

Approved: December 11, 2013



Minutes

SESSION 20

SPECIAL MEETING OF

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

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WEDNESDAY, December 4, 2013 – 9:08 A.M.

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

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

ABSENT: Councillor Sue McFadden Ward 10 (As per Council Resolution 0191-2013)

STAFF:

Janice Baker, City Manager and Chief Administrative Officer
Gary Kent, Commissioner of Corporate Services and Chief Financial Officer
Paul Mitcham, Commissioner of Community Services
Martin Powell, Commissioner of Transportation and Works
Ed Sajecki, Commissioner of Planning and Building
Mary Ellen Bench, City Solicitor, Legal Services
Crystal Greer, Director of Legislative Services and City Clerk
Diana Rusnov, Manager of Legislative Services and Deputy Clerk
Carmela Radice, Legislative Coordinator, Legislative Services Division

1. **CALL TO ORDER**

The meeting was called to order at 9:08 a.m. by Mayor McCallion.

2. **APPROVAL OF AGENDA**

Verbal Motion

Moved by: R. Starr

Seconded by: N. Iannicca

That the agenda be approved as presented.

Carried

Recessed at 9:09 a.m.

3. **DECLARATIONS OF CONFLICT OF INTEREST - Nil**

4. **PUBLIC QUESTION PERIOD – 15 Minute Limit - Nil**

(in accordance with Section 36 of the City of Mississauga Procedure By-law 0139-2013 - Council may grant permission to a person who is present and at Council and wishes to address Council on a matter on the Agenda. Public Question Period is limited to a total of 15 minutes. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

Reconvened at 12:34 p.m.

5. **CLOSED SESSION**

Pursuant to Resolution 0207-2013, Council moved into Closed Session at 12:34 p.m. Council moved out of closed session at 2:03 p.m. The following resolutions were passed pursuant to the Closed Session:

- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Update and Legal Advice Regarding Official Plan Amendment No. 8 and Zoning By-law 0050-2013 Appeals and Proposed Partial Settlement with OMERS Realty Management Corporation and 156 Square One Limited.**

Ed Sajecki, Commissioner of Planning and Building provided background information on the matter. Mary Ellen Bench, City Solicitor provided information on the matter. Councillor Dale spoke in support of the matter. Councillors Tovey and Starr inquired about the matter and Ms. Bench responded to the inquires.

0208-2013 Moved by: F. Dale

Seconded by: B. Crombie

1. That the confidential report from the City Solicitor dated November 29, 2013 titled *"Update and Legal Advice Regarding Official Plan Amendment No. 8 and Zoning By-law 0050-2013 Appeals and Proposed Partial Settlement with OMERS Realty Management Corporation and 156 Square One Limited"* be received for information;
2. That the City Solicitor or her designate be authorized to seek approval of the modifications and amendments to Official Plan Amendment No. 8 and Zoning By-law 0050-2013 substantially as set out in Appendix 2 of this confidential report at the Ontario Municipal Board on December 10, 2013 for the purpose of implementing the proposed settlement with OMERS Realty Management Corporation and 156 Square One Limited ("Oxford").
3. That the City Solicitor or her designate be authorized to sign Minutes of Settlement, in a form satisfactory to the City Solicitor, which incorporate this proposed settlement and wherein Oxford agrees not to challenge the planning instruments for the Partial Approval Area;
4. That Appendix 2 of this confidential report be made public if Council authorizes the proposed partial settlement of the appeal of Official Plan Amendment No. 8 and Zoning By-law 0050-2013 by Oxford;
5. That Council adopt a By-law to repeal the Interim Control By-law for the Partial Approval Area as set out in Appendix 2.

Carried

BY-LAWS (AS A RESULT OF CLOSED SESSION)

0272-2013 A by-law to amend By-law Number 0046-2011, as amended, being an Interim Control By-law under section 38 of the Planning Act, R.S.O. 1990, c. P.13, as amended as it applies to those lands proposed for an addition and located on the southwest side of Square One Mall (Ward 4).

Resolution 0208-2013

NOW THEREFORE be it resolved that a portion of the Council meeting held on December 4, 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, including matters before administrative tribunals, affecting the municipality or local board re: Update and **Legal Advice Regarding Official Plan Amendment No. 8 and Zoning By-law 0050-2013 Appeals and Proposed Partial Settlement with OMERS Realty Management Corporation and 156 Square One Limited.**

Carried

0209-2013 Moved by: F. Dale

Seconded by: B. Crombie

That the Report dated December 2, 2013, from the Commissioner of Planning and Building outlining the details of the proposed development and recommending approval of the removal of the "H" holding symbol application, to permit the southwest addition to Square One Mall and new road network under file H-OZ 13/004 W4, OMERS Realty Management Corp. and 156 Square One Limited, 100 City Centre Drive, be received for information, and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

Carried

8. INTRODUCTION AND CONSIDERATION OF BY-LAWS

0273-2013 A By-law to authorize the execution of a Development Agreement between OMERS Realty Management Corp & 156 Square One Limited and the Corporation of the City of Mississauga North of City Centre Drive between Duke of York Boulevard and Kariya Gate (H-OZ 13/004 W4)
Owner/Applicant: OMERS Realty Management Corp & 156 Square One Limited (Ward 4).

Resolution 0209-2013

0274-2013 A by-law to amend the Zoning By-law 0225-2007 to remove the `H' Holding symbol for the lands located at 100 City Centre Drive for the lands in the northeast corner of City Centre Drive and Duke of York Boulevard, OMERS Realty Management Corp. and 156 Square One Limited (Ward 4).
Resolution 0209-2013

9. CONFIRMATORY BILL

0275-2013 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on December 4, 2013.

11. ADJOURNMENT - 2:06 p.m.

MAYOR

CLERK