



## MINUTES

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SESSION 15

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA  
([www.mississauga.ca](http://www.mississauga.ca))

WEDNESDAY, September 18, 2013 – 9:07 A.M.

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

PRESENT: Mayor Hazel McCallion  
Councillor Jim Tovey                      Ward 1  
Councillor Chris Fonseca                Ward 3  
Councillor 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  
Councillor George Carlson                Ward 11

ABSENT: Councillor Pat Mullin              Ward 2  
Councillor Frank Dale                    Ward 4 (Other Municipal Business)

STAFF: Janice Baker, City Manager and Chief Administrative Officer  
Gary Kent, Commissioner of Corporate Services and Chief Financial Officer  
Paul Martin, 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  
Sacha Smith, Team Lead, Legislative Services  
Carmela Radice, Legislative Coordinator, Legislative Services Division

**1. CALL TO ORDER**

The meeting was called to order at 9:07 a.m. by Mayor McCallion, with the saying of the Lord's Prayer.

**2. APPROVAL OF AGENDA**Verbal Motion

Moved by: B. Crombie

Seconded by: R. Starr

That the agenda be approved as presented.

Carried

**3. DECLARATIONS OF CONFLICT OF INTEREST - Nil****4. MINUTES OF PREVIOUS COUNCIL MEETINGS**Verbal Motion

Moved by: K. Mahoney

Seconded by: B. Crombie

That the Council minutes of July 3, 2013, July 30, 2013 and September 4, 2013 be approved as presented.

Carried

**5. PRESENTATIONS****(a) International Society of Crime Prevention Practitioner (ISCPP) Crime Prevention Ambassador Award**

Jacob Mouro, President Elect of the International Society of Crime Prevention Practitioners (ISCPP) presented the International Society of Crime Prevention Practitioner Crime Prevention Ambassador Award to Councillor Saito.

Councillor Saito thanked Mr. Mouro and the ISCPP for the award. Mayor McCallion and Councillor Iannicca congratulated Councillor Saito on receiving the award.

**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 0152-2013****(b) Owner Plates for Tow Trucks**

Dale Gray did not appear for the deputation on owner plates for tow trucks.

Councillors Starr and Iannicca requested that the deputation be referred to the Tow Industry Advisory Committee.

**(c) 2013 Culture Days**

Susan Burt, Director of Culture spoke to the three day celebration of the arts in the City and provided an update of what is happening this year for Culture Days as well as Doors Open. Mayor McCallion, Councillors Tovey, Fonseca, Crombie, Starr and Carlson thanked Ms. Burt for her presentation and staffs hard work in preparing the pamphlet and encouraged all residents to visit the many sites associated with the Doors Open event.

**7. PUBLIC QUESTION PERIOD – 15 Minute Limit**

(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.)

**(a) Flooding Issue**

Ed Bavington enquired about the lack of infrastructure in the City which contributed to the flooding on July 8, 2013 and questioned why should taxpayers have to pay extra taxes. Councillors Starr, Saito and Carlson indicated that new developments in the City have a process to follow such as retention and detention ponds that are put in with new developments to address the issue. Martin Powell, Commissioner of Transportation and Works indicated that there are regulations in place and no new developments are being approved in flood plains.

**8. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS**

- R-1 A report dated August 28, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Apportionment of Taxes**

Recommendation

That the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated August 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved.

Resolution 0151-2013

- R-2 A report dated September 5, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Tax Adjustments Pursuant to Sections 357 and 358.**

Recommendation

That the tax adjustments outlined in Appendix 1 attached to the report dated September 5, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for applications for cancellation or refund of taxes pursuant to Sections 357 & 358 of the *Municipal Act*, be adopted.

Resolution 0152-2013

- R-3 A report dated September 4, 2013, from Commissioner of Transportation and Works re: **Temporary Road Closure of a Portion of Eglinton Avenue East from Tahoe Boulevard to Spectrum Way for Construction of Sewer Works for the Mississauga Transitway Project (Wards 3 & 5)**

Recommendation

That Dufferin Construction Company be granted permission to temporarily close a portion of Eglinton Avenue East from Tahoe Boulevard to Spectrum Way for consecutive weekends noted below to undertake construction of storm sewer works as part of the Mississauga Transitway project as follows:

- a) From 7:00 p.m. on Friday, October 4, 2013 and ending at 6:00 a.m. on Monday October 7, 2013.
- b) From 7:00 p.m. on Friday, October 18, 2013 and ending at 6:00 a.m. on Monday October 21, 2013.
- c) From 7:00 p.m. on Friday, October 25, 2013 and ending at 6:00 a.m. on Monday October 28, 2013.
- d) From 7:00 p.m. on Friday, November 1, 2013 and ending at 6:00 a.m. on Monday November 4, 2013.
- e) From 7:00 p.m. on Friday, November 8, 2013 and ending at 6:00 a.m. on Monday November 11, 2013.

Resolution 0153-2013

**9. PRESENTATION OF COMMITTEE REPORTS**

- (a) Planning and Development Committee Report 11-2013 dated September 3, 2013.

Resolution 0150-2013

The recommendations were approved as follows:

PDC-0057-2013

That the Report dated August 13, 2013 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested eleven (11) Sign Variance Applications described in Appendices 1 to 11 to the Report, be adopted, as amended, in accordance with the following:

- 1. That the following Sign Variances **be granted**:
  - (a) Sign Variance Application 13-04053  
Ward 1  
Costco Wholesale  
1570 Dundas St. E.

To permit the following:

- (i) One (1) fascia sign attached to the south building elevation which does not face a street or contain the main entrance for the public.
  
- (b) Sign Variance Application 13-03672  
Ward 3  
925 Rathburn Rd. E.  
  
To permit the following:
  - (i) A second ground sign fronting Rathburn Rd. E.
  
- (c) Sign Variance Application 13-04958  
Ward 4  
Hudson's Bay  
100 City Centre Dr.  
To permit the following:
  - (i) One (1) fascia sign not located on the exterior wall forming part of the unit occupied by the business.
  
- (d) Sign Variance Application 13-04805  
Ward 5  
Rexall  
5965 Coopers Ave.  
  
To permit the following:
  - (i) One (1) ground sign located in the side yard of a lot located adjacent to a Provincial Highway.
  
- (e) Sign Variance Application 13-04187  
Ward 5  
Prologis  
200 Courtneypark Dr. W.  
  
To permit the following:
  - (i) Two (2) directional signs to have a sign area of 2.35 sq. m. (25.31 sq. ft.) and a height of 2.43m (8.0 ft.).
  
- (f) Sign Variance Application 13-04182  
Ward 5  
Prologis  
425 Courtneypark Dr. W.  
  
To permit the following:

(i) A directional sign to have a sign area of 2.79 sq. m. (30.0 sq. ft.) and a height of 2.44m (8.0 ft.).

- (g) Sign Variance Application 13-04184  
Ward 5  
Prologis  
450 Courtneypark Dr. W.

To permit the following:

(i) Two (2) directional signs to have a sign area of 2.79 sq. m. (30.0 sq. ft.) and a height of 2.44m (8.0 ft.).

- (h) Sign Variance Application 13-04176  
Ward 9  
Prologis  
6580 Millcreek Dr.

To permit the following:

(i) A directional sign to have a sign area of 1.09 sq. m. (11.78 sq. ft.) and a height of 2.13m (7.0 ft.).

2. That the following Sign Variance **be deferred**:

- (a) Sign Variance Application 09-05943  
Ward 6  
Hwy-Law Legal Services  
914 Burnhamthorpe Rd. W.

To permit the following:

- (i) One (1) fascia sign attached to the rear of the building that does not face a street or contain the main entrance for the public.  
(ii) One (1) fascia sign erected on the second storey of the building.

That the following Sign Variance **be granted as amended**:

- (b) Sign Variance Application 13-03917  
Ward 11  
King Mill Streetsville  
190 Rutledge Rd.

To permit the following:

- (i) **Six (6)** construction site signs fronting the railway tracks.

- (ii) Construction signs erected on the property with a total sign area equal to 133.59 sq. m. (1438 sq. ft.).
- (c) That the following Sign Variance **not be granted**:

Sign Variance Application 13-04399  
Ward 11  
King Mill Streetsville  
57 Tannery St.

To permit the following:

- (i) One (1) sign not expressly permitted.

**ADOPTED AS AMENDED** – (Councillor B. Crombie)  
File: BL.03-SIG (2013)

PDC-0058-2013

1. That the report titled “Proposed Expansion to the Streetsville Business Improvement Area (BIA)” dated August 13, 2013 from the Commissioner of Planning and Building, be received.
2. That the City Clerk be authorized to give notice to the Board of Management of the Streetsville BIA and to all commercial and industrial property owners defined under the *Municipal Act, 2001*, within the current Streetsville BIA boundary and the proposed boundary expansion, of City Council's intention to enact a by-law to expand the boundaries of the Streetsville BIA as shown on Appendix 4.

**RECEIVED** – (Councillor G. Carlson)  
File: CD.05.STR (Streetsville BIA)

PDC-0059-2013

1. That the Report dated August 13, 2013, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 11/017 W1, 501 Lakeshore Inc., Trinity Properties Lakeshore Inc. and 1716336 Ontario Inc., 447, 453, 501, 505 Lakeshore Road East and 1021, 1027, 1077 Enola Avenue, Northeast corner of Lakeshore Road East and Enola Avenue, be adopted in accordance with the following:



2. That City Council direct the City Solicitor, representatives from the appropriate City Departments and any necessary consultants to attend the Ontario Municipal Board (OMB) hearing on the subject applications in support of the recommendations outlined in the report dated August 13, 2013.
3. That the City Council provide the Planning and Building Department with the authority to instruct the City Solicitor on modifications to the position deemed necessary during or before the OMB hearing process, however, if there is a potential for settlement, in a form substantially different than outlined within this report, then a report shall be brought back to Council by the City Solicitor.
4. In the event the OMB renders a decision on the applicant's appeals that results in an increase in height or density, the applicant be requested to make a community benefits contribution in accordance with Section 37 of the *Planning Act*, policies contained in the Mississauga Official Plan and the City's Corporate Policy and Procedure on Bonus Zoning, and the Board be asked to withhold the implementation of the necessary Official Plan and Zoning By-law amendments until such time as the Section 37 discussions and resulting agreement are satisfactorily resolved.

**ADOPTED** – (Councillor J. Tovey)

File: OZ 11/017 W1

- (b) Transportation Committee Report 1-2013 dated September 4, 2013.

Resolution 0150-2013

The recommendations were approved as follows:

TC-0001-2013

That the deputation by Wendy Alexander, Director, Transportation and Infrastructure Planning Mississauga's Transportation System: Past, Present and Future be received.

TC-0002-2013

That the deputation by Gerald Russell, Resident with respect to Mississauga Transit be received.

## TC-0003-2013

That a by-law be enacted to amend By-law 555-2000, as amended, to implement 15-hour parking on the south side of Copenhagen Road between Joliette Crescent (west leg) and Bendigo Circle (west leg) where three-hour parking anytime is currently permitted.

Ward 9

## TC-0004-2013

That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on the east of Cottage Clay Road.

Ward 1

## TC-0005-2013

That a by-law be enacted to amend By-law 555-2000, as amended, to implement a U-turn prohibition for southbound motorists on Hurontario Street at John Street.

Ward 7

## TC-0006-2013

That a by-law be enacted to amend By-law 555-2000, as amended, to implement a 40 km/h speed limit on the following roadways:

1. Country Club Crescent
2. Watersedge Road between Bob-o-link Road and the west limit of the road
3. Meadow Wood Road between Orr Road and Country Club Crescent

Ward 2

## TC-0007-2013

That a by-law be enacted to amend By-law 555-2000, as amended, to implement a 40 km/h speed limit on Edenwood Drive between Battleford Road and Farmstead Lane.

Ward 9

## TC-0008-2013

That a by-law be enacted to amend By-law 555-2000, as amended, to implement an all-way stop control at the intersection of Kamato Road and Ambler Drive (east intersection).

Ward 5

TC-0009-2013

That the original commitment with Dufferin Construction Company, Procurement #FA.49.315-12, for the construction of the Mississauga Transitway Contract 2, from Fieldgate Drive to Etobicoke Creek, be increased by \$7,200,000 for advanced utility work, and that the Purchasing Agent be authorized to enter into Change Order or agreement as appropriate, and in a form satisfactory to Legal Services, to give effect to the increase.

TC-0010-2013

That the deputation made by Jay Trotter regarding cyclist's behaviours be received for information.

(MCAC-0037-2013)

TC-00011-2013

1. That the Mississauga Cycling Advisory Committee purchase 300 orange adult t-shirts for Tour de Mississauga, 50 orange kids t-shirts for Tour de Mississauga and 75 red marshal t-shirts.
2. That staff in the Clerk's Office and the ECity Store be authorized to sell the new supply of the 2013 Tour de Mississauga youth cycling t-shirts at a cost of \$12.00 (taxes included).

(MCAC-0038-2013)

TC-0012-2013

That 20 Tour de Mississauga t-shirts be given away at Ward Rides and that the funds come from the 2013 Mississauga Cycling Advisory Committee budget.

(MCAC-0039-2013)

TC-0013-2013

1. That staff work with Share the Road Cycling Coalition to create a safety blitz against cycling infractions.
2. That the Communications and Promotions Subcommittee to work on a cycling safety campaign.

(MCAC-0040-2013)

TC-0014-2013

That the email dated July 3, 2013 from a Resident regarding lines on bike paths be received and referred to staff for a response.

(MCAC-0041-2013)

TC-0015-2013

That the 2013 Mississauga Cycling Advisory Committee Calendar of Events from the July 9, 2013 meeting be received as amended.  
(MCAC-0042-2013)

TC-0016-2013

That the 2013 Mississauga Cycling Advisory Committee Action List from the July 9, 2013 meeting be received as amended.  
(MCAC-0043-2013)

TC-0017-2013

That the following information items be received for information:

1. Newsletter regarding the 2013 Bicycle Friendly Community Yearbook.
2. Newsletter regarding Share the Road Cycling Coalition - Advocacy Kit Outline.
3. Resignation email dated July 7, 2013 from Krista Lethbridge, of Mississauga Cycling Advisory Committee (MCAC) Citizen Member advising her resignation from MCAC.

(MCAC-0044-2013)

- (c) Environmental Advisory Committee Report 5-2013 dated September 10, 2013.

Resolution 0150-2013

The recommendations were approved as follows:

EAC-0029-2013

That the PowerPoint information update entitled Credit River Parks Strategy by Mark Howard, Project Lead, Credit River Parks Strategy, and David Marcucci, Manager, Park Planning, to the Environmental Advisory Committee on September 10, 2013, be received.

EAC-0030-2013

That the PowerPoint presentation by Kristina Jackson, National Operations Director, Sierra Club Canada Foundation, and Dan McDermott, Ontario Chapter, Sierra Club Ontario, entitled Protecting the Credit River Valley via Greenbelt in Mississauga to the Environmental Advisory Committee on September 10, 2013, be received.

## EAC-0031-2013

That the presentation to the Environmental Advisory Committee on September 10, 2013 by Kiruthiha Kulendiren, member of MIRANET's EAC Sub-Committee and President of the Lisgar Residents' Association, with respect to bringing the Greenbelt into Mississauga through the Credit River Valley and the Provincial Urban River Valley designation, be received.

## EAC-0032-2013

That the Environmental Advisory Committee unanimously supports the draft Notice of Motion with respect to stormwater flooding, presented by Councillor Chris Fonseca, Ward 3 as amended, to the Standing Committee on Environmental Issues and Sustainable Development of the Federation of Canadian Municipalities (FCM).

## EAC-0033-2013

That the Memorandum dated August 26, 2013 from Mary Bracken, Environmental Specialist, Environment Division, with respect to Rooftop Solar Projects in Mississauga being offered small Feed-in Tariff (FIT) contracts and next FIT application period, be received.

## EAC-0034-2013

That the Memorandum dated August 26, 2013 from Mary Bracken, Environmental Specialist, Environment Division, with respect to Doors Open 2013, be received.

## EAC-0035-2013

That the Memorandum dated August 26, 2013, from Brenda Osborne, Director, Environment Division, with respect to Plastic Sampling in the Great Lakes, be received.

## EAC-0036-2013

That the Memorandum dated September 3, 2013 from Mumtaz Alikhan, Legislative Coordinator, Environmental Advisory Committee, with respect to the 2014 Committee meeting dates, be received.

## EAC-0037-2013

That the presentation dated June 2013 entitled Municipal Ban on the use of Bottled Water at Government Administrative Offices by Dominika Sekula and Marsha Smith on behalf of the Council of Canadians, referred by Council at its July 3, 2013 meeting to the Environmental Advisory Committee, be received.

**EAC-0038-2013**

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

**EAC-0039-2013**

That the chart dated September 10, 2013 from Mumtaz Alikhan, Legislative Coordinator, Environmental Advisory Committee, with respect to the status of outstanding issues from the Environmental Advisory Committee, be received.

- (d) General Committee Report 14-2013 dated September 11, 2013.

**Resolution 0150-2013**

The recommendations were approved as follows:

**GC-0521-2013**

1. That a review of the Emergency Plan for flooding be undertaken by the City in collaboration with the Region of Peel and area conservation authorities.
2. That consideration be given to include the following flood risk mitigation capital projects in the 2014 capital budget for implementation in 2014:
  - New Stormwater Management Facility – Cooksville Creek Pond #3702 at Matheson Boulevard West and Avebury Road – Park 317 (land acquisition and construction)
  - Cooksville Creek Crossing Improvements and Flood Protection – King Street East and Paisley Boulevard East (construction)
3. That consideration be given to include a Flood Evaluation Study for Serson, Applewood and Little Etobicoke Creeks in the 2014 capital budget for commencement in 2014.

4. That a Terms of Reference for an advisory panel called upon to provide insight, advice and guidance on flooding related studies being undertaken or planned by the City as a result of the July 8, 2013 storm be developed and that a corporate report outlining its mandate, objectives, membership and term be brought to General Committee in fall 2013 for consideration.
5. That a capital project titled Cooksville Creek Erosion Control (East Branch) – Burnhamthorpe Road East to Mississauga Valley Boulevard (Construction), PN 13-143, be established with a gross and net budget of \$940,000; that \$912,000 from the Capital Reserve Fund (#33121) and \$28,000 from the Storm Water Management Reserve Fund (#31350) be allocated to PN 13-143 and that the appropriate by-law be enacted.
6. That the building permit and inspection fee for a backwater valve as set out in the City of Mississauga's Building By-law 255-05, be waived for all homeowners in the City of Mississauga.
7. That the City's Full Time Equivalent (FTE) staff count increase by one Water Resources Project Engineer in the Roads, Storm Drainage & Watercourses Service Area from 4101 FTEs to 4102 FTEs, and that the cost be funded from labour gapping in 2013 and the annualized cost of \$113,900 be incorporated into the Roads, Storm Drainage and Watercourses (RSDW) 2014-2016 business plan and budget.
8. That a status report be brought to General Committee in early 2014 with an update on the progress of actions undertaken in response to the July 8, 2013 extreme rainfall event.
9. That a copy of the report dated August 26, 2013 from the Commissioner of Transportation and Works titled July 8, 2013 Storm Event Update – Transportation and Works be forwarded to the Region of Peel, Credit Valley Conservation and Toronto and Region Conservation.

10. That the Credit Valley Conservation, City of Mississauga and Region of Peel put together a report gathering the projects that are required to be undertaken on a priority basis and the capital budget implications as well as operating budget implications.
11. That Legal Services advise Council on the liability, if any if we issue a building permit for a basement apartment.
12. That the Credit Valley Conservation confirm to Council that the storm water management of the City of Brampton is acceptable due to the fact that it could have a major impact on the Etobicoke Creek and Cooksville Creek.
13. That staff report to the next Council meeting the need for staff to deal with storm management.

#### GC-0522-2013

1. That the "Credit River Parks Strategy", provided under separate cover to the Corporate Report dated August 23, 2013, from the Commissioner of Community Services, be endorsed in principle.
2. That the implementation plans identified in section 1.4, 1.5 and 1.6 of the "Credit River Parks Strategy", provided under separate cover to the Corporate Report dated August 23, 2013, from the Commissioner of Community Services, be referred to the annual business planning and budget process for review and prioritization.

#### GC-0523-2013

That the report entitled Community Services Storm Damage dated August 23, 2013 from the Commissioner of Community Services be received for information.

#### GC-0524-2013

1. That the report entitled "Debrief of July 8th Storm: Public Information and Customer Service (3-1-1)," dated August 23, 2013 from the Commissioner of Corporate Services and Treasurer be received for information.



2. That the Communications Division continue to review and update its protocols for emergency messaging and 3-1-1 delivery as noted in the report, and as part of a formal overall review of the City's emergency response plan.

GC-0525-2013

That the report dated August 27, 2013, from the Commissioner of Transportation and Works entitled "Review of Vacuum Leaf Collection Program" regarding maintaining the existing level of service be approved.

GC-0526-2013

That the street names Da Nang, Saigon and Vietnam be approved for use in the City of Mississauga, and be added to the City of Mississauga Approved Street Name Reserve List.  
(Ward 6, City-wide)

GC-0527-2013

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Municipal Works Agreement for City File No. CD. 09. RTR, PCM Bramalea Road Inc. (formerly RT Twelfth Pension Properties Limited), associated with 7315 David Hunting Drive, (lands located south of the CN Railway spur line, east of the Etobicoke Creek, west of Kimbel Street and north of Drew Road, Z-49) and that the Letter of Credit in the amount of \$96,388.00 be returned to the developer.  
(Ward 5)

GC-0528-2013

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for SP/02/207, (Fernanda M. Leal), the lands located south of Queensway West, east of Stavebank Road and west of Hurontario Street, Z-15, and that the Letter of Credit in the amount of \$66,020.30 be returned to the developer.  
(Ward 7)

## GC-0529-2013

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1795, The Erin Mills Development Corporation, (lands located north of Eglinton Avenue West, south of Forest Hill Drive, west of The Chase and east of Erin Mills Parkway, Z-39), known as Central Erin Mills Subdivision and that the Letter of Credit in the amount of \$154,502.90 be returned to the developer and that a by-law be enacted to establish the road allowances within the Registered Plan as public highway and part of the municipal system of the City of Mississauga.

(Ward 11)

## GC-0530-2013

1. That a staff recruitment panel be created consisting of the City Clerk and City Solicitor or their designate and a representative from Human Resources to review applications, conduct interviews and recommend hearing officers for appointment by Council.
2. That hearing officers be remunerated at a per diem rate of \$400 and a half day rate of \$200.
3. That Council adopt Conflict of Interest Guidelines for Screening and Hearing Officers adjudicating in an Administrative Penalty System as attached in Appendix 1 to the Corporate Report dated August 27, 2013 from the Commissioner of Transportation and Works.

## GC-0531-2013

That the report dated August 23, 2013, from the Commissioner of Community Services, entitled Local Climate Change Risk Assessment, Adaptation and Mitigation be received for information.

## GC-0532-2013

That the report dated August 27, 2013, from the Commissioner of Community Services, entitled "Greening Our Fleet" Program Analysis be received for information.

## GC-0533-2013

That Council rescind Resolution 0292-2012 and pass a resolution supporting rooftop solar projects in Mississauga as outlined in the Corporate Report titled "Rooftop Solar Projects in Mississauga Offered Small Feed-in Tariff (FIT) Contracts and Next FIT Application Period" dated August 26, 2013 from the Commissioner of Community Services.

## GC-0534-2013

1. That a portion of the multipurpose trail within Glen Erin Trail (P-079) be dedicated in recognition of **Earl Fee**; and
2. That Council waive the requirements that the recognition of an individual be posthumous as outlined in the City's "Property and Facility Naming and Dedications" Corporate Policy.

(Ward 8)

## GC-0535-2013

That the report dated August 19, 2013 from the Commissioner of Corporate Services and Treasurer entitled Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – January 1, 2013 to June 30, 2013 be received for information.

## GC-0536-2013

1. That the City owned parcel of land located on the east side of Aviation Road south of Lakeshore Road East, containing an area of approximately 174 square metres (1,872.24 square feet), be declared surplus to the City's requirements. The City owned parcel is designated as Part Lot 1, 2 and 25, Plan A26 Toronto; described as Part 7 on Reference Plan 43R-22277; S/T VS361612, in the City of Mississauga, Regional Municipality of Peel, Ward 1.
2. That Realty Services staff be authorized to proceed to dispose of the subject lands to be declared surplus at fair market value to the abutting owner.

3. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week prior to the execution of an agreement for the sale of the subject lands under delegated authority.

(Ward 1)

#### GC-0537-2013

That the report dated August 27, 2013 from the Commissioner of Corporate Services and Treasurer entitled Sublease Agreement with 2016169 Ontario Inc. (o/a Blyth Academy) for a house known as Adamson House at 850 Enola Avenue be received for information.

(Ward 1)

#### GC-0538-2013

1. That the irregular-shaped parcel of land located on the west side of Dixie Road, north of Eastgate Parkway, containing an area of approximately 383.2 square metres (4,124.7 square feet), be declared surplus to the City's requirements for the purpose of transfer to The Regional Municipality of Peel ("Peel"), for nominal consideration for the purpose of transfer to Peel to form part of Dixie Road, as required in connection with the construction and operation of the Bus Rapid Transit Project ("BRT). The subject lands are legally described as Part of Lot 6, Concession 2, North of Dundas Street, (formerly Geographic Township of Toronto) being designated as Parts 1, 2, 3 and 4 on Expropriation Plan PR1954308, City of Mississauga, Regional Municipality of Peel, in Ward 3.
2. That Council waive the requirement set out in Section 42 of the Expropriations Act, R.S.O., 1990, c. E.26, as amended (the "Act"), to provide the owners from whom the land was taken the first chance to repurchase the lands on the terms of the best offer received.

3. 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, and all documents ancillary thereto, between The Corporation of the City of Mississauga (the "City"), as Vendor and The Regional Municipality of Peel ("Peel"), as Purchaser, for the irregular -shaped parcel of land located on the west side of Dixie Road, north of Eastgate Parkway, containing an area of approximately 383.2 square metres (4,124.7 square feet), for the purpose of transfer to Peel to form part of Dixie Road. The purchase price is nominal. The subject lands are legally described as Part of Lot 6, Concession 2, North of Dundas Street, (formerly Geographic Township of Toronto) being designated as Parts 1, 2, 3 and 4 on Expropriation Plan PR1954308, City of Mississauga, Regional Municipality of Peel, in Ward 3.
  
4. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land.

(Ward 3)

GC-0539-2013

That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute an Agreement of Purchase and Sale, and all documents ancillary thereto, between The Erin Mills Congregation of the United Church of Canada as Vendor and The Corporation of the City of Mississauga as Purchaser, for the conveyance of a parcel of land comprising approximately 3,993 square metres (0.9866 acres) for the purchase price of One Million Five Hundred and Seventy Eight Thousand Five Hundred and Sixty Dollars (\$1,578,560.00), plus applicable taxes, the subject property is located on the south west corner of Winston Churchill Boulevard and The Collegeway, and is legally described as Block 124, Registered Plan 43M-745, subject to a right as in LT927610 and subject to LT810132, described as Part 1 and Part 2 on drawing number 21616-13 prepared by Van Harten Surveying Inc., in the City of Mississauga, Regional Municipality of Peel, in Ward 8.

(Ward 8)

## GC-0540-2013

That the report dated September 3, 2013 from the Commissioner of Corporate Services and Chief Financial Officer regarding the 2012 Annual Report of the Information and Privacy Commissioner/Ontario (IPC) be received for information.

## GC-0541-2013

1. That the "Financial Report as at June 30, 2013 and Year-End Forecast" report dated September 4, 2013, from the Commissioner of Corporate Services and Chief Financial Officer, be received.
2. That the Treasurer be authorized to fund and close the capital projects as identified in this report and enact the necessary by-laws.

## GC-0542-2013

That the PowerPoint presentation, entitled "Credit River," by Mark Howard, Project Lead, Credit River Parks Strategy, and Planner, Long Term Planning, Park Planning Section, and Diane Relyea, Landscape Architect Intern, Community Services Department, to the Heritage Advisory Committee on July 23, 2013 be received, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess." Wards 1, 2, 6, 7, 8, and 11  
(HAC-0059-2013)

## GC-0543-2013

That the Memorandum dated June 20, 2013 from Karen Crouse, Community Planner, Policy Planning Division, Planning and Building Department, entitled "Proposed City Initiated Amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for the Meadowvale Village Neighbourhood Character Area," be received, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."  
Ward 11  
(HAC-0060-2013)

## GC-0544-2013

That the request to alter the Old Derry Road right-of-way, as described in the Corporate Report dated June 18, 2013 from the Commissioner of Community Services, be approved, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

Ward 11

(HAC-0061-2013)

## GC-0545-2013

That the request to alter the property at 7005 Pond Street, as described in the Corporate Report dated July 2, 2013 from the Commissioner of Community Services, be allowed to proceed, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

Ward 11

(HAC-0062-2013)

## GC-0546-2013

That the property at 1389 Glenwood Drive, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

Ward 1

(HAC-0063-2013)

GC-0547-2013

That the shed and three glass greenhouse roofs located on the property at 2151 Camilla Road, which is listed on the City's Heritage Register, are not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

Ward 7

(HAC-0064-2013)

GC-0548-2013

That the property at 1425 Stavebank Road, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

Ward 1

(HAC-0065-2013)

GC-0549-2013

That the correspondence dated June 19, 2013 from Jim Dowell, P. Eng., Consultant Project Manager, McCormick Rankin, entitled "Ontario Ministry of Transportation Notice of Filing: Transportation Environmental Study Report, Highway 403 and Queen Elizabeth Way Improvements from Trafalgar Road to Winston Churchill Boulevard," be received, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

(HAC-0066-2013)



## GC-0550-2013

1. That the correspondence dated June 19, 2013 from the Heritage Resources Centre with respect to the Heritage Planning Workshop: Huntsville on August 15-16, 2013 at the Waterloo Summit Centre for the Environment in Huntsville, Ontario be received, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess"; and
2. That up to three Heritage Advisory Committee Citizen Members be authorized to attend the Heritage Planning Workshop: Huntsville on August 15-16, 2013 at the Waterloo Summit Centre for the Environment in Huntsville, Ontario and that funds be allocated in the Heritage Advisory Committee's 2013 budget (Account #28609) to cover approximately \$900 for registration fees, approximately \$850 for mileage, approximately \$1,200 for accommodations, and approximately \$360 for per diem allowances.

(HAC-0067-2013)

## GC-0551-2013

That the chart dated July 23, 2013 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, with respect to the status of outstanding issues from the Heritage Advisory Committee, be received, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."

(HAC-0068-2013)

## GC-0552-2013

That the correspondence dated July 9, 2013 from Sean Stuckless, Ward 6 resident, entitled "Participation Request, Heritage Tree Subcommittee" be received and deferred until the Heritage Advisory Committee considers a Corporate Report in the fall of 2013 regarding the Heritage Tree Subcommittee's mandate and future, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."  
(HAC-0069-2013)

## GC-0553-2013

That the Memorandum dated June 28, 2013 from Laura Waldie, Heritage Coordinator, entitled "CBC News Article on Modernist Designation in Waterloo Region," be received, in accordance with By-law 0139-2013, A By-law to establish the Procedures of Council and its Committees and to Repeal By-law 421-03 and, specifically, Section 89 of the By-law entitled "Delegation to Staff during Summer and Election Recess."  
(HAC-0070-2013)

- (e) Heritage Advisory Committee Report 7-2013 dated September 17, 2013.

Resolution 150-2013

The recommendations were approved as follows:

## HAC-0071-2013

That the property at 200 Oakhill Road, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process.  
Ward 1

## HAC-0072-2013

1. That the nine elevation, floor plan, and streetscape drawings for 1125 Willow Lane presented by Alison Strickland, Strickland Mateljan Design + Architecture, and Denise Baker, Townsend and Associates Barristers and Solicitors, to the Heritage Advisory Committee on September 17, 2013, be received; and

2. That the request to alter the property at 1125 Willow Lane, as described in the Corporate Report dated August 29, 2013 from the Commissioner of Community Services, be approved and that the issuance of a heritage permit be subject to the following three conditions:
  - (a) The property owners satisfying the conditions outlined within the body of the above-noted Corporate Report;
  - (b) The property owners obtaining support in writing from the Meadowvale Village Heritage Conservation District Review Committee for the above-noted request to alter by Monday, September 23, 2013; and
  - (c) The property owner's agents receiving an email message from Heritage staff regarding outstanding matters with respect to the request to alter by Monday, September 23, 2013.

Ward 11

#### HAC-0073-2013

1. That the request by the property owners of 800 Hydro Road listed on the City's Heritage Register to demolish three remaining structures, as described in the Corporate Report dated August 15, 2013 from the Commissioner of Community Services be permitted and allowed to follow the applicable process; and
2. That the property at 800 Hydro Road, formerly known as the Lakeview Generation Plant, be removed from the City's Heritage Register.

Ward 1

#### HAC-0074-2013

That the property at 1392 Stavebank Road, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process.

Ward 1

#### HAC-0075-2013

That the property at 1285 Minaki Road, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process as described in the Corporate Report dated August 17, 2013 from the Commissioner of Community Services.

Ward 1

## HAC-0076-2013

That the dwelling located on the property at 3669 Mississauga Road, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process.

Ward 8

## HAC-0077-2013

That the Memorandum dated August 13, 2013 from Laura Waldie, Heritage Coordinator, entitled "Heritage Impact Statement, 2610, 2620, and 2630 Mississauga Road," be received.

Ward 8

## HAC-0078-2013

That the Memorandum dated September 4, 2013 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, entitled "2014 Heritage Advisory Committee Meeting Dates," be received.

## HAC-0079-2013

1. That the correspondence from Community Heritage Ontario and the Town of Ajax with respect to the Heritage Conservation Districts & Heritage Property Insurance Workshop on October 3, 2013 at the Doric Masonic Hall (formerly the Quaker Meeting House) in Ajax, Ontario be received; and
2. That up to two Heritage Advisory Committee Citizen Members be authorized to attend the Heritage Conservation Districts & Heritage Property Insurance Workshop on October 3, 2013 at the Doric Masonic Hall (formerly the Quaker Meeting House) in Ajax, Ontario and that funds be allocated in the Heritage Advisory Committee's 2013 budget (Account #28609) to cover approximately \$70 for registration fees and approximately \$200 for mileage.

## HAC-0080-2013

That the chart dated September 17, 2013 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, with respect to the status of outstanding issues from the Heritage Advisory Committee, be received.

## HAC-0081-2013

That the correspondence dated September 16, 2013 from Mirjana Osojnicki, Senior Environmental Planner, AECOM, with respect to the Notice of Study Commencement: Municipal Class Environmental Assessment Study for Creditview Road from Bancroft Drive to Old Creditview Road, be received.

Ward 11

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

- P-1 Petition received at the Office of the City Clerk on August 19, 2013 containing approximately 489 electronic signatures requesting to amend Mississauga By-law 299-04 appointing City employees as municipal law enforcement officers for the purpose of enforcing municipal by-laws.

Councillor McFadden indicated that the by-law referenced in the petition is not the correct amending by-law to deal with allowing chickens in backyards. Crystal Greer, City Clerk indicated that the Animal Care and Control By-law 0098-04 should have been referenced.

Received and referred to Transportation and Works Enforcement Division for a report

**12. CORRESPONDENCE**

- (a) Information Items: I-1 – I-18

- I-1 A letter dated June 21, 2013, from the Minister of Municipal Affairs and Housing regarding the amending section 259 of the *Municipal Act, 2001* declaring the office vacant of a member of a municipal council who is a registered candidate in a federal or provincial election.

Received for information

- I-2 A letter dated July 2, 2013, from the Mississauga Sports Council regarding the Sport Plans implementation and how the Mississauga Sports Council is looking forward to a collaborative shared leadership and embracing a *Mississauga Sport for All for Life* landscape that is passionately built by the people, with the people and for the people who study, live, work and play in a Healthy Mississauga.

Received for information

- I-3 A letter dated July 11, 2013 from the Gordon Woods Homeowners' Association regarding the Private Tree Protection By-law 0256-2013 requesting that staff revisit the by-law.

Mayor McCallion enquired about the letter from the Gordon Woods Homeowners' Association. Councillor Iannicca requested that staff revisit the by-law to address properties under site plan, rezoning or development application reviews. Paul Mitcham, Commissioner of Community Services indicated that staff has spoken with the residents of Gordon Woods and the by-law will be revisited.

Received and refer to Community Services Department for appropriate action

- I-4 A letter dated July 12, 2013 from the Ministry of Tourism, Culture and Sport approving the City of Mississauga's HIGH FIVE Accreditation Project initiative.

Councillor Fonseca congratulated the City for the HIGH FIVE Accreditation. Paul Mitcham, Commissioner of Community Services indicated that a report would be coming forward near the end of the year.

Received for information

- I-5 Letter dated July 12, 2013, from the Societe Alzheimer Society Sudbury – Manitoulin requesting support for Council to support the people in Mississauga who are affected by dementia and to also reduce the burden of dementia in the community.

Received and referred to the Region of Peel

- I-6 A letter dated July 15, 2013, from the Chair of Traffic Safety Council regarding the Corporate Report entitled "*City Committees of Council Structure Review.*"

Councillor Saito referred the letter from the Chair of Traffic Safety Council regarding the Corporate Report entitled "*City Committees of Council Structure Review*" to Traffic Safety Council to meet with staff to discuss the issue.

Received and referred to Traffic Safety Council for appropriate action

- I-7 An email dated July 18, 2013, from a Ward 8 resident Gary Nickerson regarding leaving children and pets inside their vehicles and posting signage at malls and markets.

Councillors Mahoney and Saito requested that staff look into requiring signs concerning leaving children and pets in vehicles erected at shopping mall parking lots and other locations. They also, requested a letter be sent to all too all shopping malls in the city and other locations about this issue.

Received and refer to Transportation and Works Department for appropriate action

- I-8 A letter dated July 29, 2013, from Land Development Coordinator of Dunsire Developments objecting to the proposed heritage designation of the Gooderham Farmhouse at 7235 Second Line West under the *Ontario Heritage Act*.

Received and refer to Heritage Advisory Committee for appropriate action

- I-9 A letter dated August 1, 2013, from Ward 11 resident Randy Hanson requesting amendments to By-law 0785-80 (Nuisance) and/or By-law 360-79 (Control Noise).

Councillor Carlson indicated that he has been working with Mr. Hanson and the school to address the concerns in the letter.

Received for information

- I-10 An email dated August 9, 2013, from Canadian Anaphylaxis Initiative Mississauga Anaphylaxis requesting that Council consider making all restaurants within the City carry an EPI Emergency Kit.

Councillor Mahoney indicated that the email was referred to the Regional Municipality of Peel.

Received for information

- I-11 An email dated August 21, 2013, from the Ministry of Energy indicating the launch of the Municipal Energy Plan (MEP) Program.

Councillor Carlson indicated that the email was referred to the Environmental Advisory Committee and Environmental Division.

Received and referred to the Environmental Advisory Committee and to the Environmental Division

- I-12 An email dated August 26, 2013, from a Ward 1 residents Graham and Lindsay Davies opposing the amendments to Mississauga By-law 299-04 appointing City employees as municipal law enforcement officers for the purpose of enforcing municipal by-laws.

Councillor Tovey requested that staff report back on the issues of chickens in backyards. Martin Powell, Commissioner of Transportation and Works indicated that staff will be reporting back on this issue.

Received and referred to Transportation and Works Enforcement Division for a report  
Petition P-1

- I-13 An email dated August 26, 2013, from a resident of Kingston, Ontario requesting that Council support the Private's Member's Bill C-322 to amend the *Health and Animals Act* and the *Meat Inspection Act* to slaughter horses for human consumption.

Received for information

- I-14 Letter dated August 30, 2013, from the Premier responding to a Mayor's letter regarding the prevention of plastics from Mississauga entering streams, rivers, the Great Lakes and the ocean.

Councillor Tovey thanked Mayor McCallion for sending the letter to the Province of Ontario.

Received for information



- I-15 Email dated September 6, 2013, from a Frank Fernandez member of Stop the Great Lakes Nuclear Dump requesting that Council oppose the ill-advised plan of the Ontario Power Generation (OPG) to build a nuclear waste repository right beside the Great Lakes.

Councillor Tovey requested that staff research the Ontario Power Generation's plan to build a nuclear waste repository to bury radioactive nuclear waste and report back.

Received and referred to Environmental Division  
Resolution 0157-2013

- I-16 Notice of Proposed Development dated July 12, 2013, Application OZ 13/008 W1 to change the zoning for the subject lands from "C4-13" (Mainstreet Commercial) to "RA-5 Exception" (Apartment Dwellings) (Ward 1).

Received for information

- I-17 Notice of Proposed Development dated August 13, 2013, Application OZ 13/005 W8 a change in zoning is being requested for the subject lands from "RA-34" (Apartment Dwellings) to "RA5-Exception" (Apartment Dwellings) (Ward 8).

Received for information

- I-18 Notice of Proposed Development dated August 29, 2013, Application OZ 13/001 W6 to change the zoning is being requested for the subject lands from "RA5-40" (Apartment Dwelling) to "RA5-Exception" (Apartment Dwellings) Applicant/Owner Southlawn Developments Inc. (Ward 6).

Received for information

- (b) Direction Item: Nil

**13. NOTICE OF MOTION**

- M-1 That Council authorizes the reimbursement of the building permit fee for the installation of backwater valves to any resident affected by the flood on July 8, 2013, who paid the fee prior to the passing of Resolution 0148-2013.

Councillors Tovey and Fonseca spoke to the installation of the backwater valve and its use for preventative damage.

Resolution 0158-2013

- M-2 That Council requests the Federation of Canadian Municipalities to work with the Federal government to establish a permanent natural disaster relief fund, work with the responsible Ministers of each Province to mandate insurance companies to offer residential flood insurance or in the alternative provide such coverage and provide sustainable funding for infrastructure to address residential and business flooding.

Councillor Fonseca requested that the Federation of Canadian Municipalities urge the Federal Government to incorporate climate change adaptation and mitigation principals within the Build Canada Fund, establish a permanent natural disaster relief fund, with the Ministers of each Province to mandate insurance companies to offer residential flood insurance and provide sustainable funding for infrastructure to address the issue. Martin Powell, Commissioner of Transportation and Works indicated that the Federal Government needs to work with the Province of Ontario on this issue. Councillor Iannicca spoke in support of the motion. Mayor McCallion and Councillor Crombie raised concerns about working with the Ministers of each Province to mandate insurance companies to offer residential flood insurance and requested the portion in the motion be deleted. Councillor Fonseca agreed to strike out that portion in the motion.

Councillor Tovey requested that Ed Bavington be permitted to speak on this issue.

**NOTE: Mr. Bavington's remarks are listed under Public Question Period.**

Resolution 0159-2013



0151-2013 Moved by: P. Saito Seconded by: K. Mahoney

That the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated August 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved.

Carried

0152-2013 Moved by: B. Crombie Seconded by: R. Starr

That the tax adjustments outlined in Appendix 1 attached to the report dated September 5, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for applications for cancellation or refund of taxes pursuant to Sections 357 & 358 of the *Municipal Act*, be adopted.

Carried

0153-2013 Moved by: C. Fonseca Seconded by: B. Crombie

That Dufferin Construction Company be granted permission to temporarily close a portion of Eglinton Avenue East from Tahoe Boulevard to Spectrum Way for consecutive weekends noted below to undertake construction of storm sewer works as part of the Mississauga Transitway project as follows:

- a) From 7:00 p.m. on Friday, October 4, 2013 and ending at 6:00 a.m. on Monday October 7, 2013.
- b) From 7:00 p.m. on Friday, October 18, 2013 and ending at 6:00 a.m. on Monday October 21, 2013.
- c) From 7:00 p.m. on Friday, October 25, 2013 and ending at 6:00 a.m. on Monday October 28, 2013.
- d) From 7:00 p.m. on Friday, November 1, 2013 and ending at 6:00 a.m. on Monday November 4, 2013.
- e) From 7:00 p.m. on Friday, November 8, 2013 and ending at 6:00 a.m. on Monday November 11, 2013.

Carried

0154-2013 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 one or more Rooftop Solar Projects may be constructed and operated in the City of Mississauga;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), applications 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 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 resolution 0292-2012 be repealed;

And further, that Council support shall lapse twelve (12) months after its adoption by Council.

Carried

0155-2013 Moved by: G. Carlson

Seconded by: S. McFadden

WHEREAS Resolution 0118-2013 passed by Council on July 3, 2013 that the Planning and Development Committee Recommendation PDC-0050-2013 on the report dated June 4, 2013, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Convenience Retail Commercial – Special Site 7" to "Business Employment – Special Site" and to change the Zoning from "C1-2" (Convenience Commercial) to "E2- Exception" (Employment), to permit a motor vehicle dealership under file OZ 11/002 W11, 2356860 Ontario Inc., Part of Lots 6 and 7, Concession 2, W.H.S. be received for information. AND WHEREAS the Planning and Development Committee Recommendation PDC-0050-2013 should reflect "**subject to the notwithstanding clause.**"

NOW THEREFORE, be it resolved that Council hereby resolves that the Planning and Development Committee Recommendation PDC-0050-2013 be amended to read that the report dated June 4, 2013, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Convenience Retail Commercial – Special Site 7" to "Business Employment – Special Site" and to change the Zoning from "C1-2" (Convenience Commercial) to "E2- Exception" (Employment), to permit a motor vehicle dealership under file OZ 11/002 W11, 2356860 Ontario Inc., Part of Lots 6 and 7, Concession 2, W.H.S. be received for information, "**subject to the notwithstanding clause.**"

Carried

0156-2013 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 September 18, 2013, shall be closed to the public to deal with the following matters:

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

- (i) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **Revised Capital Budget for Remediation and Construction of Universal Drive Drainage Channel; Potential Litigation Against Adjacent Landowners for Remediation Work PN 12-140 (Ward 3) File Ref.: Procurement No. FA.49.676-12 and Procurement No. FA.49.520-13.**
- (ii) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **City of Mississauga and Siemens Building Technologies Ltd. Offer to Settle.**
- (iii) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **(1)“A”268/13 – Rio-Can (Clarkson) Inc. – 1865 Lakeshore Road West – Ward 2; (2)“A”254/13 – Joanna Sous – 2045 Camilla Road – Ward 7; (3)“A”213/13 – Fausto, Donato & Antonio Finelli – 376 Derry Road West – Ward 11 and (4)“A”279/13 – Dan Zita – 33 Hiawatha Parkway – Ward 1.**
- (iv) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose re: **Janak & Vandana Gupta – 1721 Blyth Road (Ward 8).**
- (v) Personal matters about an identifiable individual, including municipal or local board employees re: **Traffic Safety Council and Museums of Mississauga Advisory Committee Citizen Membership.**

Carried

0157-2013 Moved by: J. Tovey Seconded by: G. Carlson

That staff research the Ontario Power Generation plan to build a nuclear waste repository to bury radioactive nuclear waste and report back.

Carried

0158-2013 Moved by: C. Fonseca Seconded by: J. Tovey

WHEREAS Council passed Resolution 0148-2013 at the July 30, 2013 Special Council meeting which waived the building permit fee for the installation of backwater valves for residents affected by the flood on July 8, 2013;

AND WHEREAS it was Council's intention for the waiver of the fee to apply to all resident affected by the flood on July 8, 2013;

AND WHEREAS residents affected by the flood on July 8, 2013 may have paid the building permit fee for the installation of the backwater valve prior to Council waiving the fee;

NOW THEREFORE BE IT RESOLVED that Council authorizes the reimbursement of the building permit fee for the installation of backwater valves, to any resident affected by the flood on July 8, 2013, who paid the fee prior to the passing of Resolution 0148-2013.

Carried

0159-2013 Moved by: C. Fonseca

Seconded by: J. Tovey

WHEREAS Canada is seeing a dramatic increase in extreme weather events;

AND WHEREAS there are very few, if any, stormwater systems in Canada able to withstand the intensity of the storms occurring across Canada on a more frequently basis such as (Toronto August 2005, Mississauga August 2009, Winnipeg April 2011, Calgary June 2013, and West-Central GTA July 2013;

AND WHEREAS the Greater Toronto Area alone has had five extreme weather events over the last decade with rain intensity greater than the 100 year design storm;

AND WHEREAS before 1990, only three Canadian disasters exceeded \$500 million in damages, in the past decade alone, nine surpassed that amount;

AND WHEREAS in the first 6 months of 2013, Canada has experienced two weather related disaster events estimated to be responsible for damages in excess of \$1 billion with only one half of the damages covered by insurance;

AND WHEREAS weather-related water damages are now the leading cause of property losses and the highest percentage of residential insurance claims;

AND WHEREAS Canadian municipalities are on the front line of climate adaptation and mitigation policies, strategies and leadership;

AND WHEREAS recent disastrous extreme weather events across Canada have made climate change top of the public agenda and most notably on the urgency to adapt our communities' core infrastructure to a changing climate for the protection of Canadians and their communities, and the collaborative roles that all levels of government must play;



AND WHEREAS FCM Federal and Municipal programs Green Municipal Fund and Partners for Climate Protection have aided municipalities with capacity building tools to address climate mitigation, adaptation, and have proven economic benefits locally, regionally, provincially and nationally; AND WHEREAS Canada is the only G8 country where people cannot buy insurance for overland flooding;

AND WHEREAS this Motion has been endorsed by the City of Mississauga's Environmental Advisory Committee at its meeting of September 10, 2013;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Mississauga requests the Federation of Canadian Municipalities urge the federal government to incorporate climate change adaptation and mitigation principles within the Build Canada Fund; establish a permanent natural disaster relief fund; and provide sustainable funding for infrastructure to address residential and business flooding;

AND FURTHER that the Federation of Canadian Municipalities and the Association of Municipalities of Ontario request similar endorsement of all their members in good standing;

AND FURTHER that this resolution be forwarded, for immediate attention and action to: the Prime Minister of Canada, the Right Honourable Stephen J. Harper, as well as Canada's Minister of Finance, the Honourable James M. Flaherty, and all local members of Parliament.

Carried

0160-2013 Moved by: J. Tovey

Seconded by: C. Fonseca

WHEREAS the property was subdivided into three lots as part of Registered Plan A-23; registered in the early 1920s;

AND WHEREAS the property municipally known as 990 and 994 Lakeshore Road West, located on the south side of Lakeshore Road West, west of Whittier Crescent, was originally designated "Residential" in the Official Plan of the Township of Toronto Planning Area, approved in May 1953;

AND WHEREAS the Official (Primary) Plan, approved in April 1981, and the Clarkson Lorne Park Secondary Plan, approved in June 1986, changed the designation of the property from "Residential" to "Greenbelt" and "Open Space";

AND WHEREAS City Plan, which came into effect in July 1997, further changed the designations of the property to "Greenbelt" and "Private Open Space";

AND WHEREAS the property has continued to be designated "Greenbelt" and "Private Open Space" in Mississauga Plan which came into effect in May 2003 and in Mississauga Official Plan (2011) adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011;

AND WHEREAS the property was originally zoned "R2" (Detached Dwellings) in its entirety under former Zoning By-law 5500, which permitted detached dwellings with a minimum lot frontage of 30 m (98.4 ft.) along with other regulations for development;

AND WHEREAS Zoning By-law 0225-2007 came into effect on June 20, 2007 brought the Zoning into conformity with the Official Plan by changing the zoning of the property from "R2-2065" (Detached Dwellings) to "OS1-2" (Open Space) which permits only private open space, with a supplemental "Greenbelt Overlay" over the lands with the underlying "Greenbelt" designation;

AND WHEREAS Council in approving the new Zoning By-law in May 2007 passed Resolution 0136-2007 allowing any land owner to request Council to authorize an Exception Zone that would recognize a prior approval, as long as the request was received within one year of passing of Zoning By-law 0225-2007;

AND WHEREAS the property owner approached the City within that timeframe requesting that the zoning of the property be reverted such that they regain the zoning afforded to them by the previous residential zoning under former Zoning By-law 5500;

AND WHEREAS it has come to our attention that the lands were inadvertently designated "Open Space" through the Official (Primary) Plan and the Clarkson Lorne Park Secondary Plan, and further designated "Private Open Space" through City Plan, as the property was not part of the adjoining private open space lands to the south owned by the Lorne Park Estates Association;

AND WHEREAS the property owner has met with staff from the City and Credit Valley Conservation and is aware of the development constraints on site due to the presence of hazard lands associated with Moore Creek;

AND WHEREAS the property owner would not have been able to develop the entirety of the property as a result of the existence of those hazard lands irrespective of the previous Zoning;

AND WHEREAS Council Resolution 0245-2012 passed on October 24, 2012, required that the matter be brought back to staff to request a letter indicating that the land owner is in support of the proposed action; AND WHEREAS the above requested correspondence was received on April 25, 2013; NOW THEREFORE LET IT BE RESOLVED THAT The Planning and Building Department, in consultation with the Transportation and Works Department and Credit Valley Conservation, be directed to undertake a City initiated Official Plan Amendment and Rezoning in order to determine the potential limits for residential development on the subject property; AND FURTHER THAT As part of this review, the Planning and Building and Transportation and Works Departments and Credit Valley Conservation specifically examine the extent of the hazard lands and its implication on the City initiated Official Plan Amendment and Rezoning.

Carried

#### **15. INTRODUCTION AND CONSIDERATION OF BY-LAWS**

0190-2013 A by-law to authorize the execution of a Lease Extension and Amending Agreement between The Corporation of the City of Mississauga and the Vic Johnson Community Centre for the premises known as 335 Church Street (Ward 11).

Resolution 0141-2013/July 3, 2013

0191-2013 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-35301 (in the vicinity of Hurontario Street and Derry Road West) (Ward 5).

0192-2013 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-34061 (in the vicinity of Stavebank Road and Indian Valley Trail) (Ward 1).

0193-2013 A by-law to establish certain lands as part of the municipal highway system Registered Plan 460 and Registered Plan B-19 (in the vicinity of Blanefield Road and Q.E.W.) (Ward 1)

0194-2013 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-7473 (in the vicinity of North Sheridan Way and Erin Mills Parkway) (Ward 2)

0195-2013 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43M-1795 (in the vicinity of Eglinton Avenue West and Erin Mills Parkway) (Ward 11)  
GC-0529-2013/September 11, 2013

0196-2013 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-33306 (in the vicinity of Mississauga Road and Kane Road) (Ward 2).

0197-2013 A by-law to remove lands located north of Tenth Line between Thomas Street and Tacc Drive from part-lot control Plan 43M-1894 Owner: Penngrove Point Homes Ltd. Applicant: Rady-Pentek & Edward Surveying Ltd. (Ward 10)

0198-2013 A by-law to authorize the execution of a Serving Agreement for Municipal Works only and other related documents between The Incumbent and Church Wardens of St. John the Baptist Anglican Church, Dixie also known as St. John's Dixie Cemetery and Crematorium and The Corporation of the City of Mississauga. Northeast of Dundas Street East and Cawthra Road (OZ 11/004) Owner: The Incumbent and Church Wardens of St. John the Baptist Anglican Church, Dixie also known as St. John's Dixie Cemetery and Crematorium, Applicant: John B. Keyser (Ward 3).

PDC-0063-2011/December 14, 2011

0199-2013 A by-law to amend By-law 0225-2007, as amended being the City of Mississauga Zoning By-law amendments to the attached Schedule "A" Rezoning application OZ 07/025 (T-07006), Northwest quadrant of Hurontario Street and Eglinton Avenue West Owner: Pinnacle International (Ontario) Limited Applicant: IBI Group (Ward 5).

PDC-0011-2012/February 22, 2012

0200-2013 A by-law to authorize the execution of a Development Agreement between Applewood Shopping Plaza Limited and The Corporation of the City of Mississauga North side of North Service Road between Insley Road and Stanfield Road, (OZ 10/003 W1) Owner: Applewood Shopping Plaza Limited c/o The Effort Trust Company, Applicant: Salmona Tregunno Inc. (Ward 1).

PDC-0040-2013/June 19, 2013

0201-2013 A by-law to adopt Mississauga Plan (Official Plan) Amendment No. 134  
Owner: Applewood Shopping Plaza Limited c/o The Effort Trust Company,  
Applicant: Salmona Tregunno Inc. (Ward 1).

PDC-0040-2013/June 19, 2013

0202-2013 A by-law to amend By-law 0225-2007, as amended being the City of  
Mississauga Zoning By-law amendments to the attached Schedule "A"  
Rezoning application OZ 10/003, North side of North Service Road  
between Insley Road and Stanfield Road, Owner: Applewood Shopping  
Plaza Limited c/o The Effort Trust Company, Applicant: Salmona  
Tregunno Inc. (Ward 1).

PDC-0040-2013/June 19, 2013

0203-2013 A by-law to amend By-law 0225-2007, as amended being the City of  
Mississauga Zoning By-law amendments to the attached Schedule "A"  
CD.06.POR, Port Credit, Hiawatha Neighbourhood, South of Lakeshore  
Road East of Elmwood Avenue, south and southeast of Lakeshore Road  
East and Seneca Avenue (Ward 1).

Resolution 0107-2013/June 19, 2013

0204-2013 The Corporation of the City of Mississauga Second Units Licensing By-  
law.

Resolution 0118-2013/July 3, 2013

0205-2013 A by-law to amend By-law 555-2000, as amended, being the Traffic By-  
law by deleting Schedule 10 through highways Ambler Drive, Schedule 18  
maximum rate of speed Meadow Wood Road and Edenwood Drive, by  
adding Schedule 1 three hour parking limit exemption Copenhagen Road,  
Schedule 10 through highways Ambler Drive, Schedule 11 stop signs  
Ambler Drive, Schedule 18 maximum rate of speed Country Club  
Crescent, Edenwood Drive, Meadow Wood Road and Watersedge Road  
and Schedule 19 prohibited U-turns Hurontario Street and John Street  
(Wards 2,5,7 and 9).

TC-0003-2013 – TC-0008-2013/September 4, 2013

0206-2013 A by-law to amend By-law 425-03, being a by-law to regulate and prohibit  
matters relating to bus passenger transportation systems.

GC-0345-2013/May 29, 2013

0207-2013 A by-law to allocate funds from various Reserve Funds to the Cooksville Creek Erosion Control project (PN13-143) and to authorize the withdrawal therefrom (Wards 1 and 4)

GC-0521-2013/September 11, 2013

0208-2013 A by-law to authorize the execution of an Agreement of Purchase and Sale between the Regional Municipality of Peel, The Corporation of the City of Mississauga permitting the sale of city owned surplus lands located on the west side of Dixie Road, north of Eastgate Parkway (Ward 3).

GC-0538-2013/September 11, 2013

0209-2013 A by-law to authorize the execution of an Agreement of Purchase and Sale (Offer to Sell) between The Corporation of the City of Mississauga and The Erin Mills Congregation of the United Church of Canada to acquire certain lands in the City of Mississauga (Ward 8).

GC-0539-2013/September 11, 2013

0210-2013 A by-law to transfer proceeds of Debentures applied for between various capital projects approved in prior Capital Budgets.

GC-0541-2013/September 11, 2013

0211-2013 A by-law to transfer funds between various Reserve Funds and certain capital projects approved in prior Capital Budgets.

GC-0541-2013/September 11, 2013

0212-2013 A by-law to temporarily restrict passage along a portion of Eglinton Avenue East from Tahoe Boulevard to Spectrum Way (Ward 3 &5).

Resolution 0153-2013

0213-2013 A by-law to temporarily close a Public Highway a portion of Tannery Street between Crumbie Street, Broadway Street and Joymar Drive (Ward 11).

Procedural By-law 139-2013

**16. INQUIRIES****(a) Telecommunication Towers**

Councillor Mahoney inquired about the cell tower process when a landowner goes bankrupt and a building is abandoned. Ed Sajecki, Commissioner of Planning and Building indicated that staff will work with Legal on the process.

**17. OTHER BUSINESS AND ANNOUNCEMENTS****(a) Events**

Councillor Crombie thanked staff for their work on the Bristol Road cycling lane issue. She also, indicated that voting has begun for your favorite logo for the Malton BIA and spoke to the upcoming events that are happening in Ward 5.

**(b) Community Crime Awareness Day**

Councillor Starr encouraged residents to attend Community Crime Awareness Day.

**(c) Events**

Councillor McFadden spoke to the upcoming events in Ward 10.

**(d) Tour de Mississauga**

Councillor Fonseca thanked Stephanie Smith, Legislative Coordinator, Office of the City Clerk, Mississauga Cycling Advisory Committee, and all the volunteers that helped to make the event run smoothly.

**18. CLOSED SESSION**

Pursuant to Resolution 0156-2013, Council moved into Closed Session at 11:02 a.m. Council moved out of closed session at 1:02 p.m. The following resolutions were passed pursuant to the Closed Session:

- (i) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **Revised Capital Budget for Remediation and Construction of Universal Drive Drainage Channel; Potential Litigation Against Adjacent Landowners for Remediation Work PN 12-140 (Ward 3) File Ref.: Procurement No. FA.49.676-12 and Procurement No. FA.49.520-13.**

Martin Powell, Commissioner of Transportation and Works and Geoff Marinoff, Director of Transit provided background information on the revised capital budget for remediation and construction of Universal Drive drainage channel. Mayor McCallion and Councillors Tovey and Fonseca enquired about the report and potential litigation. Mr. Powell and Mr. Marinoff responded.

0161-2013 Moved by: C. Fonseca

Seconded by: J. Tovey

1. That \$520,000 in additional funding be transferred to the Etobicoke Creek Channel Dredging – Universal Drive Drainage Channel (PN 12-140) project, consisting of \$510,000 from the Capital Reserve Fund (#33121) and \$10,000 from the DCA – Storm Water Management Reserve Fund (#31350), for the remediation of Polychlorinated biphenyls (PCBs) impacted material and restoration to ensure long-term stability of the Universal Drive drainage channel, as requested by the Transportation and Works Department;
2. That the Purchasing Agent be authorized to increase the existing contract with GHD Inc., formerly The Sernas Group Inc., (#4600014309) issued in accordance with Procurement# FA.49.676-12 from \$93,966.86 to \$153,966.86 for additional testing and reporting, as requested by the Transportation and Works Department;
3. That the Purchasing Agent be authorized to solicit bids by invitation only from two contractors (R&M Construction and Dynex Construction Inc.) for the construction contract due to the confidential, complex and sensitive nature of the work and then award a contract to the lowest acceptable bidder within budget;
4. That the City Solicitor be authorized to enter into any access agreements that are required to carry out the work;
5. That the City Solicitor be authorized to enter into tolling agreements with the landowners of 3131 Universal Drive, 3135 Universal Drive and Markland Wood Golf Club to protect the claims of the City;



6. That the City Solicitor be authorized to commence an action or actions against the landowners of 3131 Universal Drive, 3135 Universal Drive and Markland Wood Golf Club, if a tolling agreement cannot be concluded with those parties;
7. If litigation is commenced, that the City Solicitor be delegated the authority to manage the litigation in a manner that is considered necessary and appropriate, including the authority to engage in settlement negotiations, and report back to Council; and
8. That all necessary bylaws be enacted.

Carried

- (ii) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **City of Mississauga and Siemens Building Technologies Ltd. Offer to Settle.**

There was no discussion on the matter.

0162-2013 Moved by: P. Saito

Seconded by: B. Crombie

1. That the confidential report from the City Solicitor dated August 27, 2013 titled "City of Mississauga and Siemens Building Technologies Ltd. Offer to Settle" be received for information;
2. That the City Solicitor or her designate be authorized to implement the Minutes of Settlement attached to this report as between the City of Mississauga and Siemens Building Technologies Ltd., arising from the resolution of an action commenced by the City of Mississauga.

Carried

- (iii) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board re: **(1)"A"268/13 – Rio-Can (Clarkson) Inc. – 1865 Lakeshore Road West – Ward 2; (2)"A"254/13 – Joanna Sous – 2045 Camilla Road – Ward 7; (3)"A"213/13 – Fausto, Donato & Antonio Finelli – 376 Derry Road West – Ward 11 and (4)"A"279/13 – Dan Zita – 33 Hiawatha Parkway – Ward 1.**

Mary Ellen Bench, City Solicitor spoke to the Committee of Adjustment decision.

0163-2013 Moved by: S. McFadden

Seconded by: G. Carlson

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. "A"268/13 with respect to Rio-Can (Clarkson) Inc. – 1865 Lakeshore Road West – Ward 2) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga;

That Council deems the conditions imposed by the Committee of Adjustment to be very important and requests any approval of the application to be conditional upon the following:

- (1) The hours of operation for the proposed restaurant shall be from 11:30 a.m. to 10:00 p.m. on Sundays to Thursdays, and from 11:30 a.m. to 11:00 p.m. on Fridays and Saturdays;
- (2) Deliveries on site for the restaurant use shall occur only between the hours of 10:30 a.m. and 7:00 p.m.;
- (3) All garbage storage on site shall be contained wholly within a building or enclosure and/or below grade;
- (4) The Committee shall be in receipt of a plan, approved by the Planning and Building Division, depicting the proposed location of the heating, ventilation and air conditioning (HVAC) equipment. All kitchen exhaust equipment must be located on the southerly portion of the rooftop located away from the residential zone. The kitchen exhaust output shall face southerly, to ensure that any odours and noise are deflected away from the residential zone;
- (5) The Committee shall be in receipt of a plan, approved by the Planning and Building Division, indicating the materials and construction details of the noise attenuation barrier surrounding the HVAC and kitchen exhaust equipment on the rooftop, which shall be designed to reduce the amount of noise emitted from the HVAC and kitchen exhaust equipment;
- (6) The Applicant shall proceed in accordance with the plan approved by the Planning and Building Division with respect to the location of the HVAC equipment, kitchen exhaust equipment, and the noise barrier.

Carried

There was no discussion on the matter.

0164-2013 Moved by: N. Iannicca Seconded by: J. Tovey

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. "A"254/13 – Joanna Sous – 2045 Camilla Road – Ward 7) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga.

Carried

There was no discussion on the matter.

0165-2013 Moved by: G. Carlson Seconded by: S. McFadden

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. "A"213/13 – Fausto, Donato & Antonio Finelli – 376 Derry Road West – Ward 11) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga.

Carried

There was no discussion on the matter.

0166-2013 Moved by: J. Tovey Seconded by: N. Iannicca

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. "A"279/13 – Dan Zita – 33 Hiawatha Parkway – Ward 1) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga.

Carried

(iv) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose re: **Janak & Vandana Gupta – 1721 Blyth Road (Ward 8)**.

Councillor Mahoney provided background information on the property at 1721 Blyth Road (Ward 8). Mayor McCallion and Members of Council enquired about the property at 1721 Blyth Road relating to the structure, the land, the green space, permits and liability. Paul Mitcham, Commissioner of Community Services, Mary Ellen Bench, City Solicitor, Domenic Tudino, Solicitor, Geoff Smith, Team Lead Parks Assests Planning, Ezio Savini, Director of Building, Gavin Longmuir, Manager of Forestry, Deana Marques, Encroachment Inspector, Ron Sanderson, Manager of Realty Services, Jacob Kilis from CVCA and John Knopp from DCS Engineering Inc. provided responses.

0167-2013 Moved by: K. Mahoney Seconded by: R. Starr

1. That the report of the City Solicitor dated September 10, 2013 titled "Janak & Vandana Gupta – 1721 Blythe Road (Ward 8)" be received for information.
2. That the owners request for an encroachment be denied and further that the cantilever deck be removed from public greenbelt lands.

#### Recorded Vote

	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 (10,0 2-Absent) Unanimously

- (v) Personal matters about an identifiable individual, including municipal or local board employees re: **Traffic Safety Council and Museums of Mississauga Advisory Committee Citizen Membership.**

Councillors Saito and Crombie requested that the matter be deferred and reviewed.

0168-2013 Moved by: P. Saito

Seconded by: B. Crombie

That the Citizen Appointment to the Museums of Mississauga Advisory Committee and Traffic Safety Council be deferred and reviewed.

Carried

**BY-LAWS (AS A RESULT OF CLOSED SESSION)**

0214-2013 A by-law to allocate funds from various Reserve Funds to the Etobicoke Creek Channel Dredging project (PN12-14) and to authorize the withdrawal therefrom (Ward 1).

Resolution 0161-2013

0215-2013 A by-law to authorize the execution of tolling agreements in connection with works at the Universal Drive drainage channel.

Resolution 0161-2013

0216-2013 A by-law to authorize the execution of any access agreements that are required for the completion of works in connection with the Universal Drive channel project.

Resolution 0161-2013

**19. CONFIRMATORY BILL**

0217-2013 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on September 18, 2013.

**20. ADJOURNMENT – 1:09 p.m.**

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ACTING MAYOR

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CLERK