7 feet 3 inches) in height, running approximately 24.7 metres (81 feet) commencing at the end of the first section running along the west and north property lines.

BL.08.FEN (Ward 3)

GC-0681-2007 That a by-law be enacted to amend traffic By-law 555-2000 as amended, to implement an all-way stop control at the intersection of Baskerville Run and Pine Valley Circle/Lambe Court.

BL.02.TRA (Ward 11)

GC-0682-2007	That traffic control signals be implemented at the intersection of Tenth Line West and Escada Drive/Gladish Grove.			
	RT.07 (Ward 10)			
GC-0683-2007	1.	That a by-law be enacted to amend the Transit By-law 0425-2003, as amended to include additional regulations with respect to the use of Mississauga Transit vehicles and changes to the residency requirements for the senior's pass and fare requirement for employees of Canada Post, as outlined in the report from the Commissioner of Transportation and Works dated September 24, 2007.		
	2.	That Legal Services be authorized to make an application to the Ministry of the Attorney General for set fines under Part I of the <i>Provincial Offences Act</i> for By-law 0425-2003.		
	BL.08.TRA			
GC-0684-2007	That a by-law be enacted to amend By-law 555-2000, as amended, to implement a designated eastbound right-turn lane on Credit Valley Road between The Chase and a point 45 metres (148 feet) westerly thereof.			
	BL.02.	TRA (Ward 8)		
GC-0685-2007	That a by-law be enacted to amend By-law 555-2000, as amended, to implement dual left-turn lane designations on the roadways identified in Appendix 1 of the report titled "Lane Designations – Eglinton Avenue West and Winston Churchill Boulevard" dated September 27, 2007 from the Commissioner of Transportation and Works.			
	BL.02.TRA (Ward 8, Ward 9, Ward 10)			
GC-0686-2007	That a	by-law be enacted to amend By-law 555-2000, as amended, to:		
	1.	Implement bicycle lanes on both sides of South Millway between Burnhamthorpe Road West and Erin Mills Parkway.		
	2.	Prohibit parking:		
		1. On the west side of South Millway from Burnhamthorpe Road West to a point 370 metres south of The Collegeway;		
		 On the west side of South Millway from a point 430 south of The Collegeway to a point 45 metres southerly thereof; 		
		3. On the west side of South Millway from Erin Mills Parkway to a point 60 metres northerly thereof;		

	 On the east side of South Millway between Burnhamthorpe Road West and Sanderling Crescent (north intersection); On the east side of South Millway between Sanderling Crescent (south intersection) and Roy Ivor Crescent (north intersection); On the east side of South Millway from Jacamar Court to Erin Mills Parkway. 	
	BL.02.TRA (Ward 8)	
GC-0687-2007	1. That staff be authorized to negotiate with the Greater Toronto Airport Authority (GTAA) for the extension of the Etobicoke Creek Trail through the Lester B. Pearson International Airport (LBPIA) lands.	
	2. That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute an agreement with the Greater Toronto Airport Authority (GTAA) for the extension of the Etobicoke Creek Trail through the LBPIA lands in a form satisfactory to the City Solicitor.	
	PO.13.ETO (Ward 5)	
GC-0688-2007	That a by-law be enacted authorizing the Commissioner of Transportation and Works and the City Clerk to accept and execute Transfer/Deed of Land from The Erin Mills Development Corporati for the conveyance of Blocks 66, 67 and 68 on Registered Plan 43M 909, being 0.3 metre reserves, to The Corporation of the City of Mississauga, together with all ancillary documents relating thereto, a to direct Legal Services to register the Transfer/Deed of Land at the Land Registry Office. Block 66 contains an area of approximately 1 square metres (19.91 square feet); Block 67, an area of approximate 3.85 square metres (41.44 square feet); and Block 68, an area of approximately 0.76 square metre (8.18 square feet) and are located a the northerly limit of Erin Centre Boulevard, to the east and west of Glen Erin Drive, in the City of Mississauga, Regional Municipality Peel, Ward 9.	

PO.10.ERI (Ward 9)

GC-0689-2007	That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M– 1493/1494 (Britannia North/Central/South Holdings Inc.), (lands located east of Ninth Line, south of Britannia Road West, known as Britanny Glen Phase 2 Subdivision) and the Letter of Credit in the amount of \$1,390,000.00 be returned to the developer; and that the by-laws be enacted to establish the road allowance within Registered Plan M- 1493/M-1494 as public highway and part of the municipal system of the City of Mississauga.
	43M-1493/1494 (Ward 10)
GC-0690-2007	That the following be referred to the October 24, 2007 Council meeting without recommendation:
	That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M- 1598, Groth Estates Inc., (formerly Alfonso Gallicci, General Construction Limited), (lands located west of Thornwood Drive, east of Hurontario Street, south of Breton Avenue, known as Nahani Way Subdivision), and that the Letter of Credit in the amount of \$191,766.00 be returned to the developer; and that a by-law be enacted to establish the road allowances within the Registered Plan as public highway and part of the municipal system of the City of Mississauga.
	43M-1598 (Ward 5)
GC-0691-2007	That a by-law be enacted authorizing the Commissioner of Transportation and Works and the City Clerk to execute an Agreement of Purchase and Sale (Offer to Sell), and all documents related thereto, between The Corporation of the City of Mississauga as Purchaser and Enersource Hydro Mississauga Inc. ("Enersource Hydro") as Vendor, for the purchase of a portion of land designated as Part 1 on Reference Plan 43R-30987. The purchase price is Eight Thousand Eight Hundred Dollars (\$8,800.00). The lands are located north of the Queen Elizabeth Way, east of Hurontario Street, and south of Queensway East, and west of Cawthra Road, having a frontage of 17.4 metres (57.09 feet, more or less) along the westerly limit of Asta Road, and comprising a total area of approximately 32.7 square metres (351.98 square feet). The subject lands are legally described as Part of Lot 11, Concession 1, South of Dundas Street, (Geographic Township of Toronto, County of Peel), designated as Part 1 on Plan 43R-30987, in the City of Mississauga, Regional Municipality of Peel, in Ward 7.

PO.10.AST (Ward 7)

GC-0692-2007	That a by-law be enacted authorizing the Commissioner of Transportation and Works and the City Clerk to execute a Lice Agreement, and all documents ancillary thereto, between The Corporation of the City of Mississauga, as Licensor, and Helen Gryniewski, Irene Nicowski and Nancy Nicowski, as Trustees Nicowski Family Trust, as Licensee, for the use of a small trian shaped portion of the City's road allowance abutting 1905 Matt Avenue and consisting of an area of approximately 0.09 square (1 square feet), for the purposes of parking associated with the commercial business operating at this location;. The Licensee s an annual fee of Two Hundred Dollars (\$200.00) plus GST dur five (5) year term which commenced on January 1, 2007. The lands are located within Mattawa Avenue, south of Dundas Strean and east of Dixie Road which is legally described as Part of Lo Concession 1, South of Dundas Street, Toronto Township; Part Concession 1, South of Dundas Street, Toronto Township; Part Concession 1, South of Dundas Street, Toronto Township, bein Mattawa Avenue between Dundas Street East and the northerly Mattawa Avenue, Plan 598, in the City of Mississauga, Region Municipality of Peel, in Ward 1. PO.13.MAT (Ward 1)		
GC-0693-2007	1.	That the update of October 5, 2007 from the Commissioner of Corporate Services and Treasurer on the Customer Service Strategy – Call Centre Consolidation and 3-1-1 Status be received for information.	
	2.	That the Commissioner of Corporate Services be directed to provide written notice to the Region of Halton advising that the Corporation of the City of Mississauga agrees to the call routing arrangements for certain exchanges shared by the two municipalities as outlined in the Corporate Report from the Commissioner of Corporate Services dated October 5, 2007.	
	3.	That staff report back to Council at a later date on the City of Mississauga's plans to prepare for and implement 3-1-1 for City residents.	
	CS.19.	311	
GC-0694-2007	Corpor	ne report dated October 3, 2007 from the Commissioner of rate Services and Treasurer regarding the Newborn Registration e be received for information.	

LA.23

GC-0695-2007	1.	That the presentation by Eva Kliwer, Planner in the Long Range Planning section of the Policy Planning Division of the Planning and Building Department, to the Environmental Advisory Committee at its meeting on October 2, 2007 regarding the protection of the Natural Areas System, be received for information.		
	2.	That it be acknowledged that the Environmental Advisory Committee endorses in principle, the Natural Areas System information presented on October 2, 2007, with recommendation that, in addition to the key future actions identified for the long term preservation of natural areas, priorit be given to the following objectives:		
		 strengthen the protection of natural areas that are located on tablelands; identify additional opportunities to secure lands within the natural areas system; and improve by-law enforcement of encroachment onto natural areas. 		
		0.Natural Areas C-0017-2007)		
GC-0696-2007	That the following items presented to the Environmental Advisory Committee at its meeting on October 2, 2007, be received for information:			
	1.	Information regarding the Environmental Transportation Coordinator position within the Environmental Management Section, Recreation and Parks Department, Community Services Department.		
	2.	Copy of information from the Region of Peel web site regarding a new waste management program that accepts cooking oil from residents and small businesses for processing into biodiesel.		
	3.	Copy of an email to the Environmental Advisory Committee advising that Recommendations EAC-0012-2007 through EAC- 0016-2007 from its meeting on September 4. 2007, be received for information.		
	4.	Announcement that the City of Mississauga won the Communities in Bloom Award for Tidiness 2007, and that Mississauga has been evaluated as a National Finalist in the Large City Category of the annual Communities in Bloom National Edition, placing third nationally.		
		01.Environment/EC.04.Recycling		

PR.01/MG.31 (EAC-0018-2007)

GC-0697-2007		That the presentation made by Gil Penalosa, Executive Director of Wa and Bike for Life to the Mississauga Cycling Advisory Committee at in meeting on October 9, 2007, be received for information and that Mr. Penalosa be requested to make a similar presentation at a future Counc meeting due to its intrinsic message of supporting cycling initiatives within the City.		
		MG.25.Cycling (MCAC-0015-2007)		
(c)		ts of the public meetings held by the Planning and Development ittee on October 15, 2007: Queenscorp (Lakeshore) Inc. OZ 06/003 W1		
	(ii)	Erin Mills Development Corporation OZ 94/077 W10 (T-M94025)		

Received

9. <u>UNFINISHED BUSINESS</u>

UB-1 Assumption of Municipal Services (Ward 5)

General Committee on October 17, 2007 referred the following to this meeting of Council without a recommendation at the request of the Ward Councillor Eve Adams:

Corporate Report dated October 1, 2007 from the Commissioner of Transportation and Works with respect to the Assumption of Municipal Services (Wards 5).

RECOMMENDATION:

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1598, Groth Estates Inc., (formerly Alfonso Gallicci, General Construction Limited), (lands located west of Thornwood Drive, east of Hurontario Street, south of Breton Avenue, known as Nahani Way Subdivision), and that the Letter of Credit in the amount of \$191,766.00 be returned to the developer and that a by-law be enacted to establish the road allowances within the Registered Plan as public highway and part of the municipal system of the City of Mississauga.

Councillor Adams advised that this matter had been resolved.

<u>Resolution 0266-2007/By-law</u> 43M-1598 (Ward 5)

10. <u>PETITIONS</u>

P-1 Parking Prohibition – St. Lawrence Drive (Ward 1)

Letter and petition dated October 4, 2007 from Elaine Evans, 147 St. Lawrence Drive, on behalf of residents on St. Lawrence Drive requesting that the parking prohibition from 11:00 pm to 7:00 am on the east side of Lawrence Drive be removed.

<u>Received/Referred to the Commissioner of Transportation and Works for</u> <u>appropriate action.</u> BL.02.Parking

11. <u>CORRESPONDENCE</u>

- (a) Information Items I-1 I-14.
- I-1 Bicycle Trails in Mississauga

Letter dated September 30, 2007 from Ms. K. Willis, MCAC Member (Ward 3) to Councillor Maja Prentice requesting Council's consideration to including more bicycle lanes in Mississauga.

Received/Referred to the Cycling Advisory Committee for appropriate action. PR.11/CD.11.Bic

I-2 Infrastructure Funding for Municipalities

Communication dated October 17, 2007 from OGRA commenting on the Speech from the Throne and the Government of Canada's plans for infrastructure.

Received/Referred to the Commissioner of Transportation and Works for information. CA.10.Ont

I-3 AMO's 2006 Federal Funding Annual Expenditure Report

Communication dated October 4, 2007, from the Association of Municipalities of Ontario (AMO) providing information on the aggregate results of the 2006 municipal fiscal year and the results of AMO's compliance audit.

<u>Received/Referred to the Commissioner of Corporate Services (Finance) and</u> <u>the Commissioner of Transportation and Works for information.</u> LA.07

I-4	British Columbia - Alberta Trade, Investment and Labour Mobility	Agreement
	(TILMA)	

Communication dated October 9, 2007, from the Association of Municipalities of Ontario (AMO) advising of the implications for Ontario of the British Columbia – Alberta Trade, Investment and Labour Mobility Agreement (TILMA).

Received/Referred to Economic Development for information. LA.07

I-5 Ontario's Aggregate Resources

Communication dated October 2, 2007, outlining a resolution from the Township of North Dumfries with respect to Ontario's aggregate resources and the inadequacies in the capacity of the Ministry of Natural Resources to properly oversee the approvals, compliance, rehabilitation and long term planning to protect Ontario's aggregate resources.

Received LA.09

I-6 Pulp and Paper Biosolids Agreement

Communication outlining a resolution from the Township of Brock, requesting the Ministry of the Environment (Provincial) to acknowledge paper fibre biosolids as a waste.

Received LA.09

I-7 Loss of Municipal Funding to Provincial Tax Rebate Programs

Communication dated October 5, 2007, outlining a resolution from the Township of Burpee and Mills, with respect to the loss of municipal funding to Provincial Tax Rebate Programs.

Received LA.09

I-8 Conservation Authorities Act

Communication dated September 10, 2007, outlining a resolution from the Municipality of Brockton, requesting the province to revisit the funding formula used for Conservation Authorities with the intent to increase the funding to allow the enhancement of staffing levels.

Received/Referred to the Commissioner of Planning and Building for appropriate action. LA.09

I-9 <u>Clarkson Wastewater Treatment Plant Expansion Municipal Class</u> <u>Environmental Assessment and Preliminary Design: Notice of Study</u> <u>Commencement</u>

Letter dated October 1, 2007, from Earth Tech enclosing a Notice Study Commencement for the Region of Peel Clarkson Wastewater Treatment Plan Expansion.

Received EC.14

I-10 Region of Peel Water Efficiency Plan

Letter dated October 10, 2007, outlining a resolution from the Region of Peel requesting the province to develop legislation restricting the sale and installation of non-efficient toilet models in Ontario.

Received LA.09.Peel

I-11 Region of Peel World Town Planning Day – November 8, 2007

Letter dated October 10, 2007, outlining a resolution from the Region of Peel with respect to proclaiming November 8, 2007 as World Town Planning Day.

Received/Referred to the Commissioner of Planning and Building for information. LA.09.Peel

I-12 <u>City of Brampton – Hurontario Corridor – Joint Rapid Transit Study with</u> <u>Mississauga (Ward 3 and 4)</u>

Letter dated October 12, 2007, outlining a recommendation from the City of Brampton with respect to the Hurontario Corridor – Joint Rapid Transit Study with Mississauga.

Received/Referred to the Commissioner of Transportation and Works for appropriate action. LA.09.Bra

I-13 <u>City of Brampton – Public Notice</u>

Communication from the City of Brampton advising of a public meeting to be held on November 5, 2007 with respect to planning applications by Peel Condominium Corporations 399, 476 and 621 to amend the Official Plan and Zoning By-law to permit retail commercial uses in an existing multi-unit industrial complex.

Received/Referred to the Commissioner of Planning and Building for appropriate action. LA.09.Bra

I-14 <u>Clean Water Act, 2006, Nomination of Municipal Members to Source</u> <u>Protection Committees</u>

Letter dated October 10, 2007, outlining a resolution from the Town of Caledon endorsing the appointment of Mark Schiller to the CTC Region Source Protection Committee.

<u>Received/Referred to the Transportation and Works for information.</u> LA.09.Cal

(b) Direction Items – Nil.

12. <u>RESOLUTIONS</u>

0261-2007 Moved by: F. Dale

Seconded by: C. Corbasson

Whereas the *Municipal Act, 2001*, as amended, requires Council to pass a resolution prior to closing part of a meeting to the public;

And whereas the Act requires that the resolution state 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 to be held on October 24, 2007, shall be closed to the public to deal with the following matters:

- (a) Solicitor-Client Privilege (2)
- (b) Litigation (2)

Carried MG.20

0262-2007 Moved by: P. Saito

Seconded by: K. Mahoney

Whereas the Council of the Region of Peel established the Peel Youth Violence Prevention Strategy Steering Committee by resolution in December 2005;

And whereas Councillors Pat Saito and Katie Mahoney have served as Co-Vice Chairs of the committee since its inception; and

Whereas the PYVPC's goal is to bring together all agencies, governments and organizations in the region to work towards a common goal of preventing violence among our youth; and

Whereas the PYVPC has developed a Youth Charter which has been signed by the Mayors of all municipalities in Peel as well as the Regional Chair, Chiefs of Police, Chairs of both school boards and Crime Prevention Associations, the Peel Police Services Board and the United Way of Peel; and

Whereas the Council of the Corporation of the City of Mississauga supports this initiative and encourages all organizations within the city to work together to support our youth; and

Whereas Mississauga Council believes that by promoting the strategy and the Youth Charter, we can make all residents aware of the needs of our youth.

Therefore be it resolved that Council endorses the request from the Peel Youth Violence Prevention Strategy Committee to install the Youth Charter in a prominent location in all city facilities.

Carried PR.05

0263-2007 Moved by: C. Parrish

Seconded by: G. Carlson

That recommendations PDC-0072-2007 to PDC-0076-2007 inclusive contained in the Planning and Development Committee Report 15-2007 dated October 15, 2007 be approved as presented.

That recommendations GC-0678-2007 to GC-0697-2007 inclusive contained in the General Committee Report 16-2007 dated October 17, 2007 be approved as presented.

Carried MG.07 / MG.08

0264-2007 Moved by:

C. Corbasson

Seconded by: F. Dale

That the Report dated October 1, 2007 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 07/005 W1, Marina Anne Nawrocki, 6 Elizabeth Street South, west side of Elizabeth Street South, south of Lakeshore Road East, be adopted in accordance with the following for "Lump Sum" agreements:

- 1. That the sum of \$4,060.00 be approved as the amount for the payment in lieu of one (1) off-street parking space and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, lump sum payment.
- 2. That City Council enact a by-law under Section 40 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to authorize the execution of the PIL agreement with Marina Anne Nawrocki for the conversion of a second floor residential unit into retail space expanding the retail use from the ground floor into the second storey.
- 3. That the execution of the PIL agreement and payment must be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval then the approval will lapse and a new PIL application along with the application fee will be required.

<u>Carried</u> FA.31 07/005 W1

0265-2007 Moved by: P. Mullin

Seconded by: M. Prentice

1. That the Report titled "Proposed Amendments to By-law 0225-2007 for 1907 Lakeshore Road West" dated October 1, 2007, from the Commissioner of Planning and Building recommending approval of the amendments to Zoning By-law 0225-2007, be adopted.

2. That City Council direct Legal Services and representatives from the appropriate City Departments to attend the Ontario Municipal Board hearings respecting appeals to By-law 0225-2007 and any related prehearing conferences and to retain expert witnesses, if necessary, to support the necessary amendments to By-law 0225-2007.

<u>Carried</u> OZ 06/029 W2

0266-2007 Moved by: E. Adams

Seconded by: F. Dale

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1598, Groth Estates Inc., (formerly Alfonso Gallicci, General Construction Limited), (lands located west of Thornwood Drive, east of Hurontario Street, south of Breton Avenue, known as Nahani Way Subdivision), and that the Letter of Credit in the amount of \$191,766.00 be returned to the developer and that a by-law be enacted to establish the road allowances within the Registered Plan as public highway and part of the municipal system of the City of Mississauga.

<u>Carried</u> 43M-1598 (Ward 5)

- 0267-2007 See Item 3a. Closed Session.
- 0268-2007 Moved by: C. Parrish Seconded by: P. Saito

Whereas, on October 10, 2007 Council passed a motion instructing the City's appointees to the Board of Enersource to sign an irrevocable agreement regarding compensation.

Whereas this directive of Council was communicated to all City appointees on the Board.

Whereas this directive has not been complied with by the City appointees.

Be it resolved that the issue of compensation of City representatives on the Enersource Board of Directors be re-opened and debated at the Council meeting of October 24, 2007 following the In Camera Session which is scheduled to begin at 9:00 am.

Carried MG.11.Enersource

The following motion was voted on and LOST:

Moved by: M. Prentice Seconded by: P. Mullin

Therefore Be It Resolved:

That the remuneration of the Enersource Board remain as passed by Council on April 11, 2007 until May 31, 2008.

That the recommendation of the Hay Report be adopted exclusive of the recommended payment per diem not apply to Members of Council appointed to the Enersource Board.

A recorded vote was requested with the following results:

	YES		NO
Mayor H. McCallion			Х
Councillor C. Corbasson		Absent	
Councillor P. Mullin	Х		
Councillor M. Prentice	Х		
Councillor F. Dale			Х
Councillor E. Adams			Х
Councillor C. Parrish			Х
Councillor N. Iannicca		Absent	
Councillor K. Mahoney			Х
Councillor P. Saito			Х
Councillor S. McFadden		Absent	
Councillor G. Carlson			Х

Recorded Vote Lost (2-7 / 3 Absent) MG.11.Enersource

0269-2007	Moved by:	P. Saito
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Seconded by: K. Mahoney

- 1. That the citizen appointees on the Enersource Board of Directors be paid a remuneration as per the Council approved amount on April 11, 2007 until May 2008 and that the City agree to negotiate in good faith with Enersource and Borealis in January 2008 using the Hay Report as a basis for discussion to discuss an appropriate remuneration amount to take effect in May 2008.
- 2. And further that Council members of the Enersource be paid the \$500.00 per diem amount for committee meetings only for the duration of their appointed term or until a review by Council occurs.

A recorded vote was requested with respect to part 1 with the following results:

	YES		NO
Mayor H. McCallion			Х
Councillor C. Corbasson		Absent	
Councillor P. Mullin		Absent	
Councillor M. Prentice			Х
Councillor F. Dale	Х		
Councillor E. Adams			Х
Councillor C. Parrish	Х		
Councillor N. Iannicca		Absent	
Councillor K. Mahoney	Х		
Councillor P. Saito	Х		
Councillor S. McFadden		Absent	
Councillor G. Carlson	Х		
Recorded Vote			

<u>Recorded Vote</u> Carried (5-3 / 4 Absent)

A recorded vote was requested with respect to part 2 with the following results:

	YES		NO
Mayor H. McCallion	Х		
Councillor C. Corbasson		Absent	
Councillor P. Mullin		Absent	
Councillor M. Prentice			Х
Councillor F. Dale			Х
Councillor E. Adams			Х
Councillor C. Parrish	Х		
Councillor N. Iannicca		Absent	
Councillor K. Mahoney	Х		
Councillor P. Saito	Х		
Councillor S. McFadden		Absent	
Councillor G. Carlson	Х		

<u>Recorded Vote</u> <u>Carried (5-3 / 4 Absent)</u> MG.11.Enersource

Note: Resolutions emanating from the "Closed Session" portion of the meeting are listed under "17. Closed Session".

13. <u>BY-LAWS</u>

0379-2007 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43R-31498 to be known as Twinmaple Drive (in the vicinity of Burnhamthorpe Road East and Tomken Road).

43R-31498 (Ward 3)

0380-2007 A by-law to amend the Transit By-law 425-03, as amended, to include additional regulations with respect to the use of Mississauga Transit vehicles and changes to the residency requirements for the seniors' pass and fare requirement for employees of Canada Post.

> <u>GC-0683-2007/October 17, 2007</u> BL.08.TRA

0381-2007 A by-law to authorize the acceptance and registration of a Transfer/Deed of Land from The Erin Mills Development Corporation, as Transferor, for lands which are required to support the installation of bus shelters (located along the northerly limit of Erin Centre Boulevard, east and west of Glen Erin Drive).

> <u>GC-0688-2007/October 17, 2007</u> PO.10.ERI (Ward 9)

0382-2007 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43M-1493 to be known as Thomas Street (in the vicinity of Tenth Line West and Thomas Street).

> <u>GC-0689-2007/October 17, 2007</u> 43M-1493 (Ward 10)

0383-2007 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43M-1494 to be known as Patron Cove, Raftsman Cove, Thomas Street, Bala Drive, Lila Trail, Jorie Crescent, Emery Drive, Pearlstone Drive, Brinwood Gate, Jenvic Grove and Bloomington Crescent and the street widening namely Block 364 (Ninth Line) (in the vicinity of Ninth Line and Churchill Meadows Boulevard).

> <u>GC-0689-2007/October 17, 2007</u> 43M-1494 (Ward 10)

0384-2007 A by-law to authorize the execution of an Offer to Sell, Agreement of Purchase and Sale with Enersource Hydro Mississauga Inc., as Vendor, to authorize the purchase of vacant lands located adjacent to 2060 Asta Road.

> <u>GC-0691-2007/October 17, 2007</u> PO.10.Ast (Ward 7)

0385-2007	A by-law to authorize the execution of a License Agreement with Helen Gryniewski, Irene Nicowski and Nancy Nicowski, as Trustees of The Nicowski Family Trust, as Licensee, to permit the use of a small triangular shaped portion of the Licensor's road allowance abutting 1905 Mattawa Avenue, for the purposes of parking associated with the commercial business operating at this location.
	<u>GC-0692-2007/October 17, 2007</u> PO.13.Mat (Ward 1)
0386-2007	A by-law to grant an exemption to By-law 397-78, as amended, being the Fence By-law at 1553 Knareswood Drive.
	<u>Resolution 0207-2007/August 1, 2007</u> BL.08.Fence (Ward 2)
0387-2007	A by-law to grant an exemption to By-law 397-78, as amended, being the Fence By-law at 3078 Plumtree Crescent.
	<u>GC-0578-2007/September 26, 2007</u> BL.08.Fence (Ward 9)
0388-2007	A by-law to authorize the execution of a Development Agreement and other related documents between Vandyk-Highgrove Limited, the City of Mississauga and the Region of Peel (west of Haines Road, north of Dundas Street East).
	T-M04004 (Ward 3)
0389-2007	A by-law to adopt Mississauga Plan (Official Plan) Amendment No. 75, specifically the East Credit District Policies (southwest quadrant of Eglinton Avenue West and Mavis Road).
	<u>Resolution 0211-2007/August 1, 2007</u> OZ 05/023 W6 T-M05008 W6
0390-2007	A by-law to amend By-law 0225-2007, as amended, to remove the "H" Holding Symbol from By-law 0225-2007, Vandyk Group of Companies (north of Dundas Street East, east of Cawthra Road).
	PDC-0073-2007/October 15, 2007 H-OZ 07/001 (Ward 3)

0391-2007 A by-law to authorize the execution of a Payment-in-Lieu of Off-Street Parking Agreement with Marina Ann Nawrocki for lands located at 6 Elizabeth Street South.

> Resolution 0264-2007 FA.31 07/005 W1

0392-2007 A by-law to authorize the execution of an Agreement with F.S. Port Credit Development Limited pursuant to Section 37 of the *Planning Act*, as amended, with respect to lands municipally known as 1 and 33 Hurontario Street.

> PDC-0058-2007/July 4, 2007 OZ 05/024 W1

0393-2007 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43M-1598 to be known as Nahani Way and Pedalina Drive and the street widening namely Block 43 (Hurontario Street) (in the vicinity of Hurontario Street and Eglinton Avenue East).

43M-1598 (Ward 5)

- 0394-2007 A by-law to amend Traffic By-law 555-2000 as amended, to:
 - implement an all-way stop control at the intersection of Baskerville Run and Pine Valley Circle/Lambe Court (Ward 11) (GC-0681-2007);
 - implement a designated eastbound right-turn lane on Credit Valley Road between The Chase and a point 45 metres (148 feet) westerly thereof. (Ward 8) (GC-0684-2007);
 - implement dual left-turn lane designations on the roadways near Eglinton Avenue West and Winston Churchill Boulevard, identified in Appendix 1 of the Corporate Report dated September 27, 2007 from the Commissioner of Transportation and Works (Wards 8, 9 & 10) (GC-0685-2007);
 - 1. Implement bicycle lanes on both sides of South Millway between Burnhamthorpe Road West and Erin Mills Parkway; and
 - 2. Prohibit parking:
 - 1. On the west side of South Millway from Burnhamthorpe Road West to a point 370 metres south of The Collegeway;
 - 2. On the west side of South Millway from a point 430 south of The Collegeway to a point 45 metres southerly thereof;
 - 3. On the west side of South Millway from Erin Mills Parkway to a point 60 metres northerly thereof;
 - 4. On the east side of South Millway between Burnhamthorpe Road West and Sanderling Crescent (north intersection);

- 5. On the east side of South Millway between Sanderling Crescent (south intersection) and Roy Ivor Crescent (north intersection);
- 6. On the east side of South Millway from Jacamar Court to Erin Mills Parkway. (Ward 8) (GC-0686-2007)

BL.02.TRA (Wards 8, 9, 10, 11)

The following by-law was deferred to the next Council meeting at the request of the Ward Councillor in order to obtain further information from staff:

B-2 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43R-30658 to be known as Ponytrail Drive (in the vicinity of Burnhamthorpe Road East and Ponytrail Drive).

43R-30658 (Ward 3)

Note: By-laws emanating from the "Closed Session" portion of the meeting are listed under "17. Closed Session".

14. OTHER BUSINESS

(a) <u>Sod Turning – Maple Leaf Foods Building (Ward 11)</u>

Mayor McCallion advised that she had attended the sod turning ceremony for the second Maple Leaf Foods building in Mississauga located at Derry Road and Financial Drive. She advised that Maple Lead Foods had presented her with a cheque in the amount of \$5,000 for Foodpath.

PR.05

(b) <u>Removal of Trees by Hydro One (Ward 2)</u>

Councillor Pat Mullin advised that she had met with Hydro One regarding the process taken when notifying the City and the residents when evaluating trees to be removed along the hydro corridor. She advised that the residents and the City are not satisfied with the criteria used by Hydro One and the lack of public consultation prior to removal of the trees. Councillor Mullin made reference to the same work that was done in the Applewood area in 2001 and that landscaping work where the trees were removed had not been done. In response to an enquiry by Mayor McCallion as to how the City's Tree By-law applied to Crown lands, the City Solicitor responded that the City's Tree By-law does not have any authority as this is provincially-owned property. The Mayor advised that she would speak to the President of Hydro One regarding the consultation process and the intention of Hydro One regarding the Applewood area.

PR.05

15. <u>INQUIRIES</u>

(a) <u>Signs (Ward 6)</u>

Councillor Carolyn Parrish expressed appreciation to staff for addressing the sign on the southwest corner of Burnhamthorpe Road and Creditview Road, advising however that now a temporary canvas sign announcing the rental of the units in the new building has been installed. The Acting Commissioner of Planning and Building advised that Enforcement staff would look into this matter.

PR.05

(b) <u>Mississauga Crime Prevention</u>

Councillor Carolyn Parrish advised that she would like staff to review the operation of the Mississauga International Children's Festival advising of her concern that the Festival was cancelled this year. The Councillor enquired if any advanced tickets purchased had been refunded, had there been an audit / accounting of the grant monies and other resources and requested a report back to Council to address these issues. Mayor McCallion suggested that the Director, Office of the Arts prepare the report to Council as she is currently researching this issue. The City Manager advised that the Director, Office of the Arts prepare the Board of Directors of the Mississauga International Children's Festival to discuss these issues. Councillor Maja Prentice advised that the Children's Festival had booked dates at the Living Arts Centre for the 2008 Festival suggesting that this should also be reviewed.

MG.11

16. <u>NOTICES OF MOTION</u>

The following members of Council declared a conflict of interest with respect to the following item owing to their relationship as a Director on the Board of Directors of the Enersource Corporation:

Councillor Carmen Corbasson, Councillor Nando Iannicca, Councillor Sue McFadden. (a) <u>Enersource Board of Directors</u>

The following Notice of Motion, moved by Councillor C. Parrish, seconded by Councillor P. Saito was voted on and carried:

Whereas, on October 10, 2007 Council passed a motion instructing the City's appointees to the Board of Enersource to sign an irrevocable agreement regarding compensation.

Whereas this directive of Council was communicated to all City appointees on the Board.

Whereas this directive has not been complied with by the City appointees.

Be it resolved that the issue of compensation of City representatives on the Enersource Board of Directors be re-opened and debated at the Council meeting of October 24, 2007 following the In Camera Session which is scheduled to begin at 9:00 am.

Mayor McCallion encouraged members of Council to dispense with the Enersource compensation issue at this meeting.

Councillor Maja Prentice advised that she had prepared a motion for Council's consideration as follows:

Therefore Be It Resolved:

That the remuneration of the Enersource Board remain as passed by Council on *April 11, 2007 until May 31, 2008.*

That the recommendations of the Hay Report be adopted exclusive of the recommended payment per diem not apply to members of Council appointed to the Enersource Board.

Councillor Prentice spoke to her motion advising that this motion would provide compromise and fairness. She advised that if Council determined that members of Council should not be paid as members of external boards and committees, that she would prepare a Notice of Motion to be dealt with at Council in October/November 2010 that compensation would not be paid to members of Council on external boards and committees. She advised that this decision should be made before the new term of Council. Councillor Prentice further suggested that the City hire a consultant to conduct a peer review or a study, that would not include the Hay Corporation of other energy related companies regarding compensation.

Councillor Pat Saito advised that she could not support Councillor Prentice's motion as presented advising that she was unclear as it related to per diem and what would occur in May 2008. She further advised that she was not prepared to endorse the Hay Report at this Council meeting. Councillor Saito advised that she would move a motion that the citizen members on the Enersource Board be paid \$15,000 as per Council's resolution on April 11, 2007 until May 2008 (one year) and that Council agree to negotiate in good faith to meet with the Enersource Board of Directors and Borealis in January 2008, using the Hay Report as the basis for discussion to discuss an appropriate remuneration amount to take effect in May 2008. She suggested that the remuneration for the citizen members should be separated from the remuneration for Council members on the Enersource Board of Directors.

Councillor Saito advised that if Councillor Prentice's motion failed, that she would be placing her motion forward for consideration.

Councillor Prentice spoke to her proposed motion and explained the rationale for the motion. Members of Council continued to discuss Councillor Prentice's proposed motion and Councillor Pat Mullin, as the seconder of the motion, advised that she would continue to support the motion, as presented.

Councillor Carolyn Parrish advised that she could not support Councillor Prentice's motion advising that the issue of the veto power by Borealis is still outstanding and that Borealis may utilize that veto power to any motion passed by Council at this meeting. Councillor Parrish reviewed the proposed remuneration in the Hay Report advising that she would still suggest that the April 11, 2007 recommendation of Council remain and that in one year, the issue be discussed with the Enersource Board and Borealis. She advised that Councillor Saito's proposed motion does not address the remuneration for Council members on the Enersource Board.

Councillor George Carlson advised that he also could not support Councillor Prentice's motion and that he could not support zero remuneration for Council members on external boards and commissions. He advised that perhaps Councillor Saito's motion could be amended to reflect a per diem amount for Council members on the Enersource Board.

The Mayor read Councillor Saito's motion with the addition of the per diem amount added by Councillor Katie Mahoney as follows:

- 1. That the citizen appointees on the Enersource Board of Directors be paid a remuneration as per the Council approved amount of \$15,000 on April 11, 2007 until May 2008 and that the City agree to negotiate in good faith with Enersource and Borealis in January 2008 using the Hay Report as a basis for discussion to discuss an appropriate remuneration amount to take effect in May 2008.
- 2. And further that Council members of the Enersource Board be paid the \$500.00 per diem amount for the duration of their appointed term.

The City Manager advised that the per diem amount should be very explicit as in the Hay Report, the per diem only applied to committee meetings and not Board meetings. After further discussion, Council agreed that the amount relating to citizen members (\$15,000) should be removed and that the second part of the motion should include "committee" meetings only in relation to Council members on the Enersource Board.

Mayor McCallion read Councillor Prentice's motion. A recorded vote was requested with respect to Councillor Prentice's motion with the following results:

	YES		NO
Mayor H. McCallion			Х
Councillor C. Corbasson		Absent	
Councillor P. Mullin	Х		
Councillor M. Prentice	Х		
Councillor F. Dale			Х
Councillor E. Adams			Х
Councillor C. Parrish			Х
Councillor N. Iannicca		Absent	
Councillor K. Mahoney			Х
Councillor P. Saito			Х
Councillor S. McFadden		Absent	
Councillor G. Carlson			Х

Recorded Vote Lost (2-7 / 3 Absent)

Mayor McCallion read Councillor Saito's motion, as amended, as follows:

- 1. That the citizen appointees on the Enersource Board of Directors be paid a remuneration as per the Council approved amount on April 11, 2007 until May 2008 and that the City agree to negotiate in good faith with Enersource and Borealis in January 2008 using the Hay Report as a basis for discussion to discuss an appropriate remuneration amount to take effect in May 2008.
- 2. And further that Council members of the Enersource Board be paid the \$500.00 per diem amount for committee meetings only for the duration of their appointed term.

Councillor Eve Adams advised of her concern that the motion was not in writing and had been "walked on". She questioned the number of Enersource committees to which Councillors attend advising that she had not received a consistent response. The City Manager advised that the Enersource committees meet prior to an Enersource Board meeting and that historically, the Enersource Board has met 8-10 times per year. If there are specific issues, there may be more meetings. The words "or until a review by Council occurs" was added to the end of the motion. At the request of Councillor Saito, the two parts of the motion were voted on separately. A recorded vote was requested with respect to part 1 with the following results:

	YES		NO
Mayor H. McCallion			Х
Councillor C. Corbasson		Absent	
Councillor P. Mullin		Absent	
Councillor M. Prentice			Х
Councillor F. Dale	Х		
Councillor E. Adams			Х
Councillor C. Parrish	Х		
Councillor N. Iannicca		Absent	
Councillor K. Mahoney	Х		
Councillor P. Saito	Х		
Councillor S. McFadden		Absent	
Councillor G. Carlson	Х		

Recorded Vote Resolution 0269-2007 Carried (5-3 / 4 Absent)

A recorded vote was requested with respect to part 2 with the following results:

	YES		NO
Mayor H. McCallion	Χ		
Councillor C. Corbasson		Absent	
Councillor P. Mullin		Absent	
Councillor M. Prentice			Х
Councillor F. Dale			Х
Councillor E. Adams			Х
Councillor C. Parrish	Х		
Councillor N. Iannicca		Absent	
Councillor K. Mahoney	Х		
Councillor P. Saito	Х		
Councillor S. McFadden		Absent	
Councillor G. Carlson	Х		

Recorded Vote Resolution 0269-2007 Carried (5-3 / 4 Absent) MG.11.Enersource

17. <u>CLOSED SESSION</u>

Pursuant to Resolution 0261-2007, Council moved into Committee of the Whole in closed session at 1:30 p.m. to discuss the following matters:

In Camera Report #44: Verbal update regarding Provincial Offences Act

The City Solicitor and the City Clerk provided members of Council with a verbal update regarding the *Provincial Offences Act*.

In Camera Report #45: OMB Decision on Appeals by Greenfield South Power Corporation regarding a power generating facility at 2315 Loreland Avenue (Ward 1):

Members of Council reviewed the options provided by staff regarding the request for direction pertaining to leave to appeal from the decision of the Ontario Municipal Board in the matter of certain appeals by Greenfield South Power Corporation and Resolution 0270-2007 was adopted by Council.

In Camera Report #46: City of Mississauga ats Bemar Construction (Ontario) Inc.:

Members of Council received information provided by staff with respect to the City of Mississauga ats Bemar Construction (Ontario) Inc. and Resolution 0271-2007 was adopted by Council.

Council moved out of Closed Session at 2:08 p.m. and the following resolutions were read and adopted as a result of the closed session:

RESOLUTIONS (AS A RESULT OF CLOSED SESSION):

0270-2007	Moved by:	G. Carlson	Seconded by: N. Iannicca	
	That Council direct that the City of Mississauga not continue with a Motion to the Divisional Court seeking leave to appeal from the decision of the Ontario Municipal Board No. 2657, dated October 4, 2007, in the matter of certain appeals by Greenfield South Power Corporation.			
	<u>Carried</u> LA.19.Pow			
0271-2007	Moved by:	M. Prentice	Seconded by: C. Parrish	
	October 6, 20	That Council receive for information the report of the City Solicitor dated October 6, 2007 regarding the City of Mississauga at the suit of Bemar Construction (Ontario) Inc.		

Carried LA.12.Bem

18. <u>CONFIRMATORY BY-LAW</u>

0395-2007 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on October 24, 2007.

MG.01

19. <u>ADJOURNMENT- 2:09 P.M.</u>

MAYOR

CLERK