

Approved: April 10, 2013



MINUTES

SESSION 5

THE COUNCIL OF

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

WEDNESDAY, March 27, 2013 – 9:05 A.M.

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

PRESENT: Mayor Hazel McCallion (Departed at 11:31 a.m.)
Councillor Jim Tovey Ward 1
Councillor Pat Mullin Ward 2
Councillor Chris Fonseca Ward 3 (Departed at 11:45 a.m.)
Councillor Frank Dale Ward 4
Councillor Bonnie Crombie Ward 5
Councillor Ron Starr Ward 6
Councillor Nando Iannicca Ward 7
Councillor Katie Mahoney Ward 8
Councillor Pat Saito Ward 9
Councillor Sue McFadden Ward 10 (Departed at 11:45 a.m.)
Councillor George Carlson Ward 11 (Departed at 11:45 a.m.)

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
Diana Rusnov, Manager of Legislative Services and Deputy Clerk
Sacha Smith, Team Leader and Legislative Coordinator
Carmela Radice, Legislative Coordinator, Legislative Services Division

1. CALL TO ORDER

The meeting was called to order at 9:05 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: S. McFadden Seconded by: R. Starr

That the Council minutes of March 6, 2013 be approved as presented.

Carried**4. APPROVAL OF AGENDA**Verbal Motion

Moved by: F. Dale Seconded by: B. Crombie

That the agenda be approved as presented.

5. PRESENTATIONS**(a) Canada's Best Employers for New Canadians Award**

Janice Baker, City Manager presented the award to Mayor McCallion and Sharon Willock, Director of Human Resources, Suzane Noga, Acting Manager of Strategic Talent Management and Vicky Mangos Staffing and Development Consultant acknowledging the City's efforts to assist new Canadians in making the transition to a new workplace and demonstrating the City's commitment through participation in mentoring and internship programs aimed at new Canadians.

6. DEPUTATIONS**(a) Tax Adjustments**

There were no persons in attendance who wish to address Council re: Tax Adjustments pursuant to Sections 357 and 358.

Resolution 0045-2013

(b) 2014 OFSAA Track and Field Championship

Angelo Di Francesco and Dave Ropret, OFSAA Co Directors and Tom Wisnicki, Principal at St. Marcellinus Secondary School withdrew their deputation.

(c) Vehicle Damage

Susan Matheson did not appear to provide information on her denial of claim by the City regarding her vehicle damage on Tomken Road.

(d) Mississauga Earth Days 2013

Sonja Banic, Manager of Public Affairs and Lea Ann Mallett, Executive Director, Eco Source presented to Council details of the 2013 Earth Days events.

Mayor McCallion and Members of Council thanked Ms. Mallett for her hard work and dedication working with the City of Mississauga as she steps down from her position at Eco Source.

(e) Mississauga Public Library Board

Brad Hitchinson, Chair of the Mississauga Public Library Board and Betty Mansfield, Area Manager, Library Services presented the semi-annual Library Board report.

Mayor McCallion and Members of Council congratulated Mississauga Libraries and the Friends of the Library for their successes, dedication and contributions. Councillors Mullin and Starr asked what challenges the library faces in the future. Mr. Hitchinson and Ms. Mansfield indicated that the challenge is keeping up with technology and having enough programs for all residents will be required.

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 March 6, 2013, from Commissioner of Commissioner of Corporate Services and Treasurer re: **Tax Adjustments Pursuant to Sections 357 and 358.**

Recommendation

That the tax adjustments outlined in Appendix 1 attached to the report dated March 6, 2013 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 0045-2013

9. COMMITTEE REPORTS

- (a) Audit Committee Report 1-2013 dated March 4, 2013.

Resolution 0041-2013

The recommendations were approved as follows:

AC-0001-2013

That the audit committee minutes of November 19, 2012 be approved as presented.

AC-0002-2013

That the report dated February 22, 2013 from the Director of Internal Audit with respect to final audit reports:

1. Transportation & Works Department, Enforcement Division, Parking Enforcement – Revenue Audit.
2. Corporate Services Department, Revenue, Materiel Management & Business Services Division, Materiel Management – Medium Value Acquisition Audit be received for information.

AC-0003-2013

That the report dated February 22, 2013 from the Director, Internal Audit with respect to the Status of Recommendations from the External Quality Assurance Review of the Internal Audit Function be received for information.

AC-0004-2013

1. That the proposed changes to the Internal Audit Charter (By-law 0240-2004) as detailed in the report dated February 22, 2013 from the Director of Internal Audit titled "Proposed Revisions to Internal Audit Charter, be approved.
2. That upon approval by the Audit Committee changes to the Internal Audit Charter be forwarded to Council for endorsement and for approval to amend By-law 0240-2004.

AC-0005-2013

That the report dated February 22, 2013, from the Director, Internal Audit, with respect to the 2013 Internal Audit Interim Work Plan be approved.

AC-0006-2013

That the revision to the Corporate Policy on Investments, attached as Appendix 1, to the report titled Revised Corporate Policy on Investments from the Commissioner of Corporate Services and Treasurer, dated February 12, 2013 be approved effective immediately.

- (b) Governance Committee Report 4-2013 dated March 18, 2013.

Resolution 0042-2013

The recommendations were approved as follows:

GOV-0019-2013

That the following recommendations resulting from the City Committees of Council Structure Review be considered by General Committee at the April 3, 2013 meeting:

1. That the report entitled, City Committees of Council Structure Review – Recommendations to Governance Committee, dated March 4, 2013, from the City Manager and Chief Administrative Officer, be received for information.
2. That the City Clerk be directed to implement the following recommendations by the start of the next term of Council (2015-2018):
 - a. That an additional Committee-of-the-Whole, specifically organized to deal with issues of transportation and transit items, be created and that the Council committee calendar meeting cycle be changed from a two-week cycle to a three-week cycle to accommodate the new Committee-of-the-Whole and that staff report back on the implementation plan.

- b. That the 'Mississauga Cycling Advisory Committee' (MCAC) remain as an Advisory Committee with the following changes:
 - i. That during the next term of Council, MCAC be directed to present a business model for the 'Tour de Mississauga' to determine if it will be a community –run event or a City-run event, including City resources required, for approval of the Budget Committee.
 - ii. That during the next term of Council, staff be directed to analyze the opportunity and requirements to include 'Active Transportation' into the MCAC mandate, for approval of the Governance Committee.

- c. That the 'Traffic Safety Council' (TSC) remain as an Advisory Committee with the following changes:
 - i. The Planning and Building Department be immediately transferred the responsibility for the site plan comments regarding school zones, as per an agreed upon checklist of criteria from the TSC.
 - ii. That by no later than the start of the next term of Council, items that wholly occur on school board property, specifically Dismissal Reports and Kiss and Ride Reports, be transferred to school board officials to manage.
 - iii. That by no later than the start of the next term of Council, the Engineering and Works division be transferred the duty from the Clerk's Office for both inspection(s) scheduling and creating the inspection reports from the field data collected.
 - iv. That during the next term of Council, staff be directed to analyze opportunities for the work of the Traffic Safety Council to be handled by City staff, and report back to the Governance Committee with this analysis.

- d. That the 'Museums of Mississauga Advisory Committee' be reorganized to provide input, guidance and support to the Manager, Museums and Traditions regarding the artifact collection and the future city-wide museum as a Committee of Council.

- e. That the 'Mississauga Celebration Square Events Committee' be reorganized to provide input, guidance and support to the Manager, Mississauga Celebration Square on sponsorship and other revenue opportunities to help the financial sustainability of the Square and strategic policies that affect the Square as a Community Reference Group as described in Appendix 1 attached to the Corporate Report.

- f. That the 'Road Safety Mississauga Advisory Committee' (RSM) be retired at the end of this term of Council (November 2014).
 - g. That the membership of the 'Public Vehicle Advisory Committee' be restructured with a broad stakeholder membership and a specific mandate to provide input and advice on policy issues affecting the taxi industry.
 - h. That the 'Towing Industry Advisory Committee' be restructured with a broad stakeholder membership and a specific mandate to provide input and advice on policy issues affecting the towing industry.
 - i. That the membership of the 'Citizen Appointments Committee' be restructured to include all Members of Council.
 - j. That the policy entitled, 'Citizen Appointments to Committees, Boards and Authorities' (#02-01-01) be changed regarding Eligibility to also include citizens who own businesses in the City of Mississauga.
 - k. That a process be implemented whereby a proposed new Committee of Council is analyzed against the criteria list attached as Appendix 2, before the Governance Committee deliberates and approves the new Committee.
 - l. That the Clerk's Office work with the Finance division to redefine the budgetary processes and accounting associated with the running of the Committees of Council by:
 - a. Creating a single operating budget account that supports all typical annual expenditures for the Committees of Council including a policy outlining approved expenditures.
 - b. Developing a system by which Committees of Council can receive Council-approved project funding in stand-alone capital accounts.
3. That the Clerk's Office be directed to consider the administrative suggestions outlined in the report attached as Appendix 1 and report back to the Governance Committee at a later date regarding implementation.
4. That all applicable by-laws and policies be updated accordingly.

GOV-0020-2013

That the revised Corporate Policy and Procedure – Conflict of Interest, attached as Appendix 1 to the report dated March 01, 2013 from the City Manager and Chief Administrative Officer, be approved.

GOV-0021-2013

That the listing of outstanding items presented at the March 18, 2013 meeting that were directed to staff by the Governance Committee, be received.

GOV-0022-2013

That the list of correspondence received by the Governance Committee and an update on the status for each matter as presented at the March 18, 2013 meeting, be received.

- (c) Planning and Development Committee Report 4-2013 dated March 18, 2013.

Resolution 0043-2013

The recommendations were approved as follows:

PDC-0013-2013

That the report dated March 4, 2013 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested seven (7) Sign Variance Applications described in Appendices of the Report, be adopted in accordance with the following:

1. That the following Sign Variances **be granted**:

- (a) Sign Variance Application 12-03068
Ward 1
W.E. Oughtred & Associates/Churchill Property Management
1310 Dundas St. E.

To permit the following:

- (i) Twelve (12) fascia signs installed above the upper limit of the first storey.

- (b) Sign Variance Application 12-01809
Ward 1
Creekside Crossing
1500 Dundas Street East

To permit the following:

- (i) Two (2) ground signs each with an area of 38.55 m. sq.
(414.97 sq.ft.) located approximately 135 m (442.91 ft.) apart.

- (c) Sign Variance Application 12-03093
Ward 4
Sheridan College
4180 Duke of York Blvd.

To permit the following:

- (i) Three (3) roof signs.

- (d) Sign Variance Application 12-03002
Ward 5
Mantella Corporation
5455 Dixie Road

To permit the following:

- (i) One (1) temporary sign facing Provincial Highway 401 for a
period of one (1) year.

- (e) Sign Variance Application 12-03003
Ward 5
Mantella Corporation
5503 Dixie Road

To permit the following:

- (i) One (1) temporary sign facing Provincial Highway 401 for a
period of one (1) year.

- (f) Sign Variance Application 12-03355
Ward 9
A&W
2920 Argentia Road

To permit the following:

- (i) One (1) gateway drive-thru pylon structure.

- (g) Sign Variance Application 12-03195
Ward 11
Fionn MacCool's
825 Britannia Rd. W.

To permit the following:

- (i) The proposed sign area of the signs located on the south elevation is 24.75% of the building façade whereas 20% is permitted.
- (ii) The proposed sign area of the signs located on the east elevation is 19.4% of the building façade whereas 15% is permitted.

BL.03-SIG (2011)

PDC-0014-2013

That the report titled "2013 Employment Profile", "2013 Vacant Lands Profile" and "2013 Existing Land Use Profile" dated March 18, 2013, from the Commissioner of Planning and Building, be received for information and circulated, by the Planning and Building Department, to the Mississauga Board of Trade, the Building Industry and Land Development Association (BILD), Economic Development Advisory Council, Peel Halton Dufferin Training Board and the University of Toronto Mississauga.

CD.15.MIS

PDC-0015-2013

- (a) That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the appeal filed by Legal Services by letter be adopted, and that Legal Services, together with other appropriate City staff, attend the Ontario Municipal Board hearing in support of the appeal of the decision of the Committee of Adjustment under file 'A' 040/13 W2.

(b) That the following correspondence be received:

1. Letter dated February 27, 2013 from Mr. Brian Child, President, Reptilia Inc.
2. Letter dated March 18, 2013, from Mr. Tom Pope, Darval Holdings Ltd.

'A' 040/13 W2

PDC-0016-2013

That the Report dated February 26, 2013, from the Commissioner of Planning and Building regarding the appeal filed by Legal Services by letter be adopted, and that Legal Services, together with other appropriate City staff attend the Ontario Municipal Board hearing in support of the appeal of the decisions of the Committee of Adjustment under files 'B' 6/13 W1, and 'A' 12/13 W1, regarding the property at 372 South Service Road.

B'6'/13 W1, 'A' 11/13 & 'A' 12/13 W1

PDC-0017-2013

(a) That the Report dated February 26, 2013, from the Commissioner of Planning and Building regarding the appeal filed by Legal Services by letter be deferred pending a meeting with the land owner and appropriate City staff with respect to files 'B' 5/13 W1, 'A' 9/13 and 'A' 10/13 W1, regarding the property at 1238 Strathy Avenue.

(b) That the following correspondence be received:

1. Letter dated March 18, 2013 from Mr. P.K. Chee, MiKo Urban Consulting Inc.

'B' 5/13 W1, 'A' 9/13 & 'A' 10/13 W1

PDC-0018-2013

1. That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the application to change the Zoning from "RM4-58" (Residential) and "RM5-3" (Residential), to ""RM4-Exception" (Residential) to permit a private elementary school in conjunction with a place of religious assembly, under file OZ 09/009 W6, Masjid-e Farooq-e Azam Mississauga and Makkah Holdings Inc., 935 Eglinton Avenue West and Block 127, 43M-1034, be received for information.

2. That the following correspondence be received:
 - (a) Correspondence of over 300 in support of the Rezoning Application
 - (b) Correspondence in opposition of the Rezoning Application

OZ 09/009 W6

- (d) General Committee Report 6-2013 dated March 20, 2013.

Resolution 0044-2013

The recommendations were approved as follows:

GC-0155-2013

1. That the Commissioner of Transportation and Works and the City Clerk be authorized to execute and affix the corporate seal on behalf of The Corporation of the City of Mississauga (the "City") to the Universal Transit Pass Amending Agreement between the City, the Governing Council of the University of Toronto (the "University") and the Erindale College Student Union (the "UTMSU") to include part-time students, in a form satisfactory to Legal Services.
2. That the Commissioner of Transportation and Works and the City Clerk be authorized to execute and affix the corporate seal on behalf of the City to the Universal Summer Transit Pass Agreement between the City, the University and the UTMSU to include a summer four month program for full-time and part-time students, in a form satisfactory to Legal Services.
3. That the MiWay, the new Mississauga Transit Fares By-Law #242-12 be amended to reflect a Summer Universal Transit Pass (Summer U-Pass) fee of \$92.40 for 2013, and \$95.17 for 2014, and to reflect the Summer U-Pass card replacement fee of \$45.00 for 2013 and \$60.00 for 2014.
4. That the MiWay, the new Mississauga Transit Fares By-Law #242-12 be amended to reflect a fall/winter Universal Transit Pass (U-Pass) fee of \$154.45 and to reflect the U-Pass card replacement fee of \$70.00 and \$90.00 for the academic year 2013/2014.
5. That all necessary by-laws be enacted.

GC-0156-2013

That the Corporate Report dated February 6, 2013 from the Commissioner of Corporate Services and Treasurer, entitled "2013 Budgets for Consulting Services" be deferred to the April 3, 2013 General Committee meeting.

GC-0157-2013

That the report dated February 22, 2013, from the Commissioner of Community Services, entitled Let Your Green Show Awareness Campaign – Phase 2 be received for information.

GC-0158-2013

That the report dated March 5, 2013 from the Commissioner of Transportation and Works entitled *Mississauga Priorities for Funding from the Province of Ontario* be received for information.

GC-0159-2013

1. That a by-law be enacted to amend By-law 555-2000, as amended to implement 30-minute parking anytime on the east side of Confederation Parkway from a point 25 metres (82 feet) north of Square One Drive to a point 10 metres (32 feet) northerly thereof.
2. That a by-law be enacted to amend By-law 555-2000, as amended to implement 30-minute parking anytime on the south side of Square One Drive from a point 40 metres (130 feet) west of Living Arts Drive to a point 5 metres (16 feet) westerly thereof.

(Ward 4)

GC-0160-2013

That the following be approved with respect to the naming of the private road within the proposed common element condominium development under application OZ-07/006, located on the west side of Cawthra Road, south of the QEW:

- a) The name Tupelo be assigned.
- b) The standard City of Mississauga private street name signs with blue lettering on a white background indicating the name of the street be erected at the appropriate locations.
- c) The cost of the sign be borne by Tupelo Investments Limited, the registered owner, but be erected by City forces.

(Ward 1, City-wide)

GC-0161-2013

1. That the following be approved with respect to the naming of the private road within the proposed common element condominium development under Application OZ-12/004, located on the west side of Heatherleigh Avenue, south of Matheson Boulevard West:
 - a) The name Francine be assigned.
 - b) The standard City of Mississauga private street name signs with blue lettering on a white background indicating the name of the street be erected at the appropriate locations.
 - c) The cost of the sign be borne by Summit Heatherleigh Inc. the registered owner, but be erected by City forces.
2. That the names Kugal, Perez, and Vera be added to the City of Mississauga Approved Street Name Reserve List.
(Ward 6, City-wide)

GC-0162-2013

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1762, The Erin Mills Development Corporation, (lands located north and south of Thomas Street, west of Winston Churchill Boulevard and east of Tenth Line West, in Z-57, known as Churchill Meadows Neighbourhood 402 – Phase 3) and that the Letter of Credit in the amount of \$1,010,344.43 be returned to the developer and that a by-law be enacted to establish the road allowances with the Registered Plan as public highway and part of the municipal system of the City of Mississauga.
(Ward 10)

GC-0163-2013

That the 2012 Statement of Remuneration and Expenses detailed in Appendix 1 attached to the report dated March 5, 2013 from the Commissioner of Corporate Services and Treasurer be received.

GC-0164-2013

That the corporate report dated March 8, 2013 from the Commissioner of Corporate Services and Treasurer and entitled "Business Improvement Areas' Year End Levy Adjustments" be received for information.

GC-0165-2013

That the deputation by Anatoliy Brodeskur, AquaShow Lab Canada with respect to ideas on how to modify the existing fountain at the Mississauga Celebration Square be received for information.

(MCSEC-0004-2013)

GC-0166-2013

That the report from the Commissioner of Community Services dated February 6, 2013 entitled "Mississauga Celebration Square: 2013 Continuous Improvement Opportunities" be received for information.

(MCSEC-0005-2013)

GC-0167-2013

That the Corporate Report dated February 11, 2013 from the Commissioner of Community Services entitled, "Mississauga Celebration Square 2013 Spring/Summer Calendar" be received for information.

(MCSEC-0006-2013)

GC-0168-2013

That the following terms and conditions for the license agreement between Mississauga Legends Row and the City of Mississauga, for installation of recognition plaques on a portion of Mississauga Celebration Square, as outlined in the Report "Update on Key Terms and Conditions for a License Agreement with Mississauga Legends Row" dated February 13, 2013 from the Commissioner of Community Services, be received for information:

- a) Five year term with renewal for up to two additional 5 year terms, each term to be approved by Council;
- b) 30 Day termination clause, with no liability against the City;
- c) Locate Legends Row within the collonades outside the Jubilee Gardens on Mississauga Celebration Square;
- d) Legends Row Board of Directors approve a new draft by-law regarding the nomination and selection process for inductees to Legends Row and recommended revisions to their governance by-law;
- e) Legends Row assumes full responsibility for the cost of fabricating, installing, removing and maintenance of all totems and plaques;
- f) Installation, removal and repairs to the totem and plaques be managed by the City and charged back to Legends Row; and

- g) The design of the totems and plaques be approved by both Legends Row and the City.
(MCSEC-0007-2013)

GC-0169-2013

That the Safe and Active Routes to School Program presentation be received.
(RSM-0001-2013)

GC-0170-2013

That the Ontario Ministry of Transportation – “Steer It, Clear It Initiative” be received and that the Mayor send a letter of support encouraging the Region of Peel, Peel Regional Police and Insurance Brokerages of Mississauga to support the initiative.
(RSM-0002-2013)

GC-0171-2013

That the Road Safety Committee (RSM) budget be received and deferred to the next RSM meeting for further consideration.
(RSM-0003-2013)

GC-0172-2013

That the Mississauga Road Watch program statistics for the months of December 2012 and January 2013 be received.
(RSM-0004-2013)

GC-0173-2013

That the PowerPoint presentation, dated March 5, 2013 and entitled “One Million Trees Mississauga Program Update,” by Jessika Corkum-Gorrill, Natural Areas and One Million Trees Project Coordinator, to the Environmental Advisory Committee on March 5, 2013 be received.
(EAC-0007-2013)

GC-0174-2013

That the PowerPoint presentation, dated March 5, 2013 and entitled “2012 Report on Living Green,” by Mary Bracken, Environmental Specialist, to the Environmental Advisory Committee on March 5, 2013 be received.
(EAC-0008-2013)

GC-0175-2013

That the Memorandum, dated February 21, 2013 and entitled "Let Your Green Show Awareness Campaign – Phase 2," from Andrea J. McLeod, Environmental Specialist, be received.

(EAC-0009-2013)

GC-0176-2013

That the Memorandum, dated February 22, 2013 and entitled "Earth Hour 2013," from Julius Lindsay, Community Energy Specialist, be received.

(EAC-0010-2013)

GC-0177-2013

That the email message dated February 1, 2013 from Danish Sarwar, Ward 5 resident, with respect to how our municipality can help stop climate change, be received and referred to staff for further review and returned to a future Environmental Advisory Committee meeting for consideration.

(EAC-0011-2013)

GC-0178-2013

That the resignation email message dated January 17, 2013 from Hassaan Basit, Environmental Advisory Committee Citizen Member, advising Councillor George Carlson, Environmental Advisory Committee Chair, of his resignation from the Environmental Advisory Committee, be received.

(EAC-0012-2013)

GC-0179-2013

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

(EAC-0013-2013)

GC-0180-2013

That the chart dated March 5, 2013 from Julie Lavertu, Legislative Coordinator, Environmental Advisory Committee, with respect to the status of outstanding issues from the Environmental Advisory Committee be received.

(EAC-0014-2013)

GC-0181-2013

That a by-law be enacted to authorize the Commissioner of Community Services to execute a confidential Tariff Payment Agreement with *Re:Sound*, as outlined in the corporate report dated March 1, 2013 from the Commissioner of Community Services in a form satisfactory to the City Solicitor.

GC-0182-2013

1. That the Commissioner of Community Services and City Clerk be authorized to execute an Amending License Agreement, and or documents ancillary thereof, between The Corporation of the City of Mississauga and Gymnastics Mississauga in accordance with the corporate report dated February 8, 2013 in a form satisfactory to the City Solicitor and Realty Services.

2. That all necessary By-Laws be enacted.

(Ward 5)

(e) Public Meeting extracts from the Planning & Development Committee meeting dated March 18, 2013:

- (i) Information Report - Rezoning Application to permit a Private Elementary School, 935 Eglinton Avenue West and Block 127, 43M-1034, North side of Eglinton Avenue West, West of Terry Fox Way
Owners: Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc.
Applicant: Macaulay Shiomi Howson Ltd., **Bill 51** (Ward 6)
File: OZ 09/009 W6

Received

10. **UNFINISHED BUSINESS - Nil**

11. **PETITIONS - Nil**

12. CORRESPONDENCE

(a) Information Items: I-1- I-14

- I-1 An email dated February 28, 2013, from a Ward 1 resident Patty Trost is in favour of CD.06.POR application.

Received and referred to Planning and Building for appropriate action

- I-2 An email dated February 28, 2013, from Building Industry and Land Development Association opposes CD.06.POR application.

Received and referred to Planning and Building for appropriate action

- I-3 An email dated March 4, 2013, from Ward 1 resident Tony Eichhorn opposing CD.06.POR application.

Received and referred to Planning and Building for appropriate action

- I-4 Written submission from Ward 1 resident Lana Slezić opposing CD.06.POR application.

Received and referred to Planning and Building for appropriate action

- I-5 A letter dated March 6, 2013, from the founder of “Day of the Honey Bee” requesting that the City proclaim May 29th Day of the Honey Bee”; and that a letter of support be endorsed on the National Day of Honey Bee to local Members of Parliament and Provincial Parliament, Alex Atamanenki, MP for British Columbia Southern Interior and to the Honourable Gerry Ritz.

Received for information

- I-6 Letter received March 7, 2013 from Enbridge Gas regarding Enbridge Gas Distribution Inc. (“Enbridge”) EB-2012-0451-Greater Toronto Area (“GTA”) Project, Ontario Energy Board (the “Board”) Notice of Application.

Received for information

- I-7 Letter received March 8, 2013, from the Peel District School Board regarding Governance Committee's recommendation GOV-007-2013 requesting that the Peel District School Board and Dufferin-Peel Catholic District School Board deem Election Day a Professional Development Day (P.D. Day).

Mayor McCallion inquired as to how a Professional Development Day (P.D. Day) is chosen. Councillor Carlson indicated that the school boards first P.D. Day is used for re-organization of classrooms.

Received for information

- I-8 An email dated March 19, 2013, from Ward 6 resident Meena Khan is in support of the rezoning application OZ 09/009 W6.

Received and referred to Planning and Building Department for appropriate action

- I-9 An email dated March 19, 2013, from Ward 6 resident Tahira Imam is in support of the rezoning application OZ 09/009 W6.

Received and referred to Planning and Building Department for appropriate action

- I-10 An email dated March 19, 2013, from Ward 6 resident Mohammad Waqas Javed is in support of the rezoning application OZ 09/009 W6.

Received and referred to Planning and Building Department for appropriate action

- I-11 An email dated March 19, 2013, from Ward 6 resident Muneer Imam is in support of the rezoning application OZ 09/009 W6.

Received and referred to Planning and Building Department for appropriate action

- I-12 Notice of Proposed Development dated March 6, 2013, Application OZ 13/002 W5 to change the zoning for the subject lands from "D" (Development) to "E2-Exception" (Employment). Applicant/Owner: Smart Centres/Derry Ten Limited (Ward 5).

Received for information

- I-13 Notice of Proposed Development dated March 15, 2013, Application OZ 13/003 W6 amendment to the Mississauga Official Plan Policies for the East Credit Neighbourhood from “Business Employment to Mixed Use – Special Site” and to change the zoning for the subject lands from “E2-58” (Employment) to “C3-Exception” (General Commercial)

Received for information

- I-14 A letter dated March 21, 2013, from Ward 1 residents Jim Edwards and Kate Suline objecting to the proposed By-law amendments to CD.06.POR.

Received and referred to Planning and Building Department for appropriate action

(b) Direction Item D1- D-2

- D-1 Letter received March 11, 2013, from the Region of Peel requesting that the City of Mississauga participate in the Queen’s Park Day.

Mayor McCallion and Members of Council indicated that the City of Mississauga would not participate in Queen’s Park Day.

- D-2 Letter dated March 1, 2013, from the Mississauga Chinese Business Association requesting that the City of Mississauga revoke the Shark Fin By-law.

Councillor Starr inquired about the decision by Justice James Spence. Councillor Crombie requested that the information on Member of Parliament Fin Donnelly’s plan be included in the report. Mary Ellen Bench, City Solicitor indicated that a report regarding the decision by Justice James Spence and its effect on Mississauga’s Shark Fin By-law will be brought to a future Council or General Committee meeting.

Resolution 0047-2013

13. RESOLUTIONS

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

0041-2013 Moved by: B. Crombie Seconded by: C. Fonseca

Recommendations AC-0001-2013 to AC-0006-2013 inclusive contained in the Audit Committee Report 1-2013 dated March 4, 2013, be approved.

Carried

0042-2013 Moved by: J. Tovey Seconded by: P. Mullin

Recommendations GOV-0019-2013 to GOV-0022-2013 inclusive contained in the Governance Committee Report 4-2013 dated March 18, 2013, be approved.

Carried

0043-2013 Moved by: G. Carlson Seconded by: S. McFadden

Recommendations PDC-0013-2013 to PDC-0018-2013 inclusive contained in the Planning and Development Committee Report 4-2013 dated March 18, 2013, be approved with the exception of PDC-0016-2013 regarding 372 South Service Road be amended to state that the letter from Legal Services not be adopted with regard to the attendance at the OMB.

Carried

0044-2013 Moved by: B. Crombie Seconded by: R. Starr

Recommendations GC-0155-2013 to GC-0182-2013 inclusive contained in the General Committee Report 6-2013 dated March 20, 2013, be approved.

Carried

0045-2013 Moved by: F. Dale Seconded by: C. Fonseca

That the tax adjustments outlined in Appendix 1 attached to the report dated March 6, 2013 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.

Carried

0046-2013 Moved by: S. McFadden Seconded by: G. Carlson

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 March 27, 2013, shall be closed to the public to deal with the following matters:

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

- (i) Labour relations or employee negotiations re: **A Verbal Update - Mississauga Professional Firefighter's Association Arbitration Award regarding accidental death and dismemberment benefits.**
- (ii) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **Assessment Appeals – 2013 Taxation.**
- (iii) Personal matter about an identifiable individual, including municipal or local boards re: **Absence of Citizen Member of Traffic Safety Council.**

Carried

0047-2013 Moved by: R. Starr Seconded by: B. Crombie

That the letter dated March 1, 2013, from the Mississauga Chinese Business Association with respect to the Shark Fin By-law be deferred until staff report back on the matter.

Carried

0048-2013 Moved by: J. Tovey

Seconded by: G. Carlson

WHEREAS Municipalities are required to produce Official Plans;
AND WHEREAS Municipalities use these plans to invest large amounts of up front capital in infrastructure to service future growth according to those plans;

AND WHEREAS densities located in areas not identified in the Official Plan may require changes to long term infrastructure planning, at additional costs;

AND WHEREAS Municipalities are provided finite growth numbers and job numbers as a basis for their Official Plan;

AND WHEREAS densities approved by the Ontario Municipal Board to be located in areas not identified in the Official Plan subtract from, and limit, a Municipalities ability to implement the intensification policies of that plan;

NOW THEREFORE BE IT RESOLVED that the City of Mississauga request of the Province of Ontario to make amendments to the *Planning Act* as follows;

1. where a Municipality has an Official Plan, and
2. where that Official Plan has been approved by the Province of Ontario, and
3. where the Municipality is achieving all of their targets for densities as outlined in the Provincial Growth Plan

AND FURTHER where a Development application is submitted to the Municipality requesting densities to be located in any other area than those identified in the Municipality's Official Plan, that development application shall have no right of appeal at the Ontario Municipal Board. The decision of Council will be final;

AND FURTHER Despite subsection 22(7), there is no appeal in respect of the official plan policies of a municipality or a planning board, adopted to conform to the growth management population, intensification and employment targets and policies as set out in the *Provincial Growth Plan for the Greater Golden Horseshoe area* and related regulations and Provincial policies;

AND FURTHER that the resolution be forwarded to AMO.

	YES	NO	ABSENT	ABSTAIN
Mayor H. McCallion	X			
Councillor J. Tovey	X			
Councillor P. Mullin	X			
Councillor C. Fonseca	X			
Councillor F. Dale	X			
Councillor B. Crombie	X			
Councillor R. Starr	X			
Councillor N. Iannicca	X			
Councillor K. Mahoney	X			
Councillor P. Saito	X			
Councillor S. McFadden	X			
Councillor G. Carlson	X			

Carried Unanimously (12, 0)

0049-2013 Moved by: J. Tovey

Seconded by: G. Carlson

WHEREAS, the Great Lakes and St. Lawrence are the world's largest supply of freshwater, the source of drinking water to over 40 million people, and provide important economic, environmental and social benefits to communities;

AND WHEREAS, the Cities Initiative collaborates toward the common interest of protecting this critical natural resource for future generations;

AND WHEREAS, continued population growth within the Great Lakes watershed will provide a natural stressor most critically with respect to water quality;

AND WHEREAS, commercial demands such as the continued desire for withdrawals for the purposes of bottled water would represent a consumptive use in which water is forever lost from the Great Lakes watershed and which could also result in local impacts around the withdrawal sites;

AND WHEREAS, decision makers party to existing agreements that deliberate on proposed water-takings within the Great Lakes watershed would benefit from the context provided by a holistic understanding of the expected long-term population growth and associated water-demand projection;

NOW, THEREFORE, BE IT RESOLVED, that; the Cities Initiative call upon the Canadian and American Governments to steer a coordinated study which would aim to approximate population and water demand projections affecting the Great Lakes watershed for the horizon extending to year 2050;

AND FURTHER that the Cities Initiative collaborate to provide input from their own respective long-term planning documents to provide input to a study which would aim to approximate future population and water demand projections by 2050;

AND FURTHER that upon completion of a study that comprehensively approximates future population within the Great Lakes watershed, that this information be circulated to the Cities Initiative and decision makers in Canada and the U.S. for informed responses on future water-related issues.

Carried

14. BY-LAWS

0054-2013 A by-law to amend By-law 521-04, as amended, being the Tow Truck Licensing By-law as amended to Section 4(1), Section 33(8), Section 33(10), Section 2 of Schedule 3 and Section 2.2 of Schedule 3.

GC-0753-2013/November 7, 2012, GC-0016-2013/January 9, 2013 and GC-011-2013/February 27, 2013

0055-2013 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 745 designated as Parts 2, 7 and 9 Plan 43R-35051 in the vicinity of Erindale Station Road and Dundas Street West (Ward 6).

0056-2013 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43M-1063 in the vicinity of Mavis Road and Britannia Road West (Ward 11).

0057-2013 A by-law to establish certain lands as part of the municipal highway system for Register Plan 43R-30995 in the vicinity of Hurontario Street and Queen Elizabeth Way (Ward 1).

0058-2013 A by-law to establish certain lands as part of the municipal highway system for Register Plan 43M-1762 in the vicinity of Winston Churchill Boulevard and Thomas Street (Ward 10).

GC-0162-2013/March 20, 2013

0059-2013 A by-law to authorize the execution of an Agreement setting out easement rights and cost sharing related to erosion control and slope stabilization works (Ward 7).

GC-0440-2011/June 15, 2011

0060-2013 A by-law to authorize the execution of a Universal Transit Pass Amending Agreement for the implementation of a universal transit pass for use by the full-time and part-time students of the University of Toronto Mississauga.

GC-0155-2013/March 20, 2013

0061-2013 A by-law to authorize the execution of a Universal Summer Transit Pass Agreement for the implementation of a universal summer transit pass for use by full-time and part-time students of the University of Toronto at Mississauga.

GC-0155-2013/March 20, 2013

0062-2013 A by-law to amend MiWay, the new Mississauga Transit Fares By-law 242-12 Schedule "A" as amended is hereby deleted and shall be replaced by the revised Schedule "A".

GC-0155-2013/March 20, 2013

0063-2013 A by-law to authorize the execution of a Servicing Agreement and other related documents between Edilou Holdings Inc., The Corporation of the City of Mississauga and The Regional Municipality of Peel. East side of Ninth Line, south of Derry Road West (T-M10002 W10) Owner: Edilou Holdings INc./Cesta Developments Inc. (Carmen Cesta) and Applicant: Weston Consulting (Jim Levac) (Ward 10).

Resolution 0124-2012/May 23, 2012

0064-2013 A by-law to amend By-law number 0225-2007, as amended, being the City of Mississauga Zoning By-law by adding table 4.7.2.8 and changing "R3" to "R16-8" which is shown in Schedule "A". (OZ 09/013 with T-11002 W1) Owner: Sedona Lifestyles (RomeTown) Inc. Applicant: Jim Levac (Ward 1).

PDC-0009-2012/February 8, 2012

0065-2013 A by-law to establish a revised Internal Audit Charter and By-law 0240-2004 is repealed.

AC-0004-2013/March 4, 2013

15. OTHER BUSINESS**(a) Monument**

Mayor McCallion and Councillors Iannicca and Fonseca spoke to Thomas L. Kennedy's contributions to the City of Mississauga.

(b) Mississauga Steelheads

Councillor McFadden congratulated the Mississauga Steelheads on their win.

(c) Sports Plan

Councillor Fonseca thanked staff who attended the sports plan public meeting and spoke about the positive outcomes.

(d) Canadian Royal Ballet

Councillor Mullin spoke to the production of Sleeping Beauty at the Living Arts Centre by Canada's Royal Winnipeg Ballet.

(e) Events

Councillor Crombie spoke to the special events that will be happening in Ward 5.

16. INQUIRIES - Nil**17. NOTICE OF MOTION**

M-1 That the City of Mississauga request that Province of Ontario to make amendments to the *Planning Act*.

Councillor Tovey introduced the motion explaining that the amendments proposed by the motion to the *Planning Act* would remove the developers ability to appeal the City's decisions to the Ontario Municipal Board, if the city's official plan is in compliance with Ontario's growth strategy. He further indicated that if the amendments are accepted, municipalities across Ontario would save money fighting the applications that do not conform to their approved Official Plans. Councillor Mullin spoke in support of the motion indicating that these amendments are needed.

Mayor McCallion indicated that the City has accepted the province's mandate on growth targets but should not need to accept decisions by the Ontario Municipal Board that allow developers to build beyond those targets. Councillor Iannicca raised concerns about the legality of the motion. Ed Sajecki, Commissioner of Planning and Building indicated that the motion addresses the interests of the *Planning Act*. Councillor Mullin requested a recorded vote.

Resolution 0048-2013

- M-2 That the Cities Initiative called upon the Canadian and American Governments to steer a coordinated study and to provide input from their respective long-term planning.

Councillor Tovey introduced the motion explaining that the Cities Initiative needs to call upon the Canadian and American governments to steer a coordinated study which would aim to approximate population and water demand projections affecting the Great Lakes watershed. Councillors Starr and Iannicca spoke in support of the motion.

Resolution 0049-2013

Mayor McCallion departed the meeting at 11:31 a.m. and Councillor Starr assumed the Chair.

18. CLOSED SESSION

Councillors Fonseca, McFadden and Carlson departed the meeting at 11:45 a.m.

Pursuant to Resolution 0046-2013, Council moved into Closed Session at 11:31 a.m. Council moved out of closed session at 11:47 a.m. The following resolutions were passed pursuant to the Closed Session:

- (i) Labour relations or employee negotiations re: **A Verbal Update - Mississauga Professional Firefighter's Association Arbitration Award regarding accidental death and dismemberment benefits.**

Graham Walsh, Legal Counsel provided the verbal update on the Mississauga Professional Firefighter's Association Arbitration Award regarding accidental death and dismemberment benefits. Councillor Starr inquired about the Arbitration Award regarding accidental death and dismemberment benefits. Janice Baker, City Manager and CAO spoke to the Arbitration Award regarding accidental death and dismemberment benefits.

AND WHEREAS Ms. Goss attended the May and June 2012 meetings but has been absent from the Committee meetings since;
AND WHEREAS Ms. Goss has been contacted to enquire about her intent to continue as a TSC member and no response has been received from her;
NOW THEREFORE BE IT RESOLVED that Council declares the seat vacant in accordance to the Council Procedure By-law 421-03.

Carried

19. CONFIRMATORY BY-LAW

0066-2013 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on March 27, 2013.

20. ADJOURNMENT-11:50 p.m.

MAYOR

CLERK