

Approved: October 10, 2012



MINUTES

SESSION 16

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, SEPTEMBER 26, 2012 – 9:06 A.M.

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

PRESENT: Mayor Hazel McCallion
Councillor Jim Tovey Ward 1 (arrived at 9:56 a.m. OMB)
Councillor Pat Mullin Ward 2 (arrived at 9:37 a.m. OMB)
Councillor Chris Fonseca Ward 3
Councillor Frank Dale Ward 4
Councillor Bonnie Crombie Ward 5
Councillor Ron Starr Ward 6
Councillor Nando Iannicca Ward 7 (departed at 1:04 p.m.)
Councillor Katie Mahoney Ward 8 (departed at 1:24 p.m.)
Councillor Pat Saito Ward 9
Councillor Sue McFadden Ward 10 (departed at 1:24 p.m.)
Councillor George Carlson Ward 11

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, Legal Services
Crystal Greer, Director of Legislative Services and City Clerk
Diana Rusnov, Manager of Legislative Services and Deputy Clerk
Carmela Radice, Legislative Coordinator, Legislative Services Division

1. CALL TO ORDER

The meeting was called to order at 9:06 a.m. by Mayor McCallion, with the saying of the Lord's Prayer.

2. DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST -Nil**3. MINUTES OF PREVIOUS COUNCIL MEETINGS**Verbal Motion

Moved by: B. Crombie

Seconded by: R. Starr

That the Council minutes of September 12, 2012 be approved as presented.

Carried

4. APPROVAL OF AGENDAVerbal Motion

Moved by: N. Iannicca

Seconded by: K. Mahoney

That the agenda be approved as presented and by adding:

- (a) Revised Corporate Report dated September 24, 2012, from the Commissioner of Corporate Services and Treasurer re: **Tax Adjustments Pursuant to Sections 357 and 358.**
- (b) B-5 A by-law to authorize the execution of an Agreement with the Mississauga Aquatic Club for the management and Operation of the Glen Forest Secondary School (Ward 3).
- (c) An email dated September 25, 2012, from John Alati requesting an amendment be made to that the proposed revision Policy 2.2.1 Bonus Zoning.
- (d) A letter dated September 25, 2012, from Townsend and Associates requesting amendments to the Bonus Zoning Policy 2.2.1.

Carried

5. PRESENTATIONS

Note: Deputation (a) was dealt with before the presentations.

(a) AMO Gas Tax Award

Geoff Marinoff, Director of Transit provided an overview of the Gas Tax Award. Mayor McCallion present the award to:

- Alana Tyers, MiWay
- Henry Bekker, MiWay
- Wendy Law, Legal Services
- Elizabeth Waight, Legal Services
- Lydia Kowalyk, Materials Mgm.
- Maria Torres, Materials Mgm.
- Michael Maslewic, T & W Finance
- Henry Bekker, MiWay
- Mike Keating, MiWay

Mayor McCallion and Members of Council congratulated the recipients on receiving the awards.

(b) 25 Year Safe Driving and 25 Year Safe Working Awards

Geoff Marinoff, Director of Transit provided an overview of the 25 Year Safe Driving and 25 Year Safe Working Awards. Mayor McCallion presented the awards to:

25 Year Safe Driving (Operations Department)

- Kole Dimeski
- Mario Medeiros
- Richard Porter
- Metodija Bogdanovski
- Boris Markovic

25 Year Safe Working (Maintenance Department)

- David J. Higgins (was not present)

Mayor McCallion and Members of Council congratulated the recipients on receiving the awards.

(c) BraeBen and Lakeview Golf Course Awards

Shawn Morey, Associate Manager/Head Golf Professional and Darryl Herridge, Head of Golf Professional spoke to the many awards that both BraeBen and Lakeview Golf Courses have won which are on display at each of the golf courses.

Mayor McCallion and Members of Council congratulated Mr. Morey and Mr. Herridge on the awards won for each golf course.

6. DEPUTATIONS

(a) Tax Adjustments

There were no persons in attendance who wish to address Council regarding the Apportionment of Taxes and Tax Adjustments pursuant to Sections 357 and 358 of the *Municipal Act*.

Mayor McCallion asked for clarification on the wording of “*gross manifest error*” in the Corporate Report. Connie Mesih, Manager of Revenue and Taxation indicated that the wording “*gross manifest error*” is used when the Municipal Property Assessment Corporation made an error that may be factual or clerical in nature.

Corporate Report R-1/R-2

Councillor Mullin arrived at 9:37 a.m.

(b) Fall 2012 Sports Week

Lisa Alexander, President of the Mississauga Sports Council outlined the activities for Fall 2012 Sports Week during September 21-29, 2012.

Councillors Fonseca and Saito thanked Ms. Alexander for her commitment to the event and encouraged all residents of the City to attend the Fall 2012 Sports Week.

Received

(c) Culture Days and the Kick-off event for the Mississauga Urban Design Awards

Susan Burt, Director of Culture and Marilyn Ball, Director of Development and Design provided an overview of Culture Days events and the kick-off event for the Mississauga Urban Design Awards.

The Mayor spoke to her recollection of the Opening Day of the Civic Centre on July 18, 1987. Councillor McFadden indicated that O'Connor Park won an Urban Design Award and how the students from Ruth Thompson Middle School wrote letters to save the wetland.

Received

Councillor Tovey arrived at 9:56 a.m.

(d) Don McLean Westacres Pool.

Dave Cook, resident of Ward 1 spoke to the petition for saving Don McLean Westacres Pool indicating that the community feels the pool is an important asset and is in serious need of an upgrade. He further indicated that the Mississauga based Credit Valley Lions Club has agreed to help raise funds for the renovations as will the community.

Mayor McCallion raised a concern on a sentence in the petition which indicates that the City did not receive the grant it applied for. Andre Lill, President of the Applewood Acres Homeowner's Association spoke to the concern indicating that the sentence on the petition referred to the grant applied for by the City. Councillor Tovey indicated that he spoke with Mississauga South MP Stella Ambler several times about the issue and she was supportive. Further, Councillor Tovey indicated that he asked that a rebuild of the pool be included in the 2013 budget.

Received
Petition P-1

7. PUBLIC QUESTION PERIOD – 15 Minute Limit - Nil

(In accordance with Section 36 of the City of Mississauga Procedure By-law 0412-2003, as amended, Council may grant permission to a person who is present at Council and wishes to address Council on a matter on the Agenda. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. Leave must be granted by Council to deal with any matter not on the Agenda.)

8. CORPORATE REPORTS

R-1 Report dated September 7, 2012, from the Commissioner of Corporate Services and Treasurer re: **Apportionment of Taxes.**

Recommendation

That the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated September 7, 2012 from the Commissioner of Corporate Services & Treasurer be approved.

Resolution 0211-2012

- R-2 Revised Report dated September 24, 2012, from the Commissioner of Corporate Services and Treasurer re: **Tax Adjustments Pursuant to Sections 357 and 358.**

Recommendation

That the tax adjustments outlined in Appendix 1- Amended attached to the report dated September 24, 2012 from the Commissioner of Corporate Services and Treasurer for applications for cancellation or refund of taxes pursuant to Sections 357 and 358 of the *Municipal Act*, be adopted.

Resolution 0212-2012

- R-3 Report dated August 31, 2012, from the Commissioner of Planning and Building re: **Proposed Corporate Policy and Procedure for Bonus Zoning – Supplementary Report.**

Councillors Tovey, Mullin and Crombie raised concerns on the Proposed Corporate Policy and Procedure for Bonus Zoning – Supplementary Report concerning the process used in other municipalities, the community benefit and the process of making amendments to the policy once it as been adopted. Paulina Mikicich, Planner, Ed Sajecki, Commissioner of Planning and Building and Janice Baker, City Manager and CAO responded to the concerns by indicating that other municipalities have varied policies that work for their communities, as for the benefits to the community the policy speaks to that within the report and staff can come back to Council and make amendments to the policy once it has been adopted.

Recommendation

That the proposed revised Corporate Policy and Procedure for Bonus Zoning, attached as Appendix 5, to the report titled "*Proposed Corporate Policy and Procedure for Bonus Zoning – Supplementary Report*" dated August 31, 2012 from the Commissioner of Planning and Building, be adopted.

Resolution 0213-2012Information I-1Information I-10

- R-4 Report dated August 31, 2012, from the Commissioner of Planning and Building re: **Rezoning Application to permit restaurant uses 1030 Canadian Place South of Eglinton Avenue East, east of Tomken Owner: F-F Construction Co. Limited Applicant: Greg Dell & Associates, Bill 51, Supplementary Report (Ward 3).**

Recommendation

That the Report dated August 31, 2012, from the Commissioner of Planning and Building recommending approval of the application under File OZ 07/017 W3, F-F Construction Co. Limited, 1030 Canadian Place, South of Eglinton Avenue East, east of Tomken Road, be adopted in accordance with the following:

1. That the application to change the Zoning from "E2-86" (Employment-Exception) and "D" (Development) to "E2-86" (Employment – Exception) to permit restaurant uses in accordance with the proposed zoning standards described in the Information Report, 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.

2. 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.

Resolution 0214-2012

- R-5 Report dated August 22, 2012, from the Commissioner of Transportation and Works re: **Road Component of the Other Services Charge and Storm Water Management Development Charge Credits to be Granted Prologis Canada LLC the Developer of the Proposed Industrial Subdivision T-08006, Phase 1, Located North of Derry Road West, West of Tenth Line (Ward 9).**

Recommendation

1. That the Development Agreement for Plan T-08006, Phase 1, located north of Derry Road West, west of Tenth Line, indicate a Road Component of the Other Services Charge Credit in the amount of \$314,450.96, for the costs associated with the construction of Argentia Road.
2. That the Development Agreement for Plan T-08006, Phase 1, located north of Derry Road West, west of Tenth Line, indicate a Storm Water Management Development Charge Credit in the amount of \$1,455,900.74, for the costs associated with the construction of the storm water management pond.
3. That the Servicing Agreement for Plan T-08006, Phase 1, located north of Derry Road West, west of Tenth Line, indicate payment by the City of Mississauga to Prologis Canada LLC in the amount of \$605,475.23 for a portion of the cost of the land component of the storm water management pond located within the plan, and that funds be drawn from Account Number PN-10149.

Resolution 0215-2012

9. COMMITTEE REPORTS

- (a) Planning and Development Committee Report 13 -2012 dated September 17, 2012.

Resolution 0206-2012

The recommendations were approved as follows:

PDC-0054-2012

1. That the report titled "*Draft Port Credit Local Area Plan*", dated August 28, 2012 from the Commissioner of Planning and Building, be received for information.
2. That the submissions made at the public meeting held at the Planning and Development Committee meeting on September 17, 2012, be received.
3. That staff report back to Planning and Development Committee on the submissions made.
4. That the following correspondences be received:
 - a. Email and letter dated April 13, 2012 from Victor Labreche, Labreche Patterson and Associates
 - b. Email and attached letter dated September 7, 2012 from Marie and Gavin Clark
 - c. Email September 17 and attached letter dated September 13, 2012 from Denise Baker, Townsend and Associates
 - d. Email dated September 16, 2012 from Peter and Anezka Adamek
 - e. Email dated September 16, 2012 from Glen Menzie
 - f. Email dated September 17, 2012 from Lois Campbell
 - g. Email and attached letter dated September 17, 2012 from John M. Alati, Davies Howe Partners LLP
 - h. Email and attached letter dated September 17, 2012 from James Cox, Canada Lands Company CLC Ltd.
 - i. Email and attached letter dated September 17, 2012 from Michael Spazinani

CD.03.POR

PDC-0055-2012

That a public meeting be held to consider proposed official plan amendments as recommended in the report titled "*Proposed Amendments to Mississauga Official Plan (2011) for the Gateway Corporate Centre Character Area*" dated August 28, 2012 from the Commissioner of Planning and Building, and that the report be circulated to City departments, agencies and stakeholders for review and comment.

CD.03.GAT

PDC-0056-2012

1. That the report titled "Establishment of a Malton Business Improvement Area (BIA)" dated August 28, 2012 from the Commissioner of Planning and Building, be received.
2. That the City Clerk give notice to all commercial and industrial property owners defined under the *Municipal Act, 2001*, within the proposed BIA boundary, of City Council's intention to enact a by-law to establish the boundaries of the Malton BIA as shown on Appendix 4.

CD.05.MAL

PDC-0057-2012

1. That the report titled "Information Report Cooksville Mobility Hub Plan Implementation - Land Use and Design Regulatory Framework Project" dated August 28, 2012, from the Commissioner of Planning and Building, be received for information.
2. That Planning and Building staff be directed to carry out the work plan as attached as Appendix 1 and report back on the draft regulatory framework prior to proceeding to a public meeting.

CD.03.DOW

- (b) General Committee Report 15-2012 dated September 19, 2012.

Resolution 0207-2012

The recommendations were approved as follows:

GC-0611-2012

That a By-law to grant an exemption to the Animal Care and Control By-law 0098-2004, as amended, be enacted exempting the existing goat located at 3075 Kirwin Avenue, being a detached residential property owned by Dr. Jamie Garvey, from Part V, Section 15 (1) of the Animal Care and Control By-law 0098-2004, as amended.

(Ward 7)

Crystal Greer, City Clerk and Councillor Iannicca spoke to the amendment to GC-0611-2012 in changing the wording from "*amending*" to "*granting an exemption*" to the by-law.

GC-0612-2012

That the report dated August 20, 2012 from the Commissioner of Transportation and Works on the MiWay Customer Satisfaction Survey and Market Research Results Summary be received for information.

GC-0613-2012

1. That the Corporate Report dated July 26, 2012 from the Commissioner of Community Services, entitled "Potential Ban of Plastic Shopping Bags in Mississauga," be received; and
2. That the Environmental Advisory Committee recommends that the potential ban of plastic shopping bags in Mississauga be referred to the Region of Peel's Waste Management Committee for further research and recommendations to the Region of Peel's Regional Council and the City of Mississauga's Council.

(EAC-0039-2012)

GC-0614-2012

That the email messages from various citizens to Mayor Hazel McCallion and Letters to the Editor in *The Mississauga News* with respect to the potential ban of plastic shopping bags in Mississauga be received.

(EAC-0040-2012)

GC-0615-2012

1. That the Corporate Report dated August 14, 2012 from the Commissioner of Community Services, entitled "Great Lakes and St. Lawrence Cities Initiative 2012 Resolutions," be received;
2. That the Environmental Advisory Committee supports the Great Lakes and St. Lawrence Cities Initiative 2012 resolutions and requests that Resolution 2 – 2012M entitled "Sediment Management" be strengthened to request federal funding to support the dredging of non-commercial harbours (e.g., Snug Harbour); and
3. That the Environmental Advisory Committee forward the Great Lakes and St. Lawrence Cities Initiative 2012 resolutions to Council for endorsement.

Wards 1 and 2

(EAC-0041-2012)

GC-0616-2012

That the Memorandum dated August 20, 2012 from Andrea J. McLeod, Environmental Specialist, Environmental Management Section, Community Services Department, entitled "Clean Air Council's Green Economy Summit," be received.

(EAC-0042-2012)

GC-0617-2012

That the Memorandum dated August 22, 2012 from Andy Wickens, Manager, Parks, entitled "Potential Ban/Restriction on Fertilizer Use in the City of Mississauga," be received.

(EAC-0043-2012)

GC-0618-2012

That the chart from Environmental Management staff with respect to upcoming agenda items and Environmental Advisory Committee (EAC) role be received.

(EAC-0044-2012)

GC-0619-2012

That the chart dated September 4, 2012 from Julie Lavertu, Legislative Coordinator, Environmental Advisory Committee, with respect to the status of outstanding issues from the Environmental Advisory Committee (EAC) be received.

(EAC-0045-2012)

GC-0620-2012

That the Purchasing Agent be authorized to increase the upset limit for the City's contract with Precise Parklink (#4600011972), for the Asset Protection Renewal Program (APRP), from \$2,113,923.34 to \$2,600,000.00 which will cover the maintenance costs associated with the City's 115 on-street pay and display machines, as well as consumable costs (i.e. ticket paper) and miscellaneous costs (vandalism) as outlined in the report to General Committee dated September 5, 2012 from the Transportation and Works Department.

(Wards 1, 2, 4, and 7)

GC-0621-2012

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for H-OZ03/001(OZ/99/062), New Millennium Homes, (lands located north of Dundas Street West, south of Burnhamthorpe Road West, east of Mavis Road and west of Confederation Parkway, in Z-22, known as Parkhill Road Developments).

(Ward 7)

GC-0622-2012

That Council pass a resolution supporting, without reservation, rooftop solar projects in Mississauga as outlined in the Corporate Report titled "Revised Council Resolution in Support of Rooftop Solar Applications Under the Provincial Feed-in Tariff (FIT) Program" dated August 29, 2012 from the Commissioner of Community Services and that a resolution repealing Resolution 0170-2012 be passed by Council.

GC-0623-2012

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 ancillary thereto, between Orlando Corporation ("Orlando"), as Vendor, and The Corporation of the City of Mississauga ("City"), as Purchaser, for the purchase of a portion of Orlando's land located at the south-east corner of Hurontario Street and Highway 401, for the Whittle Road extension, the lands contain an area of approximately 1.755 acres and are legally described as Part of Lot 6, Concession 1, EHS, Parts 9, 10, 11, 12, 13, 14, 15, 20, 21 and 22 on Reference Plan 43R-33689, City of Mississauga, Region of Peel, in Ward 5.
(Ward 5)

GC-0624-2012

That the report dated August 20, 2012 entitled Mississauga Celebration Square – Rink Closures and Winter Maintenance be received for information.
(MCSEC-0029-2012)

GC-0625-2012

That the email dated July 16, 2012 from Jacqueline Guishard, resident providing feedback on events at the Mississauga Celebration Square.
(MCSEC-0030-2012)

GC-0626-2012

That staff be directed to implement the "Imagination Park at the Mississauga Celebration Square" on weekends throughout October 2012.
(MCSEC-0031-2012)

GC-0627-2012

That the overview from Karen Spencer, Advisor, City Strategy and Innovations, City Manager's Office, entitled "City Committees of Council Structure Review," be received.
(AAC-0016-2012)

GC-0628-2012

That Park Planning staff be invited to a future Mississauga Accessibility Advisory Committee meeting to make a deputation about the process, guidelines, and criteria for the placement of washrooms in the City of Mississauga's parks.

(AAC-0017-2012)

GC-0629-2012

That the Memorandum dated August 21, 2012 from Karen Morden, Legislative Coordinator, entitled "2013 Accessibility Advisory Committee and Facility Accessibility Design Subcommittee Meeting Dates," be received.

(AAC-0018-2012)

GC-0630-2012

1. That the Park Path Light Review Study Powerpoint Presentation be received for information; and
2. That the Facility Accessibility Design Subcommittee is satisfied with the Park Path Light Review Study, as presented.

(AAC-0019-2012)

GC-0631-2012

1. That the Credit River Parks Strategy Powerpoint Presentation be received for information; and
2. That the Facility Accessibility Design Subcommittee is satisfied with the Credit River Parks Strategy, as presented.

Wards 1, 2, 6, 7, 8, and 11

(AAC-0020-2012)

GC-0632-2012

1. That the Powerpoint Presentation entitled Accessibility and the Site Plan Development Application Review Process be received for information; and
2. That the Facility Accessibility Design Subcommittee is satisfied with the presentation, as presented.

(AAC-0021-2012)

GC-0633-2012

That the pending work plan items dated September 10, 2012 be received for information.

(AAC-0022-2012)

GC-0634-2012

That the Corporate Report dated April 23, 2012 from the Commissioner of Corporate Services and Treasurer, entitled "Revision – Civic Recognition Program Policy," be received.

(AAC-0023-2012)

GC-0635-2012

That the Government of Ontario document, entitled "Getting, Renewing or Replacing an Accessible Parking Permit (APP)," be received.

(AAC-0024-2012)

GC-0636-2012

That the Ontario Regulation made under the *Accessibility for Ontarians with Disabilities Act, 2005* Amending O. Reg.191/11 (Integrated Accessibility Standards) be received.

(AAC-0025-2012)

GC-0637-2012

That the correspondence dated August 24, 2012 from Brigitte Sobush, Deputy City Clerk, City of Greater Sudbury, entitled "Creating an Accessible Ontario," be received.

(AAC-0026-2012)

GC-0638-2012

That the minutes for the Accessibility Advisory Committee's Process Meeting on Monday, July 23, 2012 be received.

(AAC-0027-2012)

GC-0639-2012

That Council be requested to pass a resolution to endorse the recommendations contained in the Cycling Death Review report from the Office of the Chief Coroner for Ontario.

(MCAC-0051-2012)

GC-0640-2012

That the 2012 calendar of events regarding Mississauga cycling related events in 2012 be received for information.

(MCAC-0052-2012)

GC-0641-2012

That the action list from the meeting held on July 10, 2012 be received for information.
(MCAC-0053-2012)

GC-0642-2012

That the following information items be received for information:

- a) Article from the Toronto Star – Peel Region Cycling: 46,000 More Bike Rides in Five Years
- b) Article dated Fall 2012- How We Roll – CAA Magazine.
- c) Article dated August 29, 2012 from therecord.com regarding Kitchener first municipality in province to endorse coroner's report on cycling.

(MCAC-0054-2012)

GC-0643-2012

That the verbal update regarding a personnel matter be received for information.

- (c) Budget Committee Report 3-2012 dated September 19, 2012.

Resolution 0208-2012

The recommendations were approved as follows:

BC-0016-2012

1. That the Corporate Report dated August 8, 2012 from the Commissioner of Transportation and Works, entitled "MiWay Service Rationalization Proposal – 2012," be received;
2. That Saturday and Sunday/Holiday MiWay service on Route 91-Hillcrest be cancelled, as outlined in the Corporate Report dated August 8, 2012 from the Commissioner of Transportation and Works entitled "MiWay Service Rationalization Proposal – 2012"; and
3. That the cancellation of Saturday and Sunday/Holiday MiWay service on Route 49-McDowell, as outlined in the Corporate Report dated August 8, 2012 from the Commissioner of Transportation and Works entitled "MiWay Service Rationalization Proposal – 2012," be deferred until after the City of Mississauga holds a public meeting with local residents and Pat Saito, Ward 9 Councillor, and Sue McFadden, Ward 10 Councillor.

Wards 4, 6, 7, 9, 10, and 11

BC-0017-2012

1. That the proposed 2013 transit fare changes outlined in the Corporate Report dated August 27, 2012 from the Commissioner of Transportation and Works, entitled "MiWay 2013 Fare Strategy," be implemented effective January 28, 2013;
2. That a by-law be enacted to establish the proposed 2013 Mississauga Transit fares and related charges as set out in Appendix 2 of the Corporate Report dated August 27, 2012 from the Commissioner of Transportation and Works entitled "MiWay 2013 Fare Strategy" and that the Mississauga Transit Fares By-law 284-11 be repealed; and
3. That staff meet with Region of Peel staff to discuss the possibility of implementing an annual transit subsidy program for the Region's residents based on socio-economic need and criteria.

(d) Public Meeting extracts from the Planning & Development Committee meeting dated September 17, 2012:

- (i) Draft Port Credit Local Area Plan, Ward 1
File: CD.03.POR

Received

10. UNFINISHED BUSINESS – Nil**11. PETITIONS**

P-1 Petition received on September 19, 2012 at the Office of the City Clerk containing approximately 1113 signatures regarding saving the Don McLean Westacres Pool (Ward 1).

Deputation (d)

Received and referred to Community Services

P-2 Petition received on September 13, 2012 at the Office of the City Clerk containing approximately 352 signatures requesting a bus stop for Bus #107 at 4000 Nashua Drive and Goreway Drive (Ward 5).

Councillor Crombie spoke to the petition.

Received and referred to Transportation and Works

12. CORRESPONDENCE

- (a) Information Items: I-1 – I-10

- I-1 Letter dated September 4, 2012, from John M. Alati, of Davies Howe Partners LLP regarding the proposed Corporate Policy and Procedure – Bonus Zoning providing comments and suggestions.

Received for information and referred to Planning and Building for appropriate action
Corporate Report R-3

- I-2 Letter dated September 14, 2012, from M. Chopra opposing rezoning application OZ 07/021 W1.

Received for information and referred to Planning and Building Department for appropriate action

- I-3 Letter dated September 6, 2012, from the Ministry of Health and Long-Term Care regarding Resolution 0112-2012 a health background study terms of reference.

Received for information

- I-4 Memorandum dated September 13, 2012, from the Legislative Coordinator for the Environmental Advisory Committee regarding the Environmental Advisory Committee's recommendation EAC-0041-2012 the Great Lakes and St. Lawrence Cities Initiative 2012 Resolutions.

Received for information
Resolution 0221-2012

- I-5 An article from the Office of the Chief Coroner for Ontario regarding the Cycling Death Review "Road Safety is Everyone's Responsibility."

Received for information
Resolution 0216-2012

- I-6 A written submission dated September 17, 2012, from a resident of Ward 1 Dr. Geoff K.D. Edwards encourages the City of Mississauga to have a complete Port Credit Local Area Plan (CD 03POR) which maintains the village character and caters to responsible development.

Received and referred to Planning and Building Department for appropriate action

- I-7 A written submission dated September 17, 2012, from a resident of Ward 1 Andrew Beattie supports the City of Mississauga's Port Credit Local Area Plan (CD 03POR).

Received and referred to Planning and Building Department for appropriate action

- I-8 A written submission dated September 17, 2012, from residents of Ward 1 Peter and Leanne Nolet suggests a mix use of land along Front Street of the City of Mississauga's Port Credit Local Area Plan (CD 03POR).

Received and referred to Planning and Building Department for appropriate action

- I-9 An email dated September 25, 2012, from John Alati requesting an amendment be made to that the proposed revision Policy 2.2.1 Bonus Zoning.

Received and referred to Planning and Building Department for appropriate action

Corporate Report R-3

- I-10 A letter dated September 25, 2012, from Townsend and Associates requesting amendments to the Bonus Zoning Policy 2.2.1.

Received and referred to Planning and Building Department for appropriate action

Corporate Report R-3

(b) Direction Item

- D-1 An email dated September 19, 2012, from Jim Wilson, MPP requesting that Council support the *Ability to Pay Act*.

Mayor McCallion and Councillor Mullin support Jim Wilson, MPP Ontario Progressive Conservative Party's House Leader's Private Members Bill 121 *Ability to Pay Act*.

Received for information
Resolution 0220-2012

13. RESOLUTIONS

NOTE: Resolutions emanating from the "Closed Session" portion of the meeting are listed under Item 18. Closed Session.

0206-2012 Moved by: C. Fonseca Seconded by: F. Dale

That recommendations PDC-0054-2012 to PDC-0055-2012 inclusive contained in the Planning and Development Committee Report 13-2012 dated September 17, 2012, be approved.

Carried

0207-2012 Moved by: N. Iannicca Seconded by: K. Mahoney

That recommendations GC-0611-2012 to GC-0643-2012 inclusive contained in the General Committee Report 15-2012 dated September 19, 2012, be approved save and except GC-0611-2012 be amended to read:

That a By-law to grant an exemption to the Animal Care and Control By-law 0098-2004, as amended, be enacted exempting the existing goat located at 3075 Kirwin Avenue, being a detached residential property owned by Dr. Jamie Garvey, from Part V, Section 15 (1) of the Animal Care and Control By-law 0098-2004, as amended.

Carried

0208-2012 Moved by: S. McFadden Seconded by: G. Carlson

That recommendations BC-0016-2012 to BC-017-2012 inclusive contained in the revised Budget Committee Report 3-2012 dated September 19, 2012, be approved.

Carried

0209-2012 Moved by: C. Fonseca Seconded by: K. Mahoney

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 September 26, 2012, shall be closed to the public to deal with the following matters:

Pursuant to the *Municipal Act*, Section 239. (2)

- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeal “A”070/12 – VGR Investments Ltd. – 1420 Burnhamthorpe Road East – Ward 3.**
- (ii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeal “A”320/12 – Ferndale Venture Ltd. – 775 Dundas Street East – Ward 3.**
- (iii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Legal Report regarding appeal by 1598607 Ontario Corp. (Dunpar Developments Inc.) at 4390 Mississauga Road.**

Carried

0210-2012 Moved by: K. Mahoney Seconded by: P. Saito

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 October 10, 2012 shall be closed to the public to deal with the following matters:

Pursuant to the *Municipal Act*, Section 239 (3.1)

- (i) Educational Session – Federal and Provincial Relations.

Carried

0211-2012 Moved by: P. Mullin Seconded by: C. Fonseca

That the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated September 7, 2012 from the Commissioner of Corporate Services & Treasurer, be approved.

Carried

0215-2012 Moved by: S. McFadden Seconded by: P. Saito

1. That the Development Agreement for Plan T-08006, Phase 1, located north of Derry Road West, west of Tenth Line, indicate a Road Component of the Other Services Charge Credit in the amount of \$314,450.96, for the costs associated with the construction of Argentia Road.
2. That the Development Agreement for Plan T-08006, Phase 1, located north of Derry Road West, west of Tenth Line, indicate a Storm Water Management Development Charge Credit in the amount of \$1,455,900.74, for the costs associated with the construction of the storm water management pond.

Carried

0216-2012 Moved by: C. Fonseca Seconded by: P. Mullin

WHEREAS the City of Mississauga adopted the Cycling Master Plan on September 15, 2010 and is actively working to implement the vision that "Cycling will become a way of life in the City of Mississauga that supports vibrant, safe and connected communities. Mississauga will be a place where people choose to cycle for recreation, fitness and daily transportation needs, enhancing our overall health and quality of life"; AND WHEREAS the Office of the Chief Coroner of Ontario recently released a report entitled "Cycling Death Review: A Review of All Accidental Deaths in Ontario from January 1st, 2006 to December 31st, 2010" which contained 14 recommendations in the area of public safety and death prevention;

AND WHEREAS the Mississauga Cycling Advisory Committee and Cycling Office staff provided input into the recommendations as part of the Ontario Coroner's Office's review of cycling deaths prior to the report being released;

AND WHEREAS the City of Kitchener has recently endorsed the Chief Coroner's Report, requesting that the Province of Ontario take action to implement the recommendations and encouraging other municipalities to do the same;

NOW THEREFORE BE IT RESOLVED, that Mississauga City Council endorse the recommendations contained in the Cycling Death Review report from the Office of the Chief Coroner for Ontario; and,
That correspondence be sent to the Province of Ontario requesting action on the report's recommendations, particularly the development of an Ontario Cycling Plan to guide the development of policy, legislation and regulations and the commitment of infrastructure funding to support cycling in Ontario; and,
That the City of Mississauga continue to take a leadership role by moving forward with implementation of recommendations within the report that relate directly to municipalities including:

1. Adoption of a "complete streets" approach focused on the safety of all road users to guide redevelopment of existing communities and the design of new communities throughout Ontario; as well as
2. Enforcement, education and public safety activities targeted to the specific issues of cycling safety identified in a given community; and further,

That correspondence be sent to the Region of Peel, City of Brampton and Town of Caledon encouraging the municipalities to undertake similar actions to endorse the report's recommendations.

Carried

0217-2012 Moved by: P. Saito

Seconded by: S. McFadden

WHEREAS the practice of shark finning is a major cause of the slaughter of sharks in other parts of the world;
AND WHEREAS the City of Mississauga is one of a number of municipalities to have introduced municipal by-laws banning the possession of shark fins;
AND WHEREAS the Bill C-380 has been introduced in the House of Commons in an effort to prohibit the importation of shark fins in Canada and to prohibit the practice of shark finning;
AND WHEREAS the Federation of Canadian Municipalities has drafted a resolution to support Bill C-380 to prohibit the importation of possession, sale and consumption of imported shark fin products where such products are obtained via shark finning;
NOW THEREFORE BE IT RESOLVED THAT the City of Mississauga supports the wording in the resolution from the Federation of Canadian Municipalities;
AND FURTHER THAT the mayor write to the Federation of Canadian Municipalities and advise of the City of Mississauga support.

Carried

0218-2012 Moved by: P. Saito

Seconded by: S. McFadden

That the Clerk forward Recommendation GC-0477-2012 adopted by Council on July 4, 2012 approving the passing of the By-law to ban the sale of cats and dogs in pet stores to major municipalities in Ontario.

Carried

0219-2012 Moved by: G. Carlson

Seconded by: S. McFadden

WHEREAS the Province's Feed-in Tariff (FIT) Program encourages the construction and operation of rooftop solar generation projects ("Rooftop Solar Projects");

AND WHEREAS it is likely that one or more Rooftop Solar Projects will be considered for construction and operation in the City of Mississauga;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), applicants whose Rooftop Solar Projects receive the formal support of local municipalities will be awarded priority points, which may result in these applicants being offered a FIT contract by the Province prior to other persons applying for FIT contracts;

AND WHEREAS the *Green Energy Act, 2009*, S.O. 2009, c.12, as amended, stipulates that a municipal Official Plan and Zoning By-law does not apply to a renewable energy undertaking;

AND WHEREAS the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, applies to renewable energy projects and, as such, each Rooftop Solar Project will require a building permit issued by the City of Mississauga Planning and Building Department;

AND WHEREAS, pursuant to the *Ontario Heritage Act*, R.S.O. 1990, c.0.18, as amended, each Rooftop Solar Project that is proposed to be located on a property listed on the City of Mississauga's Heritage Register or designated as a heritage property will require a Heritage Permit from the City of Mississauga prior to work commencing on such properties;

NOW THEREFORE BE IT RESOLVED THAT:

The Council of the City of Mississauga supports without reservation the construction and operation of Rooftop Solar Projects anywhere in the City of Mississauga, including but not limited to Rooftop Solar Projects on City-owned buildings.

And further, that this Resolution's sole purpose is to enable the participants in the FIT Program to receive priority points under the FIT Program, and that this Resolution may not be used for the purpose of any other form of municipal approval in relation to a FIT application or a Rooftop Solar Project or for any other purpose.

And further, that Council support shall lapse three (3) months after its adoption by Council.

Carried

Members of Council expressed concerns with the wording in the motion "*without reservation*" and further discussion ensued with respect to issuing of building permits, the public nuisance by-law and aesthetics. Mary Ellen Bench, City Solicitor advised that the wording "*without reservation*" would not generally be in a resolution. Mary Bracken, Project Lead, Living Green Master Plan advised that the Ontario Power Authority had released the new Feed in Tariff (FIT) program prescribed forms and without the wording "*without reservation*" the companies would not receive their FIT points. She further advised that when issuing building permits the *Planning Act*, guidelines are always followed.

Councillor Saito requested that staff look into the public nuisance by-law as her residents have been dealing with the issue of the lighting for many months.

0220-2012 Moved by: P. Mullin

Seconded by: C. Fonseca

WHEREAS the City of Mississauga believes that the arbitrators when undertaking a decision should be required to take into account the following criteria as outlined in Bill 121, the *Ability to Pay Act, 2012*, in addition to any other criteria provided by law:

1. National, provincial and local unemployment rates, economic growth rates and personal income levels.
2. A comparison as between the employees and other comparable employees in the public and private sectors, of the terms and conditions of employment, including remuneration and benefits, and the nature of the work performed.
3. Inherent advantages in bargaining enjoyed by the employees because there is a monopoly on services, because the activities are not carried on for profit, or for both reasons.
4. If applicable, the mandate of elected officials.
5. The fiscal situation of the City of Mississauga;

AND WHEREAS in applying the criteria, arbitrators shall assume that no tax will be increased to pay the costs of the decision or award. Arbitration cases within the entire broader public sector shall be settled within tight timeline of 3 months;

AND WHEREAS Bill 121, the *Ability to Pay Act, 2012* will legislate these criteria and bring government employee wages back in line with what municipalities and taxpayers can afford to pay;

NOW THEREFORE BE IT RESOLVED THAT the City of Mississauga calls on the legislature of Ontario to pass the *Ability to Pay Act, 2012*;

AND FURTHER TO THAT the resolution be forwarded to the Premier of Ontario, all local MPPs, the Association of Municipalities and the Federation of Canadian Municipalities.

Carried

0221-2012 Moved by: P. Mullin

Seconded by: C. Fonseca

WHEREAS the City of Mississauga is located wholly within the Great Lakes Basin;

AND WHEREAS the City of Mississauga maintains a stewardship over 22.5 kilometres of shoreline on Lake Ontario;

AND WHEREAS it is of the utmost importance to future generations that the Municipalities in the Great Lakes, St. Lawrence Basin guard this an essential resource against misuse and environmental degradation;

AND WHEREAS the City of Mississauga is an active participant in the Great Lakes, St. Lawrence Cities Initiative;

AND WHEREAS at the Great Lakes, St. Lawrence Cities Initiative conference 2012, seven (7) Resolutions were adopted on issues critical to the health and protection of the Great Lakes;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Mississauga endorse Resolutions 1 through 7, the Great Lakes, St. Lawrence Cities Initiative Conference 2012;

AND FURTHER TO THAT the Council of the City of Mississauga endorsement be forwarded to the Great Lakes, St. Lawrence Cities Initiative for distribution and endorsement by all Municipal Councils within the Great Lakes Basin.

Carried

0222-2012 Moved by: K. Mahoney

Seconded by: P. Saito

WHEREAS on April 26, 1996, City Council passed Resolution 131-96 which stated in part: "That no approvals be given to new rezoning, committee of adjustment and/or land division applications received after April 24, 1996, for lands fronting on both sides of Mississauga Road from the CPR tracks to the Queen Elizabeth Way until a study which establishes the criteria for a "Scenic Route" and determines the impact of the existing and proposed development on Mississauga Road has been carried out."

AND WHEREAS on October 15, 1997, City Council passed Resolution 286-97, which adopted the Mississauga Road Scenic Route Study Report dated September 4, 1997 from the Commissioner of Planning and Building that required amendment to Official Plan policies to identify lands abutting Mississauga Road as a Special Site Area with related urban design guidelines in recognition of Mississauga Road from Lakeshore Road to the St. Lawrence and Hudson Railway as a Scenic Route;

AND WHEREAS the primary function of the term "Scenic Route" as defined by the Mississauga Road Scenic Route Study is to preserve or enhance the aesthetic quality of Mississauga Road and the existing man-made and natural features that border the street;

AND WHEREAS the four key features of the Special Site Area of Mississauga Road that contribute to its scenic value as defined in the Mississauga Road Scenic Route Study are: the existing street trees and greenbelt vegetation; the winding road alignment and narrow width; the larger lot and house sizes with generous front and side yard setbacks; and the heritage components of the route;

AND WHEREAS in recent years there has been increasing redevelopment pressure on lands adjacent to the Mississauga Road Scenic Route in the form of development proposals, applications and approvals for residential intensification, particularly between Eglinton Avenue West and lands south of Dundas Street West;

AND WHEREAS the qualitative and quantitative cumulative impacts of residential intensification pressure along the Mississauga Road Scenic Route corridor may undermine the identified four key features that contribute to its scenic value and the associated Official Plan policies;

NOW THEREFORE LET IT BE RESOLVED THAT:

1. The Planning and Building Department, in consultation with the Transportation and Works and Community Services Departments be directed to undertake a review of policies within the Mississauga Road Scenic Route Study and associated Official Plan policies with the intent of strengthening the policies in the context of increasing residential intensification pressures along the Mississauga Road corridor.

2. As part of this review, the Planning and Building Department identify the location and nature of potential residential development sites and their potential impact on the character of the Scenic Route. As part of the impact analysis, the Transportation and Works Department is to examine future cumulative traffic impacts, including approved and potential residential development scenarios adjacent to Mississauga Road between Eglinton Avenue West and the Queen Elizabeth Way, in the context of current policies that preclude major road upgrades such as new general purpose lanes.
3. No planning approvals for residential development applications received by the City after the passing of this Resolution, on lands with any frontage or potential vehicular access to Mississauga Road from the CPP tracks in Streetsville to the CN Rail tracks, be granted until City Council has made a decision on the outcomes of a review, report and recommendations of the Mississauga Road Scenic Route Study policies. Site Plan applications for detached dwellings (new homes, replacement housing and additions), as well as related minor variance applications shall be exempt from these provisions.
4. Appropriate staff resources be allocated for this review in the 2013 Work Programs for the Planning and Building Department and the Transportation and Works Department.

Carried

14. BY-LAWS

0191-2012 A by-law to amend By-law 0225-2007, as amended, for the proposed rezoning application under file OZ 09/004 W8, 2164566 Ontario Inc. (Hush Homes) east side of Mississauga Road, south of Eglinton Avenue West (Ward 8).

PDC-0037-2010/June 28, 2011

0192-2012 A by-law to authorize the execution of an Agreement of Purchase and Sale (Offer to Sell) where the Corporation of the City of Mississauga as Purchaser and Orlando Corporation as Vendor for the purchase of certain lands *Land Titles Act* PIN#'s 13287-0353 (LT) and 1387-0338 (LT).

GC-0623-2012/September 19, 2012

0193-2012 A by-law to provide for an exemption to By-law No. 0098-2004, as amended, being the City's Animal Care and Control By-law on the property known as 3075 Kirwin Avenue.(Ward7).

GC-0611-2012/September 19, 2012

0194-2012 A by-law to authorize the execution of a Shared Facilities Agreement with Dufferin-Peel Catholic District School Board for the design, development and construction of a sports facility.

Resolution 0193-2012/August 4, 2010

0195-2012 A by-law to authorize the execution of an Agreement with the Mississauga Aquatic Club for the management and operation of the Glen Forest Secondary School Pool (Ward 3).

GC-0376-2012/May 16, 2012

15. **OTHER BUSINESS**

(a) Event

Councillor Saito spoke to the Electronic Recycling event that will be taking place in Ward 9 that will be taking place over the weekend.

(b) Event

Councillor McFadden spoke to the Appreciation Day Ward 10 event that will be taking place over the weekend.

(c) War of 1812 Re-enactment

Councillor Carlson thanked the Federal Government, staff, volunteers and residents who came out to enjoy the War of 1812 re-enactment event that took place in Ward 11.

(d) Road Concerns

Councillor Tovey spoke to a newspaper article regarding speeding on Stanfield Road and indicated that he spoke with Peel Regional Police on the matter and requested a report on this issue. He also spoke to the Pedestrian Death Review Report from the Ontario Coroner's Office and the recommendations. Councillor Saito spoke to Road Safety Mississauga's working group Traffic Calming reviews streets in Mississauga to see if a speed needs to be reduced. He further spoke to the events that would be taking place in Ward 1.

(e) Tour de Mississauga

Councillor Fonseca thanked and congratulated staff and volunteers on a well organized event.

(f) Events

Councillor Crombie spoke to the events that would be taking place in Ward 5 she further indicated that the banning of tanning beds will be presented at the Region of Peel meeting.

(g) New Chief of Police - Peel Region

Mayor McCallion and Councillors McFadden and Saito congratulated the newly appointed Chief of Police Jennifer Evans.

(h) Peel Housing Building

Councillor Starr spoke about his tour at the Peel Housing Building and indicated wearing safety equipment is important.

(i) Events

Mayor McCallion indicated that there is a list of events happening at the Living Arts Centre and reminded residents hockey season has started to go out a see a Mississauga Steelheads game.

16. INQUIRIES

(a) Information Item I-5

Councillor Saito requested a copy of Information Item I-5.

(b) Recycling Containers in Community Centres

Councillor Starr requested staff to look into the recycling containers at the community centres.

17. NOTICE OF MOTION

M-1 To endorse Resolutions 1 through 7 from the Great Lakes, St. Lawrence Cities Initiative Conference 2012 and that the endorsement be forwarded to the Great Lakes, St. Lawrence Cities Initiative for distribution and endorsement by all Municipal Councils within the Great Lakes Basin.

Resolution 0221-2012

- M-2 To review the policies within the Mississauga Road Scenic Route Study and associated Official Plan policies with the intent of strengthening the policies in the context of increasing residential intensification pressures along the Mississauga Road corridor.

Councillor Mahoney provided background information on the motion. Councillors Carlson and Mullin requested a change to the motion by extending the boundary.

Resolution 0222-2012

18. CLOSED SESSION

Councillor Iannicca departed at 1:04 p.m.
Councillor Mahoney departed at 1:24 p.m.
Councillor McFadden departed at 1:24 p.m.

Pursuant to Resolution 0209-2012, Council moved into Closed Session at 12:09 p.m. Council moved out of closed session at 1:24 p.m. The following resolutions were passed pursuant to the Closed Session:

- (ii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeal "A" 070/12 – VGR Investments Ltd. – 1420 Burnhamthorpe Road East – Ward 3.**

Councillor Fonseca provided background information and posed questions on the property 1420 Burnhamthorpe Road East. Marilyn Ball, Director of Development and Design responded to the questions.

0224-2012 Moved by: C. Fonseca

Seconded by: J. Tovey

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. "A" 070/12 with respect to VGR Investments Ltd. – 1420 Burnhamthorpe Road East – Ward 3) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga subject to the conditions satisfactory to the Commissioner of Planning and Building related to signage.

Carried

- (ii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeal “A”320/12 – Ferndale Venture Ltd. – 775 Dundas Street East – Ward 3.**

Councillor Fonseca provided background information on the property 775 Dundas Street East.

0223-2012 Moved by: C. Fonseca

Seconded by: J. Tovey

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. “A” 320/12 with respect to Ferndale Venture Ltd. – 775 Dundas Street East – Ward 3) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga.

Carried

- (iii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Legal Report regarding appeal by 1598607 Ontario Corp. (Dunpar Developments Inc.) at 4390 Mississauga Road.**

Mayor McCallion and Councillors Mahoney, Mullin and Saito raised concerns on the appeal process. Mary Ellen Bench, City Solicitor, Marcia Taggart, Legal Counsel and Ed Sajecki, Commissioner of Planning and Building responded by providing information on the appeal process from a legal and staff standpoint.

0225-2012 Moved by: C. Fonseca

Seconded by: B. Crombie

That the report of the City Solicitor dated September 13, 2012 entitled “Legal Report regarding appeal by 1598607 Ontario Corp. (Dunpar Developments Inc.) at 4390 Mississauga Road”, be received for information.

Carried

19. CONFIRMATORY BY-LAW

0196-2012 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on September 26, 2012.

20. ADJOURNMENT – 1:30 p.m.

MAYOR

CLERK