AGENDA

SESSION 21

THE COUNCIL OF

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

WEDNESDAY, December 11, 2013 – 9:00 A.M.

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

Contact: Carmela Radice, Legislative Coordinator, Office of the City Clerk
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1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. DECLARATIONS OF CONFLICT OF INTEREST

4. MINUTES OF PREVIOUS COUNCIL MEETINGS

(a) November 20, 2013

(b) December 4, 2013

5. PRESENTATIONS

(a) Jerry Love Children's Fund

Jerry Love, Founder of the Jerry Love Children's Fund and Denis Sacks, President of the Pepsi Foundation, will present a cheque to the Jerry Love Children's Foundation.

6. DEPUTATIONS

(a) Tax Adjustments

There may be persons in attendance who wish to address Council re: Tax Adjustments pursuant to Sections 334, 357, 358 and 359.1 of the Municipal Act and for Apportionment of Taxes.

Corporate Report R-1/R-2/R-3/R-4

(b) Transit Budget

David Fisher will be speaking to the transit budget.

BC-0013-2013/November 26, December 2, 3, 2013
Motion (o)

(c) 2014 City Budget

Chris Mackie and Dorothy Tomiuk from MIRANET will be speaking with respect to the 2014 City budget.

7. PUBLIC QUESTION PERIOD – 15 Minute Limit

(In accordance with Section 43 of the City of Mississauga Procedure By-law 0139-2013, as amended, Council may grant permission to a person who is present at Council and wishes to address Council on a matter on the Agenda. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. Leave must be granted by Council to deal with any matter not on the Agenda.)

8. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

R-1 A report dated November 18, 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 November 18, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved.

Motion

R-2 A report dated November 21, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Tax Adjustments Pursuant to Sections 334, 357 and 358.**

Recommendation

That the tax adjustments outlined in Appendix 1 attached to the report dated November 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for applications for cancellation or refund of taxes pursuant to Sections 334, 357 & 358 of the *Municipal Act*, be adopted.

Motion

R-3 A report dated November 21, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Tax Adjustments Pursuant to Section 359.1.**

Recommendation

That the 2013 prior annualized adjusted taxes outlined in Appendix 1, attached to the report dated November 21, 2013 from the Commissioner of Corporate Services & Chief Financial Officer pursuant to Section 359.1 of the *Municipal Act*, be adopted, and the 2013 final taxes for the properties be recalculated accordingly.

Motion

R-4 A report dated November 21, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Tax Adjustments Pursuant to Section 359 2545 Summerville Court Roll Number: 05-07-0-068-37510-0000 (Ward 1).**

Recommendation

That the tax adjustment outlined in the Corporate Report dated November 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for an application to increase the taxes levied pursuant to section 359 of the *Municipal Act*, for 2545 Summerville Court, Roll #21-05-07-0-068-37510-0000, be adopted.

Motion

R-5 A report dated November 18, 2013, from the Commissioner of Planning and Building re**: Expansion to the Existing Mausoleum 6933 Tomken Road southeast quadrant of Derry Road East and Tomken Road Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto) (Ward 5).**

Recommendation

That the report dated November 18, 2013, from the Commissioner of Planning and Building recommending that Council approve the expansion of the existing mausoleum, located at Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto), 6933 Tomken Road, southeast quadrant of Derry Road East and Tomken Road, be adopted and that notice be given in accordance with the *Cemeteries Act (Revised*), R.S.O. 1990.

Motion

R-6 A report dated November 21, 2013, from the Commissioner of Planning and Building re: **Proposed Housekeeping Amendments – Mississauga Zoning By-law 0225-2007 City of Mississauga Bill 51 Supplementary Report Wards 1-11.**

Recommendation

That the report dated November 21, 2013, from the Commissioner of Planning and Building regarding proposed housekeeping amendments to Mississauga Zoning By-law 0225-2007, be adopted in accordance with the following:

1. That the proposed housekeeping amendments to Zoning By-law 0225-2007 as detailed in Appendix S-1 be approved.

Motion

R-7 A report dated November 26, 2013, from the City Manager and Chief Administrative Officer re: **Living Arts Centre Loan Write-off.**

Recommendation

That Council approve the write-off of the outstanding capital loan to the Living Arts Centre (LAC) in the amount of $5,949,211.

Motion

R-8 A report dated November 27, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Expansion of the Streetsville Business Improvement Area (BIA) (Ward 11). (Revised)**

Recommendation

That a by-law be enacted to expand the Streetsville Business Improvement Area (Streetsville BIA) as outlined in Appendix 3 attached to the Corporate Report dated November 27, 2013 from the Commissioner of Corporate Services and Chief Financial Officer.

Motion

R-9 A report dated November 28, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Inaugural Council Meeting – December 2, 2014 Proposal to hold meeting at the Living Arts Centre.**

Recommendation

That the report from the Commissioner of Corporate Services and Chief Financial Officer, dated November 28, 2013, recommending that the Inaugural Council meeting of the 2014 – 2018 term of Council be held at the Living Arts Centre, on December 2, 2014, be endorsed.

Motion

R-10 A report dated November 28, 2013, from the Commissioner of Corporate Services and Chief Financial Officer re: **Development Charge System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing(MMAH).**

Recommendation

1. That the report entitled "Development Charge System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing", inclusive of Appendix 1 and 2, dated November 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved by Council for submission to the Ministry of Municipal Affairs for consideration during the Provincial Development Charges System Review.

2. That Council endorse the following recommendations for changes to the *Development Charges Act, 1997* (DCA) to:
   a) Remove the requirement for municipalities to reduce their capital costs by 10% *(DCA Section 5(1), paragraph 8);*
   b) Change the historic method of calculating average service levels, allowing municipalities to adopt forward looking service levels and flexibility in determining the basis for service levels and broader service categories. (*DCA Section 5(1), paragraph 4);* and
   c) Eliminate the "ineligible services" to allow municipalities to determine what services are required to meet the needs of growth in their communities and if funding by development charges is appropriate *(DCA Section 2(4)).*

3. That Council endorse a recommendation to maintain or enhance existing Parkland dedication provisions in the *Planning Act*.

4. That Council endorse the Municipal Finance Officers Association (MFOA) position paper *"Frozen in Time: Development charges legislation underfunding infrastructure 16* years *and counting"* which includes recommendations consistent with Mississauga's recommendations for changes to the *DCA.*

Motion

R-11 A report dated November 28, 2013, from the Commissioner of Planning and Building re: **Land Use Planning and Appeal System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH).**

Recommendation

1. That the report entitled "Land Use Planning and Appeal System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)", inclusive of Appendix 1, City of Mississauga Response to Land Use Planning and Appeal System Questions, and Appendix 2, Mississauga Council Resolution 0048-2013, from the Commissioner of Planning and Building, dated November 28, 2013, be approved by Council for submission to the Ministry of Municipal Affairs and Housing (MMAH) for consideration during the Provincial Land Use Planning and Appeal System Review.

2. That Council endorse the following key recommendations for changes to the Provincial land use planning and appeal system to:

   a) if a municipality has an in-effect official plan that has been reviewed and updated in accordance with Provincially established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan;
   b) there should be no appeal to official plan amendments that have been brought forward to conform to Provincial policy or legislation or an upper-tier municipal plan;
   c) require mandatory mediation if a municipality deems insufficient reason for an appeal has been provided;
   d) appeals to the entire official plan or zoning by-law should not be permitted;

e) establish cut off dates for the submission of appeals where an upper tier approval authority does not make a decision within the 180 day approval period;
f) an extension, with notice, to the 180 day approval time for upper-tier governments in approving lower-tier official plan amendments should be permitted, after which if no decision is rendered the official plan amendment should be deemed approved;
g) link conformity to new Provincial policy or legislation to a municipality's five year review;
h) allow official plans to extend beyond 20 years so that land use policies can align with infrastructure and public service facility planning; and
i) increase the legislated timeframes within which Council must make decisions on complete development applications before an appeal to the Ontario Municipal Board can be made.

Motion

R-12 A report dated November 29, 2013, from the Commissioner of Transportation and Works re: **Requirement for a Temporary Bus Terminal at Islington Subway Station.**

Recommendation

1. That the report dated November 29, 2013 from the Commissioner of Transportation and Works entitled "Requirement for a Temporary Bus Terminal at Islington Subway Station" be approved.

2. That the Toronto Transit Commission (TTC) be advised that Mississauga requires accommodation for MiWay buses in the temporary Islington bus terminal beginning in January 2017 subject to Provincial funding of MiWay's share of design and construction of the temporary terminal.

3. That the Province be requested to advise the City of Mississauga and the TTC that they will fund Mississauga's share of constructing a temporary terminal at Islington due to the delay in construction of an inter-regional bus terminal at Kipling.

4. That a copy of the report entitled "Requirement for a Temporary Bus Terminal at Islington Subway Station" dated November 29, 2013, be sent to the Premier, the Minister of Transportation, the CEO of Metrolinx and the Chair and CEO of the Toronto Transit Commission.

Motion

9. PRESENTATION OF COMMITTEE REPORTS

(a) Governance Committee Report 8-2013 dated November 13, 2013.

Motion

(b) Audit Committee Report 4-2013 dated November 18, 2013.

Motion

(c) Budget Committee Report 4-2012 dated November 26, 2013 and December 2, 3, 4, 2013.

Motion

(d) Transportation Committee Report 5-2013 dated November 27, 2013.

Motion

(e) Planning and Development Committee Report 17-2013 dated December 2, 2013.

Motion

(f) General Committee Report 18-2013 dated December 4, 2013.

Motion

(g) Governance Committee Report 9-2013 dated December 9, 2013.

Motion

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(h) Public Vehicle Advisory Committee Report 5-2013 dated December 9, 2013.

Motion

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(i) Mississauga Celebration Square Events Committee Report 8-2013 dated December 9, 2013.

Motion

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(j) Environmental Advisory Committee Report 8-2013 dated December 10, 2013.

Motion

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

10. UNFINISHED BUSINESS - Nil

11. PETITIONS - Nil

12. CORRESPONDENCE

(a) Information Items: I-1-I-15

(b) Direction Item - Nil

13. NOTICE OF MOTION

M-1 That Council supports the recommendations contained in report to Transportation Committee entitled *"Three Hour Parking and Bicycle Lanes – Bristol Road West between McLaughlin Road and Swiftcurrent Trail (Ward 5)"* and that the resurfacing of Bristol Road and the required civil improvements between McLaughlin Road and Hurontario Street be advanced to 2014.

Motion

14. MOTIONS

(a) To approve recommendations from the following Committee Reports:

(i) Recommendations GOV-0033-2013 to GOV-0038-2013 inclusive contained in the Governance Committee Report 8-2013 dated November 13, 2013.

(ii) Recommendations AC-0013-2013 to AC-0016-2013 inclusive contained in the Audit Committee Report 4-2013 dated November 18, 2013.

(iii) Recommendations BC-0013-2013 to BC-0026-2013 inclusive contained in the Budget Committee Report 4-2013 dated November 26, 2013 and December 2, 3, and 4, 2013.

(iv) Recommendations TC-0065-2013 to TC-0108-2013 inclusive contained in the Transportation Committee Report 5-2013 dated November 27, 2013.

(v) Recommendations PDC-0076-2013 to PDC-0079-2013 inclusive contained in the Planning and Building Committee Report 17-2013 dated December 2, 2013.

(vi) Recommendations GC-0660-2013 to GC-0714-2013 inclusive contained in the General Committee Report 18-2013 dated December 4, 2013.

(vii) Recommendations in the Governance Report 9-2013 dated December 9, 2013.

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(viii) Recommendations in the Public Vehicle Advisory Committee Report 5-2013 dated December 9, 2013.

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(viiii) Recommendations in the Mississauga Celebration Square Events Committee Report 8-2013 dated December 9, 2013.

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(x) Recommendations in the Environmental Advisory Committee Report 8-2013 dated December 10, 2013.

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

(b) To close to the public a portion of the Council meeting to be held on December 11, 2013, to deal with various matters. (See Item 18 Closed Session).

(c) To approve the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated November 18, 2013 from the Commissioner of Corporate Services and Chief Financial Officer.

Corporate Report R-1

(d) To adopt the tax adjustments outlined in Appendix 1 attached to the report dated November 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for applications for cancellation or refund of taxes pursuant to Sections 334, 357 & 358 of the *Municipal Act*.

Corporate Report R-2

(e) To adopt the 2013 prior annualized adjusted taxes outlined in Appendix 1, attached to the report dated November 21, 2013 from the Commissioner of Corporate Services & Chief Financial Officer pursuant to Section 359.1 of the *Municipal Act*, and the 2013 final taxes for the properties be recalculated accordingly.

Corporate Report R-3

(f) To adopt the tax adjustment outlined in the Corporate Report dated November 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for an application to increase the taxes levied pursuant to section 359 of the *Municipal Act*, for 2545 Summerville Court, Roll #21-05-07-0-068-37510-0000, be adopted.

Corporate Report R-4

(g) To adopt the report dated November 18, 2013, from the Commissioner of Planning and Building recommending that Council approve the expansion of the existing mausoleum, located at Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto), 6933 Tomken Road, southeast quadrant of Derry Road East and Tomken Road and that notice be given in accordance with the *Cemeteries Act (Revised*), R.S.O. 1990.

Corporate Report R-5

(h) To adopt the report dated November 21, 2013, from the Commissioner of Planning and Building regarding proposed housekeeping amendments to Mississauga Zoning By-law 0225-2007 in accordance with the following:

1. That the proposed housekeeping amendments to Zoning By-law 0225-2007 as detailed in Appendix S-1 be approved.

Corporate Report R-6

(i) To approve the write-off of the outstanding capital loan to the Living Arts Centre (LAC) in the amount of $5,949,211.

Corporate Report R-7

(j) To enact a by-law to expand the Streetsville Business Improvement Area (Streetsville BIA) as outlined in Appendix 3 attached to the Corporate Report dated November 27, 2013 from the Commissioner of Corporate Services and Chief Financial Officer.

Corporate Report R-8

(k) To endorse the Inaugural Council meeting of the 2014 – 2018 term of Council be held at the Living Arts Centre, on December 2, 2014.

Corporate Report R-9

(l) To approve the report entitled “Development Charge System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing”, inclusive of Appendix 1 and 2, dated November 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer and for Council to submit the Ministry of Municipal Affairs for consideration during the Provincial Development Charges System Review.

Corporate Report R-10

(m) To approve the report entitled "Land Use Planning and Appeal System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)", inclusive of Appendix 1, City of Mississauga Response to Land Use Planning and Appeal System Questions, and Appendix 2, Mississauga Council Resolution 0048-2013, from the Commissioner of Planning and Building, dated November 28, 2013, and for Council to submit to the Ministry of Municipal Affairs and Housing (MMAH) for consideration during the Provincial Land Use Planning and Appeal System Review.

Corporate Report R-11

(n) To approve the report dated November 29, 2013 from the Commissioner of Transportation and Works entitled "Requirement for a Temporary Bus Terminal at Islington Subway Station." the Toronto Transit Commission (TTC) be advised that Mississauga requires accommodation for MiWay buses in the temporary Islington bus terminal beginning in January 2017 subject to Provincial funding

Corporate Report R-12

(o) To approve the 2014 Budget as set out in the 2014-2016 Business Plan update and as reviewed at Budget Committee on November 26, December 2 and 3, 2013. (Attached to the Agenda).

15. INTRODUCTION AND CONSIDERATION OF BY-LAWS

B-1 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43M-1393 (in the vicinity of Burnhamthorpe Road West and Grand Park Drive) (Ward 7).

B-2 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43M-980 and Plan 43R-35460 (in the vicinity of Kennedy Road and Pendant Drive) (Ward 5).

B-3 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-29606 (in the vicinity of Lakeshore Road East and Dixie Road) (Ward 1).

B-4 A by-law to amend By-law 555-2000, as amended, being the Traffic By-law deleting Schedule 3 no parking Glen Erin Drive West, adding Schedule 1 three hour parking limit exemptions Glen Erin Drive, adding Schedule 3 no parking Glen Erin Drive, adding Schedule 20 school bus loading zones Church Street, adding Schedule 29 designated on street parking for the disabled Church Street and adding Schedule 31 driveway boulevard parking-curb to sidewalk Yorktown Circle (Wards 9 and 11).

TC-0068-2013, TC-0069-2013, TC-0070-2013 and TC-0071-2013/November 27, 2013

B-5 A by-law to amend By-law 298-2000, as amended, to establish a new Loyola Artificial Turf Soccer/Football Field and Track Reserve Fund (Ward 8).

Resolution 0193-2013/August 4, 2010

B-6 A by-law to expand the boundaries of the Streetsville Business Improvement Area and to amend By-law No. 839-79, as amended by By-law No. 332-94 (Ward 11).

Corporate Report R-8

B-7 A by-law to establish a System of Administrative Penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga.

GC-0609-2013/November 13, 2013

B-8 A by-law to amend By-law 1036-81, as amended, being the Fire Route By-law by adding terms and definitions and amending section 12.

GC-0609-2013/November 13, 2013

B-9 A by-law to amend By-law 555-00 as amended, being the Traffic By-law adding terms and definitions and amending section 45.

GC-0609-2013/November 13, 2013

B-10 A by-law to establish the positions of Screening Officer and Hearing Officer to adjudicate Reviews and Appeals of Administrative Penalties.

GC-0609-2013/November 13, 2013

B-11 A by-law to appoint Screening Officers.

GC-0609-2013/November 13, 2013

B-12 A by-law to authorize the execution of Agreements between The Corporation of the City of Mississauga and Private Security Companies authorized under the City's By-law to appoint municipal law enforcement officers for enforcing the City's applicable by-laws on properties.

GC-0609-2013/November 13, 2013

B-13 A by-law to appoint municipal law enforcement officers for the purpose of enforcing applicable City by-laws on private properties and to repeal By-law 0300-2004, as amended.

GC-0609-2013/November 13, 2013

B-14 A by-law to amend the Business Licensing By-law 1-06, as amended, to license personal services settings.

GC-0670-2013/December 4, 2013

B-15 A by-law respecting to authorize the construction of a noise attenuation barrier as requested by the residents of 157 Achill Crescent (Ward 7).

GC-0671-2013/December 4, 2013

B-16 A by-law to establish certain lands as part of the municipal highway system for Registered Plan 43M-1758 (in the vicinity of Derry Road West and McLaughlin Road) (Ward 11).

GC-0673-2013/December 4, 2013

B-17 A by-law to establish certain lands as part of the municipal highway sytem for Registered Plan 43M-1777 (in the vicinity of Mississauga Road and Burnhamthorpe Road West) (Ward 8).

GC-0675-2013/December 4, 2013

B-18 A by-law to amend By-law 254-2013, as amended, being the *Planning Act* Processing Fees and Charges By-law for the processing of applications under the *Planning Act.*

BC-0012-2013/October 16, 2013

B-19 A by-law to authorize the execution of a Development Agreement between Vittoria Baldesarra (Guiseppe Baldesarra) and The Corporation of the City of Mississauga, 6810 Second Line West ("B" 015/13 W11) Owner: Vittoria Baldesarra (Guiseppe Baldesarra c/o David Eveline, Pallett Valo LLP, Applicant: David Eveline, Pallett Valo LLP (Ward 11).

B-20 A by-law to authorize the execution of a Payment-In-Lieu of Off Street Parking Agreement between Centre City Capital Limited and the Corporation of the City of Mississauga, southwest corner of Lakeshore Road East and Stavebank Road South, Owner: Centre City Capital Limited, Applicant: Adamson Associates Architects (FA.31 13/001 W1) (Ward 1).

PDC-0072-2013/November 20, 2013

B-21 A by-law to authorize the execution of a Serving Agreement for Municipal Works Only and other related documents between Weldan Properties (Haig) Inc. and the Corporation of the City of Mississauga, eastside of Haig Boulevard, south of Atwater Avenue, (H OZ 11/001 W1) Owner/Applicant: Weldan Properties (Haig) Inc. (Ward 1).

OMB PL 100291/September 29, 2011

B-22 A by-law to amend By-law Number 0225-2007, housekeeping by-law Amendment No. 6.

PDC-0075-2013/November 11, 2013

B-23 A by-law to authorize the execution of the Driver Certification Program Agreement ("DCP").

TC-0073-2013/November 27, 2013

B-24 A by-law to transfer funds from various Reserve Funds for certain capital projects approved in the 2014 Capital Budget.

Motion (o)

B-25 A by-law to transfer funds from the General Revenue Fund (Account 28583) to the Insurance Reserve Fund (Account 34161).

Motion (o)

B-26 A by-law to transfer funds from the General Revenue Fund (Account 28711) to the Worker's Compensation Reserve Fund (Account 37121)

Motion (o)

B-27 A by-law to transfer funds from the General Revenue Fund (Account 28811) to Capital Reserve Fund (Account 33121).

Motion (o)

B-28 A by-law to transfer funds from the Capital Reserve Fund (Account 33121) to the Main Fleet Vehicle and Equipment Replacement Reserve Fund (Account 35111).

Motion (o)

B-29 A by-law to transfer funds from the Capital Reserve Fund (Account 33121) to the Fire Vehicle and Equipment Replacement Reserve Fund (Account 35141).

Motion (o)

B-30 A by-law to transfer funds from the Capital Reserve Fund (Account 33121) to the Facilities Repairs and Renovations Reserve Fund (Account 35381).

Motion (o)

B-31 A by-law to transfer funds from the General Revenue Fund (Account 28986) to the Emerald Ash Borer Reserve Fund (Account 35586).

Motion (o)

B-32 A by-law to authorize the issuance and sale of debentures up to a maximum principal amount of $36,607,200 for the purposes of the City of Mississauga and to apply to the Regional Municipality of Peel for the issuance of debentures for such purposes.

Motion (o)

16. INQUIRIES

17. OTHER BUSINESS AND ANNOUNCEMENTS

18. CLOSED SESSION

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

(i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeals of: (1) "A"362/13 – Lubomir Hac and Monika Gozdziuk – 3964 Chicory Court – Ward 6; (2) "B"60/13 – The Estate of K. E. Kennedy – 1320 Minaki Road – Ward 1; and (3) "B"59/13 and "A"358/13 – Raffi Konialian – 2167 Gordon Drive – Ward 7.**

(ii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Legal Update and Advice Regarding Clear Channel Outdoor Company Canada's ("Clear Channel") Court of Appeal and Injunction Application.**

(iii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Mississauga Transitway – Update on Contract 1.**

Note: This report was not available for issuance with the agenda and will be distributed prior to the meeting.

19. CONFIRMATORY BILL

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on December 11, 2013.

20. ADJOURNMENT

R-1

Corporate Report

Clerk's Files

Originator's Files

FA.36

DATE: November 18, 2013

COUNCIL AGENDA
Dec 11, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

SUBJECT: **Apportionment of Taxes**

RECOMMENDATION: That the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated November 18, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved.

BACKGROUND: Section 356 of the *Municipal Act* allows a local municipality to apportion taxes if land which was assessed in one block at the return of the assessment roll is subsequently divided into two or more parcels and to direct what proportion of any payment of taxes is to be applied to each of the parcels.

COMMENTS: The Municipal Property Assessment Corporation (MPAC) has advised of a number of properties that have been divided into parcels subsequent to the return of the assessment roll. Section 356 of the *Municipal Act* provides for taxes levied on the land to be apportioned to the newly created parcels. In addition, the municipality is to direct what proportion of any payment of taxes is to be applied to each of the parcels.

In accordance with section 356(1) of the *Municipal Act*, taxes levied on the land for the year in which the property is divided and any

unpaid taxes for years prior to that year have been proportionately apportioned to the newly created parcels based on the relative assessed value of the parcels as determined by MPAC. Supplementary taxes levied for the year in which the property was divided have been allocated to the parcel to which they pertain.

All payments applied to the property tax account being apportioned, from the year of the land division to date, must be allocated to the appropriate parcels. Payments have been allocated based on the parcel that payment was intended for or distributed proportionately among the parcels if the payment was intended for the entire block.

A Summary of Apportionment of Taxes listing newly created parcels and the recommended apportionment of taxes and payments is provided as Appendix 1.

Owners of the apportioned lands have been sent notification. Property owners have the right to appeal the decision of Council to the Assessment Review Board.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: There are a number of properties that were assessed in one block at the return of the assessment roll and subsequently divided into parcels. The *Municipal Act* requires Council to approve the apportionment of taxes and allocation of payments subsequent to the division of property.

ATTACHMENTS: Appendix 1: Summary of Apportionment of Taxes under the *Municipal Act* for hearing on December 11, 2013.

Patricia Elliott Spencer

for Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue and Taxation

Summary of Apportionment of Taxes under the Municipal Act

For Hearing on December 11, 2013

Rosanna Di Placido
(905)896-5000

Corporate Services Revenue

November 18, 2013 10:55

Apportionment No	Roll No	Location	Legal Dscr	Tax Year	Assessment	Recommended Apportionment of Taxes	Recommended Apportionment of Payments
8497	05-05-0-116-06900-0000	1533 SHAWSON DR	TORONTO CON 4 EHS PT LOT 5 RP 43R15425 PT PART 7 RP 43R34169 PT(s) 1	2012	5,938,865	127,969.90	- 267,121.83
8498	05-07-0-053-13005-0000	1550 CATERPILLAR RD	TORONTO CON 1 SDS PT LOT 4 RP 43R16585 PARTS 3 AND 29 PT PART 1 RP 43R18211 PT(S) 29	2011	9,909,546	229,340.13	- 229,340.12
8499	05-07-0-053-13005-0000	1550 CATERPILLAR RD	TORONTO CON 1 SDS PT LOT 4 RP 43R16585 PARTS 3 AND 29 PT PART 1 RP 43R18211 PT(S) 29	2012	10,390,736	230,471.95	- 230,471.96
8500	05-07-0-053-13005-0000	1550 CATERPILLAR RD	TORONTO CON 1 SDS PT LOT 4 RP 43R16585 PARTS 3 AND 29 PT PART 1 RP 43R18211 PT(S) 29	2013	9,589,000	211,100.86	- 156,188.54
8504	05-07-0-053-12910-0000	1510 CATERPILLAR RD	TORONTO CON 1 SDS PT LOT 5 RP 43R7620 PART 6 PT PARTS 7 AND 8	2011	8,579,586	200,924.78	- 200,924.78
8505	05-09-0-007-13325-0000	37 BENSON AVE	PLAN G22 PT LOT 36 RP 43R17997 PARTS 1 AND 2	2012	205,272	1,937.15	- 1,307.80
	05-09-0-007-13350-0000	35 BENSON AVE	PLAN G22 PT LOT 36 RP 43R17997 PARTS 3 AND 4	2012	161,728	1,526.22	- 1,030.39
8506	05-09-0-007-13325-0000	37 BENSON AVE	PLAN G22 PT LOT 36 RP 43R17997 PARTS 1 AND 2	2013	160,500	1,487.27	
	05-09-0-007-13350-0000	35 BENSON AVE	PLAN G22 PT LOT 36 RP 43R17997 PARTS 3 AND 4	2013	160,500	1,487.27	
8507	05-09-0-007-01802-0000	0 PARK ST W	TORONTO RANGE 1 CIR PT LOT 9 RP 43R34033 PART 6	2012	183,532	1,667.16	

R-1(6)

R-16(c)

Summary of Apportionment of Taxes under the Municipal Act

For Hearing on December 11, 2013

Apportionment No	Roll No	Location	Legal Dscr	Tax Year	Assessment	Recommended Apportionment of Taxes	Recommended Apportionment of Payments
8507	05-09-0-007-01803-0000	72 WESLEY AVE	TORONTO RANGE 1 CIR PT LOT 9 RP 43R34033 PARTS 2 TO 5	2012	907,468	8,243.20	- 8,243.20
8508	05-09-0-007-01802-0000	0 PARK ST W	TORONTO RANGE 1 CIR PT LOT 9 RP 43R34033 PART 6	2013	205,149	1,862.47	
	05-09-0-007-01803-0000	72 WESLEY AVE	TORONTO RANGE 1 CIR PT LOT 9 RP 43R34033 PARTS 2 TO 5	2013	1,014,351	9,208.89	- 21,917.79
8510	05-07-0-053-12910-0000	1510 CATERPILLAR RD	TORONTO CON 1 SDS PT LOT 5 RP 43R7620 PART 6 PT PARTS 7 AND 8	2012	8,864,759	199,340.57	- 199,340.57
8511	05-07-0-053-12910-0000	1510 CATERPILLAR RD	TORONTO CON 1 SDS PT LOT 5 RP 43R7620 PART 6 PT PARTS 7 AND 8	2013	8,383,000	184,198.81	- 186,568.57
					Total	1,410,766.63	- 1,502,455.55

R-2

Corporate Report

Clerk's Files

Originator's Files

DATE: November 21, 2013

COUNCIL AGENDA
Dec 11, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

SUBJECT: **Tax Adjustments Pursuant to Sections 334, 357 and 358**

RECOMMENDATION: That the tax adjustments outlined in Appendix 1 attached to the report dated November 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for applications for cancellation or refund of taxes pursuant to Sections 334, 357 & 358 of the *Municipal Act*, be adopted.

BACKGROUND: Sections 334, 357 & 358 of the *Municipal Act*, 2001, S.O. 2001, c.25 allow a property owner or the Treasurer to make application for the cancellation, reduction or refund of taxes for a number of specific reasons. Taxes may be adjusted when a building has been demolished or razed by fire or if a property has become exempt, changed class or has been overcharged by reason of gross or manifest error.

COMMENTS: A total of 25 applications for tax adjustments have been prepared for Council's consideration on Wednesday, December 11, 2013.

The total cancellation or refund of taxes as recommended is $85,054.45. Appendix 1 outlines the tax cancellations being recommended by property and summarizes by appeal reason the number of applications and tax dollars recommended for reduction.

FINANCIAL IMPACT: The City's portion of the cancellations resulting from the Section 334, 357 and 358 tax adjustments is $18,335.02

CONCLUSION: Tax appeals for 2008, 2009, 2011, 2012 & 2013 taxation years are listed in Appendix 1. The *Municipal Act* requires Council to approve the tax adjustments.

ATTACHMENTS: Appendix 1: Tax Appeals Pursuant to the *Municipal Act* For Hearing On December 11, 2013.

for Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue and Taxation

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On December 11, 2013
Corporate Services

Nov 21, 2013

Appeal No.	Roll Number	Location	Reason for Appeal		Tax Adjustment Totals
Section	**334 : 2008**				
8666	05-05-0-115-19730-0000	1771 AIMCO BLVD	Capping gross/manifest error		-39,369.33
				Total	-39,369.33
Section	**334 : 2009**				
8664	05-04-0-094-18100-0000	4555 HURONTARIO ST	Capping gross/manifest error		-7,786.03
				Total	-7,786.03
Section	**357 : 2013**			**Section Total**	**-47,155.36**
8612	05-01-0-002-11600-0000	519 RICHEY CRES	Demolished/razed-fire		-293.58
8565	05-01-0-002-15000-0000	972 THE GREENWAY	Gross/manifest error		-1,626.82
8621	05-01-0-008-02600-0000	1331 TROTWOOD AVE	Gross/manifest error		-1,232.25
8599	05-01-0-010-04600-0000	111 TROY ST	Gross/manifest error		-465.46
8566	05-01-0-015-11200-0000	1296 WOODLAND AVE	Demolished/razed-fire		-1,264.01
8608	05-01-0-016-11500-0000	36 VERONICA DR	Demolished/razed-fire		-1,508.83
8618	05-01-0-064-15200-0000	2525 CLIFF RD	Demolished/razed-fire		-842.43
8600	05-02-0-027-06200-0000	584 VANESSA CRES	Demolished/razed-fire		-1,448.71
8487	05-02-0-027-15400-0000	1395 INDIAN GROVE	Demolished/razed-fire		-979.06
8549	05-02-0-028-01300-0000	1509 GREGWOOD RD	Demolished/razed-fire		-1,656.75
8570	05-02-0-029-00801-0000	1239 TECUMSEH PARK CRES	Demolished/razed-fire		-1,010.52
8609	05-02-0-030-14600-0000	1392 ALDO DR	Gross/manifest error		0.00
8578	05-04-0-096-63824-0000	0 EVANSTOWN CRT	Became Exempt		-1,594.70
8589	05-04-0-116-23181-0000	61- 5359 TIMBERLEA BLVD	Gross/manifest error		-7,650.24
8576	05-04-0-144-25443-0000	0 CREDITVIEW RD	Became Exempt		-8,456.44
8556	05-06-0-126-07400-0000	201 DICKSON PARK CRES	Demolished/razed-fire		-733.05
8605	05-06-0-129-10515-0000	2183 SHAWANAGA TRAIL	Gross/manifest error		0.00
8465	05-06-0-130-12110-0000	2430 DOULTON DR	Demolished/razed-fire		-5,025.58
8593	05-06-0-150-04200-0000	1457 GALLAGER DR	Unusable minimum 3 months		-643.97
8591	05-12-0-004-06401-0000	0 QUEEN ST E/S	Gross/manifest error		-236.34
8590	05-15-0-081-48100-0000	3092 HICKLING CRT	Gross/manifest error		-280.93
				Total	-36,949.67
				Section Total	**-36,949.67**

R-206

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On December 11, 2013
Corporate Services

Nov 21, 2013

Appeal No.	Roll Number	Location	Reason for Appeal		Tax Adjustment Totals
Section	**358 : 2011**				
8606	05-15-0-070-17966-0000	3300 ESCADA DR	Gross/manifest error		-411.51
				Total	-411.51
Section	**358 : 2012**				
8607	05-15-0-070-17966-0000	3300 ESCADA DR	Gross/manifest error		-537.91
				Total	-537.91
				Section Total	**-949.42**

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On December 11, 2013
Corporate Services

Nov 21, 2013

Section 334	2008	-39,369.33
	2009	-7,786.03
Section 357	2013	-36,949.67
Section 358	2011	-411.51
	2012	-537.91
Grand Total		**-85,054.45**

R-2(d)

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On December 11, 2013
Corporate Services

Nov 21, 2013

R-2(e)

Count	Description	Amount
2	Capping gross/manifest error	-47,155.36
10	Gross/manifest error	-12,441.46
2	Became Exempt	-10,051.14
10	Demolished/razed-fire	-14,762.52
1	Unusable minimum 3 months	-643.97
	Total	**-85,054.45**

R-3

Corporate Report

Clerk's Files

Originator's Files

COUNCIL AGENDA
Dec 11, 2013

DATE: November 21, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services & Chief Financial Officer

SUBJECT: **Tax Adjustments Pursuant to Section 359.1**

RECOMMENDATION: That the 2013 prior annualized adjusted taxes outlined in Appendix 1, attached to the report dated November 21, 2013 from the Commissioner of Corporate Services & Chief Financial Officer pursuant to Section 359.1 of the *Municipal Act*, be adopted, and the 2013 final taxes for the properties be recalculated accordingly.

BACKGROUND: Section 359.1 of the *Municipal Act*, 2001, S.O. 2001, c. 25 allows a municipality to adjust the prior annualized taxes used in the calculation of capped and clawed back taxes for a property where there was an error made in a previous year, to reflect what the taxes would have been in the previous year if the error had not occurred.

COMMENTS: A total of 5 applications for tax adjustments have been prepared for Council's consideration on Wednesday, December 11, 2013.

Errors in a prior year's capping calculation for the properties outlined in Appendix 1 have resulted in the 2013 taxes for these properties being incorrect. Section 359.1 of the *Municipal Act,* 2001, S.O. 2001, c. 25 allows a municipality to correct the capping

for the current year to reflect what the taxes should be if the error had not occurred in a previous year.

The property owners have been sent notification and have the right to appeal the decision of Council to the Assessment Review Board.

FINANCIAL IMPACT: The City's share of the revenue resulting from the Section 359.1 tax adjustments is $3,986.06

CONCLUSION: Errors in the capping calculation in a previous year have resulted in the 2013 taxes being incorrect for the properties listed in Appendix 1. Errors include adjustments resulting from appeals and supplementary taxes for previous years. Section 359.1 of the *Municipal Act* allows the municipality to revise the prior annualized taxes used for calculating the current year's taxes in order to correct the error on a go forward basis. The prior annualized taxes used for calculating the 2013 taxes for these properties should be adjusted, as recommended in Appendix 1, and the 2013 final taxes recalculated accordingly.

ATTACHMENTS: Appendix 1: Tax Appeals Pursuant to Section 359.1 of the *Municipal Act* for hearing on December 11, 2013.

for Gary Kent
Commissioner of Corporate Services & Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue and Taxation

Tax Appeal Pursant to Section 359.1 of the Municipal Act
For Hearing on December 11, 2013

Reference Number	Roll Number	Property Location	Legal Description	Tax Class	Recommended 2012 Prior Annualized Adjusted Taxes
Section 359.1: 2013					
196	050-115-65010	2180 Matheson Blvd E	PL M793 PT BLK 3 RP 43R16290 PTS 2 & 4	Commercial	$140,807.67
197	040-097-12764	7300 Rapistac Crt	CON 5 WHS PT LT 12 RP 43R14528 PT 1	Industrial	$164,569.79
198	040-117-00820	570 Matheson Blvd	CON 2 EHS PT LT 3 RP 43R25072 PTS 1 TO 13 15 TO 28 AND 30 TO 55	Commercial	$979,170.91
199	040-117-03200	7135 Kennedy Rd	PL 43M1418 PT BLK 2 RP 43R29627 PTS 17 TO 20	Industrial	$73,283.71
200	040-117-04080	305 Pendant Dr	PL 43M980 PT BLK 1 RP 43R27707 PTS 6 TO 10	Industrial	$218,983.49

R-36)

R-4

Corporate Report

Clerk's Files

Originator's Files

COUNCIL AGENDA
Dec 11, 2013

DATE: November 21, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services & Chief Financial Officer

SUBJECT: **Tax Adjustments Pursuant to Section 359**
2545 Summerville Court
Roll Number: 05-07-0-068-37510-0000
(Ward 1)

RECOMMENDATION: That the tax adjustment outlined in the Corporate Report dated November 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer for an application to increase the taxes levied pursuant to section 359 of the *Municipal Act*, for 2545 Summerville Court, Roll #21-05-07-0-068-37510-0000, be adopted.

BACKGROUND: Section 359 of the *Municipal Act*, 2001, S.O. 2001, c. 25 allows the Treasurer to make application for an increase in taxes levied where taxes have been undercharged due to a gross or manifest error that is a clerical or factual error, but not an error in judgement in assessing the land.

COMMENTS: The Municipal Property Assessment Corporation (MPAC) issued an omitted assessment for the 2010 tax year for 2545 Summerville Court removing all the vacant land assessment and adding a building value. Subsequently, MPAC also issued an Advisory Notice of Assessment removing $285,500 of vacant land

assessment which resulted in the taxes being erroneously reduced by $4,765.18. It is recommended that the 2010 taxes for 2545 Summerville Court be increased by $4,765.18.

The property owners have been sent notification and have the right to appeal the decision of Council to the Assessment Review Board.

FINANCIAL IMPACT: The City's share of the revenue resulting from the Section 359 tax adjustment is $781.54

CONCLUSION: It is recommended that the 2010 property taxes for 2545 Summerville Court be increased by $4,765.18.

G Kent

Gary Kent
Commissioner of Corporate Services & Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue and Taxation

R-5

Corporate Report

Clerk's Files

Originator's Files SPM 13/079 W5

DATE: November 18, 2013

COUNCIL AGENDA Dec 11, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Expansion to the Existing Mausoleum**
6933 Tomken Road
Southeast quadrant of Derry Road East and Tomken Road
Assumption Cemetery
(Catholic Cemeteries Archdiocese of Toronto)

Ward 5

RECOMMENDATION: That the Report dated November 18, 2013, from the Commissioner of Planning and Building recommending that Council approve the expansion of the existing mausoleum, located at Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto), 6933 Tomken Road, southeast quadrant of Derry Road East and Tomken Road, be adopted, and that notice be given in accordance with the *Cemeteries Act (Revised),* R.S.O. 1990.

BACKGROUND: The Planning and Building Department recently approved a Site Plan application under file SP 13/079 W5, Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto), for the Phase V expansion of the existing mausoleum to permit the development of 870 crypt spaces and 472 niche spaces on the eastern portion of the subject lands (see Appendices 1 through 4)

The Cemeteries Act as amended, Subsection 3(2) states that: "If the cemetery or crematorium is proposed to be established or already exists in an area with municipal organization, the applicant, before applying for the consent of the Registrar, must obtain the approval to the proposal of the appropriate

municipality". In addition, Subsection 5(3) states that: "A municipality shall, upon arriving at a decision on an application, (as in Subsection 3(2)), send a copy of the decision together with the reasons for it to the Registrar and the applicant; and publish notice of the decision in a local newspaper."

COMMENTS: The purpose of this report is to inform Council and obtain municipal approval as per the requirements of the *Cemeteries Act*, as amended, regarding the proposal by Assumption Cemetery (Catholic Cemeteries Archdiocese of Toronto) for the Phase V expansion of the existing mausoleum to permit the development of 870 crypt spaces and 472 niche spaces on the eastern portion of the subject lands.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: Given that all technical matters have been addressed through the site plan process and the Site Plan application has been approved, it is appropriate that Council provide their approval for the proposed expansion. If Council gives their approval, a notice will be published in the Mississauga News, and a copy of the resolution will be sent to the Registrar as required by the *Cemeteries Act.*

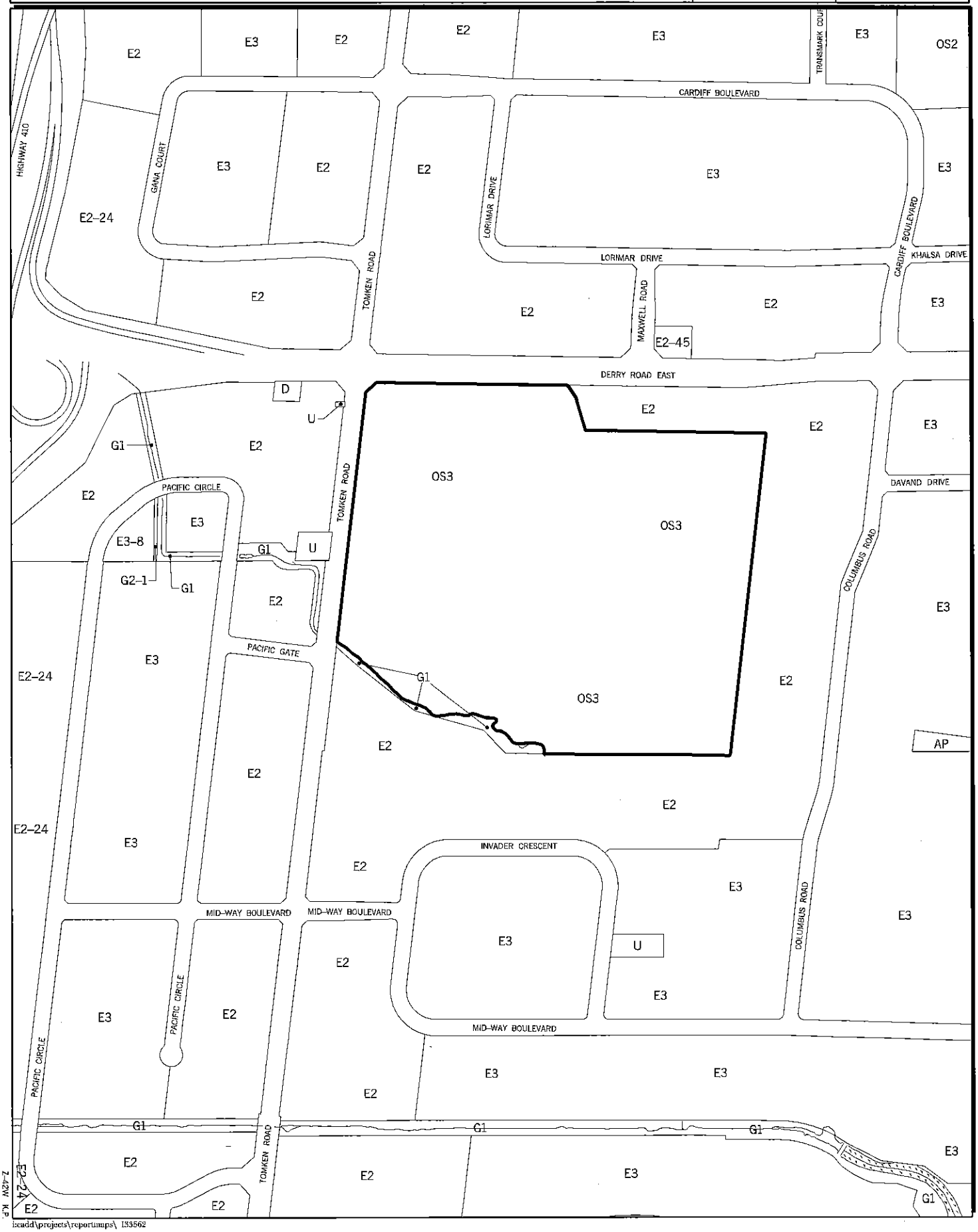
ATTACHMENTS: Appendix 1 - General Context Map
Appendix 2 - Aerial Photograph
Appendix 3 - Excerpt of Existing Land Use Map
Appendix 4 - Site Plan

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lauren Eramo-Russo, Development Planner

R-5(b)

GENERAL CONTEXT MAP	SP 13/079 W5	APPENDIX 1



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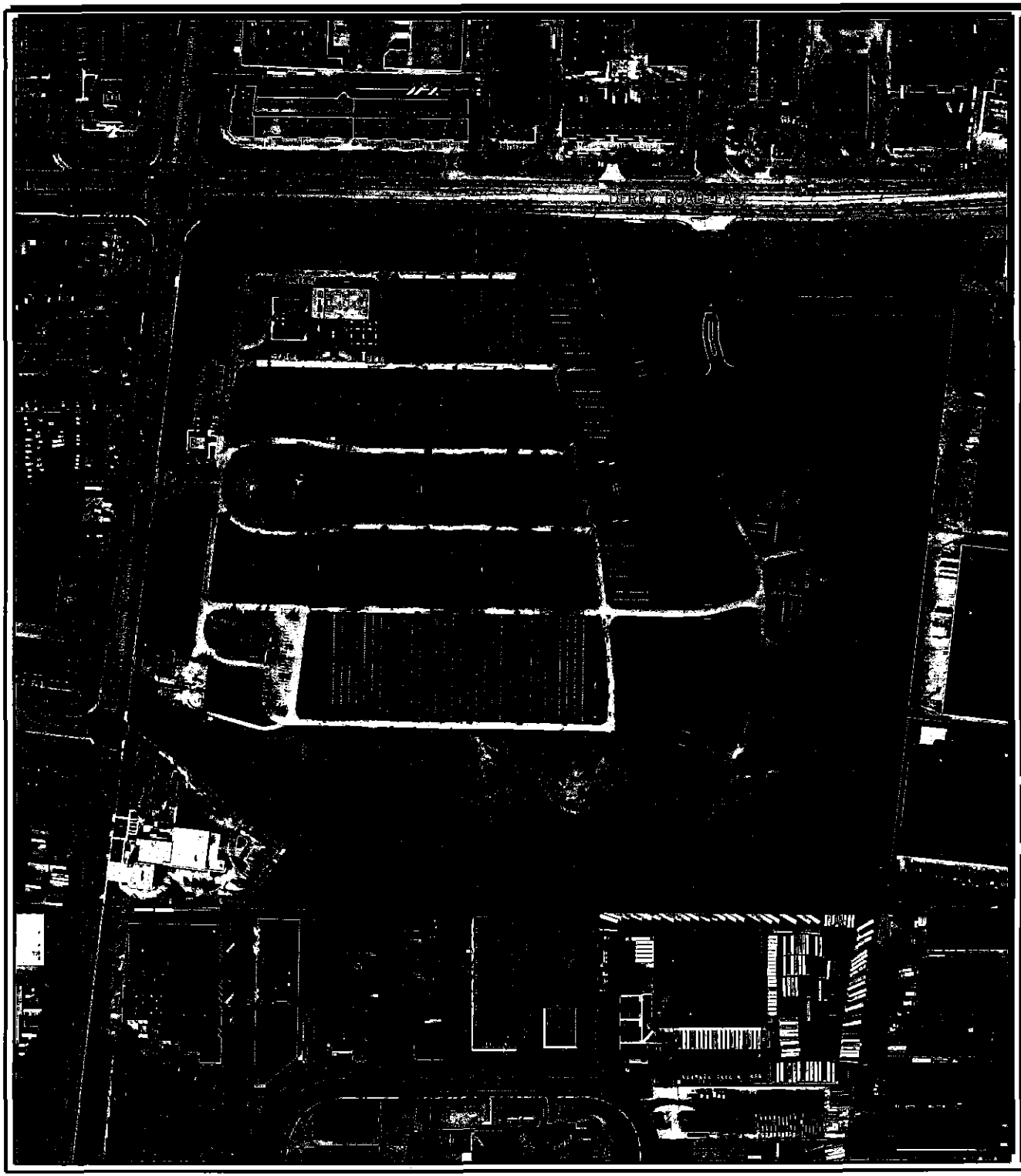


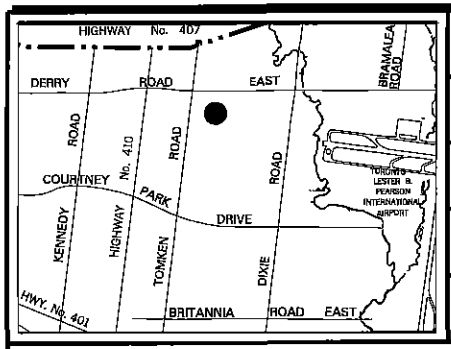
LEGEND:

SUBJECT LANDS

* LOCATION OF THE MAUSOLEUM EXPANSION

NOTE: DATE OF AERIAL PHOTO: 2012 03

SUBJECT: CATHOLIC CEMETERIES ARCHDIOCESE OF TORONTO



FILE NO:	SP 13/079 W5
DWG. NO:	13079A
SCALE:	1:5000
DATE:	2013 12 11
DRAWN BY:	B. KRUGER

MISSISSAUGA Planning and Building

Produced by T&W, Geomatics

APPENDIX 2

R-5(C)

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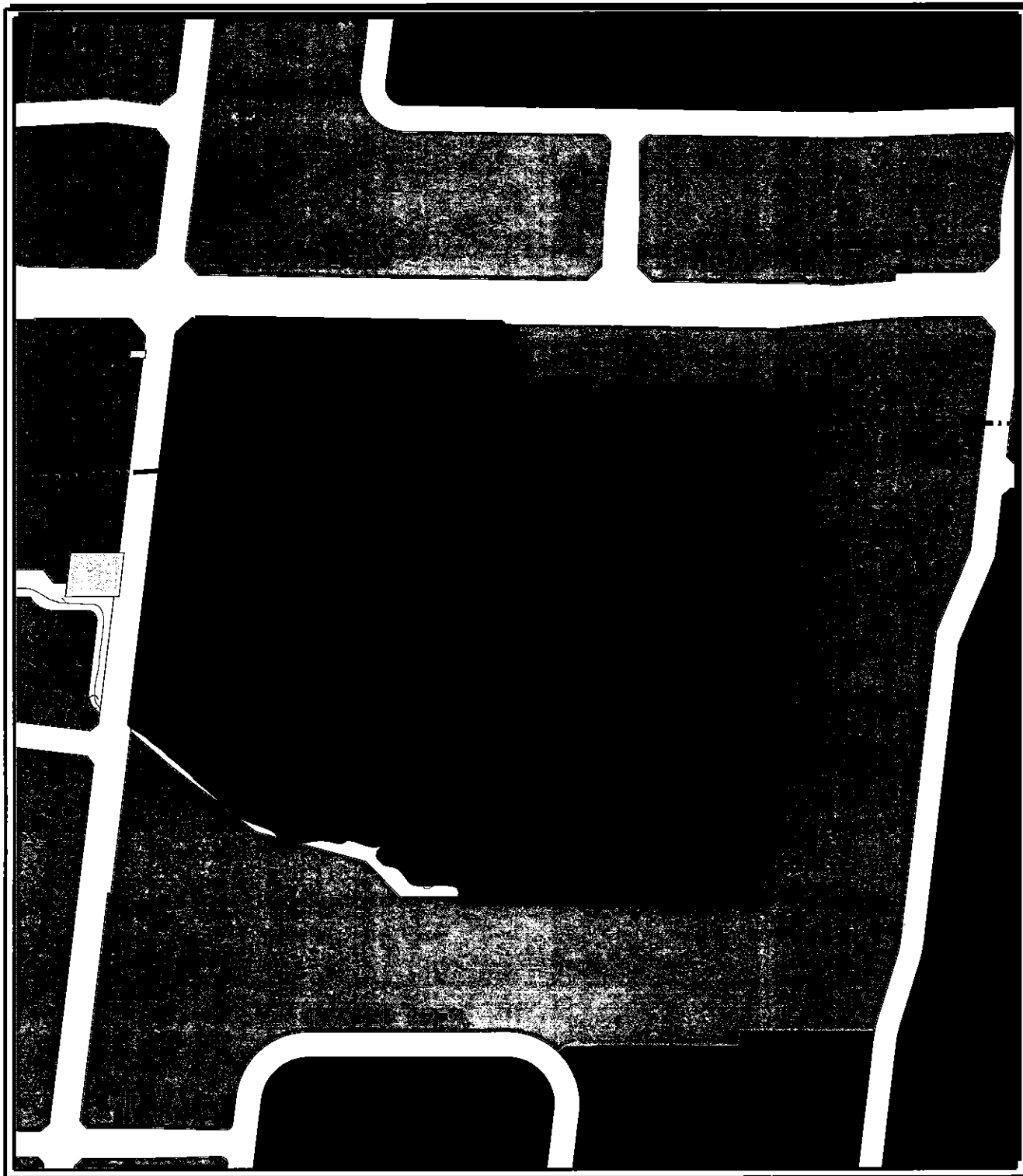


PART OF SCHEDULE 10 LAND USE DESIGNATIONS OF MISSISSAUGA OFFICIAL PLAN

LAND USE DESIGNATIONS

- Residential Low Density I
- Residential Low Density II
- Residential Medium Density
- Residential High Density
- Downtown Mixed Use
- Downtown Core Commercial
- Mixed Use
- Convenience Commercial
- Motor Vehicle Commercial
- Office
- Business Employment
- Industrial
- Airport
- Institutional
- Public Open Space
- Private Open Space
- Greenbelt
- Parkway Belt West
- Utility
- To Be Determined

LAND USE LEGEND

- Heritage Conservation District
- 1996 NEP/2000 NEF Composite Noise Contours (30)
- LBPIA Operating Area Boundary See Aircraft Noise Policies
- Area Exempt from LBPIA Operating Area
- Natural Hazards
- Civic Centre (City Hall)
- City CentreTransit Terminal
- GO Rail Transit Station
- Public School
- Catholic School
- Hospital
- Community Facilities

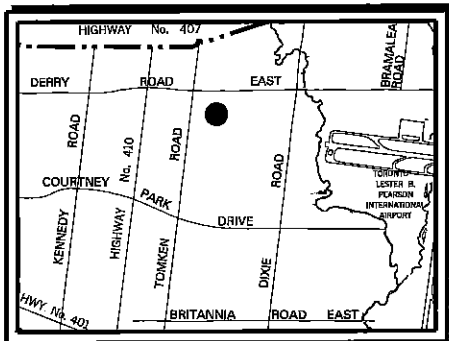
CITY STRUCTURE

Elements

- Downtown
- Major Node
- Community Node
- Neighbourhood
- Corporate Centre
- Employment Area
- Special Purpose Area

SUBJECT LANDS

SUBJECT: CATHOLIC CEMETERIES ARCHDIOCESE OF TORONTO



FILE NO:	SP 13079 W5
DWG. NO:	13079L
SCALE:	N.T.S.
DATE:	2013 12 11
DRAWN BY:	B. KRUGER

APPENDIX 3

MISSISSAUGA Planning and Building

Produced by T&W, Geomatics

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2-5(d)

R-5(e)

APPENDIX 4

Corporate Report

Clerk's Files

R-6

Originator's Files BL.09-COM

DATE: November 21, 2013

COUNCIL AGENDA Dec 11, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Proposed Housekeeping Amendments - Mississauga Zoning By-law 0225-2007 City of Mississauga Bill 51**

Supplementary Report **Wards 1-11**

RECOMMENDATION: That the Report dated November 21, 2013, from the Commissioner of Planning and Building regarding proposed housekeeping amendments to Mississauga Zoning By-law 0225-2007, be adopted in accordance with the following:

1. That the proposed housekeeping amendments to Zoning By-law 0225-2007 as detailed in Appendix S-1 be approved.

BACKGROUND: A public meeting was held by the Planning and Development Committee on November 11, 2013, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the Public Meeting, the Planning and Development Committee passed Recommendation PDC-0075-2013 which was subsequently adopted by Council on November 20, 2013 and is attached as Appendix S-2.

COMMENTS: See Appendix S-1 - Information Report prepared by the Planning and Building Department.

R-6(a)

COMMUNITY ISSUES

No community meetings were held, and no one attended the Planning and Development Committee meeting with respect to this item. No written comments were received by the Planning and Building Department.

PLANNING COMMENTS

The proposed amendments to the Zoning By-law are of a housekeeping nature and are necessary to ensure that the Zoning By-law remains up-to-date. The amendments are in conformity with the policies of Mississauga Official Plan.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: The proposed housekeeping amendments to Zoning By-law 0225-2007 are acceptable from a planning standpoint and should be approved as they clarify definitions and regulations in certain sections of the By-law and ensure that conformity with Mississauga Official Plan is maintained.

ATTACHMENTS: Appendix S-1: Information Report
Appendix S-2: Recommendation PDC-0075-2013

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Planning Services Centre Planner

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APPENDIX S-1

Clerk's Files 8-6(b)

Corporate Report

PDC NOV 1 1 2013

Originator's Files BL.09-COM

DATE: October 22, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: November 11, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Proposed Housekeeping Amendments –
Mississauga Zoning By-law 0225-2007
City of Mississauga
Bill 51

Public Meeting **Wards 1 - 11**

RECOMMENDATION: That the Report dated October 22, 2013, from the Commissioner of Planning and Building regarding proposed housekeeping amendments to Zoning By-law 0225-2007, be received for information and notwithstanding planning protocol, that the Supplementary Report be brought directly to a future Council meeting.

BACKGROUND: Mississauga Zoning By-law 0225-2007 was passed by Council on June 20, 2007. Since the intent of the Comprehensive Zoning By-law review was to ensure the Zoning By-law remains up-to-date and in conformity with Mississauga Official Plan, regular Housekeeping Amendments reports are prepared to deal with City-initiated amendments to the Zoning By-law. Five (5) by-laws to incorporate Housekeeping Amendments have been approved by Council, the most recent being By-law 0308-2011, which was passed by Council on December 14, 2011.

R-6(c)

COMMENTS:

Since the approval of the previous general Housekeeping Amendments, clarifications of wording in various sections of the Zoning By-law have been identified that require amendments to the By-law. Amendments are proposed to modify and expand the Definitions and General Provisions sections of the By-law, and minor changes are also proposed to the Residential, Commercial, Employment and Development Zones. The details of these amendments are outlined in Appendix I-1 to this report and are considered to be housekeeping changes. Of note are items outlined below, which are cross-referenced with Appendix I-1 in parenthesis:

Pergolas (Items 23 & 25)

To date, pergolas have been unregulated in the Zoning By-law. Due to an increase in both the number and size of pergolas that are requested through the Committee of Adjustment, it was deemed prudent to add new size and location regulations to the Zoning By-law, similar to other accessory buildings and structures, including gazebos. These regulations are proposed to be added to the existing Table 4.1.2.2, Accessory Buildings and Structures.

Home Office and Home Occupation (Item 38)

The Zoning By-law currently permits a variety of home occupations in detached dwellings, as it has historically been assumed that a home based business will require parking for customers or clients.

This regulation does not recognize that a business could be conducted wholly within a dwelling unit, and not have external clients or customers attending the premises. To address this deficiency, it is proposed that the Zoning By-law be amended to define, permit and regulate home offices in all types of residential dwellings. This will also differentiate between a home office and home occupation, and address the specific limitations of operating a business in a dwelling unit that is located within a multi-unit structure.

The Provincial Ministry of Training, Colleges and Universities currently offers a subsidy program to assist adults to become self-employed in legal home office businesses. Without this amendment to the By-law, residents of Mississauga who do not live in detached dwellings are not eligible for this type of program.

Retail Store – Seating for Food Sales (Item 42)

Seating is permitted in a retail (food) store for the consumption of food prepared on the premises. As currently written, Section 6.1.5 could be interpreted as permission for a take-out restaurant. As a take-out restaurant has different parking and locational regulations from a retail store, the Section is proposed to be reworded to clarify the intent that offering food for sale in the store is accessory to the principal use, and not a use permitted on its own.

Map 58 – West side of Winston Churchill Boulevard, north of Burnhamthorpe Road West (Item 52)

This Map does not show a zone category for the City owned lands located on the west side of Winston Churchill Boulevard, north of Burnhamthorpe Road West. The "B" (Buffer) Zone is being added to the map to recognize the zone that was approved through the adjacent plan of subdivision.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: Once the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these amendments. Given the nature of the proposed City-initiated amendments to the Zoning By-law, it is recommended that notwithstanding planning protocol, the Supplementary Report be brought directly to a future Council meeting.

R-6(e)

ATTACHMENTS: Appendix I-1: Proposed Housekeeping Amendments (#6) to Zoning By-law 0225-2007

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Planning Services Centre Planner

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Proposed Housekeeping Amendments (#6) to Zoning By-law 0225-2007

ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
Part 1: Administration, Interpretation, Enforcement and Definitions			
1.	Article **1.1.7.1** *1.1.7.1.2*	**Centreline** *Where lands that are not zoned are located between a zone and a **street**, the zone boundary shall be the centreline of the **street**.*	Add Sentence so that any lands located between a zoned property and a street (ie. a transit corridor) will have the same zone as the adjacent lands.
2.	Article 1.1.13.1	**Certificate of Occupancy** The type of **use** made of any land, **building** or **structure** within any zone category, except residential, shall not be changed to another type of **use** without first having applied for and obtained a Certificate of Occupancy from the Zoning Administrator. A Certificate of Occupancy shall also be applied for and obtained from the Zoning Administrator where the type of **use** made of any land, **building** or **structure** changes to a **lodging house** *or **second unit*** within any zone category. (0080-2009), (0379-2009)	Add reference to second units in this Article to reflect the requirement for a Certificate of Occupancy for a second unit to correspond with the requirements of the City's Second Unit Licensing By-law.
3.	Section **1.2 - Definitions**	Common Element~~/Vacant Land~~ Condominium (CEC): "**Common Element**" means an area forming part of the common elements of a common element~~/vacant land~~ condominium corporation, that may include **CEC - private roads**, walkways, sidewalks, parking and/or **CEC - amenity areas**. "**CEC - Amenity Area**" means an area forming part of the **common elements** of a common element~~/vacant land~~ condominium corporation comprised of outdoor space designed for **active** or **passive recreational uses**, such as, but not limited to, children's **play equipment**, seating areas and sport facilities. "**CEC - Private Road**" means a right-of-way, with or without a sidewalk, for vehicular and pedestrian access over **common elements** that are privately maintained by a common element~~/vacant land~~ condominium corporation to be created pursuant to the *Condominium Act*, R.S.O. 1998, c.19, as amended, and is not a highway as defined by the *Municipal Act*, R.S.O. 2001, c.25, as amended.	Delete the reference to "vacant land" condominium from common element condominium, as they are not interchangeable terms. See also Subsections 4.1.14, 4.7.1, 4.9.1 and 4.12.1.

Appendix I-1
R-6 (F)

ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
4.	Section 1.2 - **Definitions**	"**Home Occupation**/*Home Office* " means an occupation for profit or gain conducted entirely within a **dwelling unit**, that is incidental and secondary to the **use** of the **dwelling unit** for residential purposes and does not change the residential character of the **dwelling unit**.	Add home office to the definition of a home occupation.
5.	Section 1.2 - **Definitions**	*"**Hospice Dwelling**" means a **building** containing a palliative care facility where a broad range of 24 hour personal care, support and health services are provided for persons requiring these services in a supervised setting and that may contain common facilities, such as but not limited to the preparation and consumption of food.*	Add a definition for this use, and clarify the difference between a hospice, a long-term care dwelling and a hospital.
6.	Section 1.2 - **Definitions**	"**Front Lot Line - Through Lot**" means each **lot line** that divides the through **lot** from a **street** ~~**or a private road**~~. A **lot line** with a 0.3 m reserve shall not be a **front lot line**. (0325-2008)	Clarify that a property is not a "through lot" where it abuts a private road.
7.	Section 1.2 - **Definitions**	"**Motor Vehicle Repair Facility - Commercial Motor Vehicle**" means a **building, structure**, outdoor area or part thereof, where mechanical repairs are made to **commercial motor vehicles** or trailers exceeding 3 000 kg in weight and shall include the repair and installation of **commercial motor vehicle** windshields, **commercial motor vehicle** equipment, rustproofing and may include *accessory thereto* a **commercial motor vehicle** diagnostic centre and **commercial motor vehicle** cleaning/detailing facility. (0325-2008), (0308-2011)	Clarify the uses that are permitted accessory to a motor vehicle repair facility - commercial motor vehicle, but are not permitted as separate stand alone uses.
8.	Section 1.2 - **Definitions**	"**Motor Vehicle Repair Facility - Restricted**" means a **building, structure** or part thereof, where mechanical repairs are made to **motor vehicles** and shall include the repair and installation of **motor vehicle** windshields, **motor vehicle** equipment, rustproofing and may include *accessory thereto* a **motor vehicle** diagnostic centre and **motor vehicle** cleaning/detailing facility. (0325-2008)	Clarify the uses that are permitted accessory to a motor vehicle repair facility - restricted, but are not permitted as separate stand alone uses.
9.	Section 1.2 - **Definitions**	"**Porch**" means a platform, with or without a foundation and/or **basement** with at least one (1) side open, that may be covered by a roof *or other structural element*, with direct access to the ground and is attached to a dwelling.	Add to the definition of porch so that the regulations with respect to size, setbacks and coverage would apply if a pergola is attached to the dwelling.

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ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
10.	Section **1.2 - Definitions**	"**Retail Store**" means a **building, structure** or part thereof, in which goods are offered for sale, lease and/or rental to consumers. Where the ~~primary function~~ *principal use* of the retail store is the sale of food, food may be ~~produced or~~ prepared on the premises and offered for sale ~~to the public~~ for consumption on the premises or off the premises, *as an **accessory use***. (0325-2008)	Clarify the differences between prepared food sales from a retail store and a take-out restaurant. See also Subsection 6.1.5.
11.	Section **1.2 - Definitions**	"**Streetwall**" means an exterior wall of a **building** facing a **lot line** abutting a **street**, ~~or~~ **private road** *or transit corridor*.	Clarify that streetwall provisions include exterior walls that face a transit corridor, such as the BRT.
12.	Section **1.2 - Definitions**	"***Truck*** ~~**Cardlock**~~ **Fuel Dispensing Facility**" means a **building, structure** or part thereof, where fuel *for **commercial motor vehicles** is dispensed* ~~, oil, and other similar products used in the operation of truck internal combustion engines are sold~~ to account customers only via cardlock controllers, and ~~such facility~~ may *include* ~~contain as~~ accessory thereto, truck weigh scale, truck washing facilities, an outlet where goods are stored and offered for sale, provided that there is no preparation of food on the premises, a lounge, shower and washroom facilities. ~~, for account customers only.~~	Clarify that fuel may be sold to all owners of commercial motor vehicles, not only to account holders. Currently there is no zone category that permits the public sale of fuel for commercial motor vehicles.
13.	Section **1.2 - Definitions**	"**Truck Terminal**" means a **building, structure** or part thereof, where trucks and/or tractor trailers *and/or* ***commercial motor vehicles*** ~~in excess of 3 000 kg in weight~~ are dispatched for hire as common carriers or where freight handling facilities, such as pick-up, delivery and transitory storage of goods incidental to motor freight shipment, is provided.	Clarify the intent of a truck terminal to include any large commercial motor vehicle such as buses, and not just trucks/tractor trailers.

R-6 (H)

R-6(i)

<table>
<tr><th>ITEM</th><th>SECTION NUMBER</th><th>PROPOSED REVISION</th><th>COMMENTS/ EXPLANATION</th></tr>
<tr><td colspan="4">Part 2: General Provisions</td></tr>
<tr><td>14.</td><td>Subsection
2.1.3
2.1.3.2</td><td colspan="2">Frontage on a Street

Notwithstanding Article 2.1.3.1, a lot in a Residential Zone may have frontage on the following private roads ~~and private lanes~~:</td><td>As a private lane is included within the definition of private road, amending this Article clarifies that it is not a different type of roadway.</td></tr>
<tr><td>15.</td><td>Subsection
2.1.14
Table
2.1.14.1</td><td colspan="2">Table 2.1.14.1 - Centreline Setbacks
Line 1.0 | DESIGNATED RIGHT-OF-WAY WIDTH | MINIMUM CENTRELINE SETBACK
11.0 | ~~36.0/45.0 m~~ | ~~18.0/22.5 m + required yard/setback, respectively~~ (1)</td><td>Delete Line 11.0 as it duplicates regulations that are listed separately in Table 2.1.14.1.</td></tr>
<tr><td>16.</td><td>Article
2.1.17.1
Table
2.1.17.1</td><td colspan="2">Table 2.1.17.1 - Minimum Setback to Greenbelt Zones - Non-Residential
Line 2.0 | Minimum setback of parking areas, <u>driveways, loading spaces</u>, <u>other paved areas</u> and an area used for outdoor storage in a non-residential zone to all lands zoned G1 or G2 Base Zone | The greater of 5.0 m or the required yard/setback</td><td>Clarify the intent of the setback is to apply to any type of paved area adjacent to a Greenbelt Zone, not only parking areas.</td></tr>
</table>

ITEM	SECTION NUMBER	PROPOSED REVISION			COMMENTS/ EXPLANATION
Part 3: Parking, Loading and Stacking Lane Regulations					
17.	Article **3.1.1.8** 3.1.1.8.1	**Access** Access to and from **parking** and **loading spaces** shall be provided by unobstructed on-site **~~aisles and/or~~ driveways** ***or driveways and aisles***.			Clarify that access must be provided by driveways, or driveways and aisles, on the same lot.
18.	Article **3.1.1.8** 3.1.1.8.2	**Access** Notwithstanding the regulations of Sentence 3.1.1.8.1, an on-site **aisle** is not required for **lots** used for **detached, semi-detached,** ***linked*****, street townhouse dwellings; detached, semi-detached** and **townhouse dwellings on a CEC- private road; duplex dwelling** or a **detached dwelling** being used for a resident **physician, dentist, drugless practitioner** or **health professional**.			Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.
19.	Article **3.1.2.1 Table 3.1.2.1**	**Table 3.1.2.1 - Required Number of Parking Spaces for Residential Uses**			Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.
		Line 1.0	**TYPE OF USE**	**MINIMUM OFF-STREET PARKING REGULATIONS**	
		5.0	**Detached Dwelling,** ***Linked Dwelling,*** **Semi-Detached Dwelling, Street Townhouse Dwelling**	2.0 spaces per unit	
20.	Article **3.1.4.2 Table 3.1.4.2**	**Table 3.1.4.2 - Required Number of Loading Spaces for Office and/or Medical Office Buildings**			Add the words "non-residential" to clarify that the same gross floor area is used to calculate both the parking spaces and loading spaces.
		Line 1.0	**GROSS FLOOR AREA -** ***NON-RESIDENTIAL*** **OF BUILDING**	**MINIMUM NUMBER OF OFF- STREET LOADING SPACES**	
21.	Article **3.1.4.3 Table 3.1.4.3**	**Table 3.1.4.3 - Required Number of Loading Spaces**			Add the words "non-residential" to clarify that the same gross floor area is used to calculate both the parking spaces and loading spaces.
		Line 1.0	**GROSS FLOOR AREA -** ***NON-RESIDENTIAL*** **OF BUILDING**	**MINIMUM NUMBER OF OFF-STREET LOADING SPACES**	

R-6(j)

R-6(c)

ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
Part 4: Residential Zones			
22.	Subsection **4.1.2** 4.1.2.1	**Accessory Buildings and Structures** A maximum of one (1) **accessory building, structure** and/or one (1) detached **garage** and/or one (1) **gazebo** *and/or one (1) pergola* shall be permitted per **lot** in R1 to R11, R15, RM1, RM2, RM7 and RM8 zones in compliance with the regulations contained in Table 4.1.2.2 - Accessory Buildings and Structures. (0308-2011)	Adds a pergola to the General Provisions for Residential Zones, Accessory Buildings and Structures. See also Section 1.2 - Definitions and Table 4.1.2.2.
	4.1.2.1.1	Where a **lot** in R1 to R11 and R15 zones contains more than one (1) detached **dwelling unit**, a maximum of one (1) **gazebo** *and/or one (1) pergola* and/or one (1) **accessory building** or **structure** per detached **dwelling unit** shall be permitted. (0308-2011)	
	4.1.2.2	A maximum of one (1) **accessory building** or **structure**, other than a detached **garage**, and/or one (1) **gazebo** *and/or one (1) pergola* per **lot** shall be permitted in R16, RM3 to RM6, RM9 and RA1 to RA5 zones, in compliance with the regulations contained in Table 4.1.2.2 - Accessory Buildings and Structures.	
23.	Subsection **4.1.2 Table 4.1.2.2**	**Table 4.1.2.2 - Accessory Buildings and Structures**	Add a new Column "Pergola", with applicable regulations, including new Lines 3.5 and 5.3, and an amendment to Note (2). Clarifies the size, location and coverage of pergolas by adding regulations to the Zoning By-law. See also Section 1.2 - Definitions and Subsection 4.1.2.

Line	TYPE	*Pergola*
1.0		
2.0	MAXIMUM NUMBER PERMITTED PER **LOT**	*1*
3.0	SIZE	
3.1	Maximum **Floor Area**	*n/a*
3.2	Maximum area occupied ~~**by a gazebo**~~	*10 m^2*
3.3	Minimum rectangular area measured from the inside face of walls (width x length)	*n/a*
3.4	Minimum unobstructed area for parking (width x length x height)	*n/a*
3.5	*Maximum percentage of the total perimeter permitted to be enclosed by walls, lattice, doors and/or windows*	*0%*

ITEM	SECTION NUMBER	PROPOSED REVISION			COMMENTS/ EXPLANATION
23. (con'd)	Subsection **4.1.2 Table 4.1.2.2**	**4.0**	MAXIMUM **LOT COVERAGE**	*n/a* [2]	
		5.0	MAXIMUM **HEIGHT**		
		5.1	**Sloped roof - highest ridge** *(0325-2008)*	*n/a*	
		5.2	**Flat roof**	*n/a*	
		5.3	*Highest point of the **structure***	*3.0 m*	
		6.0	MAXIMUM HEIGHT OF EAVES	*n/a*	
		7.0	MINIMUM SETBACK TO **FRONT LOT LINE**	*The greater of 6.0 m or the same distance to the **street** as the **front wall** of the dwelling on the same **lot***	
		8.0	MINIMUM SETBACK TO **EXTERIOR SIDE LOT LINE**	*The **exterior side yard** regulations of the applicable zone shall apply*	
		9.0	MINIMUM SETBACK TO **INTERIOR SIDE LOT LINE** FOR **ACCESSORY BUILDINGS** AND **STRUCTURES** LOCATED IN AN **INTERIOR SIDE YARD**	*The **interior side yard** regulations of the applicable zone shall apply* [3][4]	

R-6(1)

R-63

<table>
<tr><th>ITEM</th><th>SECTION NUMBER</th><th>PROPOSED REVISION</th><th>COMMENTS/ EXPLANATION</th></tr>
<tr><td>23.
(con'd)</td><td>Subsection
4.1.2
Table
4.1.2.2</td><td>
<table>
<tr><td>10.0</td><td>MINIMUM SETBACKS TO INTERIOR SIDE AND REAR LOT LINES FOR ACCESSORY BUILDINGS AND STRUCTURES LOCATED IN THE REAR YARD</td><td></td></tr>
<tr><td>10.1</td><td>WHERE LOT AREA GREATER THAN OR EQUAL TO 750 m^2</td><td>1.2 m (5)</td></tr>
<tr><td>10.2</td><td>WHERE LOT AREA LESS THAN 750 m^2</td><td>0.61 m (5)</td></tr>
<tr><td colspan="3">NOTES: n/a means not applicable.
(2) The maximum lot coverage in an applicable zone is inclusive of the combined total area used for all accessory buildings and structures. For a pergola, lot coverage equals the total area occupied.</td></tr>
</table>
</td><td></td></tr>
<tr><td>24.</td><td>Subsection
4.1.2
Table
4.1.2.2</td><td>
Table 4.1.2.2 - Accessory Buildings and Structures
<table>
<tr><th>Line
1.0</th><th>TYPE</th><th>Detached Garage</th><th>Gazebo</th><th>Other Accessory Building and Structure</th><th>Pergola</th></tr>
<tr><td>3.5</td><td>Maximum percentage of the total perimeter permitted to be enclosed by walls, lattice, doors and/or windows</td><td>n/a</td><td>50%</td><td>n/a</td><td>0%</td></tr>
</table>
</td><td>Clarify that a gazebo cannot have more than half of the wall space enclosed.</td></tr>
</table>

<table>
<tr><th>ITEM</th><th>SECTION NUMBER</th><th>PROPOSED REVISION</th><th>COMMENTS/ EXPLANATION</th></tr>
<tr><td>25.</td><td>Subsection 4.1.2 Table 4.1.2.2</td><td>
Table 4.1.2.2 - Accessory Buildings and Structures
<table>
<tr><th>Line 1.0</th><th>TYPE</th><th>Detached Garage</th><th>Gazebo</th><th>Other Accessory Building and Structure</th><th><u>Pergola</u></th></tr>
<tr><td>5.0</td><td>MAXIMUM HEIGHT:</td><td></td><td></td><td></td><td></td></tr>
<tr><td><u>5.3</u></td><td><u>Highest point of the structure</u></td><td><u>4.6 m</u></td><td>3.0 m</td><td>3.0 m</td><td>3.0 m</td></tr>
<tr><td>11.0</td><td>MINIMUM SETBACK OF A DETACHED GARAGE LOCATED IN THE REAR YARD TO THE DWELLING ON THE SAME LOT</td><td><u>1.2 m</u></td><td><u>n/a</u></td><td><u>n/a</u></td><td><u>n/a</u></td></tr>
<tr><td>11.1</td><td><s>Where the rear yard abuts a street</s></td><td><s>6.0 m</s></td><td><s>n/a</s></td><td><s>n/a</s></td><td></td></tr>
<tr><td>11.2</td><td><s>All other lots</s></td><td><s>3.0 m</s></td><td><s>n/a</s></td><td><s>n/a</s></td><td></td></tr>
</table>
</td><td>Clarify the setback between a detached garage and a detached dwelling. Other regulations in the By-law address the placement of the garage in relation to the street or other property lines.</td></tr>
<tr><td>26.</td><td>Article 4.1.3.1</td><td>Play equipment is permitted accessory to a detached, semi-detached, <u>linked,</u> duplex, triplex and street townhouse dwelling and shall comply with the regulations contained in Table 4.1.3.1 - Play Equipment Regulations.</td><td>Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.</td></tr>
<tr><td>27.</td><td>Article 4.1.3.2</td><td>Play equipment accessory to a detached, semi-detached, <u>linked</u>, duplex, triplex and street townhouse dwelling that does not comply with the regulations contained in Table 4.1.3.1 - Play Equipment Regulations shall be considered to be an accessory building or structure and shall comply with the regulations contained in Table 4.1.2.2 - Accessory Buildings and Structures.</td><td>Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.</td></tr>
</table>

R-6(5)

R6(a)

ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
28.	Article 4.1.4.1	An outdoor **swimming pool** is permitted accessory to a **detached, semi-detached, *linked*, duplex, triplex** and **street townhouse dwelling** subject to the following regulations:	Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.
29.	Subsection **4.1.5**	Unless otherwise regulated within this By-law, all required **yards** for **detached, semi-detached, *linked*, duplex, triplex**, and **horizontal multiple dwellings** with six (6) or less **dwelling units**, and **street townhouse dwellings** shall be unobstructed except for the following:	Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.
30.	Article 4.1.5.4	An awning may encroach a maximum of 0.61 m into a required **front yard** and/or **exterior side yard**; a maximum of 5.0 m into a required **rear yard** provided that the awning shall have a minimum setback of 1.5 m to a **lot line**; and a maximum of 0.61 m into a required **interior side yard** provided that the ~~required~~ **interior side yard** is a minimum of 1.2 m;	The intent is to allow an encroachment into a side yard provided the setback is a minimum of 1.2 m; the side yard can be greater, but this was not clear.
31.	Article 4.1.5.5	A window, **chimney**, pilaster or corbel, window well, and stairs with a maximum of three (3) risers, may encroach a maximum of 0.61 m into a required **yard** provided that the ~~required~~ **yard** is a minimum of 1.2 m; (0325-2008)	The intent is to allow an encroachment into a yard provided the setback is a minimum of 1.2 m; the yard could be greater, but this was not clear.
32.	Article 4.1.5.7	Notwithstanding the provisions of Article*s* 4.1.5.2 *and 4.1.5.10*, any portion of a **porch** or **deck** that is located in a **rear yard**, does not exceed 0.3 m in height above grade at any point and is uncovered, is permitted an unlimited encroachment into the required **rear yard**;	Include reference to the new Article 4.1.5.10 (decks built in conjunction with swimming pools).
33.	Article *4.1.5.10*	*A freestanding **deck** may be located in a **rear yard** provided that it does not exceed 1.2 m in height above grade at any point, is uncovered and is not closer than 0.61 m to any side **lot line** and 1.5 m to any **rear lot line**.*	Add an Article regulating freestanding decks that are not pergolas, gazebos, or other accessory structures.
34.	Sentence *4.1.9.1.2*	*A maximum of one (1) **driveway** shall be permitted per **dwelling unit** in R1 to R16, RM1to RM3 and RM6 zones.*	Clarify that only one (1) driveway is permitted per dwelling unit.

ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
35.	Article 4.1.9.4	The nearest part of a **driveway** or any other **parking area** for a **detached, semi-detached, *linked*, duplex, triplex**, end unit of a **street townhouse dwelling,** and **horizontal multiple dwellings** with four (4) to six (6) **dwelling units** shall be a minimum distance of 0.6 m from any side **lot line** other than the common side **lot line** separating an attached **semi-detached dwelling,** an attached **street townhouse dwelling** or a detached **garage** with a joint party wall; *(0325-2008)*	Clarify that linked dwellings were intended to be included in the list of applicable dwelling units.
36.	Subsection **4.1.11** 4.1.11.1.2(5)	**Trailer and Recreational Vehicle Parking** the minimum setback of a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle to an **interior side lot line** ***or rear lot line*** shall be 1.2 m;	Add a setback to the rear property line to mitigate the impact of storage of a recreational vehicle/trailer on adjacent uses.
37.	Subsection **4.1.14**	**Common Element~~/Vacant Land~~ Condominium (CEC)**	Delete the reference to "vacant land" condominium from common element condominium, as they are not interchangeable terms. See also Section 1.2 - Definitions, Subsections 4.7.1, 4.9.1 and 4.12.1.

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ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
38.	Subsection **4.1.16**	**Home Occupation** ***and Home Office***	Add permission and regulations for home offices.
	4.1.16.2	***Home Office***	
	4.1.16.2.1	*A **home office** (excluding resident **physician, dentist, drugless practitioner** or **health professional's** office) is permitted within any **dwelling unit** in a Residential Zone;*	
	4.1.16.2.2	*The total area used for a **home office** shall not exceed 15 m^2;*	
	4.1.16.2.3	*A **home office** shall be conducted wholly within a **dwelling unit**;*	
	4.1.16.2.4	*Only one (1) **home office** shall be permitted within a **dwelling unit**;*	
	4.1.16.2.5	*The dwelling in which the **home office** is located shall be the principal private residence of a person or persons conducting the **home office** and they must not be an occasional or casual resident thereof;*	
	4.1.16.2.6	*A **home office** shall not employ staff who are not a resident of the **dwelling unit**;*	
	4.1.16.2.7	***Outdoor storage** or outdoor display of merchandise, material or equipment associated with a **home office** is not permitted;*	
	4.1.16.2.8	*There shall be no visible indication from the exterior of the **dwelling unit** that a **home office** is carried on in the **dwelling unit**;*	
	4.1.16.2.9	*There shall be no clients attending the **dwelling unit** to do business with a **home office**;*	
	4.1.16.2.10	*A **home office** shall not create noise, vibration, fumes, odour, dust, glare, or radiation which is detectable outside of the **dwelling unit**.*	

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ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
39.	Subsection **4.7.1** **Table 4.7.1**	**Table 4.7.1 - R16 Permitted Uses and Zone Regulations** **NOTES:** ~~Where used, CEC means a Common Element/Vacant Land Condominium.~~ (1) **Common elements** are permitted within a common element~~/vacant land~~ condominium corporation.	Delete reference to vacant land condominium, as it is not interchangeable with common element condominium. See also Section 1.2 - Definitions, Subsections 4.1.14, 4.9.1 and 4.12.1.
40.	Subsection **4.9.1** **Table 4.9.1**	**Table 4.9.1 - RM3 Permitted Uses and Zone Regulations** **NOTES:** ~~Where used, CEC means Common Element/Vacant Land Condominium.~~ (1) **Common elements** are permitted within a common element~~/vacant land~~ condominium corporation.	Delete reference to vacant land condominium from RM3, as a detached dwelling is not a permitted use in this zone.
41.	Subsection **4.12.1** **Table 4.12.1**	**Table 4.12.1 - RM6 Permitted Uses and Zone Regulations** **NOTES:** ~~Where used, CEC means Common Element/Vacant Land Condominium.~~ (1) **Common elements** are permitted within a common element~~/vacant land~~ condominium corporation.	Delete reference to vacant land condominium from RM6, as a detached dwelling is not a permitted use in this zone.
Part 6: Commercial Zones			
42.	Subsection **6.1.5** 6.1.5.1	**Retail Store - Seating for Food Sales** Where the ~~primary function~~ *principal use* of a **retail store** is the sale of food, seating shall be permitted inside the premises for the consumption of food prepared on the premises provided that ~~a maximum of six (6) seats shall be permitted for stores less than 5 600 m^2~~ **gross floor area - non-residential** *the seating is limited to a maximum of six (6) seats, and they are accessory to the retail sale of food products.*	Revise the permission for limited seating in a food store to differentiate this use from a take-out restaurant, as there are different parking standards and setback requirements for restaurant and retail uses. See also Section 1.2. - Definitions

R-6(r)

ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
43.	6.2.4.3 Subclause 6.2.4.3.2 (4)(4.9)	Exception: C3-3 ***Truck*** ~~**Cardlock**~~ ***Fuel Dispensing Facility***	Replace the term cardlock fuel dispensing facility throughout the By-law with the term "truck fuel dispensing facility" to reflect the amended Definition.
Part 8: Employment Zones			
44.	Subsection **8.1.3** 8.1.3.1	**Accessory Retail Sales and/or Accessory Retail Display in Employment Zones** In an E1 to E3 zone, a maximum of 20% of the total **gross floor area - non-residential** of a Business Activity **use** contained in Table 8.2.1 of this By-law, may be used for accessory retail sales, leasing and/or rental, accessory retail display and/or installation of products, other than **motor vehicles**, *provided:* *(1)* *the accessory retail sales, leasing and/or rental, accessory retail display and/or installation are only those products* which are manufactured within a **manufacturing facility**, repaired within a **repair establishment**, wholesaled within a **wholesaling facility**, or distributed from a **warehouse/distribution facility**, ~~provided that such accessory retail sales, leasing and/or rental, accessory retail display and/or installation of products~~; *(2)* *such area* is ~~contained~~ *located* wholly within an enclosed **building**, **structure** or part thereof; *and,* *(3)* *such area is located within the same unit as the principal permitted* ***use.*** (0379-2009)	Clarify the existing regulation that accessory uses must be located within the same building and the same unit as the principal use. The Article has primarily the same wording, but has been broken into three (3) parts, with the third part containing new wording.

<table>
<tr><th>ITEM</th><th>SECTION NUMBER</th><th>PROPOSED REVISION</th><th>COMMENTS/ EXPLANATION</th></tr>
<tr><td>45.</td><td>Subsection 8.2.1 Table 8.2.1</td><td>Table 8.2.1 - E1 to E3 Permitted Uses and Zone Regulations<table><tr><th>Line</th><th>ZONE</th><th>E1</th><th>E2</th><th>E3</th></tr><tr><td>2.6.7</td><td><u>Truck</u> ~~Cardlock~~ <u>Fuel Dispensing Facility</u></td><td></td><td>✓</td><td>✓</td></tr></table></td><td>Replace the term cardlock fuel dispensing facility throughout the By-law with the term "truck fuel dispensing facility" to reflect the amended Definition.</td></tr>
<tr><td>46.</td><td>8.2.2.10
Clauses 8.2.2.10.2(1) to 8.2.2.10.2(7)</td><td>Exception: E1-10
~~(1) Truck Terminal~~
~~(2) Waste Processing Station~~
~~(3) Waste Transfer Station~~
~~(4) Composting Facility~~
~~(5) Body-Rub Establishment~~
~~(6) Adult Entertainment Establishment~~
~~(7) Night Club~~</td><td>The uses listed as "uses not permitted" are already not permitted in an E1 zone, therefore this wording is redundant.</td></tr>
<tr><td>47.</td><td>Subsections 8.2.3 and 8.2.4 Exception #'s
Clause #'s as relevant</td><td>Exceptions: E2-9, E2-15, E2-33, E2-58, E2-89, E2-108, E2-109, E2-110, E2-111, E2-116, E2-117, E3-1, E3-2, E3-13, E3-14
<u>Truck</u> ~~Cardlock~~ <u>Fuel Dispensing Facility</u></td><td>Replace the term cardlock fuel dispensing facility throughout the By-law with the term "truck fuel dispensing facility" to reflect the amended Definition.</td></tr>
<tr><td>48.</td><td>8.2.3.28
Sentence 8.2.3.28.4</td><td>Exception: E2-28
Maximum setback of a building or structure from Derry Road West <u>on a property abutting Derry Road West</u> 16.5 m</td><td>Clarifies intent that the setback applies to properties abutting Derry Road West, rather than all properties zoned E2-28.</td></tr>
<tr><td>49.</td><td>8.2.3.49
Sentence 8.2.3.49.4</td><td>Exception: E2-49
~~The provisions contained in Subsection 8.1.5 of this By-law shall not apply.~~</td><td>Remove this Sentence as this site may only be used for motor vehicle sales, leasing and/or rental facility - restricted.</td></tr>
</table>

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ITEM	SECTION NUMBER	PROPOSED REVISION	COMMENTS/ EXPLANATION
50.	12.3.3.1	Exception D-1	Add the provisions of Section 4.1 to the D-1 regulations to allow existing dwellings the same permissions (ie., swimming pools, play structures) as properties with residential zoning.
	Sentence 12.3.3.1.2	The enlargement of an **existing detached dwelling, existing buildings** and **structures**, ~~and~~ *new accessory uses and* new **accessory buildings** and **structures** shall be permitted in compliance with the following: (1) a **detached dwelling** on a **lot** with a **lot frontage** equal to or greater than 22.5 m shall comply with the R1 zone *provisions* ~~regulations~~ contained in *Section 4.1 and* Subsection 4.2.1 of this By-law (2) a **detached dwelling** on a **lot** with a minimum **lot frontage** equal to or greater than 18.0 m and less than 22.5 m shall comply with the R2 zone *provisions* ~~regulations~~ contained in *Section 4.1 and* Subsection 4.2.1 of this By-law (3) a **detached dwelling** on a **lot** with minimum **lot frontage** equal to or greater than 15.0 m and less than 18.0 m shall comply with the R3 zone *provisions* ~~regulations~~ contained in *Section 4.1 and* Subsection 4.2.1 of this By-law (4) a **detached dwelling** on a **lot** with a minimum **lot frontage** equal to or greater than 12.0 m and less than 15.0 m shall comply with the R4 zone *provisions* ~~regulations~~ contained in *Section 4.1 and* Subsection 4.2.1 of this By-law	
Format			
51.	Format for Housekeeping By-law	The greyed out text, identified in Items 1 to 50 inclusive of this By-law, is for information purposes only and does not form part of the amendments contained in this By-law.	Clarify the format used to identify the amendments in the Housekeeping By-law.
52.	Map 58	Add "B" (Buffer) zoning to two (2) parcels of land that are adjacent to Winston Churchill Boulevard north of Burnhamthorpe Road West and are not zoned.	Add a zoning category to subdivision buffer blocks that were not previously zoned.

P-6(e)

Appendix S-2

R-6(V)

Proposed Housekeeping Amendments - Zoning By-law 0225-2007
Wards 1-11

File: BL.09-COM

Recommendation PDC-0075-2013

PDC-0075-2013 1. "That the Report dated October 22, 2013 from the Commissioner of Planning and Building regarding proposed housekeeping amendments to Zoning By-law 0225-2007, be received for information and notwithstanding planning protocol, that the Supplementary Report be brought directly to a future Council meeting.

File: BL.09-COM

Corporate Report

Clerk's Files

Originator's Files

R-7

COUNCIL AGENDA
Dec 11, 2013

DATE: November 26, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Janice Baker, FCPA, FCA
City Manager and Chief Administrative Officer

SUBJECT: **Living Arts Centre Capital Loan Write-Off**

RECOMMENDATION: That Council approve the write-off of the outstanding capital loan to the Living Arts Centre (LAC) in the amount of $5,949,211.

REPORT HIGHLIGHTS:

- In the mid-1990's, the construction of LAC cost $68 million. It was funded by various sources, including a capital loan of $15.9 million provided by the city, to be repaid back to City in the future.
- In 2000, due to doubts about the collectability of the loan, the City set up an allowance for $15.9 million. This allowance was funded by City Reserve Funds.
- In 2006, Council approved an LAC request to write down the loan by $10 million to $5.9 million. There was no financial impact for this write-down because the allowance was already set up in 2000 through Reserve Funds. This write-down was necessary to help the LAC qualify for government grant opportunities.
- In late 2013, LAC requested that the City forgive the balance of the loan as part of the Relationship Agreement negotiations with the LAC and to help LAC qualify for new government grant opportunities.

BACKGROUND:

Back in the mid 1990's, the City made a major financial commitment to help the Living Arts Centre (LAC) finance the construction of the new Arts facility. The building was constructed under the Canada-Ontario Infrastructure program at a cost of approximately $68 million, funded by the Federal Government, the Provincial Government, the Region, the City, and through various community donations.

The City's contribution to the project was a $15,949,211 capital loan to be repaid back to the City through LAC fundraising programs. Unfortunately the fundraising programs never evolved and the loan remained outstanding for many years.

In 2000, due to doubts about the collectability of the loan, the City established an allowance to cover the full cost of the remaining capital loan. The allowance setup was requested by the City's external auditor, KPMG, because there were no expected future repayments against the loan. This allowance was funded fully by City Reserve Funds.

In September 2006, the LAC Board of Directors approved a motion to request the City to write-down the outstanding loan by $10,000,000. The reason for the request was to reduce the accumulated deficit position on the LAC's Balance Sheet to allow the LAC to qualify for Federal and Provincial grants such as the Ontario Trillium Foundation Grant. On November 13, 2006, Council approved the request to reduce the outstanding loan to $5,949,211.

COMMENTS:

The outstanding capital loan of $5,949,211 continues to remain as a receivable in the City's financial statements, along with a corresponding allowance to offset the uncollectible loan.

At the November 20, 2013 Council meeting, a request was made by Living Arts Centre representatives for Council to approve the forgiveness of the balance of the outstanding capital loan in respect of the construction of the Living Arts Centre. The LAC is planning on applying for funding under various grants programs. The outstanding capital debt to the City can impede the receipt of grant funds, therefore writing off the loan will increase LAC's eligibility for funding.

FINANCIAL IMPACT: There would be no financial impact to write-off the remaining $5.9 million capital loan. In 2000, the City set up an allowance to cover the full cost of the remaining unpaid loan, through the allocation of Reserve Funds.

Forgiveness of LAC capital loan would have no impact on the City's ability to collect development charges (DC) for the construction of the Arts Centre. The development charge revenue is used to pay the Capital Reserve Fund for the City's investment into the Art's facility construction.

CONCLUSION: It is recommended that the $5,949,211 capital loan be written off in response to a recent request from the Living Arts Centre.

Janice M. Baker, FCPA, FCA,
City Manager and Chief Administrative Officer

Prepared By: Mark Beauparlant, Manager, Corporate Financial Services

R-8

Corporate Report

Clerk's Files

Originator's Files: CD.05.STR (Streetsville BIA)

COUNCIL AGENDA Dec 11, 2013

DATE: November 27, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

SUBJECT: **Expansion of the Streetsville Business Improvement Area (BIA) (Ward 11)**

RECOMMENDATION: That a by-law be enacted to expand the Streetsville Business Improvement Area (Streetsville BIA) as outlined in Appendix 3 attached to the Corporate Report dated November 27, 2013 from the Commissioner of Corporate Services and Chief Financial Officer.

BACKGROUND: On September 18, 2013, City Council adopted recommendation PDC-0058-2013 to endorse the intention to enact a by-law to expand the boundaries of the Streetsville BIA. A copy of the associated corporate report is attached as Appendix 1. In accordance with the *Municipal Act, 2001* ("the Act"), notice of intention to pass a by-law for the expansion of the Streetsville BIA was sent to all landowners who pay commercial property taxes within the existing and the proposed expansion boundary area (Appendix 2).

COMMENTS: Upon completion of the 60 day notice period, a total of seventeen (17) objections were received by the City Clerk, of which seven (7) were eligible commercially taxed properties. The objections were received

from properties within the proposed expansion area. Given that more than 2/3 of the taxpayers did not object, there is positive support for the expansion of the Streetsville BIA boundary.

The *Municipal Act, 2001*, states that a municipality shall not pass a Business Improvement Area by-law if:

3 (b) the objections have been signed by at least one-third of the total number of persons entitled to notice; and

(c) the objectors are responsible for,
(i) in the case of a proposed addition to an existing improvement area:
(A) at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area, or
(B) at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the geographic area the proposed by-law would add to the existing improvement area.

A by-law establishing the expansion of the Streetsville BIA will come before Council for approval. Once the expanded BIA boundary is established, the Executive will prepare a budget for the BIA, subject to Council's approval.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: Given that the objections to the expansion of the BIA boundary do not represent at least one-third of the business property class taxes levied in the Streetsville BIA, and in accordance with the *Municipal Act, 2001*, the City Clerk deems that it is valid for City Council to enact a by-law to expand the Streetsville BIA within the proposed boundary area.

ATTACHMENTS:

Appendix 1: Planning and Development Committee Corporate Report titled "Proposed Expansion to the Streetsville Business Improvement Area (BIA)", dated August 13, 2013

Appendix 2: Notice of Intention to Expand the Streetsville BIA

Appendix 3: Recommended Streetsville BIA Boundary Expansion Map

G. Kent

Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Mumtaz Alikhan, Legislative Coordinator

R-8(c)

Appendix 1

Corporate Report

Clerk's Files

Originator's Files CD.05.STR (Streetsville BIA)

DATE: August 13, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 3, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Proposed Expansion to the Streetsville Business Improvement Area (BIA)**
WARD 11

RECOMMENDATION:

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 Streeetsville BIA and to all commercial and industrial property owners defined under the *Municipal Act, 2001*, within the current Streeetville 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.

REPORT HIGHLIGHTS:

- A letter dated June 20, 2013 was submitted to City Council by the Chair of the Streetsville Business Improvement Association expressing their interest in expanding the boundary of the BIA and requesting that a report be prepared by staff for City Council's consideration of the proposed BIA boundary expansion.
- The boundary proposed by the Streetsville Business Improvement Association has been reviewed and is generally acceptable. Appendix 4 is the staff recommended boundary for the Streetsville

BIA.

- The next step in the process is for the Office of the City Clerk to notify owners in all prescribed business property classes, as defined under the *Municipal Act, 2001,* within the current BIA boundary (By-law 332-94) and the proposed BIA boundary expansion.

BACKGROUND:

On May 21, 2013 City of Mississauga staff attended a meeting with the Streetsville Business Improvement Association to discuss the boundary expansion process.

A letter addressed to the Mayor and Members of City Council dated June 20, 2013 from Todd Ladner, Chair of the Streetsville Business Improvement Association on behalf of the Board of Directors, expressed interest in expanding the boundary of the BIA in Streetsville (see Appendix 1). It was requested that the boundary extension include businesses along Queen Street South, up to Britannia Road West in the north and to Reid Drive (the railway tracks) in the south. The extent of the east-west boundaries are to include businesses east to Church Street, and west to the railway tracks, as shown on Appendix 2.

On July 3, 2013 City Council received the letter dated June 20, 2013 from the Chair of the Streetsville Business Improvement Association, and referred the letter to Planning and Building staff to prepare a report to Planning and Development Committee.

Legislative Requirements

Section 209 of the *Municipal Act, 2001* ("the Act") provides that the City may alter the boundaries of an improvement area and the board of management for that improvement area is continued as the board of management for the altered area. The board of management is a local board of the municipality for all purposes and is subject to various regulatory responsibilities and obligations.

In accordance with the Act, the City must pass a by-law to change the boundary of a BIA. Before such a by-law can be passed, notice of City Council's intention to pass a by-law must be sent to the Board of

R-8(e)

Management of the BIA and to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which is located in the existing improvement area and the proposed expansion area. It is the responsibility of the property owners to provide a copy of the notice to their tenants. If written objections to the proposed by-law are received within 60 days and signed by at least one-third of the persons entitled to notice and representing at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area or in the expansion area, then the Act prohibits the passing of the by-law.
If the proposed By-law is not enacted, preceding By-law 332-94 continues to remain in effect.

COMMENTS:

BIA Boundary as Proposed by the Streetsville Business Improvement Association

The proposed BIA boundary expansion area consists of office, commercial, residential, and mixed uses, located mainly along Queen Street South (see Appendix 2). Other types of uses include industrial businesses, which are located close to the railway tracks near Britannia Road West, and places of religious assembly which can be found along Queen Street South – one at Ontario Street East and the other at Princess Street.

BIA Boundary as Recommended by City Staff

The proposed BIA boundary expansion was reviewed to determine its merits based on factors such as the existing use of the property (i.e., commercial locations), the designation of the property in Mississauga Official Plan, and the provision for a contiguous BIA boundary.

Appendix 3 is a land use designation map (excerpt from Mississauga Official Plan) showing the area of expansion proposed by the Streetsville Business Improvement Association and the boundary expansion recommended by staff.

City staff generally agree with the boundary proposed by the Streetsville BIA Board of Directors for the following reasons:

- along Queen Street South from Britannia Street West to Ontario Street East/West, the majority of properties are designated "Mixed Use." The existing office, commercial, and mixed uses are permitted in this designation. A small number of detached dwellings in this area are designated "Mixed Use" which allows for future development of other uses such as commercial. Although a few sites in this area are designated "Residential Medium Density" (developed for townhouses and apartments), these sites are appropriate for inclusion in the BIA as they provide for a contiguous boundary along Queen Street South;

- properties parallel to the railway tracks along Broadway Street are designated "Mixed Use," which allows for commercial uses; and

- for the properties fronting Queen Street South from Barry Avenue to Reid Drive that are designated "Residential Low Density I", they are also subject to Special Site 1 policies, which allows for office uses in addition to residential uses. Given the additional permission for office uses, the inclusion of these lands in the expanded BIA is appropriate.

It is recommended, however, that the properties along William Street not be included in the BIA boundary expansion. Although these properties have existing industrial and commercial uses, they are designated "Residential Medium Density" in Mississauga Official Plan; the intended future use of the land is for residential purposes and not business uses.

Three additional properties are suggested for inclusion in the BIA boundary:

- the property located at 264 Victoria Street which is designated "Mixed Use;"

- part of the property located at 274 Queen Street South falls within the current Streetsville BIA, while the other half is outside of the BIA boundary. It is preferred that the entire property be within the borders of the BIA; and

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- the property located at 12 Old Station Road is designated "Residential Low Density I" and Special Site 1 in Mississauga Official Plan (Streetsville Neighbourhood) which permits office uses.

Appendix 4 presents the staff recommended boundary expansion of the Streetsville BIA.

The City recognizes the many benefits of business improvement areas and is committed to assisting the Streetsville Business Improvement Association in expanding the BIA. The Streetsville BIA has been established since 1979 and has made the village an attractive place to shop and visit.

STRATEGIC PLAN: The expansion of the Streetsville BIA aligns with the following goals and actions of the City's Strategic Plan:

CONNECT: Completing our Neighbourhoods

- Develop Walkable, Connected Neighbourhoods
- Build Vibrant Communities
- Nurture "Villages"

PROSPER: Cultivating Creative and Innovative Businesses

- Meet Employment Needs

FINANCIAL IMPACT: Not applicable.

CONCLUSION: City staff are in general agreement with the proposed boundary expansion of the Streetsville BIA as outlined by the Streetsville Business Improvement Association, with the exception of four revisions. The boundary expansion area recommended by staff is shown on Appendix 4.

The *Municipal Act, 2001* establishes the requirements for City Council to deal with a request to alter the boundaries of a business improvement area. To obtain the position of the business community within the recommended BIA, the City should initiate the statutory

R-8(h)

process required to implement the expansion of the Streetsville BIA designation.

ATTACHMENTS:

APPENDIX 1: Letter from the Chair of the Streetsville Business Improvement Association, dated June 20, 2013
APPENDIX 2: Streetsville Business Improvement Association – Proposed Streetsville BIA Boundary Expansion (Map)
APPENDIX 3: Streetsville BIA Land Use Designations (Map)
APPENDIX 4: Recommended Streetsville BIA Boundary Expansion (Map)

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Karin Phuong, Policy Planner

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Appendix 1

STREETSVILLE BUSINESS IMPROVEMENT ASSOCIATION (BIA)

info@villageofstreetsville.com • www.villageofstreetsville.com
280 Queen Street South, Streetsville, Ontario L5M 1M1
Tel: (905) 858-5974 • Fax: (905) 858-2366

Thurs. June 20, 2013

COUNCIL AGENDA
July 3, 2013

Mayor and Members of Council
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

RE: Proposed Boundary Expansion of Streetsville Business Improvement Association (BIA)

Dear Mayor and Members of Council,

The Board of Directors of the Streetsville BIA would like to thank our local City Councillor and member of our board Councillor George Carlson for working with us on this proposal to expand our BIA boundaries. We believe that the Streetsville BIA and the entire Streetsville community will benefit from this expansion, and that it will help to define our business community to residents and visitors to Streetsville.

The proposed boundary expansion was discussed earlier this year over the course of several months during the monthly meetings of the Board of Directors. On May 21st during the monthly meeting, staff from the City of Mississauga attended to inform the board of the various steps to take to ensure a smooth process for both current BIA members and potential new members. The Board of Directors at the monthly meeting held on June 18th, 2013 voted unanimously to expand the boundaries as discussed below.

The requested changes would expand the boundaries along Queen Street South to Britannia Road West in the north and to the railway tracks in the south. There would be minor adjustments to the east and west boundaries that are currently in place within these areas (please see attached map for details).

We are therefore writing this letter to request that the City of Mississauga prepare a report on boundary expansions for the Streetsville BIA, to amend the previous boundary expansion in 1994 (By-Law 332-94). We are prepared to work with the City of Mississauga and provide whatever assistance is needed.

Thank you for considering our request.

Sincerely,

Todd Ladner
Chair
Streetsville BIA

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services	For ☐ Appropriate Action ☐ Information
☑ Planning & Building ☐ Transportation & Works	☐ Reply ☑ Report

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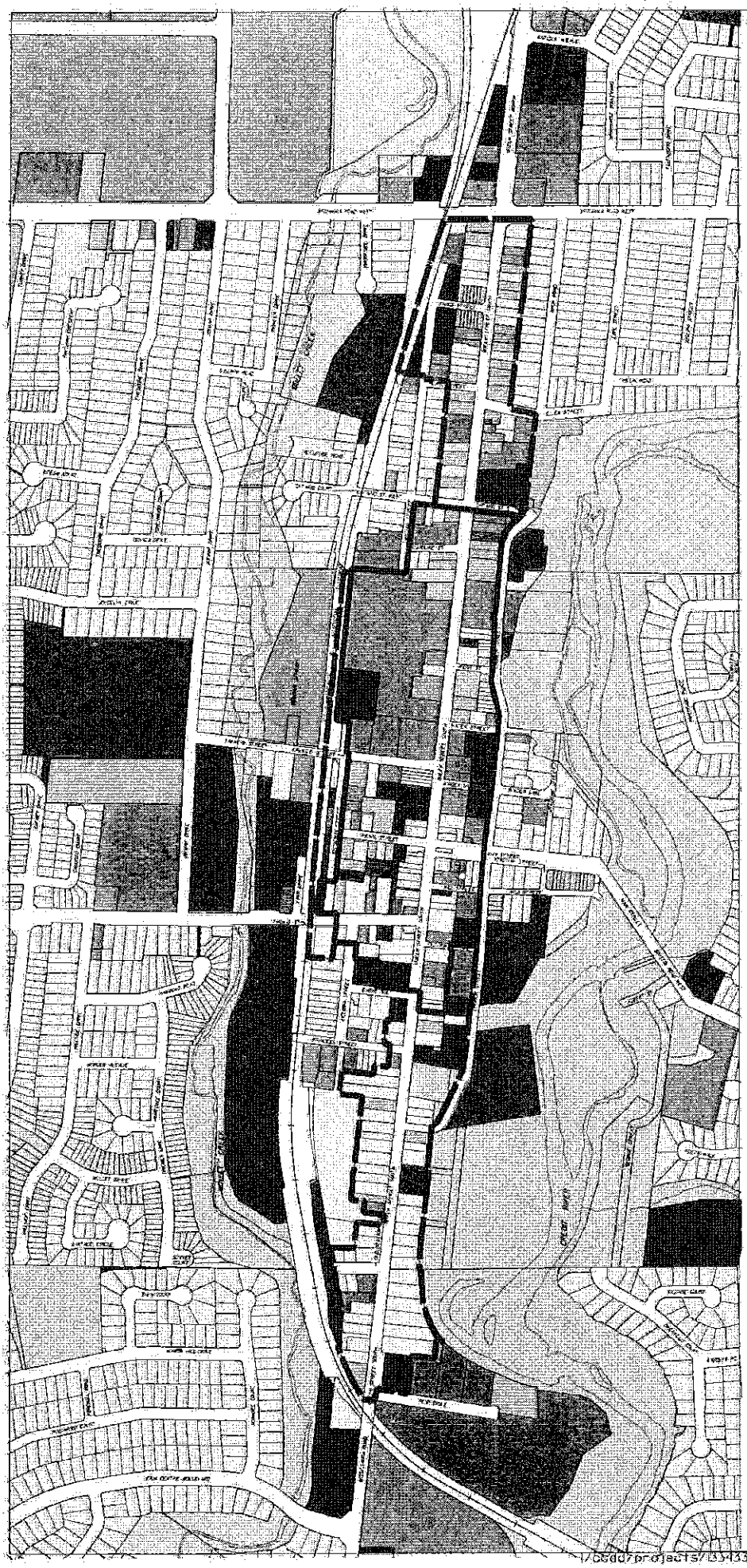

Appendix 2: Streetsville Business Improvement Association - Proposed Streetsville BIA Boundary Expansion

Existing Streetsville BIA Boundary (By-Law 332-94)

Proposed Streetsville BIA Boundary Expansion

Existing Land Use Codes

- Residential Detached
- Residential Semi-Detached
- Residential Row Dwellings
- Residential Apartments
- Residential Other Multiples
- General Retail Commercial
- Automotive Service Commercial
- Other Retail
- Mixed Residential Commercial (5 Storeys or more)
- Mixed Residential Commercial (less than 5 Storeys)
- Office
- Industrial General
- Industrial and Commercial Multiples
- Industrial Heavy
- Open Space/Greenbelt
- Community/Cultural
- Places of Religious Assembly
- Public/Institutional
- School
- Transportation Right-of-Way
- Public or Municipal Parking
- Utilities/Public Works
- Walkways
- Farm
- Vacant
- Other
- Unknown

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SCALE

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MISSISSAUGA Planning and Building

Produced by T&W Geomatics

September 2013

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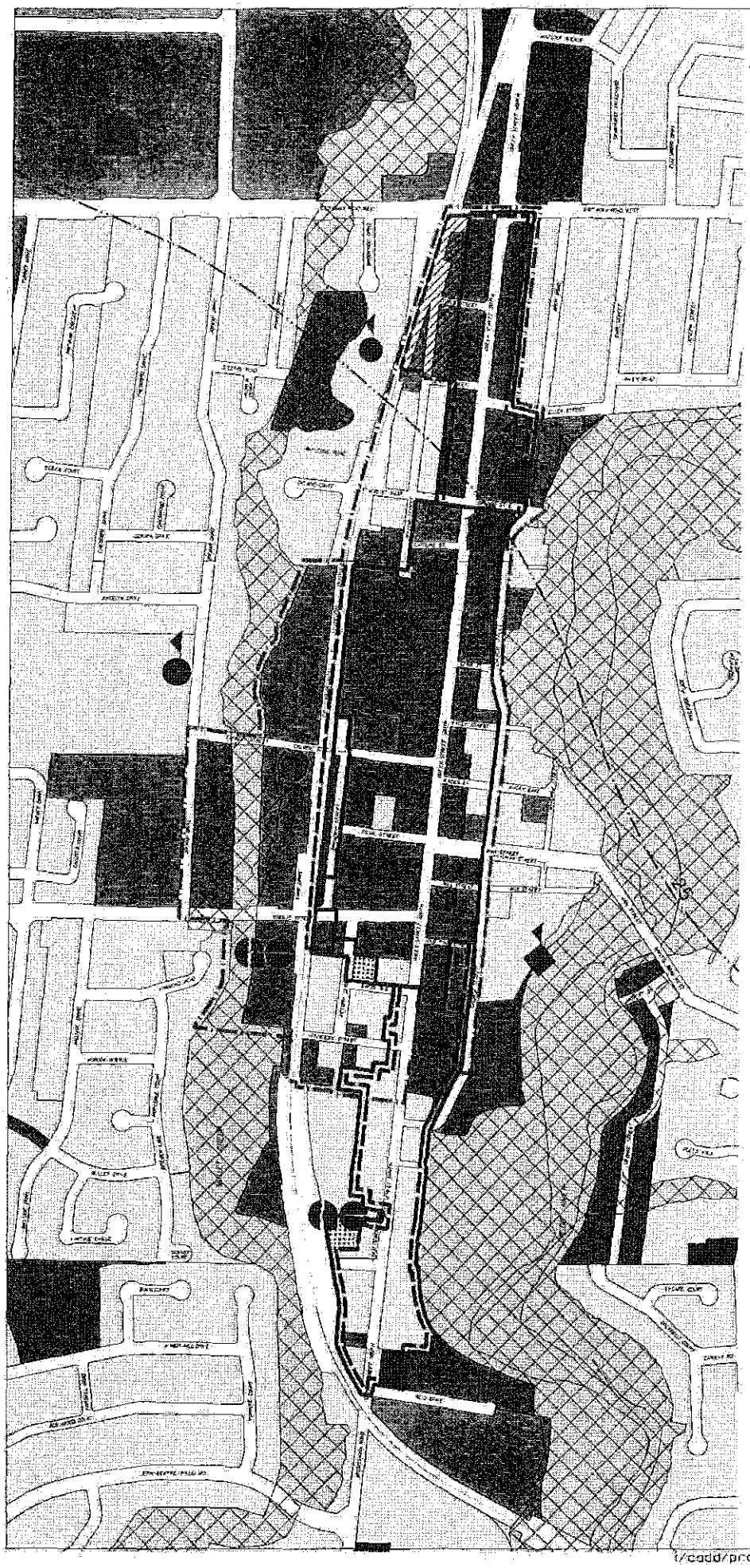

Appendix 3: Streetsville BIA Land Use Designations Mississauga Official Plan Part of Schedule 10

Existing Streetsville BIA Boundary (By-Law 332-94)

Proposed Streetsville BIA Boundary Expansion

Recommended Streetsville BIA Boundary Expansion

Properties Not Recommended for Expansion of the Streetsville BIA

Additional Properties Recommended for Expansion of the Streetsville BIA

Land Use Designations

- Residential Low Density I
- Residential Low Density II
- Residential Medium Density
- Residential High Density
- Downtown Mixed Use
- Downtown Core Commercial
- Mixed Use
- Convenience Commercial
- Motor Vehicle Commercial
- Office
- Business Employment
- Industrial
- Airport
- Institutional
- Public Open Space
- Private Open Space
- Greenbelt
- Parkway Belt West
- Utility
- To Be Determined

BASE MAP INFORMATION

- 1996 NEP/2000 NEF Composite Noise Contours
- Natural Hazards
- Community Facilities
- GO Rail Transit Station
- Public School
- Catholic School

City Structure

- Community Node

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MISSISSAUGA Planning and Building

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September 2013

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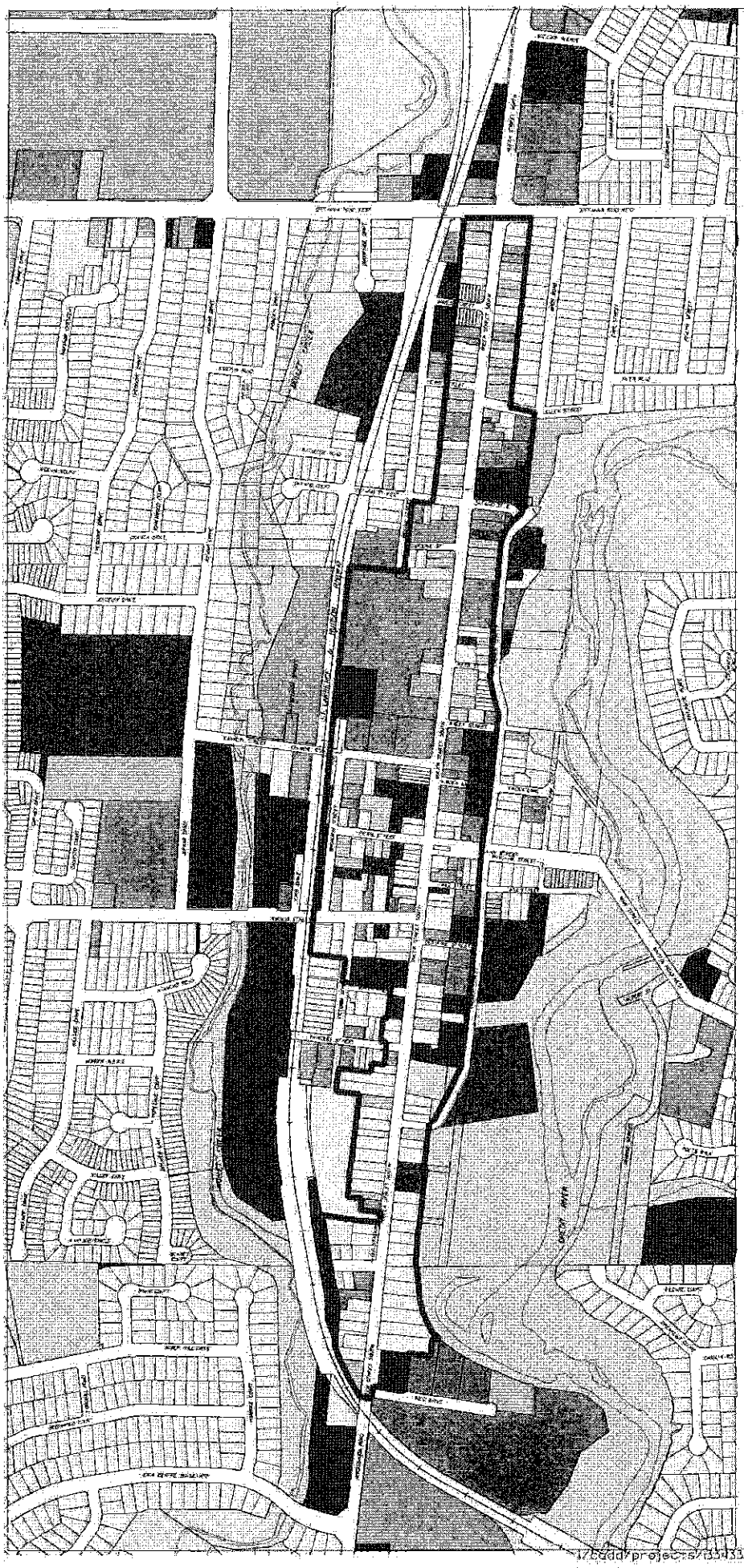

Appendix 4: Recommended Streetsville BIA Boundary Expansion

Recommended Streetsville BIA Boundary Expansion

Existing Land Use Codes

- Residential Detached
- Residential Semi-Detached
- Residential Row Dwellings
- Residential Apartments
- Residential Other Multiples
- General Retail Commercial
- Automotive Service Commercial
- Other Retail
- Mixed Residential Commercial (5 Storeys or more)
- Mixed Residential Commercial (less than 5 Storeys)
- Office
- Industrial General
- Industrial and Commercial Multiples
- Industrial Heavy
- Open Space/Greenbelt
- Community/Cultural
- Places of Religious Assembly
- Public/Institutional
- School
- Transportation Right-of-Way
- Public or Municipal Parking
- Utilities/Public Works
- Walkways
- Farm
- Vacant
- Other
- Unknown

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SCALE

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MISSISSAUGA Planning and Building

Produced by T&W, Geomatics

September 2013

I:\cadd\projects\35033\Streetsville BIA Proposed Expansion\Policy Codes

R-8(m)

Corporate Services Department
Legislative Services Division
Office of the City Clerk

City of Mississauga
300 City Centre Drive
MISSISSAUGA ON L5B 3C1

FAX: 905-615-4181
www.mississauga.ca

Appendix 2

Leading today for tomorrow

Notice of Intention to Expand the Streetsville Business Improvement Area (BIA)

In June 2013, the Streetsville Business Improvement Area (BIA) expressed interest in expanding the boundary of the BIA in Streetsville. On September 18, 2013, City Council endorsed the intention to enact a by-law to expand the established boundaries of the Streetsville BIA as shown on the attached map. The *Municipal Act, 2001, S.O 2001, Chapter 25* requires that notice of the intention to enact the by-law be served to all property owners within the current boundary and the proposed expansion BIA area that pay commercial property taxes. If the by-law is approved, the Streetsville BIA boundary would be expanded and commercial property owners and/or their tenants would be obligated to pay a special BIA levy.

Duties of Landowner (In accordance with the *Municipal Act, 2001*)

1. Each landowner who receives this notice is required to undertake the following within 30 days after the mailing date **(deadline October 28, 2013)**:

   (a) give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property; **and**
   (b) give the Clerk of the municipality a list of every tenant described in clause (a) above and the share of the taxes that each tenant is required to pay.

2. If you support the proposed BIA expansion, you are not required to take any further action.

3. If you oppose the proposed BIA Expansion, objections must be filed with the Clerk of the City of Mississauga, Attention: Crystal Greer, 300 City Centre Drive, Mississauga, L5B 3C1 or city.clerk@mississauga.ca no later than **November 26, 2013**.

A municipality shall not pass a Business Improvement Area Expansion By-law if:

(a) written objections are received by the Clerk of the City of Mississauga within 60 days after the mailing date of the notices **(deadline November 26, 2013)**; **and**
(b) the objections have been signed by at least one-third of the total number of persons entitled to notice; **and**
(c) the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area.

Key Dates:

Notice issue date	**September 27, 2013**
Duties of Landowner	**On or before October 28, 2013**
Objections	**On or before November 26, 2013**
If criteria is met to Expand Streetsville BIA Council Endorsement of the By-law	**December 11, 2013**

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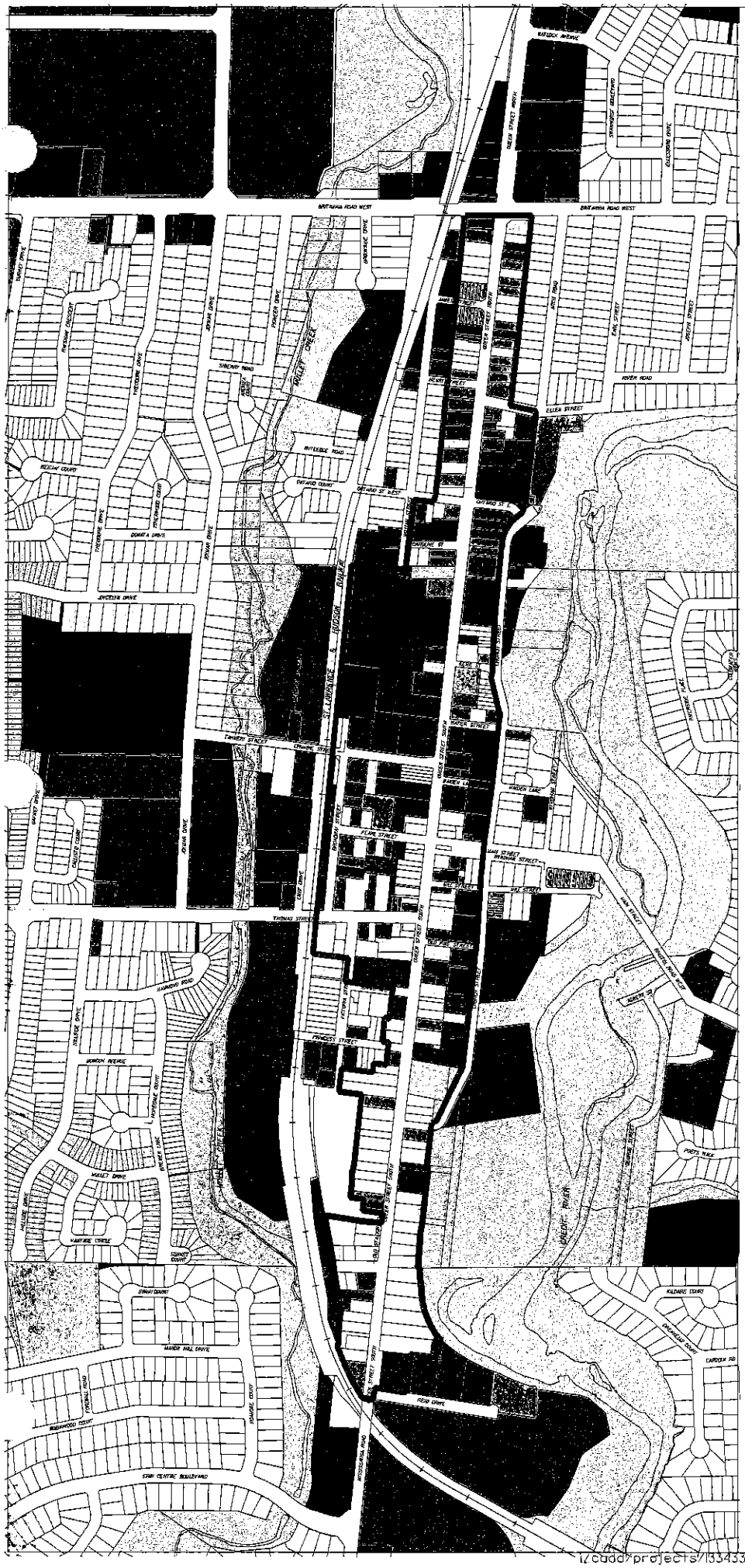
Recommended Streetsville BIA Boundary Expansion



Recommended Streetsville BIA Boundary Expansion

Existing Land Use Codes

- Residential Detached
- Residential Semi-Detached
- Residential Row Dwellings
- Residential Apartments
- Residential Other Multiples
- General Retail Commercial
- Automotive Service Commercial
- Other Retail
- Mixed Residential Commercial (5 Storeys or more)
- Mixed Residential Commercial (less than 5 Storeys)
- Office
- Industrial General
- Industrial and Commercial Multiples
- Industrial Heavy
- Open Space/Greenbelt
- Community/Cultural
- Places of Religious Assembly
- Public/Institutional
- School
- Transportation Right-of-Way
- Public or Municipal Parking
- Utilities/Public Works
- Walkways
- Farm
- Vacant
- Other
- Unknown

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SCALE

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MISSISSAUGA Planning and Building

Produced by T&W, Geomatics

September 2013

I:\cadd\projects\33433\Streetsville BIA Proposed ExpansionPolicy Codes

Corporate Report

Clerk's Files

Originator's Files

R-9

DATE: November 28, 2013

COUNCIL AGENDA
Dec 11, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

SUBJECT: **Inaugural Council Meeting – December 2, 2014**
Proposal to hold meeting at the Living Arts Centre

RECOMMENDATION: That the report from the Commissioner of Corporate Services and Chief Financial Officer, dated November 28, 2013, recommending that the Inaugural Council meeting of the 2014 – 2018 term of Council be held at the Living Arts Centre, on December 2, 2014, be endorsed.

BACKGROUND: In preparation for the transition to the 2014 – 2018 term of Council, staff have initiated planning for the Inaugural Council meeting. Historically, the Inaugural meeting of Council has been held in the Council Chamber. The Council Chamber has a maximum seating capacity of 262 people. Historically, each member of Council has been allotted invitations for 20 guests. In addition, a limited number of seats have been made available for invited community leaders, such as the Chair of the Region of Peel, Police Chief, President of the Board of Trade, as well as the Extended Leadership Team of the City of Mississauga. Unfortunately, space has not been available for members of the public to attend. To overcome this, the Inaugural Council meeting was streamed live in 2006 and 2010.

COMMENTS: The Inaugural Council meeting of the 2014 – 2018 term of Council, will be the first Inaugural meeting since 1978, where the City of Mississauga will see a new Mayor take the Declaration of Office. It

is anticipated that the public interest in this event will be significant. Given the limited seating space available in the Council Chamber, staff have investigated holding the Inaugural Council meeting at a location other than the Council Chamber.

Hammerson Hall at the Living Arts Centre is available on Tuesday, December 2, 2014, and has been booked on a preliminary basis, to host the Inaugural Council meeting, commencing at 7:00 p.m. pending endorsement by Council. In addition, Rogers Cable was consulted and is investigating the possibility of live streaming from this location. Should live streaming not be possible, taping the event and posting it on our web site after the event is an option.

As in past years, a reception will be held immediately following the Inaugural Council meeting, and the Living Arts Centre is also available to accommodate this reception.

FINANCIAL IMPACT: The costs associated with the Inaugural Council meeting are included in the 2014 election budget. It is anticipated that the increased cost associated with relocating the meeting from the Council Chamber to the Living Arts Centre would be minimal, and can be accommodated within the established budget.

CONCLUSION: It is anticipated that the public interest in the Inaugural Council meeting for the 2014 – 2018 Term of Council will be significant. Alternative locations, which can accommodate larger numbers of people, have been investigated and it is recommended that the Inaugural Council meeting for the 2014 – 2018 Term of Council be held at Hammerson Hall at the Living Arts Centre, on December 2, 2014.

G. Kent

Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Crystal Greer, Director of Legislative Services and City Clerk

Corporate Report

Clerk's Files

Originator's Files

R-10

COUNCIL AGENDA
Dec 11, 2013

DATE: November 28, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

SUBJECT: **Development Charges System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)**

RECOMMENDATION:

1. That the report entitled "Development Charges System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)", inclusive of Appendix 1 and 2, dated November 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved by Council for submission to the Ministry of Municipal Affairs for consideration during the Provincial Development Charges System Review.

2. That Council endorse the following recommendations for changes to the *Development Charges Act, 1997* (DCA) to:
   a) Remove the requirement for municipalities to reduce their capital costs by 10% *(DCA Section 5(1), paragraph 8);*
   b) Change the historic method of calculating average service levels, allowing municipalities to adopt forward looking service levels and flexibility in determining the basis for service levels and broader service categories. (*DCA Section 5(1), paragraph 4);* and
   c) Eliminate the "ineligible services" to allow municipalities to determine what services are required to meet the needs of growth in their communities and if funding by development charges is appropriate *(DCA Section 2(4)).*

3. That Council endorse a recommendation to maintain or enhance existing Parkland dedication provisions in the *Planning Act.*

4. That Council endorse the Municipal Finance Officers Association (MFOA) position paper *"Frozen in time: Development charges legislation underfunding infrastructure 16 years and counting"* which includes recommendations consistent with Mississauga's recommendations for changes to the *DCA.*

REPORT HIGHLIGHTS:

- The Province announced in October 2013 that it would be engaging various stakeholders including municipalities in a consultation exercise to review the Land Use Planning and Appeal System and the *Development Charges Act, 1997.*
- A separate report is on this agenda to address the Land Use Planning and Appeal System Review and requesting Council's approval of the City's submission document.
- The Provincial Consultation Document for the Development Charges System Review focuses on key areas by posing a number of questions where input from various stakeholders will be taken under consideration for possible amendments to the *Act.*
- The Province has provided a number of methods (meetings by invitation, webinar's, an online consultation document, email or written submissions) to collect comments and ideas from stakeholders. Submissions will be received until January 10, 2014.
- City staff has identified three main priorities in order of importance for changes to be made to the *Development Charges Act, 1997.*
    - Elimination of the 10% reduction to capital costs especially as it relates to the provision of transit services.
    - Change the current method of calculating average service levels to allow municipalities to adopt forward looking service levels, and flexibility in determining the basis for service levels and to define broader service categories.
    - Remove the list of ineligible services to allow municipalities to determine the services required to service growth in their communities.

- MFOA will be providing the Province with similar recommendations and are requesting municipal Councils demonstrate a unified position by endorsing the MFOA's resolution.
- Finance staff requested comments from all City departments to ensure that a full spectrum of ideas and comments could be compiled into the City's response to the Province's Consultation Document for submission by January 10, 2014. Appendix 1 of this report represents the consolidation of staff comments and ideas being recommended for consideration by the Province in making changes to the *Development Charges Act, 1997.*

BACKGROUND:

In October of this year, the Province initiated a review of both the Land Use Planning and Appeal and Development Charges Systems. The objective of this review is to ensure that each system is predictable, transparent and cost effective. To facilitate the review the Province made available two consultation documents; the Land Use Planning and Appeal System; and the Development Charges in Ontario. Each document contains a list of questions enabling stakeholders the opportunity to respond on issues which directly affect them. This is intended to focus the discussion on key areas and identify where potential changes to each process are required.

In addition to the consultation documents, the Province has been consulting with the public, municipalities and various stakeholders. While both reviews were announced at the same time the process for review and the engagement of stakeholders has been separate and has taken different forms. The Land Use Consultation is being conducted through public workshops, whereas the DCA review is being conducted through a series of meetings by invitation only with municipalities, the development community and non-government organizations.

Due to this and the fact that the issues in each review are separate and unique, separate reports are being presented for Council consideration for approval of a formal response to both reviews.

The Province does not intend to make sweeping changes to the *Development Charges Act* as part of this review. According to the MMAH website the review will not deal specifically with the

following:

- "changing the "growth pays for growth" principle of development charges;
- education development charges and the development charges appeal system; and
- other fees and taxes and matters involving other legislation, unless housekeeping changes are needed.

Comments on issues that are not the focus of the consultation will be shared with the ministries responsible."[1]

While the review is entitled a Development Charges System Review, the consultation also asks questions about Parkland dedication and the use of Section 37 contributions and voluntary payments by the development community. The Development community has been raising concerns regarding parkland dedication and cash-in-lieu provisions, considering the high value of land in the GTA and the impact of high density developments on the amount of land or cash-in-lieu driven by these developments. There is some concern by municipalities that improvements in the DCA will be counter by reductions in the *Planning Act* parkland provisions.

The Province is encouraging stakeholders to provide evidence based responses to actively prove the need for broad reforms as it relates to the financial sustainability of growth and achieving the Growth Plan for the Greater Golden Horseshoe objectives. The submission deadline for all comments is January 10, 2014.

COMMENTS:

Council for the City of Mississauga has made many requests in the past through resolution, asking for a review of the *Development Charges Act, 1997.*However, this is the first time since enactment of the DCA that the province has opened the DCA for consideration of changes. City Staff and the broader municipal sector are encouraged that the Ministry of Municipal Affairs and Housing (MMAH) has chosen to undertake this review at this time and have provided a number of opportunities to collect comments through staff level consultations via meetings, and webinar's, and for formal Council endorsed submissions, by January 10, 2014.

[1] http://www.mah.gov.on.ca/Page10355.aspx

One of the fundamental principles of the *Development Charges Act* is "Growth Pays for Growth". The Province has stated that this principle will be maintained and forms no part of the current review. This is a key principle in the City of Mississauga's financial policies. However, certain provisions within the Act restrict a municipality's ability to require growth to fully pay for growth, placing a burden on existing taxpayers.

While there are numerous provisions in the existing DCA that would benefit municipalities if they were changed, staff have identified three priority issues in the current DCA legislation that if implemented would have the most positive impact in ensuring that "Growth Pays for Growth". These are:

1. Eliminate the 10% reduction to growth related capital costs especially as it relates to the provision of transit services;
2. Change the current method of calculating average service levels to allow municipalities to adopt forward looking service levels, flexibility in determining the basis for service levels and define broader service categories; and
3. Eliminate the list of ineligible services to allow municipalities to determine the services required to service growth in their communities.

1. Elimination of the 10% Reduction to Future Capital Costs

The *Development Charges Act* requires that a 10% reduction be applied to any services that have not been specified as fully recoverable from growth. These are typically referred to as "soft services" and for Mississauga include transit, recreation, library, public works, parking and general government.

In 2009, the City's DC Background Study indicated that $20.3 million was required from other City sources, which are primarily tax funding, to fund the legislated 10% reduction of capital costs over the 10 year period. A significant portion (75%) of the reduction is primarily attributable to transit and recreation services.

City staff recommend the complete elimination of the 10% reduction, as this will benefit all municipalities and services. However, it is essential that the Province remove the 10% discount from Transit

R-10(e)

services. The movement of people, goods and services is a major driver in growing the economy in Ontario. Sixteen years ago when the DC Act was passed, the Ontario economy was thriving and congestion on Ontario roads was within a tolerable level. Since then, and according to Metrolinx, gridlock on Ontario roads is costing the economy $6 billion annually in the GTAH alone. Understandably the Provincial and Federal Government's priority has shifted towards a transit solution. Transit can no longer be considered a "soft service" as it is a vital component for movement of people on our roadways. The requirement to fund 10% of growth related Transit costs from property taxes places a significant financial burden on municipalities that are growing their transit systems, especially as they move to implementing higher order Transit solutions, and creates a financial disincentive to invest in Transit, as roadway solutions can be funded a 100% from development charges. Roadways and related functions are modelled and planned to the ultimate growth forecast time frame for a municipality and are not subject to a 10% discount. The recent *Places to Grow Amendment 2* has changed the planning period from 2031 to 2041. Under the current DCA restrictions, as a discounted service, Transit can only be planned for on a 10 year horizon and cannot be combined into a single Transportation service with roads. Solving congestion requires coordinated planning and investment into a Transportation network comprised of road infrastructure and Transit. The removal of the 10% discount restriction not only increases funding for Transit, it also enables the coordinated planning of all modes of transportation to achieve a more viable and sustainable outcome in the future.

2. Change the Historic Method of Calculating Average Service Levels

The DC consultation process should seek to provide greater flexibility in the manner in which services are measured. A forward looking service level is necessary to ensure that new growth areas receive the same level of service as the rest of the community and that declines do not occur in existing communities. The historic average service level requirement is a mathematical calculation that fluctuates annually due to growth and the timing of emplacement of infrastructure. It ignores Council approved service standards for provision of services. Municipalities should be allowed to emplace services based on forward looking service levels which have been approved by Council.

At a minimum, development charges should be based on the highest service level over the prior 10 year period, as was allowable in the Act prior to the 1997 amendments.

For municipalities providing services for the first time, such as a high growth community which now requires a Transit service, or in Mississauga's case, where a municipality has new services needs such as higher order Transit and urban parks as a result of urbanization and higher densities, and changing development charge revenues cannot be collected until an established 10 year historical service level has been attained under the current legislation. Fire Service delivery is also impacted by urbanization and high density development requiring changes in service delivery which cannot be accommodate in a backward looking service level measure – Mississauga requires four new fire stations which currently cannot be accommodated in the development charge, requiring tax funding. These service requirements for growth place significant pressure on the existing tax base if the municipality decides to proceed in providing the service. Given the limited sources of funding for existing services many municipalities are unable to make a significant commitment to provide additional services driven by growth.

For new services such as the Mississauga Transitway and the planned LRT (where there is no existing prior 10 year service level) a similar forward looking calculation that examines a new service based on future growth should be used in calculating the maximum allowable development charge.

Specific to Transit, the exemption provided by *Ontario Regulation 192-07* for the Toronto-York Subway extension should be applied to all transit services in order to allow municipalities make the commitments necessary in reducing congestion and the efficient movement of goods and people.

It is important that targeted amendments be applicable to all transit related projects in order to address the shortfalls that exist within the current regime. Transit is an integrated service in which a network must be viewed in a holistic fashion. To distinguish between transit projects and higher order transit projects in determining service levels is counter intuitive to achieving a well-functioning transit system.

Service levels for Transit should be aspirational and future-focused (rather than backward-looking) in order to better achieve municipal and provincial planning goals.

3. Eliminate the "ineligible services" from the *Development Charges Act, 1997*

The DCA excludes certain services from inclusion in the development charge. These services are waste management, hospitals, acquisition of land for parks, cultural and entertainment facilities (including museums, art galleries and theatres) tourism facilities such as convention centres, and municipal administration buildings.

The *Development Charges Act, 1989* contained no provision for ineligible services. All of the ineligible services are impacted by growth. Cultural and tourism facilities are major contributors to the municipal urban environment. Developers consider such services in determining the viability of a building project as these are amenities that make a particular location attractive. These types of facilities build vibrant urban communities that foster new jobs and ideal communities that people want to live in; as such, growth should be required to contribute towards these facilities.

Municipal administration requirements increase as the community grows – provision of space for municipal employees is required to ensure the municipality operates efficiently and effectively. These growth related needs for administrative space should be eligible for inclusion in the development charge.

While the City of Mississauga is not responsible for waste management – this is a service provided by Peel Region in Mississauga – nor hospitals, which are a provincial responsibility, both of these services have significant costs driven by growth.

Demands on waste management increase with community growth – service areas expand and volumes of waste increase. This is an essential municipal service contributing to the environment and to the health and cleanliness of a community and therefore should be included in the development charge.

While hospitals are a provincially provided service, there has been increased pressure on municipalities to contribute to the local community funded share of new or expanded hospitals required due to population increases. However, the only mechanism available to fund municipal contributions is the property tax base. Ideally, the province should assume full funding for hospital costs, or at a minimum, allow municipalities to meet growth pressures through development charges.

The above recommended changes to the DCA would significantly assist Municipalities in financing growth driven infrastructure costs as well as providing the flexibility to determine the services and service levels necessary to support growth.

Parkland Dedication and Section 37 Comments

While the review is entitled a Development Charges System Review, the consultation also asks questions about Parkland dedication and the use of Section 37 contributions and voluntary payments by the development community. As noted in the background section of this report the Development community has been raising concerns regarding parkland dedication and cash-in-lieu provisions and there is some concern by municipalities that improvements in the DCA will be counter by reductions in the *Planning Act* parkland provisions.

Staff has provided comments on these issues in Appendix 1 – Mississauga's Response to Consultation Questions.

Ontario has one of the lowest Parkland dedication rates in Canada at 5%. Dedication requirements account for parkland for recreational purposes but also are used to acquire naturalized areas such as tableland woodlands and greenbelt areas. In many occasions the parkland dedication funds are stretched to accommodate the acquisition of greenbelt and tableland woodlands. Therefore, at a minimum parkland dedication provisions should be maintained and possible enhancements included such as the ability to provide for dedication of all lands below Development Setback Limits through all forms of Development and all forms of applications. Changes to allow a municipality to acquire through dedication woodland areas to be preserved and zoned as protected woodland would be beneficial.

Section 37 of the *Planning Act* is becoming more widely applied. In the past it was primarily used in the City of Toronto. The wording contained in Section 37 of the *Planning Act* is somewhat vague and unclear causing its application to be somewhat ad hoc and unstructured. Mississauga City Council recently took a lead on this issue and directed staff to review the implementation of Section 37 with a view to making the process more transparent and fair. The culmination of this three year review resulted in revised Mississauga Official Plan (MOP) policies and a new administrative protocol. This protocol also requires that good planning be achieved through a development approval in principle before Section 37 negotiations commence. New applications are following this protocol. No specific recommendations are provided.

Endorsement of Municipal Finance Officers Association Recommendations

In anticipation of a Provincial review of the *Development Charges Act, 1997* the Municipal Finance Officers Association (MFOA) struck a committee comprised of cross section of municipalities representative of Ontario.

The MFOA committee reviewed various aspects of the DCA legislation and identified issues that were regarded as failing to meet the principle that "Growth Pays for Growth". The MFOA Board approved a position paper in November 2013 *"Frozen in time: Development Charges legislation underfunding infrastructure 16 years and counting"*, to assist municipalities in conducting their reviews. Finance staff has reviewed the documents and are supportive of the recommendations that MFOA will be providing to the Province as part of their submission. The recommendations are consistent with the recommendations developed by City staff. MFOA has requested that Municipal Councils be requested to endorse MFOA's three most important issues and staff support this endorsement.

STRATEGIC PLAN: Changes to the *Development Charges Act* will support City investments in infrastructure which will further our progress on strategic initiatives that support the Move, Connect and Prosper Pillars of the City's strategic plan.

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FINANCIAL IMPACT: Changes being recommended in the City's provincial submission to the *Development Charges Act, 1997* review will provide the City with increased funding to ensure "that growth pays for growth".

CONCLUSION: The City's welcomes the opportunity to provide a submission to the Ministry of Municipal Affairs and Housing and provide comments and ideas through the recommendations contained in this report. Staff request approval of the report and appendices for submission by the City of Mississauga to Ministry of Municipal Affairs and Housing by January 10, 2014 to ensure that all comments and ideas will be taken into consideration.

ATTACHMENTS:

Appendix 1: City of Mississauga Responses to Development Charges Consultation Questions for Submission to the Province

Appendix 2: MFOA's position paper: *"Frozen in time: Development charges legislation underfunding infrastructure 16 years and counting"*

G. Kent

Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Susan Cunningham, Senior Policy Analyst

R-10(c)

City of Mississauga

Appendix 1

Responses to Development Charge Consultation Questions

The Development Charges Process

1. Does the development charge methodology support the right level of investment in growth-related infrastructure?

The current development charge methodology fails to provide the right level of investment for growth-related infrastructure due to the following legislative constraints in the *DCA* :

- The application of 10% discounts for some select services;
- The use of the "10 year Historic Average" used to calculate service levels and the maximum allowable funding envelops; and
- The limitation of growth related services eligible for recovery under the *DCA.*

The 10% discounting of certain services does not reflect the principle that "growth pays for growth". This approach reduces the amount of growth related capital costs that can be recovered through development charges (DC) for soft services including transit, recreation, parks, public works and library. It forces municipal council's to use tax or other revenue funding sources that could be redirected towards infrastructure replacement investments. The value of the 10% discount calculated in the City of Mississauga's 2009 DC Background Study was $20.3 million over the 10 year period. A significant portion (75%) of the discount is primarily attributable to two services; transit and recreation.

The current development charge methodology does not support the right level of investment in transit related infrastructure. Specifically, *Ontario Regulation 192-07* Toronto-York Subway Extension recognizes that collection of development charges based on a planned growth calculation for 10 years after completion of the subway and the subsequent 10 years thereafter. This regulation clearly reveals that it is necessary to take into account planned growth in determining service levels and that adhering strictly to an average 10 year prior growth service level model does not adequately reflect the demonstrated need for a service.

Mississauga is currently constructing a portion of the Transitway without any contribution from Development Charges. In addition, design plans are underway for construction of a light rail transit (LRT) system from south Mississauga to a northern point in the City of Brampton. This is a new service with no established service level; therefore, DC's can't be collected for this strategic infrastructure project.

The calculation of average service levels needs to be flexible enough to reflect issues such as those where a decline in population within one area of the City should not be used to decrease the level of growth expected in another geographic area of the municipality. As an example, residents in Malton will not travel to Port Credit to use a facility that is underutilized based on neighbourhood population.

The limitation of services on which development charges can be collected is not representative of the type of services required in a complete community. New infrastructure investments by

City of Mississauga

Responses to Development Charge Consultation Questions

both upper and lower tier governments should be recoverable through growth in new communities thereby allowing municipalities to spend existing tax dollars for much needed infrastructure renewal and replacement needs.

2. Should the Development Charges Act, 1997 more clearly define how municipalities determine the growth-related capital costs recoverable from development charges? For example, should the Act explicitly define what is meant by benefit to existing development?

The DCA is the most prescriptive legislation in Canada and the United States that serves to determine the value of growth related costs and the recovery of these costs from the development community. The challenge with being more prescriptive is that no municipality is exactly the same and flexibility is required to meet each community's needs.

The current approach used by municipalities has been in place since *the Development Charges Act, 1989.*The current language in the *DCA* legislation serves to provide municipalities with the ground rules for the determination of growth-related recoverable costs and requires a process through public consultation to resolve any concerns. The *DCA* provides for an appeal mechanism to the OMB if sufficient resolution between the parties is not achievable through the normal course of discussions. Municipalities need changes to increase the amount of growth related expenditures that can be recovered – providing more legislated rules would likely create a barrier to this objective as municipalities have individual pressures and requirements.

3. Is there enough rigour around the methodology by which municipalities calculate the maximum allowable development charges?

Yes, there is enough rigour, but greater flexibility is needed to support the principle that "growth pays for growth".

Under the current set of regulations, there is significant rigour around the calculation of the maximum allowable development charges. In fact the current methodology penalizes municipalities where there has been a significant increase to inventories at the end of the period. Any increases towards the end of the inventory period, create an excess capacity situation that hampers the municipality's ability to continue to grow the services necessary to accommodate growth. For example, the City of Mississauga started the design for the Gary W. Morden Fire Training and Safety Building in 2008 that did not come into service until 2011, and opened a new fire station in 2013 thereby adding a significant amount of square footage to the inventory at the end of the period. This has created some excess capacity by only the virtue of a math calculation, when in actually the City needs to provide an additional four stations to meet the needs of growth.. These are vital services that should not be hampered by a mathematical equation when life and safety are at stake.

The DC consultation process should seek to provide for greater flexibility in the manner in which services are measured. A forward looking service level is necessary to ensure that declines in service levels to new growth areas do not occur. This can be established by, at a minimum,

allowing for the highest service level over the prior 10 year period to be the basis of calculating the maximum allowable development charges for existing services. For new services such as the Mississauga Bus Rapid Transit Way (where there is no existing prior 10 year service level) a similar forward looking calculation that should consider the growth planned for the full development and growth the project will serve in the future, after project completion.

Eligible Services

4. The Development Charges Act, 1997 prevents municipalities from collecting development charges for specific services, such as hospitals and tourism facilities. Is the current list of ineligible services appropriate?

No, the current list of ineligible services is not appropriate.

Waste management services are included in the ineligible services list, hence preventing the collection of DC revenue for such services. While this service is not provided by the City of Mississauga, but instead by the Region of Peel, across Ontario, the capital costs to support waste management services are significant, particularly for high grow areas. These costs would include the building of recycling centres, energy from waste facilities, local material drop-off facilities, as well as reclamation projects to extend the use of existing landfill sites. Exempting waste management services from collection of development charge revenues is a major infringement on the principle that "growth pays for grow".

The *1989 DC Act* included cultural and tourism facilities in the development charge calculation. These are major contributors to the municipal urban environment that a developer examines to determine the viability of a building project and the amenities that makes a particular location attractive. These types of facilities build vibrant urban communities that foster new jobs and ideal communities that people want to live in; as such, growth should be required to contribute towards these facilities.

Municipal administration requirements increase as the community grows – provision of space for municipal employees is required to ensure the municipality operates efficiently and effectively. These growth related needs for administrative space should be eligible for inclusion in the development charge.

In the *Development Charges Act, 1989* hospitals were considered an eligible service however in 1997 this service was no longer eligible. Healthcare requirements in Ontario have continued to grow with increasing populations and greater needs for healthcare. While hospitals are a provincially provided service, there has been increased pressure on municipalities to contribute to the local community funded share of new or expanded hospitals required due to population increases. However, the only mechanism available to fund municipal contributions is the property tax base. Ideally, the province should assume full funding for hospital costs, or at a minimum, allow municipalities to meet growth pressures through development charges.

Municipalities in consultation with partners should have the flexibility to determine the services necessary to support growth and be fully eligible for recovery through development charges.

City of Mississauga

Responses to Development Charge Consultation Questions

5. The Development Charges Act, 1997, allows municipalities to collect 100% of growth-related capital costs for specific services. All other eligible services are subject to a 10% discount. Should the list of services subject to a 10 % discount be re-examined?

In examining the current DC Act, it is important to take a holistic approach in understanding the impact on municipalities. Significant growth related capital costs are not being funded by growth because of the 10% discount, historical service level methodology and ineligible services.

As such, a review of the discounted services would be prudent, in that Government needs and priorities have changed since the introduction of the DCA. Sixteen years ago when the DC Act was passed, the Ontario economy was thriving and congestion on Ontario roads was within a tolerable level. According to Metrolinx, grid lock on Ontario roads is now costing the economy $6 billion annually in the GTAH alone. Understandably the Provincial and Federal Government's priority has shifted towards a transit solution. Transit can no longer be considered a "soft service" as it is a vital component for movement of people on our roadways. Transit should be considered a vital component of municipal roadways and as such be eligible for 100% recovery of growth related costs. Under the current DCA restrictions, as a discounted service, Transit can only be planned for on a 10 year horizon and cannot be combined into a single Transportation service with roads. Solving congestion requires coordinated planning and investment into a Transportation network comprised of road infrastructure and Transit. The removal of the 10% discount restriction not only increases funding for Transit, it also enables the coordinated planning of all modes of transportation to achieve a more viable and sustainable outcome in the future.

All services should also be considered for 100 per cent recovery of the capital costs associated with growth. Recreation and Parkland which are essential services and proven to reduce costs in health services, and also assist in livability of City. Library is a supplementary vehicle to the education system, increasing literacy and providing programs to educate the general public. Cultural Facilities are also fundamental to "city-building" and aid in development of civil society.

6. Amendments to the Development Charges Act, 1997 provided Toronto and York Region an exemption from the 10 year historical service level average and the 10% discount for growth-related capital costs for the Toronto-York subway extension. Should the targeted amendments enacted for the Toronto-York Subway Extension be applied to all transit projects in Ontario or only high-order (e.g. subways, light rail) transit projects?

Metrolinx has determined that significant investments into Transit need to be made. The exemption provided by Ontario Regulation 192-07 highlights the deficiencies in the current DC act and should be applied to all transit services in order to allow municipalities to commit to future-focused aspirational transit projects.

It is important that targeted amendments be applicable to all transit related projects in order to address the shortfalls that exist within the current regime. Transit is an integrated service in which a network must be viewed in a complete fashion. To distinguish between transit projects

and higher order transit projects in determining service levels is counter intuitive to achieving a well-functioning transit system.

It is also recommended that the forward focused methodology used in Ontario Regulation 192-07 be applied to all municipal services in the calculation of recoverable development charge revenues.

Reserve Funds

7. Is the requirement to submit a detailed reserve fund statement sufficient to determine how municipalities are spending reserves and whether the funds are being spent on the projects for which they were collected?

Yes, the existing reserve fund reporting requirements provided for in Ontario Regulation 82/98 are sufficient as they are quite prescriptive in detailing individual projects and funding allocations from various sources. In addition, any DC credits provided are broken down by credit holder and service category in the Treasurer's Statement report provided to Council.

The Treasurer's Statement is available to members of the public when the report goes to Council for approval and upon individual request. In the City of Mississauga, all reports are available on line for the current and prior years providing complete transparency to the public and building industry.

8. Should the development charge reserve funds statements be more broadly available to the public, for example, requiring mandatory posting on a municipal website?

No, making the reserve funds statement more broadly available to the public is not necessary. Under the current regulation there is clear and open access for any member of the public to view or obtain copies of the Treasurer Statement. The Province could remove the requirement for submission of the report to the MMAH. It is unclear what value this provides to the provincial ministry.

The Treasurer's Statement at the City of Mississauga is available to the public online for the current and prior years. All Statements are also available upon request as indicated in the municipal development charges pamphlet that is displayed for public information.

9. Should the reporting requirements of the reserve funds be more prescriptive, if so, how?

No, the purpose of the Treasurer Statements is to ensure that municipalities are using development charge funds appropriately and the current reporting requirements serve this purpose.

City of Mississauga

Responses to Development Charge Consultation Questions

Section 37 (Density Bonusing) and Parkland Dedication Questions
10. How can Section 37 and parkland dedication processes be made more transparent and accountable?
The wording contained in Section 37 of the Planning Act is somewhat vague and unclear. There is no specific requirement about public consultation on potential community benefit contributions, most likely because this would potentially further delay the development process. Mississauga City Council recently took a lead on this issue and directed staff to review the implementation of Section 37 with a view to making the process more transparent and fair. The culmination of this three year review resulted in revised OP policies and a new administrative protocol. This protocol also requires that good planning be achieved through a development approval in principle before Section 37 negotiations commence. Section 37 benefits are required to consider community needs where they are known and where they can't be secured through any other development approval mechanism e.g. development charges, parks levy. Existing transparency can be provided through a Corporate Report to Council for each Section 37 agreement. With respect to Parkland dedication, dedication requirements not only account for parkland for recreational purposes but also to acquire naturalized areas such as tableland woodlands and greenbelt areas. In many occasions the parkland dedication funds are stretched to accommodate the acquisition of greenbelt and tableland woodlands. Ontario has one of the lowest Parkland dedication rates in Canada at 5%. Development through all forms of applications should be required to dedicate gratuitously all lands below Development Setback Limits. A municipality should also be able to acquire table land woodland areas that are desired for acquisition and will be preserved and zoned as a protected woodland at a parkland dedication rate or value of land that is at minimum 50% less than standard table land parkland. Parkland dedication rates for less intensive areas should be in the range of 10 to 15% and those in intensive area in the range of 15 to 25% as an alternative to the 1 hectare for every 300 units.
11. How can these tools be used to support the goals and objectives of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe?
There should be better messaging about Section 37 to the development community. Presently the industry complains about how community benefit contributions affect their bottom line. A successfully negotiated community amenity contribution is one form of giving back to the community which is receiving unanticipated additional density or height. The development industry needs to be more engaged in community building and Section 37 can assist with this objective if implemented in a transparent and fair manner. There is a need to develop a process that allows municipalities to better share in land value uplift over long periods of time (i.e.: decades) resulting from infrastructure investments.

Parkland dedication used for the preservation of valley and natural areas and the preservation of tableland woodlands would meet the goals and objectives outlined in the PPS and Growth Plan. Furthermore the provision of parkland not only provides health and recreational benefits to the population but also provides economic stimulus to surrounding development. As there are targets for population and employment within intensification areas, parkland areas minimum targets should also be included.

Voluntary Payments Questions

12. What role do voluntary payments outside of the Development Charges Act, 1997 play in developing complete communities?

The need for voluntary payments is related to the limitations of the current Development Charges Act, which does not adequately fund growth related capital costs for Municipalities. As such, voluntary payments are a needed option to facilitate greater cost sharing or recoveries that are not available under existing legislation.

13. Should municipalities have to identify and report on voluntary payments received from developers?

The definition of what constitutes a "voluntary payment" needs to be developed, but the reporting of such information would be beneficial to Municipalities in support of the principle of transparency.

14. Should voluntary payments be reported in the annual reserve fund statement, which municipalities are required to submit to the Ministry of Municipal Affairs and Housing?

Reporting of voluntary payments should be included in the annual Financial Information Return (FIR) as this information is easily assessable to the public through both Municipal and Provincial websites.

Growth and Housing Affordability Questions

15. How can the impacts of development charges on housing affordability be mitigated in the future?

The assertion that a development charge is the determining factor in the affordability of housing is unfounded. Statistics provided in the Province's consultation document have proven that development charges account for 5 per cent – 7per cent of the costs of a new home in Mississauga, consistently since the implementation of the development charge legislation. This is true across most Ontario municipalities.

As indicated in the MFOA companion document to: "Frozen in time: Development charges legislation underfunding infrastructure 16 years and counting", entitled: "Dispelling development charges myths and misconceptions", it provides a graphic representation of the costs involved

with the construction of an apartment condominium. Six per cent of the total construction cost is attributable to development charges. The fact that housing costs are continuing to rise are the result of a number of factors: variability of land costs depending on location, housing demand by type, legislated requirements for mortgage eligibility and general economic conditions all contribute to final housing prices. While this is not an exhaustive list of items that affect housing costs, it is clearly evident that development charges alone are not the determinant factor in housing affordability. While development charges do reflect a small portion in the cost of a new home, they enable the construction of valuable municipal infrastructure that drives the economic engine of the Municipality and the Province.

16. How can development charges better support economic growth and job creation in Ontario?

Development charges fund the construction and purchase of necessary municipal infrastructure. The ability to collect the appropriate amount/level of development charges to support new growth enables municipalities to stimulate new jobs and grow the economy without placing a greater burden on the existing taxpayer.

It is important that any amendments to the development charges act ensures that "growth pays for growth" by providing flexibility in the determination of service levels; taking a forward looking approach, elimination of soft service discounts and adopting a broader view in the range of services that Municipal Councils determine are required in their communities.

High Density Growth Objectives

17. How can the Development Charges Act, 1997 better support enhanced intensification and densities to meet both local and provincial objectives?

To allow both local and provincial objectives to be met, amendments to the Act should allow municipalities to have flexibility in how to best serve the needs of its communities.

The DCA needs to have better provisions for municipalities which are intensifying by improving the ability for municipalities to collect revenues for all its services. In some cases, intensification changes how certain services are delivered, for example, fire services dealing with higher buildings, larger recreation and library facilities for intensified areas, greater demand on transit and roadways.

The DCA needs to consider community infrastructure impacts. The City of Mississauga has introduced a protocol which requires proponents of large residential development applications to demonstrate impact on community infrastructure in the planning rationale.

The DCA needs to reflect that some services (e.g. Cultural facilities) assist in building complete communities, and with the diverse nature of the population within the Golden Horseshoe, cultural facilities are a fundamental element of serving the needs of communities across these areas.

18. How prescriptive should the framework be in mandating tools like area-rating and marginal cost pricing?

Currently under the DCA, municipalities have the ability to develop area specific development charges to accommodate growth related capital costs to service new growth areas. These are strategic decisions made by municipal councils that are best left to the individual municipalities. Provincial documents such as "Places to Grow" and any subsequent amendments provide a framework for planning their communities and municipalities should be allowed to determine how to achieve these goals.

Marginal cost pricing is a concept not suited to the services provided by municipalities; it is more applicable to a manufacturing entity. A marginal costing approach would most likely not support the principle that "growth pays for growth".

Through best practice purchasing by-laws, Municipalities have processes in place to ensure competitive and fair bidding generate best value for money outcomes.

19. What is the best way to offset the development charge incentives related to densities?

Under the current Development Charges Act, any incentives or exemptions offered by a municipality are not recoverable through development charges, but must be borne by the taxpayer. Offering incentives through intensification projects to achieve" Places to Grow" objectives only serves to shift foregone DC revenues to the tax base. The capital costs for the infrastructure will still be incurred by the municipality to service the new growth and violates the principle that "growth should pay for growth".

If incentives must be offered by a municipality related to densities, a program needs to be established at the provincial level to allow for an equal amount in grant payments to be recovered by the municipality ensuring that the growth-related infrastructure costs are not impacting the property tax bill.

Any incentives related to densities should be applied after a development charge rate has been calculated to ensure that the municipality is able to recover the capital costs linked to the growth related infrastructure. These grant payments should not factor into reducing the assessment of the growth related capital costs.

Appendix 2

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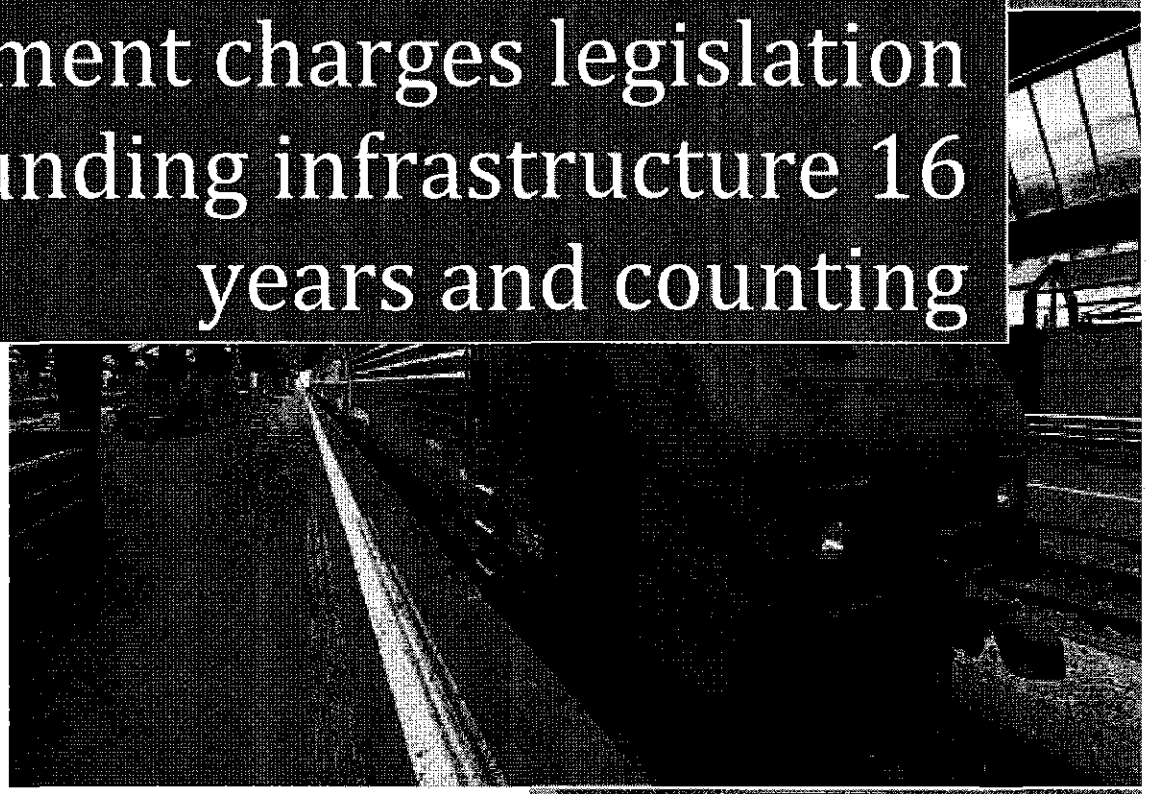
2013

Frozen in time: Development charges legislation underfunding infrastructure 16 years and counting



Municipal Finance Officers' Association of Ontario

8/23/2013

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About MFOA

The Municipal Finance Officers' Association (MFOA) was established in 1989 to represent the interests of Municipal Finance Officers across Ontario. MFOA promotes the interests of its members in carrying out their statutory and other financial responsibilities by initiating studies and sponsoring seminars to review, discuss and develop positions on important policy and financial management issues.

MFOA represents almost all of Ontario's municipalities. The membership roll features Chief Financial Officers and designates whose duties are primarily of a financial nature.

MFOA is an affiliate member of the Association of Municipalities of Ontario.

Note from MFOA

In 2011, MFOA assembled a team of municipal development charge experts from small and large municipalities across Ontario to form the Development Charges Working Group, an advisory body to the MFOA Board of Directors. The objectives of the Working Group were to:

- Share data, discuss key issues and help prepare drafts of this report.
- Mobilize support for development charge reform in light of new information about municipal infrastructure uncovered through the Provincial-Municipal Fiscal and Service Delivery Review and municipal tangible capital asset reporting.

Our intention was to submit a report to the Ontario Government containing recommendations for reforming the *Development Charges Act, 1997* that were broadly supported by the municipal finance sector. Members of the Working Group are recognized in Appendix A. MFOA is sincerely grateful for their contributions and this position paper benefitted from their views. This report received the support of MFOA's Board of Directors on November 20, 2013

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Executive summary

Although the *Development Charges Act, 1997* introduced some positive elements to Ontario's development charges regime, municipalities have struggled with the cost recovery restrictions it brought forward, especially provisions concerning:

1. **Ineligible services** - Section 2(4) lists services for which costs are ineligible to be recouped through a development charge.
2. **10% discounts** - Section 5(1), paragraph 8, indicates that a 10% discount will be applied to the development charge for a significant range of services (full list on page 18).
3. **Historic average method of calculating service levels** - Section 5(1), paragraph 4, indicates that DCs for all services will be calculated based on the average service level at which they were provided in the ten years leading up to the development charge background study. [1]

These features of the *Development Charges Act, 1997* are problematic because they create funding gaps for the infrastructure needed to enable growth.[2] It is counterproductive to limit municipalities' ability to invest in infrastructure by limiting their ability to recover capital costs through development charges at a time when governments are focused on shrinking the infrastructure deficit and stimulating economic recovery through infrastructure investment.

In the sixteen years since the *Development Charges Act, 1997* was passed, provincial priorities have shifted, rendering the cost recovery restrictions neither financially, nor politically, affordable. The service funding framework is a barrier to the achievement of priorities related to transit expansion and land use intensification both in terms of restricted service eligibility and service level calculation.

We were encouraged by Minister Linda Jeffrey's announcement that the Ministry of Municipal Affairs and Housing would be reviewing development financing legislation. We are, however concerned that the narrow scope for reform outlined in the development charge consultation document will not address the significant cost recovery restrictions described in this report. Municipalities should be given maximum flexibility within the Act to set DCs at a level that funds growth costs in light of their own objectives. Provincial legislation related to municipal governance should be enabling and permissive. We agree with and require legislation that supports the following statement from the 2013 Development Charges consultation document: "Under the current Development Charges Act, 1997, municipalities may apply development charges in ways that best suit their local growth-related needs and priorities."

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[1] The sequencing of the three restrictions is not in order of reform priority.

[2] Other parts of the *Development Charges Act, 1997* also create funding gaps, including the definition of capital costs and index for charges but the three provisions mentioned are the most problematic restrictions for most municipalities.

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Municipalities want to be a full partner in driving Ontario's prosperity through infrastructure development but they are hobbled by restrictive development charge legislation that undermines their ability to adequately invest in infrastructure and to grow in a financially sustainable manner. Three revisions to the *Development Charges Act, 1997* are recommended to eliminate barriers to cost recovery:

1. Eliminate Section 2(4), "Ineligible services," so that all services are eligible for development charges.
2. Remove Section 5(1), paragraph 8, the step in "Determination of development charges" that requires municipalities to reduce their capital costs by 10%.
3. Update Section 5(1), paragraph 4, which entails that the service levels development charges are based on is an average service level for the previous ten years, with a more flexible understanding of service levels. Municipalities should be able to adopt forward looking service levels, define the basis for service levels and broad service categories.

Significant infrastructure investments are critical to Ontario's continuing growth. Eliminating the arbitrary revenue restrictions in the *Development Charges Act, 1997* would make growth pay for a greater share of growth so that Ontario municipalities can get on with the timely business of investing in the maintenance, rehabilitation and renewal of local infrastructure – the bricks and mortar of local economies.

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1. The need for meaningful development charges reform

As the only substantial own source revenue tool Ontario municipalities have that is dedicated to infrastructure and the only tool designed to recover the cost of growth-related infrastructure, development charge (DC) policy has a significant impact on the quality and quantity of infrastructure in Ontario.

DCs are revenues dedicated to recovering the cost of building the infrastructure required for neighbourhoods to accommodate more commercial and residential units. They are a fiscal tool created to link those who demand growth and the cost of supplying the municipal infrastructure required to grow (roads, water pipes, recreation facilities, etc.). They were born under the tagline 'growth pays for growth' and implicitly recognize that those who trigger changes to the physical structure of a community should cover the capital cost of those changes.

Ontario municipalities have a long history of charging levies for growth-related capital works. In the 1950s, municipalities collected lot levies for new lots under the *Planning Act, 1990*. The first DC legislation, *Development Charges Act, 1989* ("DCA 1989") codified many lot levy practices; it was brought forward in recognition of the fact that sustainable municipal growth and consistent service standards within a municipality depended on adequate and appropriate funding for growth. Between 1989 and 2013, the major shift in the DC landscape was the introduction of the *Development Charges Act, 1997* ("DCA 1997" or "the Act") which altered the form and effect of its predecessor legislation. The objectives driving the original legislation were not preserved in an Act that arbitrarily limits the cost recovery capacity of municipal DCs and automatically creates funding gaps for municipal infrastructure.

Shortfalls for funding growth-related capital were one inevitable consequence of the revenue restrictions brought forward in the 1997 Act. ***How much do DC restrictions cost municipalities?*** A case study of what was lost from one Development Charges Act to the next can be found in Watson & Associates' 2010 study, "Long-term Fiscal Impact Assessment of Growth: 2011-2021," for the Town of Milton. The gross cost of growth for the ten year period was $568 million; it was written down to $459 million on account of the three restrictions outlined in this report.

- $50 million was unrecoverable because certain service areas are excluded services
- $26 million was foregone through the 10% discounts
- $34 million was disallowed on account of service level reductions (Watson & Associates, 2010, p. 4-11)

After all of the various DC caps introduced in the 1997 Act, DCs can now only pay for approximately 80% of the cost of growth-related capital.

The decision about how to manage development charge funding shortfalls puts municipalities between a rock and a hard place: To maintain the same level of service that a community had before a development permit was issued, the municipality has to look to other revenue sources to fill the gap. Usually shortfalls are addressed through increases in property taxes and user fees. Committing all of the residents in the community to paying for growth through general taxes and fees may present equity issues.

If a municipality does not fill the 20% funding gap necessary to sustain existing service levels, then the level of service provided to citizens declines over time. Because services are a significant factor for people deciding where to live, work and do business, declining service levels may compromise a municipality's ability to attract future growth.

This is not a decision municipalities should be forced to make. Given the economic value of public infrastructure investment and provincial interest in transit-oriented development and other smart growth principles, provincial DC policy should be amended to enable full cost pricing for growth-related infrastructure.

This report makes the argument for DC reform. First, the report outlines the principles that guide our recommendations, which emphasize the need for financially sustainable growth. Second, the report describes the connection between growth, infrastructure and development charges, profiles DCs in Ontario, and reviews how the development funding regime has changed from the first Act to the second. Third, the report outlines the centrality of infrastructure development to economic development and how the current Act impedes provincial initiatives related to smart growth.

More information on how development charges relate to service levels in other parts of a community and why development charges increase can be found in MFOA's report "Dispelling development charge myths and misconceptions."

2. Principles to guide development charges reform

The following principles should govern the current DC review process.

2.1. Growth pays for 100% of growth.

Where the costs of service provision are attributable to a distinct group, legislation permits that costs be borne in full by that group through various fees and charges. Provincial legislation should consistently allow full cost pricing across municipal service areas so that municipalities can encapsulate the full cost of infrastructure related to development in DCs.

2.2. Provincial legislation related to municipal governance should be enabling and permissive.

Provincial legislation that lists what municipalities may and may not do – prescriptive and restrictive legislation – removes decision making power from local authorities, chips away at officials' ability to respond to local concerns and, as such, undermines the

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purpose of local governments. In keeping with the formation of municipalities as an order of Canadian government and citizens' inherent right to local self-government, the provincial government should encourage municipal innovation and flexibility in enabling legislation.

In fact, this is the extent of local decision making authority recognized in the *Municipal Act, 2001*: "The powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues" (s. 8(1)). In a province that contains both the largest city and the least populated township in Canada, recognizing inter-municipal diversity and respecting local decision making authority were important milestones for the new municipal-provincial partnership articulated in Municipal Act reform in 2001. Allowing these fundamentals to 'trickle down' through the breadth of provincial legislation affecting municipalities, including DC legislation, would create the enabling environment needed to realize the ideals of Municipal Act reform.

2.3. Responsibilities endowed to municipalities in one provincial Act should be respected in others.

Municipalities are given broad powers in the *Municipal Act, 2001*, related to financial management, public assets, structures, the economic, social and environmental well-being of the municipality, and the health and safety and well-being of persons. An updated DCA should breathe life into these spheres of decision making authority by giving municipalities flexibility in decision making and the resources to carry out their *Municipal Act* responsibilities.

2.4. Development charge legislation should support shared public policy objectives between the municipal and provincial spheres.

Responding to citizens' service needs and ramping up infrastructure investment are mutually held objectives between provincial and municipal governments. DC reform ushers in many opportunities to deliver on these goals, including the creation of transit options, and support for affordable housing and homes for the elderly. Robust provincial DC legislation should lay the groundwork for funding solutions to these shared priorities.

2.5. Provincial legislation should respect the relationship between municipal revenue capacity and local service outcomes.

Municipalities require revenue stability in their own fiscal house in order to pass on predictable bills to ratepayers and enable stable operating environments for businesses. If municipal revenue powers are changed, the alterations should enhance flexibility and revenue stability through diversification.

Municipal infrastructure investments build economies and communities, as well as improve people's everyday lives; given the direct downstream impacts of municipal investment, it is critical to retain the integrity of the revenue tools that make service investments possible.

3. State of the development charges regime

3.1. Primer on growth, infrastructure and development charges

As Ontario grows, some communities experience a shift from rural environments characterized by open fields, large wooded lots and farmlands to built-up neighbourhoods with more dense housing and retail outlets. Infrastructure is what makes this transition possible. Municipal infrastructure investments can be categorized into two streams:

- Building new infrastructure required to serve new residents and businesses
- Maintaining, operating and replacing existing infrastructure

Why do new residents and businesses require new infrastructure? Service levels are often based on units or inputs per capita. To maintain existing service levels amid population growth requires more inputs. If the new infrastructure requirements are not met, service levels will decline over time. For example, a transit service level might be set at one bus per 10,000 people. If 10,000 new people move into the community and no bus is added, the transit service level declines for all users, manifesting as longer lines for buses, and more crowded buses and streets. New residents and businesses require new infrastructure so that growth does not compromise service levels and quality of life.

DCs apply to the upfront infrastructure costs of a range of services, giving municipalities the financial capacity to bring new lots up to the service standard enjoyed in longer standing parts of the community. It is an enduring principle of DCs that growth pays for growth, and nothing else.

3.2 Profile of municipal development charges in Ontario: Usage and collections

More and more Ontario municipalities are using DCs to fund their growth-related infrastructure needs. In 2005, "about 170 municipalities, representing about 90 percent of the province's population, impose[d] development charges" (Development Charges Subgroup, 2007, p. 4). By 2011, this figure grew to 210 municipalities (Watson & Associates, 2011).[3] Between 1997 and 2010, Ontario municipalities collected $9,924,892,427 in DC revenue to fund all or part of a range of capital projects across a spectrum of service areas (FIR).[4]

3.3 *Development Charges Act, 1997*: Key changes and their impact

The 1997 Act's strongest contribution to the DC regime in Ontario was providing a predictable framework for municipalities to calculate and collect DCs.[5] Section 5 of the 1997 Act, 'Determination of development charges', added clarity to DC calculations by

[3] DCs are less applicable in municipalities that are growing slowly, not growing or experiencing population decline.

[4] At the time of writing, not all Financial Information Returns (FIRs) had been submitted; the data for these years may be understated.

[5] References to DC legislation in this report include Ontario Regulation 82/98.

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setting out a step-by-step calculation methodology not present in the 1989 DCA. MFOA supports the procedural amendments made to standardize how DCs are calculated.

Several provisions of the, 1997 Act, however go too far, restricting municipalities from recovering 100% of their true growth-related costs. The 1997 Act:

1. Limited the number of services previously eligible for a DC.
2. Applied a 10% discount on the DC for a range of services so that only 90% of the cost is eligible to be recovered through DCs.
3. Confined the calculation methodology for DCs to a backward looking ten year average service standard.

3.3.1 Legislation limits eligible services and cost recovery

Table 1 compares the funding models outlined in the 1989 and 1997 DC legislation. The size of the funding gap left by ineligible services and mandatory discounts is clear when one sees how many services were transferred from a full cost recovery approach to a partial or zero cost recovery approach from the first DCA to the second.

Table 1: Decreasing revenue prospects from the 1989 Act to the 1997 Act

	Development Charges Act, 1989	***Development Charges Act, 1997***
Services 100% eligible for DCs (in these service areas, the full cost of providing a service could be recovered by using a DC).	Water, sewer, storm water management, police, fire, ambulance services, hospitals, roads, transit, airports, provincial offenses act administration, parking, municipal vehicles and equipment, affordable housing, child care, public health, social services, shelters, homes for the aged, acquisition of land for parks, parkland development, recreation facilities, libraries, cultural and entertainment facilities (museums, theatres and art galleries), tourism facilities (including convention centres), waste management services, municipal administration buildings and computers.	Water, sewer, storm water management, police, fire and roads.
Services partially eligible for DCs (in these service areas, only 90% of the	None.	Ambulance services, transit, airports, provincial offenses act administration, parking, municipal vehicles and equipment, affordable housing, shelters, homes for the aged, child care,

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cost of providing a service could be recovered by using a DC).		public health, social services, recreation facilities, parkland development and libraries.
Services ineligible for DCs (in these service areas, none of the costs of providing a service can be recovered through a DC).	None.	Waste management services, hospitals, acquisition of land for parks, cultural and entertainment facilities (including museums, theatres and art galleries), tourism facilities (including convention centres), municipal administration buildings and computers.

Part of the reason that DCs recover a maximum of 80% of the cost of growth is because the cost of most of the services moved from being 100% recoverable in the 1989 Act to partial or ineligible recovery in the 1997 Act (see Appendix B for another visual breakdown of eligibility and discounts).

3.3.2 Collections based on past average service levels

DCs are calculated for individual services based on a service level. The 1989 Act based service levels on the highest service level a municipality reached in the ten years leading up to the DC background study; the 1997 Act bases service levels on the average service level provided throughout the ten years leading up to the background study.

Population growth and a changing demographic profile can mean changing service demands. If a municipality was consciously ramping up service levels in response, the initiative would be reflected in DCs collected under the 1989 Act but it is suppressed through averaging provisions in the 1997 Act. This is another reason DCs no longer cover the cost of growth.

After a certain population threshold, homes for the elderly, child care facilities, airport facilities and transit services become important services to provide. If a municipality has not needed, for example, a transit service in the past, it is difficult to introduce because no DC revenues are possible where the historical average service level is zero. For example, Lindsay needs its first buses, none of which are eligible for DCs because the service has not existed in past.

The backward looking service level calculation in DC legislation is problematic for three reasons:

1. **Time horizon misalignment**: DCs do not pay for existing infrastructure, yet they reflect yesterday's capital costs.

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2. **Disregards evolving service preferences**: A backwards looking calculation ties the preferences of future inhabitants to those of past inhabitants.
3. **Thwarts municipal service responsiveness and relevance**: The backward looking calculation suspends services and service levels in the past through diminished funding prospects in the present.

For the same reason that no two municipalities' services, fee and tax rates are identical, even if growth is capable of paying for growth, municipalities will not all pay for it identically. It is a Council's mandate to define how its community looks, feels and operates. Provincial legislation should not limit local choices by limiting local revenues. Individual municipalities are better positioned to determine how to pay for growth in DC background studies and bylaws than the provincial government in generally applicable DC legislation.

4. Infrastructure development is critical to economic development

A cross-cutting consensus has emerged between the federal and provincial governments and building and development industry that infrastructure investment is tied to economic and employment growth. According to a Residential and Civil Construction Alliance of Ontario report on "Public Infrastructure Investment in Ontario" infrastructure investment supports GDP growth, higher wages and employment rates, corporate profits and public revenue (2011, p. 35).

The state of municipal infrastructure relates to its growth prospects in the following ways:

- Certain infrastructure attracts newcomers; for instance, amenity services – social, cultural and leisure facilities – are known to attract creative and skilled workers.
- The state of a community's infrastructure is a litmus test for its investment readiness; viable transportation corridors in particular are vital to get goods to market for 'just in time' delivery.
- Providing community and age-specific infrastructure is an important part of population retention strategies in some parts of the province.
- Investing in infrastructure is a form of job creation that produces spinoff effects in other industries, stimulating and sustaining growth.

The last point about spinoff effects was the reason the stimulus phase of the federal Economic Action Plan focused on funding infrastructure projects. According to Ontario's long term infrastructure strategy, *Building Together* (2011), "[i]nfrastructure investments will drive continued economic growth and enhanced quality of life" (Executive Summary). Given that the federal government stimulated economic growth in a recession by building infrastructure and the Ontario Government has created several capital funding programs to sustain economic growth, it is short-sighted to impinge on municipalities' ability to pay for the infrastructure that enables growth.

5. The *Development Charges Act, 1997* impedes provincial initiatives

Provincial initiatives related to transportation and smart growth are examples of some of the paradigm shifts that have taken place since 1997 about how we pay for services and how we grow. The 1997 legislation is not only inconsistent with the new thinking, it also forms a barrier to achieving the policy objectives underlying these initiatives by underfunding key services and restricting the capital revenue streams needed for them to flourish.

- In 2006, the Ontario Government made an exception to the historic average service level calculation for the transit DC on the Toronto-York Spadina Subway Extension. Ontario Regulation 192/07, s. 3, identifies the planned level of service for the Extension as the build-out period until the subway is ready for use, a methodological change made in the name of increasing municipal DC revenues. Passing a one-off regulation to circumvent the funding deficiencies in the calculation methodology concedes that a historic average is not a relevant or appropriate basis for calculating DC revenues and results in underfunding newer services. Most importantly, however the regulation sets a valuable precedent for how to strengthen the calculation methodology.

- The smart growth principles captured in the *Places to Grow Act, 2005,* including transit-oriented development, environmental protection and preservation of open spaces, highlight the criticality of transit, waste management and parkland services to sustainable development. DC legislation undermines the achievement of smart growth ideals because it underfunds services critical to accommodating more compact modes of development.
    - Transit: Whereas the capital costs of road construction can be fully recouped through DCs, only 90% of transit capital can be recovered. Thus the DC framework gives municipalities a financial incentive to de-emphasize transit.
    - Municipalities have master service plans for broad service categories, including transportation, however DCs are collected based on the specific services outlined in the Act, including roads and transit. Revenue from discounted and non-discounted services cannot be combined in reserve funds. As such, it is difficult to adjust municipal service offerings in line with changing service demands and plan an integrated service network.
    - The backwards looking average service level is another major barrier to transit development. For municipalities providing transit services for the first time, no DCs are possible because the historic service level is zero. This is problematic because the use of DCs presupposes growth, which can lead to traffic congestion, which can be managed by introducing transit services, which DCs have not been legislated to support. For municipalities with experience providing transit, the backward looking calculation financially frustrates system growth, (thus the exception for the Toronto-York Subway Extension).
    - Environmental protection: Although eliminated in the 1997 Act, waste management DCs are needed more than ever to finance activities associated with an increased number of waste producers, including increasing investment in landfill space and recycling facilities. These are significant long

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term expenditures and marginal growth costs need to be considered. Restricting funding for environmental protection programs like recycling and waste diversion can imperil the provision of these crucial services.
    - Preservation of open spaces: Exempting parkland acquisition costs from DCs fails to recognize that the increased population density encouraged by *Places to Grow, 2005* will require more parks and open spaces to offset the loss of private backyards associated with traditional, lower density, single family dwellings.

- The thread of land use intensification runs through the Provincial Policy Statement, 2005. Watson & Associates were retained by the City of Guelph to analyze the financial impacts of various growth scenarios from 2008-2031. A baseline, greenfield development scenario would accommodate 155,000 people in 13,613 units, 3% of which were from intensification areas. An intensification scenario would add 195,000 people in 29,613 units, of which 44% were from intensification areas. On a per capita basis, capital costs would be $5,391 in the greenfield scenario and $7,926 in the intensification scenario; the 47% increase would be reflected in DCs (Watson & Associates, 2007). Provincially designed growth funding tools should support more compact, and potentially more expensive, provincially designed modes of development.

Both municipal governments and the provincial government understand the need for unprecedented infrastructure investment; major spending changes are, however unlikely without greater access to revenue.

6. What reforms are needed

The driving rationale for instituting lot levies and the 1989 DCA was that 'growth pays for growth.' Meaningful DC reform is imperative to reflect the original intentions of DC legislation – to provide a framework for recovering all growth-related infrastructure costs across Ontario. Municipalities urge the Ontario Government to make the following legislative repairs as the key outcomes of the current DC review:

1. Eliminate Section 2(4), "Ineligible services," so that all services are eligible for development charges.
2. Remove Section 5(1), paragraph 8, the step in "Determination of development charges" that requires municipalities to reduce their capital costs by 10%.
3. Update Section 5(1), paragraph 4, which entails that the service levels development charges are based on is an average service level for the previous ten years, with a more flexible understanding of service levels. Municipalities should be able to adopt forward looking service levels, define the basis for service levels (inputs, outcomes, etc.) and broad service categories.

Table 2: MFOA's recommendations for reforming the DC Act, 1997

Areas for reform	Existing legislation	Recommendation
Ineligible services	Section 2 (4), "Ineligible services," is a list of services	Eliminate Section 2(4).

	to which development charges may not be applied.	
10% discounts	Section 5 (1), paragraph 8, requires municipalities to reduce their capital costs by 10%.	Eliminate Section 5(1), paragraph 8.
Backwards looking average service level	Section 5(1), paragraph 4, entails that the service levels development charges are based on is an average service level for the previous ten years.	Section 5(1), paragraph 4 should indicate that municipalities are permitted to adopt forward looking service levels, define the basis for service levels and broad service categories themselves in DC bylaws.

6.1. Remove the list of ineligible services

The range of services provided in a community are a significant consideration for people thinking about where to live and do business. People do not decide to settle in a community because of roads and sewers; however, the 1997 Act eliminated many of the services that make communities unique – parks, cultural, entertainment and tourism facilities – from being included in the cost of growth. All infrastructure services should be eligible for DCs so that newcomers can fully contribute back to the service fabric that drew them into a particular community.

6.2. Remove mandatory discounts

Full cost pricing should be permitted for growth-related infrastructure such that all capital costs can be included in DCs. Arbitrary 10% discounts on the DC for many services mean that 10% of the cost of delivering those services either overflows onto other rates or goes unfunded and impacts services. Better DC legislation would ensure that municipalities do not have to make these tradeoffs automatically.

6.3. Change the service level standard

The DC levied for one service should reflect the cost of providing that service in the time horizon in which it will be provided and be based on a municipality's service plans.[6] Knowing that new technology, growth and citizen demands will change how and which services are provided in the future, flexible service definitions and service categories should be established in DC legislation to permit maximum adaptability and responsiveness.

Recommendation 3 endows municipalities with the power to:

[6] Service levels anchored in council commitments are expressed in master plans, asset management plans, capital budgets or other similarly formal public documents.

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I. **Adopt forward looking service levels**: For 'service firsts,' the time horizon for the service standard could be the build-out period of an asset, the standard piloted in 2006 for the Toronto-York Spadina Subway Extension.
II. **Define the basis for service levels**: Rather than a historic average service level, a more dynamic service level for transport services, for example, might be trip times.
III. **Define service categories:** For example, a municipality might combine roads, Provincial Offenses Act administration, parking, airport and transit services in a transport services category or police, fire, emergency medical and public health services into a health and safety category.

It should be noted that, in Volume One of his 2012 report, "Building Momentum," the Environmental Commissioner of Ontario expressed support for the second and third recommendation.

> "[B]oth the 10 per cent discount and the historic 10-year average service level standard should be closely examined and changed. The [Toronto-York Spadina Expansion Subway Extension Project] example...where the government offered an exemption from the 10-year averaging and 10 per cent reduction rules is essentially an admission that the current framework is flawed and must be amended" (2012, p. 35).

Metrolinx has also cited the easing of DC caps as one of four transit investment strategies.

> "By removing the provincially legislated 10 percent discount and 10 year historical cap, municipalities could implement additional development charges and dedicate the revenue to support the implementation of Next Wave projects within their communities (2013, p. 70).

While the release of the Metrolinx investment strategy for transit in the Greater Toronto and Hamilton Area has garnered widespread support for eliminating DC restrictions as they pertain to transit, amendments are required for a wider spectrum of services in a wider range of municipalities.

7. Conclusion

Given the inability of current DCs to fund the infrastructure needed for economic growth, and their inconsistency with provincial initiatives relating to smart growth, MFOA is duly concerned about the compromised state of Ontario's DC regime under the 1997 Act alongside the Toronto Board of Trade, Ontario Provincial Planners Institute, the Association of Municipalities of Ontario, Environmental Defense and the Pembina Institute.

Despite provincial and public pressure on municipalities to re-think their role in infrastructure – to re-prioritize services, manage assets and increase investment levels – municipalities are still tied to an outdated funding model for critical growth-related infrastructure. The sixteen year old DC legislation needs to be modernized to reflect

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what it could not at its inception – the growing consensus on the economic benefits of infrastructure investment as well as new service priorities. We look forward to working with the Ontario Government and Ontario municipalities to update the 1997 Act in the months ahead.

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Appendix A: MFOA's Development Charges Working Group

The members of MFOA's Development Charges Working Group are recognized below.

Ed Archer
City of Barrie

Calvin Barrett
Region of Waterloo

Lori Beecroft
Town of Huntsville

Sara Beukeboom
City of Kawartha Lakes

Ferrucio Castellarin
City of Vaughan

Dan Cowin
Municipal Finance Officers' Association of Ontario

Emily Harris
Municipal Finance Officers' Association of Ontario

Jonathan Janzen
Town of Fort Erie

Margaret Karpenko
City of North Bay

Samuel Malvea
City of Toronto

Warren Marshall
The Regional Municipality of York

Ken Nix
Town of Whitby

Lloyd Noronha
City of Brampton

Keshwer Patel
City of Mississauga

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Jay Pausner
Town of Saugeen Shores

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Town of Lakeshore

Shirley Siu
City of Toronto

Kelly Struby
The Regional Municipality of York

Ed Zamparo
Regional Municipality of Peel

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Appendix B: Municipal services' development charges eligibility

This table lists types of municipal services and gives a 'yes/no' indication about whether or not its costs are eligible to be recovered in DCs. It further breaks the service categories down into individual services and gives the rate at which DCs can be recovered (0%, 90% or 100%).

CATEGORIES OF MUNICIPAL SERVICES	ELIGIBILITY FOR INCLUSION IN THE DC CALCULATION	SERVICE COMPONENTS	MAXIMUM POTENTIAL DC RECOVERY %
1. Services Related to a Highway	Yes	1.1 Arterial roads	100
	Yes	1.2 Collector roads	100
	No	1.3 Local roads	local service
	Yes	1.4 Traffic signals	100
	Yes	1.5 Sidewalks and streetlights	100
2. Other Transportation Services	Yes	2.1 Transit vehicles	90
	Yes	2.2 Other transit infrastructure	90
	Yes	2.3 Municipal parking spaces - indoor	90
	Yes	2.4 Municipal parking spaces - outdoor	90
	Yes	2.5 Works Yards	100
	Yes	2.6 Rolling stock[2]	100
3. Storm Water Drainage and Control Services	Yes	3.1 Main channels and drainage trunks	100
	Yes	3.2 Channel connections	100
	Yes	3.3 Retention/detention ponds	100
	No	3.4 Localized works	local service
4. Fire Protection Services	Yes	4.1 Fire stations	100
	Yes	4.2 Fire pumpers, aerials and rescue vehicles	100
	Yes	4.3 Small equipment and gear	100
5. Outdoor Recreation Services (i.e. Parks and Open Space)	Ineligible	5.1 Acquisition of land for parks, woodlots and ESAs	0
	Yes	5.2 Development of area municipal parks	90
	Yes	5.3 Development of district parks	90
	Yes	5.4 Development of City-wide parks	90
	Yes	5.5 Development of special purpose parks	90
	Yes	5.6 Parks rolling stock[2] and yards	90
6. Indoor Recreation Services	Yes	6.1 Arenas, indoor pools, fitness facilities, community centres, etc. (including land)	90
	Yes	6.2 Recreation vehicles and equipment[2]	90
7. Library Services	Yes	7.1 Public library space (incl. furniture and equipment)	90
	Yes	7.2 Library materials	90
8. Electrical Power Services	Ineligible	8.1 Electrical substations	0
	Ineligible	8.2 Electrical distribution system	0
	Ineligible	8.3 Electrical system rolling stock[2]	0
9. Provision of Cultural, Entertainment and Tourism Facilities and Convention Centres	Ineligible	9.1 Cultural space (e.g. art galleries, museums and theatres)	0
	Ineligible	9.2 Tourism facilities and convention centres	0
10. Waste Water Services	Yes	10.1 Treatment plants	100
	Yes	10.2 Sewage trunks	100
	n/a	10.3 Local systems	local service
	Yes	10.4 Vehicles[2] and equipment	100
11. Water Supply Services	Yes	11.1 Treatment plants	100
	Yes	11.2 Distribution systems	100
	n/a	11.3 Local systems	Local Service
	Yes	11.4 Vehicles[2] and equipment	100
12. Waste Management Services	Ineligible	12.1 Collection, transfer vehicles and equipment	0
	Ineligible	12.2 Landfills and other disposal facilities	0
	Ineligible	12.3 Other waste diversion facilities	0
13. Police Services	Yes	13.1 Police detachments	100
	Yes	13.2 Police rolling stock[2]	100
	Yes	13.3 Small equipment and gear	100
14. Homes for the Aged	n/a	14.1 Homes for the aged space	90
15. Child Care	Yes	15.1 Child care space	90
16. Health	Yes	16.1 Health department space	90
17. Social Services	Yes	17.1 Social service space	90
18. Ambulance	Yes	18.1 Ambulance station space	90
	Yes	18.2 Vehicles[2]	90
19. Hospital Provision	Ineligible	19.1 Hospital capital contributions	
20. Provision of Headquarters for the General Administration of Municipalities and Area Municipal Boards	Ineligible	20.1 Office space (all services)	0
	Ineligible	20.2 Office furniture	0
	Ineligible	20.3 Computer equipment	0
21. Other Services	Yes	21.1 Studies in connection with acquiring buildings, rolling stock, materials and equipment, and improving land[3] and facilities, including the DC background study cost	0-100
	Yes	21.2 Interest on money borrowed to pay for growth-related capital	0-100

Source: Watson & Associates Economists Ltd., 2009.

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Corporate Report

Clerk's Files

Originator's Files LA.07.PRO

COUNCIL AGENDA
Dec 11, 2013

DATE: November 28, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Ed Sajecki
Commissioner of Planning and Building

SUBJECT: **Land Use Planning and Appeal System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)**

RECOMMENDATION:

1. That the report entitled "Land Use Planning and Appeal System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)", inclusive of Appendix 1, City of Mississauga Response to Land Use Planning and Appeal System Questions, and Appendix 2, Mississauga Council Resolution 0048-2013, from the Commissioner of Planning and Building, dated November 28, 2013, be approved by Council for submission to the Ministry of Municipal Affairs and Housing (MMAH) for consideration during the Provincial Land Use Planning and Appeal System Review.

2. That Council endorse the following key recommendations for changes to the Provincial land use planning and appeal system to:

   a) if a municipality has an in-effect official plan that has been reviewed and updated in accordance with Provincially established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan;

b) there should be no appeal to official plan amendments that have been brought forward to conform to Provincial policy or legislation or an upper-tier municipal plan;
c) require mandatory mediation if a municipality deems insufficient reason for an appeal has been provided;
d) appeals to the entire official plan or zoning by-law should not be permitted;
e) establish cut off dates for the submission of appeals where an upper tier approval authority does not make a decision within the 180 day approval period;
f) an extension, with notice, to the 180 day approval time for upper-tier governments in approving lower-tier official plan amendments should be permitted, after which if no decision is rendered the official plan amendment should be deemed approved;
g) link conformity to new Provincial policy or legislation to a municipality's five year review;
h) allow official plans to extend beyond 20 years so that land use policies can align with infrastructure and public service facility planning; and
i) increase the legislated timeframes within which Council must make decisions on complete development applications before an appeal to the Ontario Municipal Board can be made.

REPORT HIGHTLIGHTS:	• The Province has initiated a review of the Land Use Planning and Appeal and Development Charges Systems. • The Province will be consulting with the public, municipalities and stakeholders on what changes are needed from October 2013 to January 2014. • The Province released a *Land Use Planning and Appeal System Consultation Document* that focuses on four key theme areas and provides a series of questions to focus responses. Comments are to be submitted to the Province by January 10, 2014. • City staff have identified a number of recommendations for changes to the *Planning Act* in this report and in Appendix 1 that focus on, among other matters, the protection of official plans against extraneous appeals, mandatory mediation, alignment of

policy and infrastructure planning, and increased timeframes for Council and upper-tier level government approvals.

- The Consultation Document was circulated to staff from all City departments. Appendix 1 represents the consolidation of staff comments being recommended for consideration by the Province on the Land Use Planning and Appeal System.
- A companion report titled "Development Charge System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)" from the Commissioner of Corporate Services and Chief Financial Officer will also be considered by City Council on December 11, 2013.

BACKGROUND:

The Province has initiated a review of the Land Use Planning and Appeal and Development Charges Systems to ensure that the systems are predictable, transparent and cost effective. The Province is consulting with the public, municipalities and stakeholders, from October 2013 to January 2014, on what changes are needed.

Consultation sessions for the Land Use Planning and Appeal System are being held throughout Ontario. A workshop is scheduled for December 5, 2013 in Mississauga. Staff will be in attendance.

The Province has made available two discussion papers, the first on the Land Use Planning and Appeal System, the second on Development Charges in Ontario. Both contain a list of questions for stakeholders to comment on. These papers are intended to focus discussion and identify what potential changes to the systems are needed. The submission deadline for comments is January 10, 2014.

This report will present the City's comments on the land use planning and appeal system. A companion report titled "Development Charge System Review: Consultation Submission to the Ministry of Municipal Affairs and Housing (MMAH)" from the Commissioner of Corporate Services and Chief Financial Officer will present the City's comments on the *Development Charges Act*. This report will also be considered by City Council on December 11, 2013.

COMMENTS:

The Province is taking a look at the way cities and towns plan for development and how to help pay for it. As such the Province has initiated a review of the Provincial Land Use Planning and Appeal System and *Development Charges Act* and related legislation.

Scope of Review

The Province has limited the scope of the review to improvements to the land use planning system, including what can be appealed to the Ontario Municipal Board (OMB), the *Development Charges Act,* parkland dedication, and Section 37 of the *Planning Act* (Section 37 enables a municipality to negotiate with a developer for items such as affordable housing in exchange for permission for the developer to build in excess of zoning limits).

The Province will not be considering recommendations that would result in a complete overhaul of the *Planning Act* or the *Development Charges Act*. More specifically, the review will not consider the following:

- eliminating or changing the OMB's operations, practices and procedures;
- removing or restricting the Provincial Government's approval role and ability to intervene in matters;
- removing municipal flexibility in addressing local priorities;
- changing the "growth pays for growth" principle of development charges, the education development charges and the development charges appeal system; or
- other fees and taxes and matters involving other legislation.

Input into the Review

The Provincial discussion paper, with respect to the land use planning and appeal system, is focused on four themes:

- achieve more predictability, transparency and accountability in the planning/appeal process and reduce costs;
- support greater municipal leadership in resolving issues and making local land use planning decisions;
- better engage citizens in the local planning process; and
- protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions, and support for job creation and economic growth.

The list of questions contained in the Provincial discussion paper was used in focusing comments from departmental stakeholders. Departmental comments have been consolidated into a single response and are detailed in Appendix 1. Council Resolution 0048-2013 has been attached as Appendix 2 and supports the recommendations contained in this report.

Main *Planning Act* Issues

Planning in Ontario is governed by the *Planning Act*. The *Planning Act* requires each municipality to have an official plan, outlines the approval process for land development and the minimum requirements for public consultation, and sets out appeal rights to the Ontario Municipal Board.

Current issues with the planning and appeal system affecting Mississauga include:

- the scope of matters that can be appealed and insufficient justification requirements for appeals;
- the ability to appeal an entire official plan or zoning by-law;
- the potential for appeals if no decision by the upper-tier government is provided within the 180 day review period;
- linking conformity to Provincial plans and legislation with the five year review of official plans;
- land use planning timeframes are limited to 20 years, while infrastructure planning has a long term horizon; and

- the timeframes municipalities have to review development applications.

Staff recommend that the Province, among other matters, make the following changes to the land use planning and appeal system:

j) if a municipality has an in-effect official plan that has been reviewed and updated in accordance with Provincially established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan;
k) there should be no appeal to official plan amendments that have been brought forward to conform to Provincial policy or legislation or an upper-tier municipal plan;
l) require mandatory mediation if a municipality deems insufficient reason for an appeal has been provided;
m) appeals to the entire official plan or zoning by-law should not be permitted;
n) establish cut off dates for the submission of appeals where an upper tier approval authority does not make a decision within the 180 day approval period;
o) an extension, with notice, to the 180 day approval time for upper-tier governments in approving lower-tier official plan amendments should be permitted, after which if no decision is rendered the official plan amendment should be deemed approved;
p) link conformity to new Provincial policy or legislation to a municipality's five year review;
q) allow official plans to extend beyond 20 years so that land use policies can align with infrastructure and public service facility planning; and
r) increase the legislated timeframes within which Council must make decisions on complete development applications before an appeal to the Ontario Municipal Board can be made.

Detailed comments on the Land Use Planning and Appeal System are included in Appendix 1.

The aforementioned recommendations were presented and discussed at the Mississauga Building Industry Liaison Team (BILT) meeting held on November 27, 2013.

The City has representation on the Association of Municipalities of Ontario's (AMO) Planning Task Force and has provided input into AMO's response to the Province.

Regional and City staff have discussed the approach each will take in commenting to the Province. The Region will report to Regional Council on its recommendations in January 2014. The City of Brampton is also considering recommendations to the planning and appeal system.

STRATEGIC PLAN: The *Planning Act* requires each municipality to have an official plan. On September 29, 2010, City Council adopted Mississauga Official Plan. The policy themes of the Plan advance the strategic pillars for change which are: Move, Belong, Connect, Prosper and Green. The recommendations contained in this report will further strengthen the official plan and strategic pillars by protecting the integrity of Mississauga Official Plan, better linking policy planning with infrastructure planning, and including elements of the environment as infrastructure.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: Staff from various City departments have reviewed the Province's discussion paper on the Land Use Planning and Appeals System and a number of comments and recommendations to improve the system are included in this report. Staff recommend that the requested changes in this report to the *Planning Act* be endorsed and that the report be forwarded to the Ministry of Municipal Affairs and Housing so that the City's position can be considered by the Province.

ATTACHMENTS: APPENDIX 1: City of Mississauga Responses to Land Use Planning and Appeal System Questions
APPENDIX 2: Mississauga Council Resolution 0048-2013

Ed Sajecki
Commissioner of Planning and Building

Prepared by: Shahada Khan, Planner, Policy Planning

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City of Mississauga

APPENDIX 1

Responses to Land Use Planning and Appeal System Questions

Theme A: Achieve more predictability, transparency and accountability in the planning/appeal process and reduce costs
1. How can communities keep planning documents, including official plans, zoning by-laws and development permit systems (if in place) more up-to-date?
Mississauga regularly prepares omnibus amendments to its official plan and zoning by-law to deal with assorted housekeeping matters and minor issues as they come up. In addition, city initiated amendments are brought forward on specific issues as required. This allows these documents to be kept up to date and limits the matters that need to be addressed in the five year review of the official plan. Conformity to new provincial policy should be required as part of a municipality's five year official plan review rather than a specified time period from when the new provincial policy comes into effect. If the provincial policy change is significant there should be a provision to extend the five year official plan review window to ensure that municipalities have sufficient time to conform to new provincial policies. Further, the Province should coordinate the release of new provincial policies so that all the policy changes can be considered comprehensively and in concert with local municipal matters.
2. Should the planning system provide incentives to encourage communities to keep their official plans and zoning by-laws up-to-date to be consistent with provincial policies and priorities, and conform/not conflict with provincial plans? If so, how?
There should be no right of appeal to amendments to bring municipal official plans into conformity with an in-effect upper-tier municipal official plan or provincial policy or legislation. If a municipality has an in-effect official plan that has been reviewed in accordance with established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan. (Council approvals of official plan amendments would remain appealable.)[1] Other incentives could also be considered such as increased or expedited infrastructure funding and implementation grants to assist municipalities in bringing their zoning by-laws into conformity with official plans.
3. Is the frequency of changes or amendments to planning documents a problem? If yes, should amendments to planning documents only be allowed within specified timeframes? If so, what is reasonable?

[1] On March 27, 2013 Mississauga Council passed Resolution 0048-2013 (Appendix 2) requesting the Province to amend the *Planning Act* to prohibit the right of appeal to the Ontario Municipal Board for development applications submitted requesting densities to be located in areas other than those identified in Mississauga Official Plan.

The right to bring forward municipally initiated amendments so that a municipality can keep its documents current and to address emerging issues, should be maintained. Further, a municipality's right to approve applications deemed to propose good development that is in the public interest should also be maintained. However, municipalities should have the right to refuse official plan amendments in accordance with certain provisions (see #2 above). Proponents of refused applications would have the right to appeal the official plan as part of the five year review.

4. What barriers or obstacles may need to be addressed to promote more collaboration and information sharing between applicants, municipalities and the public?

In Mississauga, the material that is submitted in support of a development application is made available to the public in electronic format. The proponent agrees to this disclosure in writing by signing the application form. Anyone coming into the City's Planning and Building Department has access to review these documents in hardcopy at the customer service counter. Access to supporting documents promotes information sharing among all parties.

5. Should steps be taken to limit appeals of entire official plans and zoning by-laws? If so, what steps would be reasonable?

Yes, appeals to an entire official plan or zoning by-law should not be allowed. More rigour needs to be brought to the appeal process so that the resources and effort invested by municipalities to update their planning documents or consider amendment proposals are not undermined without proper justification.

An appellant should be required to provide justification for the policies that have been appealed and the municipality should have the authority to determine if sufficient reason has been provided. If the municipality deems that insufficient reason has been provided, it should notify the appellant who would have a defined time period (e.g., 30 days) to submit further justification for the appeal. If after that time period additional justification is not provided or the municipality is still not satisfied, mandatory mediation should be required before a prehearing is scheduled. This process will bring more rigour to the appeal process and allow the scoping of appeals without the municipality having to bring a motion before the Ontario Municipal Board. Requiring appeals to provide adequate reason, may limit the potential for extraneous participants to be added to the appeal.

The Province should consider increasing the cost of filing an appeal and differentiating the cost by the type of appeal. The fee should be substantial enough to discourage frivolous appeals but not so high as to dissuade appellants with a valid appeal.

6. How can these kinds of additional appeals be addressed? Should there be a time limit on appeals resulting from a council not making a decision?

In the situation where a lower tier municipality must have approval from an upper tier municipality, opportunity to have the 180 day approval period extended should be considered. For example, if an approval authority is not able to make a decision within the 180 day period it should be able to issue notice that it is invoking its right for an extension. This extension would be defined (e.g., 60 days) and reasons would have to be provided. If a decision is still not

forthcoming, it should be assumed that there are no concerns and the lower tier official plan should be deemed approved. The approval authority should have the following choices: approve, approve as modified, not approve or defer a decision. Deferred decisions should be appealable but the appeal should be against the approval authority, not the lower tier municipality.

The *Planning Act* needs to include cut off dates for the submission of appeals and set dates for when official plans should come into effect for those instances where no decision has been made within the 180 day approval time, to avoid an open-ended appeal window and to ensure official plans are not held up in approvals.

It is difficult to regulate planning at the local level during the approval time of an official plan. During this time, the process can become cumbersome and complicated for a number of reasons. Until an official plan is approved, in effect policies must be complied with, however, staff review and evaluate applications under both plans. As well, there may be conflicts with the in effect polices and the new proposed policies. If portions of the plan have not been approved, and eventually come into effect, staff must go through the upper tier municipality or Ontario Municipal Board to make modifications to the plan on policies which have already been approved by local Council. It is essential that approvals are made within the designated timeframes.

The existing legislated timeframes for when an applicant can make an appeal to the Ontario Municipal Board of Council's failure to make a decision on development applications (180 days for official plan amendments and subdivisions, 120 days for rezoning applications and 30 days for site plan applications) are unrealistic and should be increased.

7. Should there be additional consequences if no decision is made in the prescribed timeline?

RESPONSES TO QUESTIONS 6 AND 7 HAVE BEEN COMBINED

8. What barriers or obstacles need to be addressed for communities to implement the development permit system?

Mississauga Official Plan includes a policy (19.12.1) indicating that consideration will be given to enacting a development permit system. The main obstacle is that it is an unfamiliar process to staff, politicians, developers and the community. The City is interested in pursuing the possibility of implementing a development permit system, however, there is a lack of resources available to further pursue this initiative at this time. The Province could provide a grant and guidance for those wishing to establish the system which could cover additional temporary staff.

Theme B: Support greater municipal leadership in resolving issues and making local land use planning decisions

9. How can better cooperation and collaboration be fostered between municipalities, community groups and property owners/developers to resolve land use planning tensions locally?

Better cooperation and collaboration can be fostered by using mediation to resolve disagreement. If one party wants to engage in mediation, then it should become mandatory for both parties. Education sessions could be planned for the community on planning issues affecting them. Tools for information sharing should be promoted.
10. What barriers or obstacles may need to be addressed to facilitate the creation of local appeal bodies?
Barriers or obstacles that may need to be addressed to facilitate the creation of local appeal bodies include: the additional costs, resources and administration required; ensuring the objectivity and independence of the local appeal body; and ensuring appropriate expertise for those appointed.
11. Should the powers of a local appeal body be expanded? If so, what should be included and under what conditions?
The powers of local appeal bodies could be expanded to include matters dealing with appeals related to heritage properties and related issues and site plan appeals under Section 41(12) that do not have related Rezoning or Official Plan Amendment applications.
12. Should pre-consultation be required before certain types of applications are submitted? Why or why not? If so, which ones?
Mississauga does engage in pre-consultation through the Development Application Review Committee (DARC). This committee reviews preliminary official plan amendments, rezoning, subdivision and complex site plan applications. The City has found this to be beneficial and it is recommended that pre-consultations be required.
13. How can better coordination and cooperation between upper and lower-tier governments on planning matters be built into the system?
See response to Questions 6 and 7.
Theme C: Better engage citizens in the local planning process
14. What barriers or obstacles may need to be addressed in order for citizens to be effectively engaged and be confident that their input has been considered (e.g. in community design exercises, at public meetings/open houses, through formal submissions)?
Mississauga actively engages with the residents on planning issues and applications. If the system is too regulated it can become onerous. Planning staff produce a two-report/public meeting process to allow opportunity for public input before taking a position on development proposals. In addition, Councillors may hold community meetings. However, due to the

restricted timeframe of 60 days for consultation, it is difficult to engage with the public in a more in-depth manner. The Province should consider updating the consultation requirements to encourage other options to engage the public (e.g. social media), in a cost-efficient manner. For groups that do not feel like they have the opportunity to be effectively engaged, intervener funding could be provided to relevant groups or duty counsel provided to residents.
15. Should communities be required to explain how citizen input was considered during the review of a planning/development proposal?
RESPONSES TO QUESTIONS 14 AND 15 HAVE BEEN COMBINED
Theme D: Protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions and support for job creation and economic growth
16. How can the land use planning system support infrastructure decisions and protect employment uses to attract/retain jobs and encourage economic growth?
There needs to be a much stronger connection made between decisions and plans regarding infrastructure and the land use planning system. Official plans are prepared with careful consideration to existing and planned infrastructure investments. As such and as stated in the response to Question 2, if a municipality has an in-effect official plan that has been reviewed in accordance with established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan. Further, there should be no right of appeal to amendments to bring municipal official plans into conformity with an in-effect upper-tier municipal official plan (or provincial policy) which has also been prepared with consideration to infrastructure investments. An example of a possible application refusal would be a proposal for low density uses in an area where significant investment in infrastructure has been planned or where the local municipality has identified higher-order transit routes. Conversely, refusal of an application for higher density in an area where infrastructure investments have not been planned should also not be appealable. The 20 year timeframe applied to official plans is another concern as infrastructure investments typically have a much longer term horizon. Timeframes for official plans should be extended provided certain master plans are in place and approved by Council (e.g. transit, water). Green infrastructure is integral to well planned, healthy communities and includes natural heritage systems, urban forest and water resources. Most municipalities are facing a decline in natural areas and urban forest due to development, invasive species and severe weather events. Water resources are threatened by contamination, erosion, invasive species and other factors. In order to maintain and enhance our natural systems, the land use planning system must support protection and enhancement of and investment in green infrastructure. The PPS defines infrastructure as physical structures that form the foundation for development. However, the PPS does not include natural heritage systems and the urban forest in the definition of infrastructure. A review of the PPS is currently underway and presents an opportunity to expand the definition of infrastructure. Protecting and enhancing green infrastructure by aligning land use planning and infrastructure decisions will help protect long-term public interest and create

R-11(m)

healthy sustainable communities. The Province has already limited the ability to appeal applications to expand settlement area boundaries, employment land conversions and policies permitting second units. The Province should expand this list to include other matters of provincial interest and to protect in-effect official plans. Also, as stated earlier, appeals to official plans in their entirety should not be permitted.
17. How should appeals of official plans, zoning by-laws, or related amendments, supporting matters that are provincially-approved be addressed? For example, should the ability to appeal these types of official plans, zoning by-laws, or related amendments be removed? Why or why not?
RESPONSES TO QUESTIONS 16 AND 17 HAVE BEEN COMBINED

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APPENDIX 2

R-11(n)

RESOLUTION 0048-2013
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on March 27, 2013

0048-2013 Moved by: Jim Tovey Seconded by: Pat Mullin

WHEREAS Municipalities are required to produce Official Plans;

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

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

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

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

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

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

R-11(c)

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

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

AND FURTHER that the resolution be forwarded to AMO.

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

Carried (12, 0) Unanimously

Corporate Report

Clerk's Files

Originator's Files

R-12

DATE: November 29, 2013

COUNCIL AGENDA
Dec 11, 2013

TO: Mayor and Members of Council
Meeting Date: December 11, 2013

FROM: Martin Powell, P.Eng.
Commissioner of Transportation and Works

SUBJECT: **Requirement for a Temporary Bus Terminal at Islington Subway Station**

RECOMMENDATION:

1. That the report dated November 29, 2013 from the Commissioner of Transportation and Works entitled "Requirement for a Temporary Bus Terminal at Islington Subway Station" be approved.

2. That the Toronto Transit Commission (TTC) be advised that Mississauga requires accommodation for MiWay buses in the temporary Islington bus terminal beginning in January 2017 subject to Provincial funding of MiWay's share of design and construction of the temporary terminal.

3. That the Province be requested to advise the City of Mississauga and the TTC that they will fund Mississauga's share of constructing a temporary terminal at Islington due to the delay in construction of an inter-regional bus terminal at Kipling.

4. That a copy of the report entitled "Requirement for a Temporary Bus Terminal at Islington Subway Station" dated November 29, 2013, be sent to the Premier, the Minister of Transportation, the CEO of Metrolinx and the Chair and CEO of the Toronto Transit Commission.

REPORT HIGHLIGHTS:	• MiWay's operations at Islington will have to move to a temporary terminal by the end of 2016 due to structural degradation of the existing station. The TTC is seeking commitment to cost sharing of the design and construction of the temporary facility by December 15, 2013. • MiWay's move to the inter-regional terminal at Kipling cannot occur prior to 2018. • The City should confirm its intention to remain at Islington subject to funding from the Province to fund Mississauga's share of the temporary terminal.

BACKGROUND:

MiWay operates 14 transit routes terminating at the TTC's Islington Station bringing 9,000 people on an average weekday to and from most areas of the City. The City pays the capital and operating cost of this inter-regional service and pays annual rent to the TTC of $366,468 (2013) for the use of this facility. The current lease for Islington expires December 31, 2016.

The planning to move MiWay operations to a new inter-regional terminal at Kipling commenced in 2003 and this new facility connecting TTC, GO Rail, and MiWay was to open in 2012. The new terminal has been delayed several times and at present there is no final design, location, or schedule but Metrolinx advises that it could not open before 2018. Mayor McCallion wrote to Premier Wynne on October 23, 2013 raising numerous concerns with the progress of the Kipling Terminal. The letter and the attached chronology were copied to Council and is attached as Appendix 1.

On August 16, 2013 the TTC advised MiWay that due to the condition of the Islington Station immediate remediation is required and continued operations beyond the lease expiry is not possible (Islington lease expires end 2016; Kipling terminal will not open before 2018).

COMMENTS:

Temporary Terminal

Subsequent to Mayor McCallion's letter to the Premier, MiWay staff continued to meet with both the TTC and Metrolinx staff. The TTC will ultimately have to rebuild the Islington Station in order to meet accessibility requirements but this will likely occur in conjunction with redevelopment of the site. Given that the timing of the

development is uncertain the TTC has identified the requirement for a temporary terminal at Islington to be ready for operation no later than December 2016. As MiWay operations generate the majority of the activity at Islington and in recognition that a move to Kipling cannot occur in the short term, the temporary terminal will have to be significantly larger than the TTC's own requirements. Consequently, the TTC has requested that the City of Mississauga confirm its desire to remain at Islington in the temporary terminal and that it share in the costs of design and construction. The TTC presented a report to their Commission on November 18, 2013 which is attached as Appendix 2. The report seeks a commitment from the City no later than December 15, 2013.

On November 25, 2013 MiWay infrastructure staff met with TTC Engineering Construction staff to review preliminary layouts. Comments were provided and revised proposals are being developed. The TTC report requires their staff to report back on property requirements, a cost estimate, and funding sources. As the temporary terminal will have to be located on adjacent paid parking lots, the consequential revenue loss may result in higher operating costs in addition to capital requirements. As a preliminary design has not yet been finalized, it is not possible at this time to estimate the potential capital or incremental operating costs. Once MiWay moves to Kipling, two or three years later most of the temporary terminal becomes surplus and additional cost will be incurred to restore it to its former use unless site redevelopment occurs.

Operational Considerations

As an end of route station MiWay requires six platforms, customer amenities, driver washrooms, and nine layover spaces to deliver reliable service. Although we have been forced out of Islington in the past due to labour disruptions this has been for short periods. At one point the Burnhamthorpe service was denied access for an extended period but this was only one route. In both instances the experience for customers and drivers was gruelling.

Our service takes residents to work in Etobicoke and Toronto and Toronto residents to work in our business parks (Sheridan, Meadowvale, and Airport Corporate Centre). We also allow students to access University of Toronto campuses in both Mississauga and Toronto as well as community colleges in both cities. Evening and weekend trips allow sports, entertainment and social trips.

Until MiWay moves to Kipling, Islington will remain an important connection to the Mississauga Transitway and will feed both the Meadowvale and Airport Corporate Centres. The links to the subway and GO Transit, once the move to Kipling occurs, are vital inter-regional links.

Metrolinx

MiWay staff met with Metrolinx and TTC staff on November 29, 2013. Metrolinx staff are aware that a temporary terminal at Islington is unavoidable and the CEO of Metrolinx was copied on the Mayor's letter outlining the City's expectations with respect to consequential financial responsibilities. TTC staff reiterated the urgency for a commitment from Mississauga to allow design work to proceed. TTC and MiWay staff will continue discussions on MiWay's requirements for a temporary terminal.

STRATEGIC PLAN: Maintaining a link to the Toronto subway system supports the City's Strategic Plan under the move pillar by:

- Connecting our City
- Building a reliable and convenient system
- Increasing capacity

FINANCIAL IMPACT: The capital costs of the interim terminal are uncertain at this time but the Mississauga share is likely two-thirds based on the proportion of the facility we use. Ninety percent of MiWay riders at Islington transfer to or from the TTC. As Islington was a former end-of-line station with surplus capacity once Kipling opened the City was never required to make a capital contribution and only paid rent (operating costs) to the TTC for our use. As the temporary terminal will require additional land that is currently producing parking revenue so incremental operating costs are also likely but are unknown at this time.

Mayor McCallion, in her letter to Premier Wynne, made it clear that the delay in MiWay's move to Kipling was attributable to provincial agencies and that the consequential costs should be borne by the Province.

The City has $5.5M budgeted in 2016 for the City's contribution to the construction to the Kipling inter-regional terminal as requested by the Province.

CONCLUSION:

An appropriate transfer point between the Bloor/Danforth subway and MiWay transit service is important to both Mississauga and Toronto and will connect with the Mississauga Transitway currently under construction. MiWay needs to maintain an end terminal at Islington until the move to Kipling occurs. The City should confirm its requirements to the TTC for accommodation at Islington subject to Mississauga share be fully funded by the Province.

ATTACHMENTS:

Appendix 1: Letter from Mayor McCallion to The Honourable Kathleen Wynne – October 23, 2013

Appendix 2: TTC Report on Islington Station – Temporary Bus Terminal – November 18, 2013

Martin Powell, P.Eng.
Commissioner of Transportation and Works

Prepared By: Geoff Marinoff, P.Eng.
Transit Director

R-12(e)

Appendix 1

OFFICE OF THE MAYOR

October 23, 2013

The Honourable Kathleen Wynne
Premier of Ontario
Main Legislative Building
Room 281
Toronto, Ontario
M7A 1A1

Dear Madam Premier:

Re: Kipling Inter-Regional Transit Terminal

The City of Mississauga, through MiWay, operates 14 inter-regional transit routes between the Toronto Transit Commission's Islington Subway Station and most areas of our city serving 9000 people on an average weekday. In 2003 planning to move MiWay operations from Islington to Kipling commenced and on May 8, 2007 the Ministry of Transportation advised they were prepared to subsidize the construction of an inter-regional terminal at Kipling providing connections between GO Transit, the Toronto Transit Commission (TTC), and MiWay. The new facility was to open in 2012. We have been advised by Metrolinx staff that the earliest feasible date is early 2018, 11 years after project approval.

The project has been delayed several times for reasons beyond the City's control but within the influence of provincial agencies of Metrolinx and Hydro One. At the time of writing, there is no precise location or time of completion for this key piece of inter-regional transit infrastructure.

You are undoubtedly aware of our concerns regarding the delay in the Kipling Subway project due to Hydro One changing its mind and not allowing it to proceed, which we communicated to the former Premier Dalton McGuinty, the former Minister of Transportation Bob Chiarelli and the current Minister of Transportation, Glen Murray. A chronology of this project is enclosed.

THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1
TEL: (905) 896-5555 FAX: (905) 896-5879

R-12(f)

On August 16, 2013, the City received a letter from the TTC advising that the condition of their Islington Station has deteriorated to such an extent that current operations are curtailed and all MiWay operations are at risk. The structure requires immediate remediation at a cost of $3 million to be followed by more extensive renewal work ranging in cost from $15 – 70 million depending on the scope. MiWay's current lease at Islington Station runs out on December 31, 2016 and renewal of the station infrastructure must begin prior to lease expiry. The TTC is seeking a significant capital contribution from Mississauga. The specific details of this request have been shared with Metrolinx staff.

The City of Mississauga already subsidizes the capital and operating costs of these inter-regional services and pays annual license and maintenance fees of $366,468 to the TTC for the use of the surplus capacity at Islington Station. I believe that the taxpayers of Mississauga should not be subsidizing hard transit infrastructure within Toronto. The City's contribution of $5.5 million towards the construction of the inter-regional terminal at Kipling as requested by Minister Cansfield in her letter of May 27, 2007 remains in our capital budget.

The incremental capital costs associated with our delayed departure from Islington Station are directly attributable to provincial agencies and the City of Mississauga is looking for the province to assume the consequential financial responsibilities.

Given the present state of Islington Station our services could be forced onto the street in the near future and therefore, a timely response is required.

Sincerely,

HAZEL McCALLION, C.M., LL.D.
MAYOR

cc: The Honourable Glen Murray, Minister of Transportation and Infrastructure
Members of Council
Bruce McCuaig, Chief Executive Officer, Metrolinx
Karen Stintz, Chair, Toronto Transit Commission
Andy Byford, Chief Executive Officer, Toronto Transit Commission
Janice Baker, City Manager
Martin Powell, Commissioner, Transportation and Works
Geoff Marinoff, Transit Director

Enc.

R-12(g)

KIPLING INTER-REGIONAL TERMINAL PROJECT CHRONOLGY

As a former end-of-line station, the Toronto Transit Commission (TTC)'s Islington Subway Station currently houses a regional bus terminal, providing an interface between the TTC and MiWay (Mississauga Transit).

In 1980 the subway was extended west to Kipling Station causing the bus bays at Islington to be surplus to the TTC's requirements. Over time Mississauga Transit expanded services to this location developing this key inter-regional connection within the GTHA.

Since that time, a number of studies have considered opportunities for relocating the regional bus terminal to the Kipling Station.

2003: TTC retained iTrans Consulting Inc. to conduct a Kipling / Islington Redevelopment Strategy Study ("iTrans report"). That study recommended the construction of a bus terminal at Kipling Station to serve MiWay and GO Transit replacing the existing regional bus station at Islington Station along with related modifications to existing TTC services at Kipling Station.

Oct 2006: Conceptual Design Report for Kipling & Islington Stations was submitted and accepted in principle by key stakeholders including TTC Service Planning, GO, MiWay and City of Toronto Planning subject to a number of conditions and comments.

Dec 2006: TTC and City of Toronto approached the Province to fund the Kipling Station re-development. The TTC and MiWay agreed to pay a minor portion of the redevelopment costs.

April 2007: TTC submitted 30% Preliminary Design Review documents. This proposal is acceptable to operators.

May 8 2007: Ministry of Transportation advised that their primary interest in subsidizing the Kipling Terminal is due to its strategic importance within the GTA as an inter-regional connection between MiWay, GO and the TTC. GO Transit was to lead this project.

Jul 2007: City of Toronto Design Review Panel did not support the initial TTC proposal.

Nov 15 2007: TTC adopted a staff report to hand over design and construction responsibilities to GO.

Dec 2007: Project leadership handed over to GO.

Jan 2008: Design Review Panel again declined to support the revised scheme submitted by GO.

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KIPLING INTER-REGIONAL TERMINAL PROJECT CHRONOLGY

May 2008: The Design Charette directed GO to conduct an Urban Design Study to address issues identified and pattern the Kipling terminal into a Mobility Hub.

Jun 2008: Minister of Transportation requested Metrolinx to lead the project.

Oct 2008: Hydro One met with Metrolinx and advised that they do not generally allow structures to be built in hydro corridors however, they will allow the construction of the bus terminal as it is an extension of the existing Kipling Station and dedicated to transit use.

Oct 2008: Metrolinx hired Planning Alliance, MRC and Barry Lyons to help develop new design.

Dec 23 2008: Consultants - Planning Alliance submitted a draft report on the Mobility Hub.

Jul 20 2009: Metrolinx finalized the Design Concept Development Study, an urban design and schematic vision for the station and surrounding areas to establish the site as a Mobility Hub in support of the RTP and City of Toronto's urban design objectives.

Jun 23 2010: 25% design presented with a projected completion date of 2014.

Fall 2010: Hydro One rejected the design indicating they will not allow any new buildings or structures in the hydro corridor. Disallowed structures included transit facilities such as bus terminals, kiss n rides, etc, where people congregate and wait as they are considered assembly places. They will however, allow surface parking. An option of burying the transmission lines was estimated to be over $60 million. Moreover, a number of existing underground utilities in the corridor must be accommodated along with the Hydro lines.

Jun 25 2012: Metrolinx proposed an option of relocating the terminal to Westwood lands. This proposal was not acceptable to stakeholders (TTC, MiWay, GO Transit and Build Toronto).

Oct 2012: Request for Proposal (RFP) for a feasibility study to relocate the terminal to the west was released and a kick-off meeting was scheduled for November 2012.

Nov 12 2012: Mayor McCallion spoke with President & Chief Executive Officer Bruce McCuaig of Metrolinx and was informed that the planning process for the terminal in the west parking lot has been launched and if everything goes well, the project is anticipated to be completed by 2017.

Nov 19 2012: Mayor McCallion wrote a letter to Premier Dalton McGuinty expressing concern over the delays to this project.

R-12(i)

KIPLING INTER-REGIONAL TERMINAL PROJECT CHRONOLGY

Dec 18 2012: The first of four intended Transit Advisory Committee (TAC) meetings - comprised of staff from MT, GO, TTC, City of Toronto, Hydro One and Metrolinx - convened to kick off the Kipling Bus Terminal Feasibility Study on a westerly site beyond the Hydro One corridor with a semi-buried access tunnel connecting the TTC subway.

Presented concept was agreeable with some modifications. Study proposed to be completed by July 2013 with a projected completion date of mid-2017 for the new terminal at Kipling.

Feb 7 2013 TAC #2 convened with stakeholders accepting the proposed design as it will address most of the concerns of operators and Hydro One.

Feb 8 2013 Letter to Mayor McCallion from Bruce McCuaig indicating that the earliest in-service date is to be late 2017.

Subsequent: Design refined to accommodate comments and regulatory inputs. However, the anticipated completion schedule for the Bus Terminal Feasibility Study remains undetermined at this time as Metollnx is directed to also analyze the potential of alternatives on the original site within the Hydro One corridor. No updated timeline for engaging the community or going to the Design Review Panel. Metrolinx is expected to have the analysis of alternatives completed by fall 2013.

Revised: March/13

TORONTO TRANSIT COMMISSION
REPORT NO.

MEETING DATE: November 18, 2013

SUBJECT: ISLINGTON STATION – TEMPORARY BUS TERMINAL

ACTION ITEM

RECOMMENDATIONS

It is recommended that the Board:

1. Note that:
   a. owing to ongoing deterioration of the concrete slab underneath the bus terminal at Islington Station, it must be closed for repairs within three years or less;
   b. the current bus terminal is very busy, and is used by three TTC routes and fourteen Mississauga Transit (MiWay) bus routes, all of which will likely have to be accommodated in some alternative arrangement when the terminal is closed;
   c. the closure of the bus terminal will require that a temporary bus terminal be constructed in the area adjacent to the current bus terminal;
   d. TTC staff will report back in February 2014 on the property requirements, cost estimate and funding sources for the temporary bus terminal at Islington Station;
2. Formally advise the City of Toronto and Build Toronto that the TTC may require the use of some portion of the lands at 3326 Bloor Street West and 1226 Islington Avenue for the temporary bus terminal, the extent, scope and duration of which will be determined in consultation with all parties;
3. Request the City of Mississauga to formally confirm by December 15, 2013 that they require accommodation for MiWay buses in the temporary bus terminal beginning in January 2017, and to advise if they agree in principle to a cost-sharing agreement for the design and construction of this temporary terminal;
4. Request Metrolinx to provide a firm schedule for the construction of the Kipling Mobility Hub regional bus terminal at Kipling Station; and
5. Forward this report to the Ministry of Transportation of Ontario.

FUNDING

Funds for the temporary bus terminal at Islington Station are available in Project 3.4 Structural Paving Rehabilitation Program, under the State of Good Repair/Safety Category as referenced in the 2013-2022 Capital Programs books noted on pages 599-604, as approved by Council on January 16, 2013.

R-12(K)

BACKGROUND

Current Bus Operations at Islington Station

Islington Station is located on the north-west quadrant of the Bloor/Islington intersection and comprises of a bus terminal with 9 bus bays, a passenger pick-up and drop-off (PPUDO) area, taxi stands, and a commuter parking lot with approximately 534 spaces (ref. Figure 1).

The bus terminal has frontage on both Islington Avenue and Bloor Street, though all buses enter and exit via Bloor Street (ref. Figure 2). It is served by 3 TTC bus routes and 14 MiWay (Mississauga Transit) bus routes, with approximately 33,000 customers per day using buses at this station. Approximately 90 buses per hour operate into and out of this bus terminal during the AM peak, with two thirds of that bus volume represented by MiWay services. MiWay buses operate in the bus terminal under the terms of a lease agreement that will expire on December 31, 2016.

Structural Repair Requirements at Islington Station

A structural condition survey and investigation of Islington station revealed severe deterioration of the reinforced concrete slab in the bus terminal area (BT2) where buses travel over the passenger area, the AC Switchboard Room, and several storage and equipment rooms in the concourse area of the station. The deterioration is severe enough in some areas to require the closure of the 2 northern-most bus bays due to concerns with the structural capacity of the deteriorated slab to carry live bus traffic. Refer to attached Figure 3 for the location of the concrete slab BT2 and Figure 4 for photographs of the noted deterioration.

An on-going program has been established to monitor the deterioration of slab BT2 and to ensure that further deterioration does not result in failure of the slab. Based on the investigations conducted to date, it is recommended that the partial usage restrictions remain in place and that the concrete slab be replaced by no later than December 2015. This timing could potentially be extended to December 2016 if additional shoring is installed and the 2 northern-most bus bays remain closed. Repair and rehabilitation of the existing structure would take more than 2 years and require the total closure of the existing terminal.

Redevelopment and Easier Access at Islington Station

Due to the original "slotted" style design of the bus bays, the complete redesign and reconstruction of the Islington Station bus terminal is required to implement easier access, similar to the recently completed work at Victoria Park Station. This will also provide greater flexibility for bus operations at the station.

In 2009, City Council declared the properties at 3326 Bloor Street West and part of 1226 Islington Avenue (Islington Station) as surplus, and authorized Build Toronto to develop these

lands with a significant commercial component. The transfer/turnover is subject to the retention of interests required by law and the retention of areas and interests required to satisfy TTC operational requirements. The development plan has not been finalized, and as such transfer/turnover agreements with Build Toronto have yet to be negotiated and formalized.

To facilitate the Islington Station redevelopment, TTC was developing a concept for a TTC-only bus terminal concurrently with the development of the Kipling regional bus terminal design. The existing slotted-style bus terminal would be reconfigured to a fully-accessible island-style, which would be located in the north-east corner of the Islington Station lands (ref. Figure 5).

The Islington Station design work was put on hold following the transfer of the Kipling regional bus terminal project to Metrolinx in 2008, recognizing that reconfiguration of the Islington bus terminal cannot proceed until a firm schedule is established for the shift of MiWay buses from Islington Station to a new bus terminal at Kipling Station. Build Toronto has since been considering redevelopment plans for the Islington Station properties including a TTC-only bus terminal, but these plans have not been finalized.

Status of the Kipling Mobility Hub

A regional bus terminal at Kipling Station has been considered at various times over several decades. The most recent initiative began in 2003, culminating in a report entitled *Kipling/Islington Bus Operations Study Final Report,* which was approved by the TTC in 2004. The recommended plan included a new 14-bay regional bus terminal on lands currently occupied by the PPUDO and a portion of the existing Kipling (north) commuter parking lot, largely within the right-of-way owned by Hydro One

The main purpose of a regional bus terminal at Kipling is twofold:

1. to relocate MiWay buses from Islington Station to Kipling Station, to allow redevelopment of the City-owned lands now occupied by the bus terminal at Islington Station, and
2. to accommodate the connection of planned future GO bus rapid transit service from outside Toronto via Highway 427 and Dundas Street West to the Bloor-Danforth Subway.

In 2008, the project was handed over from TTC to GO Transit/Metrolinx. Metrolinx developed a revised Mobility Hub Public Realm Plan for the Kipling regional terminal in the same location as the original TTC design concept. The Metrolinx concept was approved by the Design Review Panel in 2009 (ref. Figure 6). Although Hydro One had previously given TTC permission to use the hydro right-of-way for the new bus terminal, by the time Metrolinx had completed the new mobility hub plan, Hydro One had changed its policies on third party use of its rights-of-way and considered its previous permission to be no longer applicable. This change in Hydro One policy also impacts the development of a TTC-only bus terminal at Islington Station.

Metrolinx has since been pursuing an alternate design concept that does not require Hydro

R-12 (m)

property, but to date a new design has not been finalized. The Mayor of The City of Mississauga has, by letter dated October 23, 2013, expressed concern to the Premier of Ontario with this lack of progress on the regional bus terminal, detailing the chronology of events from initial planning to present. The letter further indicates that any added costs for the City of Mississauga resulting from delays beyond the date when their lease expires at Islington Station should be the responsibility of the Province. A copy of this letter is appended as Attachment 1.

DISCUSSION

As the structural repairs, accessibility requirements, potential redevelopment of the Islington Station lands and the relocation of the MiWay buses are interrelated, the TTC's investment in this station must be strategically planned with all these issues considered.

To maintain the exiting terminal in operation, the estimated cost for the structural repairs and rehabilitation work is $15 million. Logically it would be preferable to redevelop the station property and provide a new accessible terminal rather than repair the existing one. However, the timing of Build Toronto's redevelopment is uncertain, as is the timing of the Metrolinx's Kipling regional bus terminal which is pivotal to the feasibility of the redevelopment at Islington. With no firm plans for either of these locations, it has become clear that a temporary bus terminal will be required at Islington regardless of whether the existing bus terminal is repaired, or if the repair is deferred in favour of a later redevelopment.

The temporary terminal should not preclude the ability to construct a new accessible TTC-only terminal to the north of the existing terminal. Since the temporary terminal needs to be in close proximity to the station entrance, the lands at 3326 Bloor Street West, immediately west of the existing terminal, is the best location. It is therefore recommended that once the design concept for the temporary terminal is finalized that the TTC's needs for the portion of these lands required be formally communicated to the City of Toronto. The extent of the impact of the temporary bus terminal on 3326 Bloor Street will be established through the detailed design process. Appropriate City of Toronto and Build Toronto representatives will be included in the development of the detailed design for the temporary terminal.

Due to the expected duration of use, the temporary terminal will need to incorporate at least a base level of passenger comfort amenitites, including covered walkways connecting to the station entrance, sheltered waiting areas and improved lighting. The required size of the temporary terminal, and therefore the impact on the 3326 Bloor Street West site, is dependent on whether or not MiWay buses will need to be accommodated after 2016. Although it must be confirmed through formal communication, based on the information provided by the Mayor of Mississauga in Attachment 1, it is anticipated that Metrolinx is not in a position to provide the regional bus terminal at Kipling Station in the foreseeable future. Therefore, MiWay buses will likely need to be accommodated in the temporary terminal at Islington Station.

Considering that two-thirds of the existing Islington Station bus terminal is required to accommodate MiWay buses, it is appropriate to request the City of Mississauga to share the costs of the design and construction of the temporary bus terminal. Through the letter in

Attachment 1, the City of Mississauga is taking the position that this cost should be borne by the Province. Wherever the funding originates, TTC needs agreement in principle that the costs for the temporary terminal will be shared.

If the City of Mississauga is agreeable to a cost-sharing arrangement, TTC and Mississauga Transit staff will initiate the development of designs and cost estimates for the temporary terminal to establish the basis for discussing cost sharing. Due to the lead time required to undertake such a process, the City of Mississauga is being asked for their position no later than December 15, 2013.

JUSTIFICATION

A temporary bus terminal is required to be constructed at Islington Station due to the deteriorated structural condition of the existing terminal.

87-14-15
03078-11-31

Figure 1 – Islington Station Site Layout
Figure 2 – Islington Station Bus Terminal
Figure 3 – Concrete Slab Locations
Figure 4 – Concrete Slab Condition Photos
Figure 5 – Islington Station – TTC-Only Bus Terminal Concept
Figure 6 – Kipling Station Mobility Hub Plan
Attachment 1 – October 23, 2013 Letter from Mayor Hazel McCallion to The Honourable Premier Kathleen Wynne

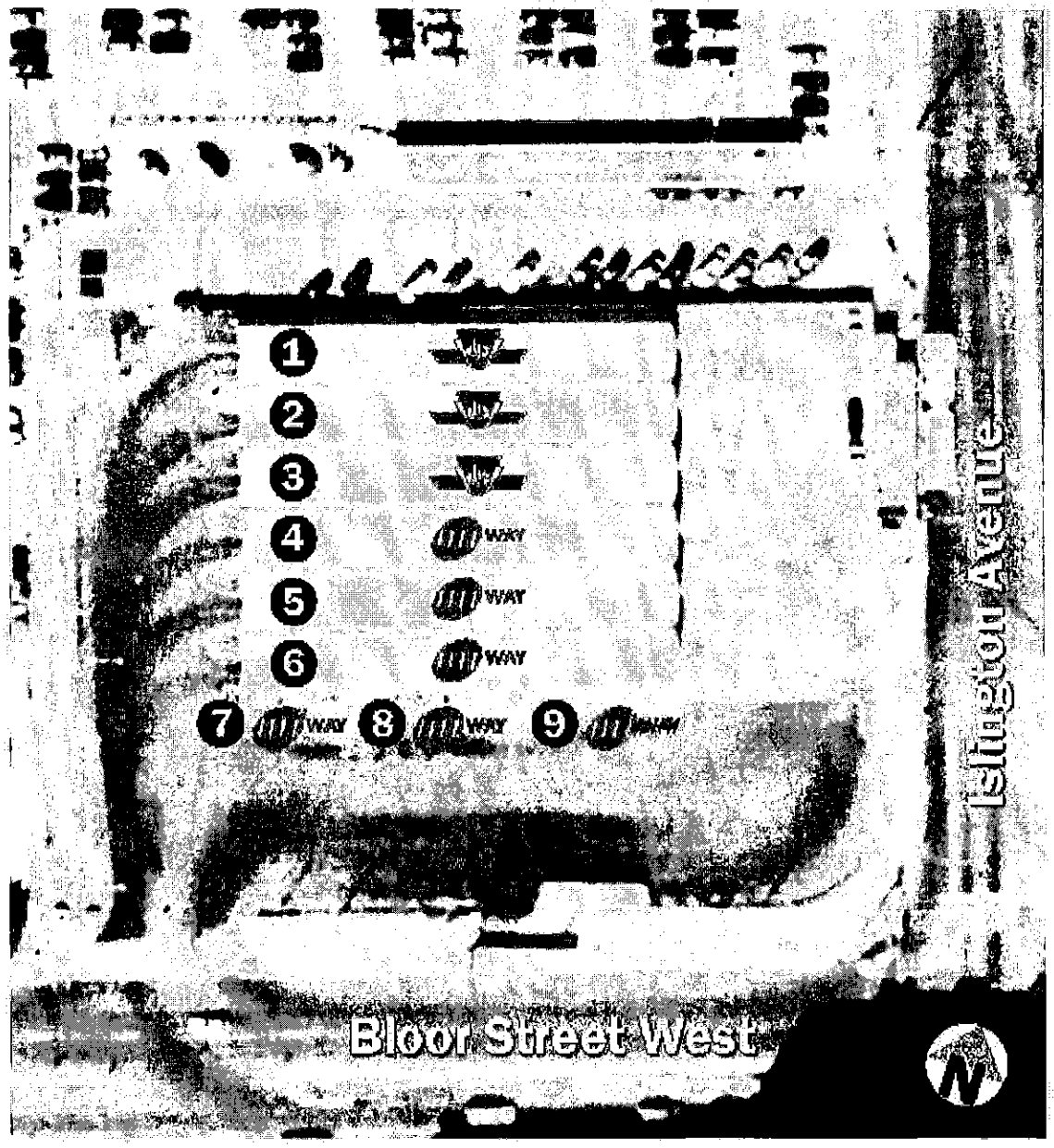
R-12(O)

Figure 1 – Islington Station Site Layout

Existing Conditions at Islington Station

R-12(p)

Figure 2 – Islington Station Bus Terminal



Islington Station Bus Terminal

Existing Conditions

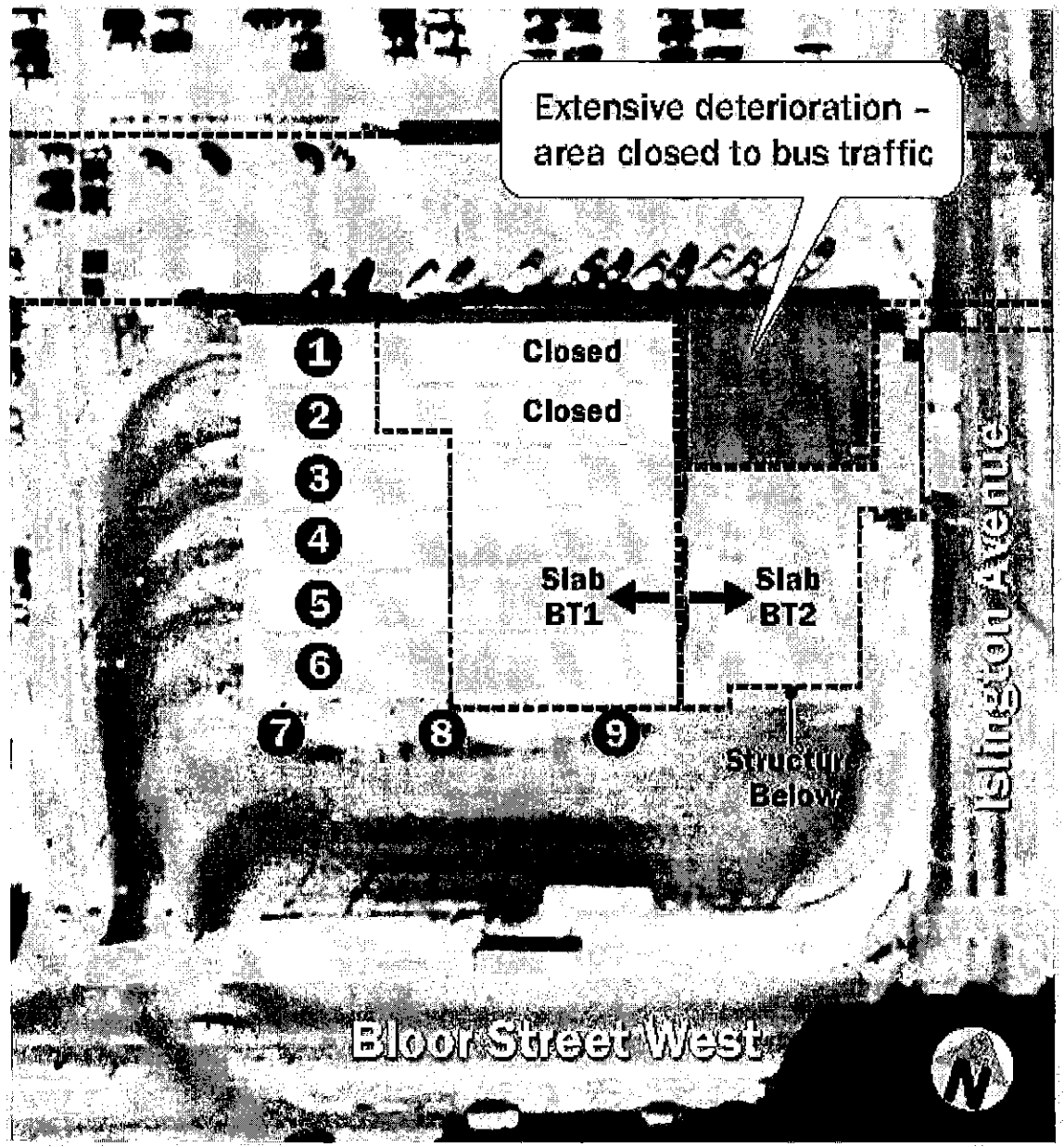
Bus Bay

TTC

Mississauga Transit

R-12(Q)

Figure 3 – Concrete Slab Locations



Existing Islington Bus Terminal Structural Issues

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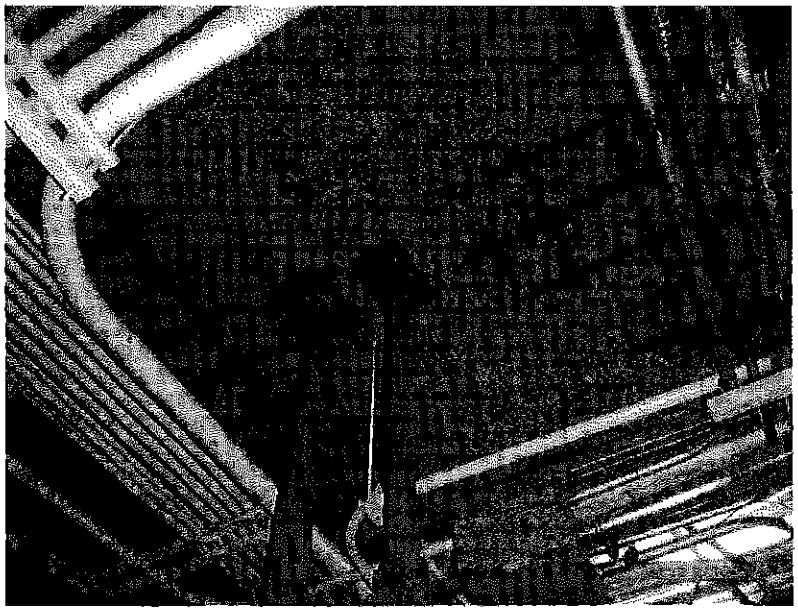
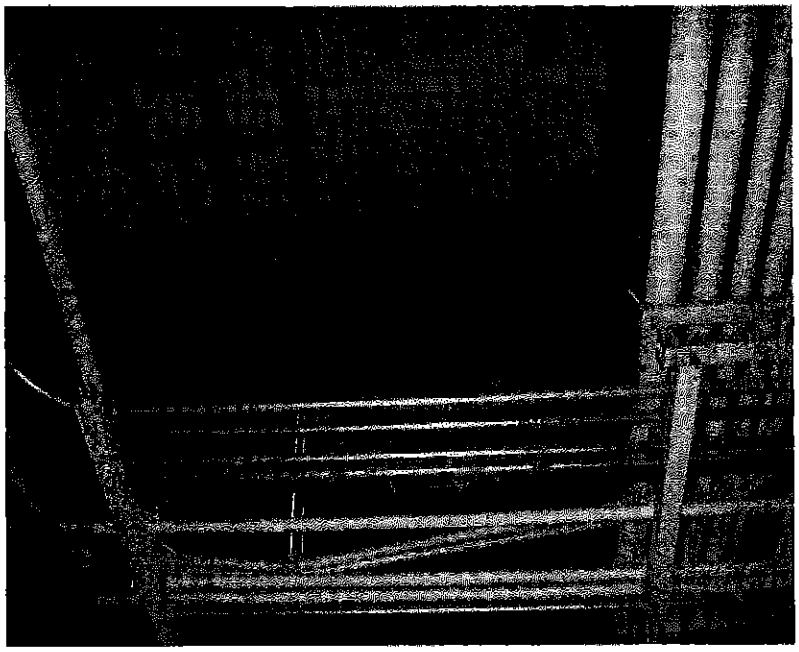
Figure 4 – Concrete Slab Condition Photos





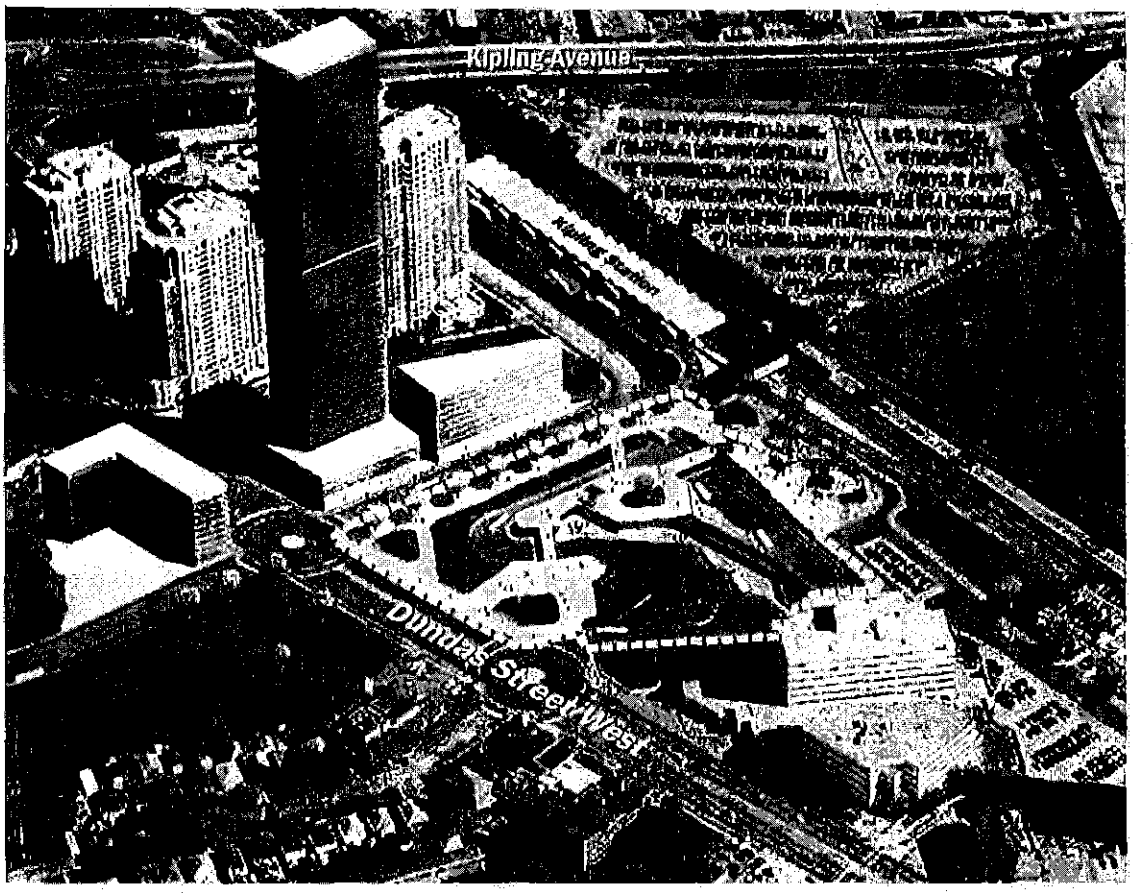
R-12(5)

Figure 5 – Islington Station – TTC-Only Bus Terminal Concept

TTC Proposed Location for new Islington Bus Terminal

R-12(f)

Figure 6 – Kipling Station Mobility Hub Plan



Metrolinx concept for Kipling Station Regional Bus Terminal

R-12(4)

Attachment 1

OFFICE OF THE MAYOR

October 23, 2013

The Honourable Kathleen Wynne
Premier of Ontario
Main Legislative Building
Room 281
Toronto, Ontario
M7A 1A1

Dear Madam Premier:

Re: Kipling Inter-Regional Transit Terminal

The City of Mississauga, through MiWay, operates 14 inter-regional transit routes between the Toronto Transit Commission's Islington Subway Station and most areas of our city serving 9000 people on an average weekday. In 2003 planning to move MiWay operations from Islington to Kipling commenced and on May 8, 2007 the Ministry of Transportation advised they were prepared to subsidize the construction of an inter-regional terminal at Kipling providing connections between GO Transit, the Toronto Transit Commission (TTC), and MiWay. The new facility was to open in 2012. We have been advised by Metrolinx staff that the earliest feasible date is early 2018, 11 years after project approval.

The project has been delayed several times for reasons beyond the City's control but within the influence of provincial agencies of Metrolinx and Hydro One. At the time of writing, there is no precise location or time of completion for this key piece of inter-regional transit infrastructure.

You are undoubtedly aware of our concerns regarding the delay in the Kipling Subway project due to Hydro One changing its mind and not allowing it to proceed, which we communicated to the former Premier Dalton McGuinty, the former Minister of Transportation Bob Chiarelli and the current Minister of Transportation, Glen Murray. A chronology of this project is enclosed.

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On August 16, 2013, the City received a letter from the TTC advising that the condition of their Islington Station has deteriorated to such an extent that current operations are curtailed and all MiWay operations are at risk. The structure requires immediate remediation at a cost of $3 million to be followed by more extensive renewal work ranging in cost from $15 – 70 million depending on the scope. MiWay's current lease at Islington Station runs out on December 31, 2016 and renewal of the station infrastructure must begin prior to lease expiry. The TTC is seeking a significant capital contribution from Mississauga. The specific details of this request have been shared with Metrolinx staff.

The City of Mississauga already subsidizes the capital and operating costs of these inter-regional services and pays annual license and maintenance fees of $366,468 to the TTC for the use of the surplus capacity at Islington Station. I believe that the taxpayers of Mississauga should not be subsidizing hard transit infrastructure within Toronto. The City's contribution of $5.5 million towards the construction of the inter-regional terminal at Kipling as requested by Minister Cansfield in her letter of May 27, 2007 remains in our capital budget.

The incremental capital costs associated with our delayed departure from Islington Station are directly attributable to provincial agencies and the City of Mississauga is looking for the province to assume the consequential financial responsibilities.

Given the present state of Islington Station our services could be forced onto the street in the near future and therefore, a timely response is required.

Sincerely,

HAZEL McCALLION, C.M., LL.D.
MAYOR

cc: The Honourable Glen Murray, Minister of Transportation and Infrastructure
Members of Council
Bruce McCuaig, Chief Executive Officer, Metrolinx
Karen Stintz, Chair, Toronto Transit Commission
Andy Byford, Chief Executive Officer, Toronto Transit Commission
Janice Baker, City Manager
Martin Powell, Commissioner, Transportation and Works
Geoff Marinoff, Transit Director

Enc.

R-12(w)

KIPLING INTER-REGIONAL TERMINAL PROJECT CHRONOLGY

As a former end-of-line station, the Toronto Transit Commission (TTC)'s Islington Subway Station currently houses a regional bus terminal, providing an interface between the TTC and MiWay (Mississauga Transit).

In 1980 the subway was extended west to Kipling Station causing the bus bays at Islington to be surplus to the TTC's requirements. Over time Mississauga Transit expanded services to this location developing this key inter-regional connection within the GTHA.

Since that time, a number of studies have considered opportunities for relocating the regional bus terminal to the Kipling Station.

2003: TTC retained iTrans Consulting Inc. to conduct a Kipling / Islington Redevelopment Strategy Study ("iTrans report"). That study recommended the construction of a bus terminal at Kipling Station to serve MiWay and GO Transit replacing the existing regional bus station at Islington Station along with related modifications to existing TTC services at Kipling Station.

Oct 2006: Conceptual Design Report for Kipling & Islington Stations was submitted and accepted in principle by key stakeholders including TTC Service Planning, GO, MiWay and City of Toronto Planning subject to a number of conditions and comments.

Dec 2006: TTC and City of Toronto approached the Province to fund the Kipling Station re-development. The TTC and MiWay agreed to pay a minor portion of the redevelopment costs.

April 2007: TTC submitted 30% Preliminary Design Review documents. This proposal is acceptable to operators.

May 8 2007: Ministry of Transportation advised that their primary interest in subsidizing the Kipling Terminal is due to its strategic importance within the GTA as an inter-regional connection between MiWay, GO and the TTC. GO Transit was to lead this project.

Jul 2007: City of Toronto Design Review Panel did not support the initial TTC proposal.

Nov 15 2007: TTC adopted a staff report to hand over design and construction responsibilities to GO.

Dec 2007: Project leadership handed over to GO.

Jan 2008: Design Review Panel again declined to support the revised scheme submitted by GO.

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KIPLING INTER-REGIONAL TERMINAL
PROJECT CHRONOLGY

May 2008: The Design Charette directed GO to conduct an Urban Design Study to address issues identified and pattern the Kipling terminal into a Mobility Hub.

Jun 2008: Minister of Transportation requested Metrolinx to lead the project.

Oct 2008: Hydro One met with Metrolinx and advised that they do not generally allow structures to be built in hydro corridors however, they will allow the construction of the bus terminal as it is an extension of the existing Kipling Station and dedicated to transit use.

Oct 2008: Metrolinx hired Planning Alliance, MRC and Barry Lyons to help develop new design.

Dec 23 2008: Consultants - Planning Alliance submitted a draft report on the Mobility Hub.

Jul 20 2009: Metrolinx finalized the Design Concept Development Study, an urban design and schematic vision for the station and surrounding areas to establish the site as a Mobility Hub in support of the RTP and City of Toronto's urban design objectives.

Jun 23 2010: 25% design presented with a projected completion date of 2014.

Fall 2010: Hydro One rejected the design indicating they will not allow any new buildings or structures in the hydro corridor. Disallowed structures included transit facilities such as bus terminals, kiss n rides, etc, where people congregate and wait as they are considered assembly places. They will however, allow surface parking. An option of burying the transmission lines was estimated to be over $60 million. Moreover, a number of existing underground utilities in the corridor must be accommodated along with the Hydro lines.

Jun 25 2012: Metrolinx proposed an option of relocating the terminal to Westwood lands. This proposal was not acceptable to stakeholders (TTC, MiWay, GO Transit and Build Toronto).

Oct 2012: Request for Proposal (RFP) for a feasibility study to relocate the terminal to the west was released and a kick-off meeting was scheduled for November 2012.

Nov 12 2012: Mayor McCallion spoke with President & Chief Executive Officer Bruce McCuaig of Metrolinx and was informed that the planning process for the terminal in the west parking lot has been launched and if everything goes well, the project is anticipated to be completed by 2017.

Nov 19 2012: Mayor McCallion wrote a letter to Premier Dalton McGuinty expressing concern over the delays to this project.

R-12(y)

KIPLING INTER-REGIONAL TERMINAL PROJECT CHRONOLGY

Dec 18 2012: The first of four intended Transit Advisory Committee (TAC) meetings - comprised of staff from MT, GO, TTC, City of Toronto, Hydro One and Metrolinx - convened to kick off the Kipling Bus Terminal Feasibility Study on a westerly site beyond the Hydro One corridor with a semi-buried access tunnel connecting the TTC subway.

Presented concept was agreeable with some modifications. Study proposed to be completed by July 2013 with a projected completion date of mid-2017 for the new terminal at Kipling.

Feb 7 2013 TAC #2 convened with stakeholders accepting the proposed design as it will address most of the concerns of operators and Hydro One.

Feb 8 2013 Letter to Mayor McCallion from Bruce McCuaig indicating that the earliest in-service date is to be late 2017.

Subsequent: Design refined to accommodate comments and regulatory inputs. However, the anticipated completion schedule for the Bus Terminal Feasibility Study remains undetermined at this time as Metrolinx is directed to also analyze the potential of alternatives on the original site within the Hydro One corridor. No updated timeline for engaging the community or going to the Design Review Panel. Metrolinx is expected to have the analysis of alternatives completed by fall 2013.

REPORT 8-2013

COUNCIL AGENDA
Dec 11, 2013

TO: MAYOR AND MEMBERS OF COUNCIL

The Governance Committee presents its eighth report for 2013 and recommends:

GOV-0033-2013
That staff be directed to work with the Integrity Commissioner to prepare a motion for Council's consideration to amend Rule 7, Improper Use of Influence, Section 2 of the Council Code of Conduct regarding attendance at adjudicative board meetings.

GOV-0034-2013
That Rule 5, Use of City Staff, Property, Services and Other Resources, Section 5 of the Council Code of Conduct be amended to remove the following, "and shall not include a description of its product, its address or telephone number."

GOV-0035-2013
That the Integrity Commissioner be directed to provide clarification on members of Council endorsing local sport teams.

GOV-0036-2013
That the Integrity Commissioner's Report dated November 6, 2013 with respect to Local Board Codes of Conduct and Complaint Protocol be deferred.

GOV-0037-2013
That the matter regarding Audit Committee Membership be deferred to the December 9, 2013 Governance Committee meeting for the Director of Internal Audit to prepare a report.

GOV-0038-2013
That the listing of outstanding items presented at the November 13, 2013 meeting that were directed to staff by the Governance Committee, be received.

REPORT 4 – 2013

TO: MAYOR AND MEMBERS OF COUNCIL

The Audit Committee presents its fourth report of 2013 and recommends:

AC-0013-2013

1. That the report dated October 25, 2013, from the Commissioner of Corporate Services and Chief Financial Officer with respect to the 2013 Audit Planning Report, be received for information.
2. That the Audit Committee approves the Audit Planning Report (Appendix 1) for the City's 2013 statutory audit.

AC-0014-2013

That the report dated November 5, 2013, from the Director of Internal Audit with respect to the Final Audit Report: Corporate Services Department, Information Technology Divison – Microsoft Exchange Audit, be received for information.

AC-0015-2013

That the report dated November 5, 2013, from the City Manager and Chief Administrative Officer regarding the status of outstanding audit recommendations as of September 30, 2013, be received for information.

AC-0016-2013

That the report dated November 6, 2013 from the Director of Internal Audit with respect to Internal Audit Work Plan for 2014 to 2016, be referred back to the first Audit Committee meeting in 2014.

REPORT 4-2013

TO: MAYOR AND MEMBERS OF COUNCIL

The Budget Committee presents its fourth report for 2013 and recommends:

BC-0013-2013
That the following PowerPoint presentations, presented to the Budget Committee on November 26 and December 2, 2013, be received:

B. 2014-2016 Business Plan Update and 2014 Budget Overview
- 2014-2016 Business Plan Update (Gary Kent, Commissioner of Corporate Services and Chief Financial Officer, and Janice Baker, City Manager and Chief Administrative Officer)
- 2014 Budget Overview (Patti Elliott-Spencer, Director, Finance and Treasurer)

C. Service Area Presentations
- Mississauga Fire and Emergency Services (Kevin Duffy, Deputy Fire Chief)
- Roads, Storm Drainage, and Watercourses (Wendy Alexander, Director, Transportation and Infrastructure Planning, and Joe Pitushka, Director, Engineering and Works)
- Mississauga Transit (Geoff Marinoff, Director, Transit, and Geoff Wright, Director, Transportation Project Office)
- Parks and Forestry (Laura Piette, Director, Parks and Forestry, and Brenda Osborne, Director, Environment)
  - Emerald Ash Borer (EAB) (Gavin Longmuir, Manager, Forestry)
- Mississauga Library (Rose Vespa, Director, Library Services)
- Facilities and Property Management (Raj Sheth, Director, Facilities and Property Management)
- Recreation (Howie Dayton, Director, Recreation)

BC-0014-2013
That the Corporate Report dated October 21, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "Committee of Adjustment Deferral Fee Update," be received.

BC-0015-2013
That the Corporate Report dated November 5, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "*Municipal Act* Reporting Requirements Under *Ontario Regulation 284/09*," be received.

BC-0016-2013
That the five full-time contract positions identified in Appendix 1 of the Corporate Report dated November 6, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "Conversion of Full-Time Contract Staff to Permanent Status," be converted to full-time permanent positions at a cost of $35,400 as incorporated in the recommended 2014 Operating

Budget.

BC-0017-2013
1. That the Corporate Report dated November 14, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "Discontinue the Purchase of Green Power at City Hall," be received; and
2. That the purchase of Green Power for Mississauga City Hall be discontinued effective January 1, 2014 and that monies be reinvested in higher value environmental projects.

Ward 4

BC-0018-2013
1. That the Corporate Report dated November 18, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "Re-Opening of an Information Desk at Civic Centre," be received; and
2. That the Information Desk at the Civic Centre be re-opened, as outlined in the Corporate Report dated November 18, 2013 from the Commissioner of Corporate Services and Chief Financial Officer entitled "Re-Opening of an Information Desk at Civic Centre."

Ward 4

BC-0019-2013
1. That the Corporate Report dated November 18, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "Signs, Signs & Stickers – 2014 Budget Item for Consideration," be received as part of the 2014 Business Plan and Budget deliberations; and
2. That an Automatic Dialing – Announcing Device (ADAD) system be implemented with annual operating costs of approximately $1,500 per year and one-time set-up costs of $35,000 as a means to deter the posting of illegal signs in the City of Mississauga.

BC-0020-2013
That the Corporate Report dated November 19, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, entitled "Consultants Hired in 2012 and 2013," be received.

BC-0021-2013
1. That a by-law be enacted, effective January 1, 2014, to amend the Public Vehicle Licensing By-Law 420-04, as amended, to increase the taxicab licensing fee for new licences and renewals to $957 and $426, respectively, and to implement a $50 late renewal fee when taxicab licences are not renewed within five days from their expiration dates, as outlined in the Corporate Report dated November 15, 2013 from the Commissioner of Transportation and Works entitled "Licensing Fees for Taxicabs and Tow Trucks"; and
2. That a by-law be enacted, effective January 1, 2014, to amend the Tow Truck Licensing By-Law 521-04, as amended, to increase the tow truck licensing fee for new licences and renewals to $535 and to implement a $50 late renewal fee when tow truck licences are not renewed within five days from their expiration dates, as outlined in the Corporate Report dated November 15, 2013 from the Commissioner of Transportation and Works entitled

"Licensing Fees for Taxicabs and Tow Trucks."

BC-0022-2013
That the PowerPoint presentation dated December 3, 2013 and entitled "Mississauga's Economic Development" by Susan Amring, Director, Economic Development, presented to the Budget Committee on December 3, 2013, be received.

BC-0023-2013
1. That the PowerPoint presentation dated December 3, 2013 and entitled "Request by Icepark Group Inc. to Mississauga Budget Committee" by John Stillich, President, Icepark Group Inc., presented to the Budget Committee on December 3, 2013, be received; and
2. That the correspondence dated November 28, 2013 from John Stillich, President, Icepark Group Inc., entitled "Request for Adoption at Budget Committee – Icepark Group Inc.'s IceSkatePark Mississauga Proposal," be received.

BC-0024-2013
That the confidential PowerPoint presentation dated December 3, 2013 and entitled "Attendance Management Update" by Drew Sousa, Manager, Employee Health Services, presented to the Budget Committee in Closed Session on December 3, 2013, be received.

BC-0025-2013
That the confidential PowerPoint presentation dated December 2013 and entitled "City of Mississauga Non-Union Compensation Update for 2014" by Sharon Willock, Director, Human Resources, presented to the Budget Committee in Closed Session on December 3, 2013, be received.

BC-0026-2013
That the draft Budget Committee recommendations from its meetings on November 26, 2013 and December 2 and 3, 2013 regarding the 2014-2016 Business Plan Update and 2014 Budget be received and deferred to the next Council meeting on December 11, 2013 for consideration.

REPORT 5 - 2013

TO: THE MAYOR & MEMBERS OF COUNCIL

Transportation Committee of Council presents its fifth Report of 2013 and recommends:

TC-0065-2013
That the deputation by Geoff Wright, Director, Transportation Business Office and Lorenzo Mele, TDM Coordinator be received.

TC-0066-2013
That the report dated November 13, 2013 from the Commissioner of Transportation and Works entitled, "Transportation Demand Management (TDM) and Smart Commute Mississauga Program Update" be received.

TC-0067-2013

1. That the additional civil works required to accommodate an on-street parking lane on Bristol Road West between McLaughlin Road and Swiftcurrent Trail be completed when the road is resurfaced, as outlined in the report to Transportation Committee dated November 13, 2013 from the Commissioner of Transportation and Works.

2. That a by-law be enacted to amend Traffic By-law 555-2000 Schedule 34 (Bicycle Lanes) as amended, to remove the eastbound designated bicycle lane on the south side of Bristol Road West between McLaughlin Road and Swiftcurrent Trail, until such time as the bicycle lane can be reinstated through civil works.

3. That a by-law be enacted to amend Traffic By-law 555-2000 Schedule 3 (No Parking) as amended, to allow 3-hour parking on the south side of Bristol Road West between McLaughlin Road and Swiftcurrent Trail and to prohibit this parking in the peak periods between 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 6:00 p.m., Monday through Friday.

4. That Peel Regional Police be requested to expand enforcement on Bristol Road particularly with respect to unsafe passing, speeding and unlawful bicycling on sidewalks.

5. That the e-mail correspondence dated November 26, 2013 from Magdalene Wu, Resident and the letter from Councillor Fonseca regarding bicycle lanes on Bristol Road West be received.

TC-0068-2013
That a by-law be enacted to amend By-law 555-2000, as amended, to implement 15-hour parking on the west side of Glen Erin Drive between Shelter Bay Road and 149 metres (488 feet) northerly thereof.

TC-0069-2013
That a by-law be enacted to amend By-law 555-2000, as amended, to implement a School Bus Loading Zone on the west side of Church Street between Maiden Lane and a point 27 metres (89 feet) northerly thereof.

TC-0070-2013
That a by-law be enacted to amend By-law No. 555-2000, as amended, to implement disabled on-street parking, at anytime, on the west side of Church Street from a point 37 metres (121 feet) south of Maiden Lane to a point 7 metres (23 feet) southerly thereof.

TC-0071-2013
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 south, west, north and east side (outer circle) of Yorktown Circle.

TC-0072-2013
1. That the report dated October 29, 2013 from the Commissioner of Transportation and Works entitled, "Industrial On-Street Permit Parking Pilot Program Overview" be received for information.

2. That the Transportation and Works Department work on establishing a City-wide Industrial On-Street Permit Parking Program, and report back to Transportation Committee in 2014.

TC-0073-2013
That a by-law be enacted to authorize the Commissioner of Transportation and Works to enter into an agreement with the Ministry of Transportation (MTO) for the Driver Certification Program (DCP).

TC-0074-2013
That the deputation made by Richard Roberts, Project Manager and Stephanie Snow, Harrington McAvan regarding the west half of the Lakeshore Royal Windsor Corridor project be received.
(MCAC-0051 -2013)

TC-0075-2013
That the minutes from the October 8, 2013 Mississauga Cycling Advisory Committee meeting be approved as amended.
(MCAC-0052-2013)

TC-0076-2013
That the following information items at the November 12, 2013 Mississauga Cycling Advisory Committee meeting be received for information:
a) Resignation email dated September 26, 2013 from Nimra Alam, of Mississauga Cycling Advisory Committee (MCAC) Citizen Member advising of her resignation from MCAC.
b) News article dated September 12, 2013 titled The Other 25% - The Big Move and Active Transportation Investment.

c) News article titled Backgrounder: Active Transportation and the Regional Transportation Plan: The Big Move.

d) News article titled Backgrounder: Why Should We Invest in Active Transportation?

e) October 2013 Region of Peel project update on Bicycle Parking Pilot Program.

f) Letter dated September 16, 2013 from Aecom regarding the Notice of Study Commencement – Municipal Class Environmental Assessment Study for Creditview Road.

g) Letter dated October 17, 2013 from Jacquelyn Hayward Gulati, Manager, Cycling Office regarding Constitution Boulevard.

h) Letter dated October 29, 2013 from Ecoplans regarding Queen Elizabeth Way Improvement from Evans Avenue to Cawthra Road.

(MCAC-0053-2013)

TC-0077-2013
That the deputation by Nadim Anwar, Parking Enforcement Officer and Matt Nomi, Parking Enforcement Officer with respect to the School Enforcement Committee be received for information.
(TSC-0113-2013)

TC-0078-2013
That Peter Westbrook be appointed as Chair of the Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.
(TSC-0114-2013)

TC-0079-2013
That Louise Goegan be appointed as Vice-Chair of the Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.
(TSC-0115-2013)

TC-0080-2013
That appointments to the Traffic Safety Council (TSC) subcommittees be deferred to the January 2014 Agenda and that the Legislative Coordinator distribute a description of the subcommittees to the TSC members.
(TSC-0116-2013)

TC-0081-2013
That the request for a Crossing Guard at the intersection of the Credit Woodlands and McBride Avenue at the traffic circle for the students attending St. Gerard Catholic School and Springfield Public School be denied as the warrants have not been met.
(TSC-0117-2013)
(Ward 6)

TC-0082-2013
1. That the request for a Crossing Guard at the intersection of Breezy Brae Drive and Duchess Drive for the students attending Westacres Public School be denied as the warrants have not been met.

2. That Transportation and Works be requested to review the signage in the vicinity of Breezy Brae Drive and Duchess Drive for the students attending Westacres Public School.

(TSC-0118-2013)
(Ward 1)

TC-0083-2013
That the site inspection report for the inspection conducted on November 1, 2013 by the Site Inspection Subcommittee of Traffic Safety Council at the intersection of South Millway and The Collegeway for the students attending Erin Mills Middle School be received for information.
(TSC-0119-2013)
(Ward 8)

TC-0084-2013
That the Peel Regional Police be requested to enforce the stop sign violations at the intersection of River Grove Avenue and Highbrook Avenue for the students attending Hazel McCallion Senior Public School between 2:15 pm – 3:00 pm.
(TSC-0120-2013)
(Ward 6)

TC-0085-2013
1. That the request for a second crossing guard at the north side of the intersection of Cawthra Road and Atwater Avenue for the students attending St. Dominic Catholic School and Janet I. McDougald Public School be denied as the warrants have not been met.
2. That the request to extend the hours of the crossing guard at the intersection of Cawthra Road and Atwater Avenue to include students attending St. Dominic Catholic School be denied as the warrants have not been met.

(TSC-0121-2013)
(Ward 1)

TC-0086-2013
That Transportation and Works be requested to replace the worn 4x4 post with stop sign on Rymal Road for Tomken Road Middle School.
(TSC-0122-2013)
(Ward 3)

TC-0087-2013
1. That Transportation and Works be requested to remove the School Bus Loading Zone signage on Bristol Road in front of St. Francis Xavier Secondary School.
2. That the Peel Regional Police be requested to enforce the U-turns and vehicles driving in the bicycle lanes on Bristol Road for the students attending St. Francis Xavier Secondary School.
3. That MiWay be requested to review the feasibility of relocating the westbound bus stop on Bristol Road in front of St. Francis Xavier Secondary School closer to the intersection of Hurontario Street and Bristol Road to provide safe crossing at the signalized intersection and further that MiWay review relocating the northbound bus stop on the east side of Hurontario Street closer to Bristol Road so that students can cross the intersection at the traffic signals.

4. That the Principal at St. Francis Xavier Secondary School be requested to invite their police liaison to speak to the students regarding safely crossing the road and further that the Principal be requested to encourage parents in the school newsletter to utilize the well-functioning Kiss & Ride instead of dropping off students in the lanes on Bristol Road and Hurontario Street.

(TSC-0123-2013)
(Ward 5)

TC-0088-2013

1. That the request for a crossing guard at the intersection of Thornlodge Drive and Perran Drive for the students attending Sheridan Park Public School be denied as the warrants have not been met.
2. That Transportation and Works be requested to review the signage in the vicinity of Sheridan Park Public School.
3. That students on Thornlodge Drive should be encouraged to cross with the crossing guard on Thornlodge Drive.

(TSC-0124-2013)
(Ward 2)

TC-0089-2013

That the site inspection report for the inspection conducted on October 22, 2013 by the Site Inspection Subcommittee of Traffic Safety Council at the intersection of Tomken Road and Bloor Street for the students attending Applewood Heights Secondary School and Tomken Road Middle School be received for information.
(TSC-0125-2013)
(Ward 3)

TC-0090-2013

That the email dated October 31, 2013 from Dipka Damerla, MPP on behalf of Faisal Sagheer, resident requesting a site inspection be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.
(TSC-0126-2013)

TC-0091-2013

That the email dated November 15, 2013 from Councillor Katie Mahoney requesting a site inspection on Chokecherry Crescent and Hornbeam Crescent to review traffic safety and on-street parking.
(TSC-0127-2013)
(Ward 8)

TC-0092-2013

That the Dismissal Report for the months of October and November 2013 be received for information.
(TSC-0128-2013)

TC-0093-2013
That Transportation and Works be requested to review the No Stopping signs and other signage on South Common Court in the vicinity of Erin Mills Senior Public School.
(TSC-0129-2013)
(Ward 8)

TC-0094-2013
That Parking Enforcement be requested to enforce the parking infractions in front of St. Therese of the Child Jesus Catholic School between 3:30 pm – 4:00 pm.
(TSC-0130-2013)
(Ward 10)

TC-0095-2013
1. That the Peel District School Board and the Principal at Hazel McCallion Senior Public School be requested to review utilizing the one-way driveway entrance as a two-way driveway during dismissal period with a staff member present or install Do Not Exit signs on either side of the driveway entrance to make it consistent with one-way driveways at most schools in Peel Region.
2. That Transportation and Works be requested to review the No Stopping signs on the east side of River Grove Avenue in front of Hazel McCallion Senior Public School.
3. That Parking Enforcement be requested to enforce the parking infractions in front of Hazel McCallion Senior Public School between 2:10 pm – 2:30 pm.

(TSC-0131-2013)
(Ward 6)

TC-0096-2013
That Transportation and Works be requested to review the No Parking signs on the east side of Historic Trail in front of St. Julia Catholic School.
(TSC-0132-2013)
(Ward 11)

TC-0097-2013
That up to $1500.00 be allocated in the 2014 Traffic Safety Council operating budget to cover the registration costs for up to 3 Traffic Safety Council members to attend the 2014 Global Summit on the Physical Activity of Children in Toronto, May 19, 2014 – May 22, 2014.
(TSC-0133-2013)

TC-0098-2013
That the verbal update from Diana Rusnov, Manager, Legislative Services and Deputy Clerk with respect to the October 30, 2013 meeting with the Peel District School Board, Dufferin-Peel Catholic District School Board and Traffic Safety Council members to discuss the recommendations for Traffic Safety Council resulting from the City Council Committee Structure Review.
(TSC-0134-2013)

TC-0099-2013
That the email dated June 20, 2013 from Sheelagh Duffin, Crossing Guard Supervisor with respect to winter maintenance in Huron Heights Park paths be received.
(TSC-0135-2013)
(Ward 4)

TC-0100-2013
1. That Transportation and Works be requested to paint a zebra crosswalk at the intersection of River Grove Avenue and Willow Way for the students attending Hazel McCallion Senior Public School.

2. That the Principal at Hazel McCallion Senior Public School be requested to advise parents to utilize the Kiss and Ride for drop-off instead of the roadway and further that the students be encouraged to utilize the crossing guards that are in place for Willow Way Public School and Our Lady of Good Voyage Catholic School at the intersection of River Grove Avenue and Willow Way between the times of 8:05 am – 8:20 am.

(TSC-0136-2013)
(Ward 6)

TC-0101-2013
That the Transportation and Works and Community Services Departments be requested to review winter maintenance for the path through Willowcreek Park (greenbelt) and the path between Nawbrook Road and Knob Hill for the students attending Glenhaven Senior Public School.
(TSC-0137-2013)
(Ward 3)

TC-0102-2013
1. That the crossing guard at the intersection of Kennedy Road and Grand Highland Way/ Wilderness Trail be removed as of December 23, 2013 for the students attending San Lorenzo Catholic School and Barondale Public School as the warrants are no longer met for the continuance of the crossing guard.
2. That the Principal at San Lorenzo Catholic School and Barondale Public School be requested to advise parents that the crossing guard at the intersection of Kennedy Road and Grand Highland Way/ Wilderness Trail will be removed as of December 23, 2013.

(TSC-0138-2013)
(Ward 5)

TC-0103-2013
1. That the request to extend the crossing guard time at the intersection of Barondale Crescent and Cosmic Crescent to include the school entry and dismissal times for students attending San Lorenzo Ruiz Catholic School be denied as the warrants have not been met.
2. That the Principal at San Lorenzo Ruiz Catholic School be requested to encourage students and parents to utilize the crossing guard located in front of the school.

(TSC-0139-2013)
(Ward 5)

TC-0104-2013

1. That Parking Enforcement be requested to enforce the parking infractions on Tenth Line West and Erin Centre Boulevard at Erin Centre Middle School between 2:20 pm – 2:40 pm.
2. That Transportation and Works be requested to replace the faded No Parking and No Stopping signs on Erin Centre Boulevard in the vicinity of Erin Centre Middle School.
3. That the Peel District School Board be requested to review Erin Centre Middle School to eliminate traffic congestion onto Erin Centre Boulevard at the driveway entrance during dismissal.
4. That the Site Inspection Subcommittee of Traffic Safety Council conduct a safety review at Erin Centre Middle School.

(TSC-0140-2013)
(Ward 10)

TC-0105-2013
That Peter Westbrook, Louise Goegan and Altamash Syed represent Traffic Safety Council at the 24th Annual Crossing Guard Appreciation Banquet/ Christmas Dinner.
(TSC-0141-2013)

TC-0106-2013
That $2463.62 be allotted in the 2013 Traffic Safety Council operating budget to cover the costs of the Crossing Guards Long Service Awards to purchase the awards, plaques and small gifts for attendees at the 2013 Crossing Guard Long Service Awards.
(TSC-0142-2013)

TC-0107-2013
That the memorandum dated November 19, 2013 from the Manager of Parking Enforcement with respect to parking enforcement in school zones, be received.
(TSC-0143-2013)

TC-0108-2013
That the memorandum dated November 20, 2013 from the Legislative Coordinator with respect to the 2014 Traffic Safety Council meeting dates, be received.
(TSC-0144-2013)

REPORT 17 – 2013

TO: MAYOR AND MEMBERS OF COUNCIL

The Planning and Development Committee presents its seventeenth report of 2013 from its meeting held on December 2, 2013, and recommends:

PDC-0076-2013
That the Report dated November 12, 2013, from the Commissioner of Planning and Building recommending approval of the application under File OZ 11/009 W11, Three Nuts Inc., 330 Queen Street South, be adopted in accordance with the following:

1. That the application to change the Zoning from "R3" (Detached Dwellings) to "R3-Exception" (Office within a Detached Dwelling), to permit the existing detached dwelling to be used for an office, a dwelling or an office with a dwelling unit in accordance with the Revised Proposed Zoning Standards described in Appendix S-4), be approved subject to the following condition:

   (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.

2. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of Council decision.

PDC-0077-2013
That the Report dated November 12, 2013 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested five (5) Sign Variance Applications described in Appendices 1 to 5 to the Report, be adopted in accordance with the following:

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

   (a) Sign Variance Application 13-06174
   Ward 4
   Glen Davis Group
   77 City Centre Drive

   To permit the following:
   (i) A third and fourth fascia sign located between the limits of the top floor and parapet of an office building.

(b) Sign Variance Application 13-06030
Ward 4
Tim Hortons – Square One Shopping Centre
100 City Centre Drive

To permit the following:
(i) One (1) fascia sign not located on the unit occupied by the business.

(c) Sign Variance Application 13-04185
Ward 5
Prologis
300 Courtneypark Drive West

To permit the following:
(i) Four (4) directional signs with a sign area of 2.2 sq.m. (23.9 sq. ft.) and a height of 2.74m (9.0 ft.).

(d) Sign Variance Application 13-04640
Ward 5
Westwood Mall Holdings Limited
7205 Goreway Drive

To permit the following:
(i) A third ground sign fronting Goreway Drive.

(e) Sign Variance Application 13-0470
Ward 4
Square One/Oxford Properties
100 City Centre Drive

To permit the following:
(i) Four (4) ground signs not located on the property where the business is located.
(ii) Four (4) ground signs each with a proposed height of 9.14m (30.0 ft.).
(iii) Five (5) signs that project above the parapet of the building.
(iv) Three (3) fascia signs that project 1.98m (6.5 ft.) from the building face.

PDC-0078-2013

1. That the Draft Port Credit Local Area Plan and Port Credit Built Form Guide, dated January 2012, be revised in accordance with the report titled "Report on Comments – Draft Port Credit Local Area Plan and Built Form Guide – Ward 1" dated November 12, 2013 from the Commissioner of Planning and Building, subject to the following amendments:

    a. Appendix 1 include a new Recommendation #113 that the property located at 19 Stavebank Road be redesignated from "Residential High Density" to "Mixed Use", and;
    b. Appendix 6 be revised to remove Queen Street West between Harrison Avenue and Wesley Avenue as a potential connection to improve the road network.

2. That an Official Plan Amendment to Mississauga Official Plan (2011) be prepared to amend the existing Port Credit Local Area Plan in accordance with the revisions proposed in the November 12, 2013 report;

3. That the Port Credit Built Form Guide, as revised by the November 12, 2013 report, be endorsed; and

4. That the Draft Port Credit Local Area Plan, as revised by the report dated November 12, 2013, be updated, as appropriate, to incorporate Official Plan Amendments currently adopted by City Council, but not yet in force and effect, if no appeals to the site specific Official Plan Amendments are received.

5. That the following correspondence be received:

    (a) Letter dated November 28, 2013 from Rod Male, High Holdings Ltd. regarding 19 Stavebank Road;

    (b) Letter dated November 29, 2013 from Russel D. Cheeseman, Barrister and Solicitor on behalf of 46 Port Street East;

    (c) Letter dated November 29, 2013 from Calvin McCourt, Director of Development, PenEquity Realty Corporation on behalf of 72 Wesley Avenue;

    (d) Letter dated December 2, 2013 from John M. Alati, Davies Howe Partners LLP, on behalf of F.S. Port Credit Limited;

    (e) Letter dated December 2, 2013, from Dave Hannam, Senior Planner, Zelinka Priamo Ltd., on behalf of 345 Lakeshore Road West;

    (f) Letter dated December 2, 2013, from Dave Hannam, Senior Planner, Zelinka Priamo Ltd., on behalf of 375 Lakeshore Road West

PDC-0079-2013
That the Report dated November 12, 2013 from the Commissioner of Planning and Building outlining the recommended Section 37 Community Benefits under file OZ 11/016 W1, Windcatcher Development Corporation, 1224, 1230, 1240 and 1244 Cawthra Road and 636 Atwater Avenue, southwest corner of Cawthra Road and Atwater Avenue, be adopted and that a Section 37 agreement be executed in accordance with the following:

1. That the sum of $160,000.00 be approved as the amount for the Section 37 Community Benefits contribution and that the owner enter into a Section 37 agreement with the City of Mississauga.

2. That City Council enact a by-law under Section 37 of the Planning Act, R.S.O. 1990, c.P.13, as amended, to authorize the Commissioner of Planning and Building and the City Clerk to execute the Section 37 agreement with Windcatcher Development Corporation, and that the agreement be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the Community Benefits.

REPORT 18 - 2013

TO: THE MAYOR & MEMBERS OF COUNCIL

General Committee of Council presents its eighteenth Report of 2013 and recommends:

GC-0660-2013
That the deputation from Jeremy Blair, Storm Drainage Management Project Engineer with respect to the Stormwater Financing Study, Phase 2 be received.

GC-0661-2013

1. That the implementation of a Stormwater Utility Program be approved, including a supporting Credit Program and Schedule for non-residential properties as outlined in the report dated November 22, 2013 from the Commissioner of Transportation and Works titled Stormwater Financing Study, Phase 2 (Implementation Project) – Implementation Plan, with a target implementation date of January, 2016 and further that the matter of an incentive program for residential properties and Grant Program for places of religious worship be referred back to staff to provide more information.

2. That the capital and operating resource requirements to facilitate the implementation of the Stormwater Utility Program be recovered by the Stormwater Fees and Charges User Rate.

3. That the Commissioner of Transportation and Works be authorized to negotiate and enter into a service agreement(s) with the Regional Municipality of Peel for the provision of billing, collection, information, customer and account management services for the Stormwater Utility Program in a form satisfactory to Legal Services.

4. That all capital projects approved by Council from time to time for inclusion under the Stormwater Rate Based Program be funded from the Stormwater Fees and Charges User Rate as authorized by the Municipal Act, 2001.

5. That the intention of Council to fund approved stormwater projects, such as the Cooksville Creek Stormwater Management Facility project, that have been front end financed through the issuance of debt or reserves, from the Stormwater Fees and Charges User Rate as permitted under the Municipal Act, 2001, be affirmed.

6. That a copy of the report dated November 22, 2013 from the Commissioner of Transportation and Works titled Stormwater Financing Study, Phase 2 (Implementation Project) – Implementation Plan be forwarded to the Regional Municipality of Peel, Credit Valley Conservation, Toronto and Region Conservation, and Conservation Halton for information.

GC-0662-2013
That the deputation from Christine Zimmer, Senior Manager, Protection and Restoration, Credit Valley Conservation with respect to the Stormwater Financing Study, Phase 2 be received.

GC-0663-2013
1. That the deputations by the following individuals with respect to the Regulation of the Sale and Ownership of Exotic Animals be received:
   a) Grant Crossman, Port Credit Pet Store and Grant Ankenman, Executive Director, CanHerp.
   b) Tom Mason, Retired Curator of Birds and Invertebrates, Metro Toronto Zoo
   c) Elizabeth Semple, Executive Treasurer, Little RES Q
   d) Andrew Ngo, Director of Research and Curriculum, Reptilia Zoo

2. That the email dated December 2, 2013 from Ellen Timms, General Manager, Port Credit Business Association with respect to the proposed amendments to the Animal Care and Control By-law 98-04 and support for the Port Credit Pet Store.

3. That the letter dated December 4, 2013 from Grant Crossman, Port Credit Pet Store with respect to a rebuttal to City of Mississauga Animal Services Report.

GC-0664-2013
That the Corporate Report dated November 20, 2013 from the Commissioner of Transportation and Works with respect to the Regulation of the Sale and Ownership of Exotic Animals be referred back to staff for further clarification.

GC-0665-2013
That Council endorse the Recreation Division's proposal to operate a pilot program in 2014 consisting of supervised playground program sites at twelve (12) City parks, as outlined in the report dated November 12, 2013 from the Commissioner of Community Services.

GC-0666-2013
That Council endorse the Mississauga Celebration Square (MCS) Sponsorship Strategy report as a framework for staff to pursue and negotiate with interested corporations, as outlined in the report dated November 20, 2013 from the Commissioner of Community Services.

GC-0667-2013

1. That staff with Community Services and Realty Services be authorized to meet with the property owners of 1883, 1879, 1873, 1869, 1863, 1859 and 1853 O'Neil Court to present each with an Agreement of Purchase & Sale (the "APS") setting out the terms and conditions upon which the City is prepared to sell the lands outlined in the report dated November 15, 2013 and where an APS is signed, to thereafter proceed with declaring the applicable lands surplus to municipal requirements;

2. That if an APS is not signed as presented by a property owner on or before March 12, 2014, the offer shall automatically be rescinded and the City shall thereafter proceed to remove any encroachments in accordance with the provisions of the Encroachment By-Law, including erecting a fence along the property line and naturalizing the area;

3. That the net proceeds from the sale of any lands be deposited into the Cash-in-Lieu of Parkland Dedication Reserve Fund (Account 32121).

(Ward 8)

GC-0668-2013

1. That Council authorize City staff to proceed with a publically advertised Request for Expressions of Interest, to solicit concept submissions from the private sector to develop a parcel of vacant land at the Hershey SportZone in a manner that promotes and enhances the complex as a sports and entertainment destination under the existing Official Plan land use of Public Open Space.

2. That PN 13-442, Hershey Parcel Development Planning, be established with a gross and net budget of $125,000 allocated from the Cash in Lieu into the Hershey Parcel Development Planning project.

3. That all necessary by-laws be enacted.

(Ward 5)

GC-0669-2013

1. That the Commissioner of Transportation and Works be authorized to enter into a road/park exchange agreement with Amacon Development (City Centre) Corp. under section 30 of the Expropriations Act to acquire a portion of the property required to construct the extension of Square One Drive from Confederation Parkway to Rathburn Road West, in accordance with the conditions set out in the in camera report dated November 21, 2013 from the Commissioner of Transportation and Works, and in a form satisfactory to the City Solicitor and the Commissioner of Community Services.

2. That Amacon Development (City Centre) Corp. be reimbursed by the City for reasonable costs directly associated with the required changes to their planning documents to include a portion of Square One Drive.

3. That the following wording be added under the title "Block 3 - Open Space", within "Construction Schedule: Completion Dates for Parks Works" of Schedule F-2 of the Servicing Agreement for Amacon Development (City Centre) Corp. 43M-1808 (formerly T-M04001): "This applies to a portion of Block 3, not the entire block, the exact limits of which are to be determined to the satisfaction of the Commissioner of Community Services."

(Ward 4)

GC-0670-2013

1. That a by-law to amend the Business Licensing By-law 1-06, as amended, be enacted to license personal services settings in a form satisfactory to Legal Services substantially similar to the draft by-law contained in (Appendix 1) to the report from the Commissioner of Transportation and Works dated November 20, 2013 and entitled "Amendments to the Business Licensing By-law 1-06, as amended, to require licensing of Personal Services Settings".

2. That Compliance and Licensing Enforcement staff enforce the personal services settings amendments to the Business Licensing By-law 1-06, as amended, in the manner set out in the Enforcement Action Plan outlined in the report dated November 20, 2013, from the Commissioner of Transportation and Works and entitled "Amendments to the Business Licensing By-law 1-06, as amended, to require licensing of Personal Services Settings".

3. That the Regional Council of Peel be sent a copy of the report dated November 20, 2013, from the Commissioner of Transportation and Works and entitled" Amendments to the Business Licensing By-law 1-06, as amended, to require licensing of Personal Services Settings".

GC-0671-2013

1. That a new noise barrier be constructed under the Mississauga Noise Barrier Retrofit Program along the south side of Central Parkway West from approximately 25 metres (82 feet) east of Achill Crescent to a point approximately 25 metres (82 feet) easterly, in accordance with the Corporate Policy 09-03-03 Noise Attenuation Barriers on Major Highways, subject to Council approval of the noise barrier program funding proposed in the 2014 Capital Budget.

2. That a by-law be enacted authorizing the dismantling and removal of the existing fence and installation of a 2.5 metre (8.2 feet) high wooden noise attenuation barrier along the south side of Central Parkway West from approximately 25 metres (82 feet) east of Achill Crescent to a point approximately 25 metres (82 feet) easterly, to be financed in accordance with Ontario Regulation 586/06 of the Municipal Act, 2001, Local Improvement Charges - Priority Lien Status, at an estimated cost to the City of approximately $17,500.00, with a 50% cost recoverable from the homeowner of $8,750.00.

(Ward 7)

GC-0672-2013

1. That the Development Agreement for Plan T-94025, Phase 3B, located south of Eglinton Avenue West, west of Ridgeway Drive, provide a Storm Water Management Development Charge Credit in the amount of $2,782,263.40, for the costs associated with the construction of the storm water management facility and storm sewer oversizing.

2. That the Servicing Agreement for Plan T-94025, Phase 3B, located south of Eglinton Avenue West, west of Ridgeway Drive, indicate payment by the City of Mississauga to The Erin Mills Development Corporation in the amount of $152,098.60, representing the difference between the total amount owed to the developer for the construction of the storm water management facility and associated land, and the total development charge credit available for this development.

(Ward 8)

GC-0673-2013

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1758, Cabot Trail Estates Ltd (lands located north of Derry Road West, south of Comiskey Crescent, east of McLaughlin Road and west of the Fletcher Creek, in Z-52, known as the Derrydale Drive & McLaughlin Road Subdivision) and that the Letter of Credit in the amount of $1,675,765.31 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-0674-2013

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for CD.06.MOL, Mr. Gino Molinaro O/A Molinaro's Fine Italian Foods Ltd., (lands located north of the Queen Elizabeth Way, south of the Queensway West, east of Stavebank Road and west of Hurontario Street in Z-15, known as 213 Isabella Avenue), and that the Letter of Credit in the amount of $49,300.00 be returned to the developer.

(Ward 7)

GC-0675-2013
That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1777, Jungfrau Developments Limited (lands located north of Dundas Street West, south of Burnhamthorpe Road West, west of the Credit River and east of Mississauga Road in Z-24, known as Jungfrau Subdivision), and that the Letter of Credit in the amount of $235,000.00 be returned to the developer and that a by-law be enacted to establish the road allowances within the Registered Plan as public highway and part of the municipal system of the City of Mississauga.
(Ward 8)

GC-0676-2013
1. That an Older Adult Advisory Panel be established for the purpose of seeking citizen and stakeholder input in the planning and delivery of municipal services that impact older adults; and that there be 11 community panel members, one from each Ward in the City.

2. That the Older Adult Advisory Panel investigates and assists staff to pursue the designation of an Age Friendly City from the World Health Organization as outlined in the report dated November 4, 2013 from the Commissioner of Community Services.

GC-0677-2013
That Council endorse the report entitled A Case for A Strong Neighbourhood Strategy, dated November 20, 2013 from the Commissioner of Community Services.

GC-0678-2013
That a by-law be enacted to authorize the Commissioner of Community Services to enter into a Municipal Designation Agreement with the Toronto Organizing Committee of the 2015 Pan Am/Para Pan Am Games ("TO2015"), in a form satisfactory to Legal Services as outlined in the Corporate Report dated November 1, 2013.

GC-0679-2013
1. That, in accordance with Purchasing By-law #374-2006, as amended, the Purchasing Agent be authorized to execute an agreement with AON Hewitt Inc. to provide consulting services for the City's employee group benefit programs in the estimated amount of $360,000 for the term of January 2, 2014 to December 31, 2018 subject to annual review of vendor performance.

2. That the Purchasing Agent be authorized to issue contract amendments to increase the value of the contract where necessary to accommodate additional services subject to budget availability.

GC-0680-2013

1. That the updated City Standards for IT Systems as listed in Appendix 1 of the report dated November 19, 2013 from the Commissioner of Corporate Services and Chief Financial Officer entitled "City Standards for IT Systems and Acquisition of Support and Maintenance Services for Standard Systems", be approved.

2. That the Purchasing Agent be authorized to negotiate and execute agreements to cover 2014 annual support and maintenance for City Standard IT Systems which have been approved as Standards, where the estimated cost will exceed $100,000.

GC-0681-2013

1. That the Corporate Report entitled 2013 Year-End Operating Financial Forecast as of September 30, 2013, dated November 20, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, be received.

2. That up to $1,021,825 of the year end surplus be approved for transfer to the Operating Budget Reserve (Account #305145).

3. That up to $245,000 of the year end surplus be allocated to fund the Parks and Forestry Emergency Flood Repairs Capital Project (PN13340) associated with the July 8th flooding.

4. That up to $260,000 of the year-end surplus be approved for transfer to the General Contingency Reserve (Account #305125) to increase the Reserve to approximately 1% of the City's gross operating expenditures.

5. That any remaining surplus above $1.5 million be approved for transfer to the Capital Reserve Fund (Account #33121) to provide for future capital infrastructure requirements.

6. That the budget adjustments listed in Appendix 4 attached to the Corporate Report dated November 20, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be approved.

GC-0682-2013

That the following revised Corporate Policies and Procedures attached as Appendices to the Corporate Report dated November 15, 2013 from the Commissioner of Corporate Services and Chief Financial Officer, be approved:

a) Attendance Support and Management Program (formerly Attendance Management 01-03-05)

b) Income Protection Program (formerly Disability Income Program 01-07-06)

c) Short Term and Long Term Accommodation (formerly Rehabilitation and Return to Work Policy 01-07-11)

GC-0683-2013
That the report dated November 18, 2013, from the City Solicitor, entitled Liability Issues with respect to Building Permits issued for Basement Apartments be received for information.

GC-0684-2013
1. That the deputation made by John Walmark, resident, with respect to leash free zones, safety and accessibility at Orchard Heights Park be received; and
2. That the matter of the accessibility of Orchard Heights Park be referred to Parks Development staff for review, and to report back to the Accessibility Advisory Committee.

(AAC-0024-2013)

GC-0685-2013
That the PowerPoint presentation by Hillary Calavitta, Advisor, Healthy By Design and Project Manager, with respect to the Region of Peel's Accessible Transportation Master Plan be received for information
(AAC-0025-2013)

GC-0686-2013
That the overview from Bill Montague, Project Manager, Park Development with respect to the Playground Replacement Program, be received for information; and that the Accessibility Advisory Committee is satisfied with the Playground Replacement Program.
(AAC-0026-2013)

GC-0687-2013
That the overview of the Mississauga Driveway Windrow Snow Clearing Program as presented by Jim Kettle, Technical Specialist, be received for information.
(AAC-0027-2013)

GC-0688-2013
That the information as provided by Pina Mancuso, Manager, Elections in response to inquiries made by members of the Accessibility Advisory Committee regarding Accessible Municipal Voting for the 2014 Municipal Elections be received as information, and that the Accessibility Advisory Committee is satisfied with the plans for the 2014 Municipal Elections.
(AAC-0028-2013)

GC-0689-2013

1. That the Memorandum dated October 28, 2013 from Pamela Shanks, Corporate Policy Analyst with respect to the City's Accessibility Policy for fees for support persons to Meadowvale Theatre and Mississauga golf courses be received; and
2. That the matter of support persons to be admitted free of charge at theatres be referred to the Living Arts Centre and Meadowvale Theatre Boards to provide feedback to the Accessibility Advisory Committee on their views on the matter.

(AAC-0029-2013)

GC-0690-2013

1. That the Memorandum dated November 7, 2013 from Diana Simpson, Accessibility Coordinator, with respect to the National Access Awareness event be received for information; and
2. That the National Access Awareness Event be held every other year.
3. That the Accessible Customer Service Awards be recognized by Council every year.

(AAC-0030-2013)

GC-0691-2013

That the verbal update from Alana Tyers, Transit Planner, regarding the approach to the MiWay Support Person Policy, be received for information, and is supported by the Accessibility Advisory Committee.

(AAC-0031-2013)

GC-0692-2013

That the matter regarding an update from Daryl Bell, Manager, Mobile Licensing regarding accessible taxicabs be deferred to a future Accessibility Advisory Committee meeting

(AAC-0032-2013)

GC-0693-2013

1. That the Multi-use trail Project, as presented by Stephanie Snow, Consultant (Project Manager), Harrington McAvan Ltd. And Richards Roberts, Project Manager, Parks and Forestry, Community Services Department, to the Facility Accessibility Design Subcommittee on September 16, 2013 be received; and
2. That subject to the suggestions contained in the Facility Accessibility Design Subcommittee Report dated September 16, 2013, the Facility Accessibility Design Subcommittee is satisfied with the Multi-use trail Project, as presented.

(AAC-0033-2013)

GC-0694-2013

1. That the Meadowvale Community Centre& Library Project as presented by Aimee Drmic, Architect Perkins + Will Architects and Lalita Goray, Project Manager, Community Services Department, to the Facility Accessibility Design Subcommittee on September 16, 2013 be received; and
2. That subject to the suggestions contained in the Facility Accessibility Design Subcommittee Report dated September 16, 2013, the Facility Accessibility Design Subcommittee is satisfied with the Meadowvale Community Centre & Library Project, as presented; and
3. That the Facility Accessibility Design Subcommittee members conduct a site visit at the Meadowvale Community Centre and Library after the proposed renovations is complete.

(AAC-0034-2013)

GC-0695-2013

1. That the Pre-Design Report, as presented by Constantine Radeff, Consultant, Radeff Architect Ltd., Janet Lack, Project Manager, Parks and Forestry, Community Services Department, and Wojciech Gurak, Project Manager, Facilities & Property Manager, Corporate Services Division, to the Facility Accessibility Design Subcommittee on October 10, 2013 be received; and
2. That consideration be given to parks with fully accessible/inclusive children's playgrounds be provided with accessible washrooms be received.

(AAC-0035-2013)

GC-0696-2013

That the pending work plan items dated November 18, 2013 be received for information.
(AAC-0036-2013)

GC-0697-2013

That the flyer from the Region of Peel regarding the Accessible Transportation Master Plan advising of open house dates be received for information.
(AAC-0037-2013)

GC-0698-2013

1. That the mandate of the Heritage Tree Subcommittee to investigate the feasibility of a Heritage Tree Program has been fulfilled and therefore the Subcommittee can be dissolved; and
2. That the designation of Heritage Trees under the *Ontario Heritage Act* be addressed through the Heritage Designation Subcommittee.

(HAC-0105-2013)

GC-0699-2013
That the property at 4067 Mississauga Road, which is listed on the City's Heritage Register, is not worthy of heritage designation, and consequently, that the owner's request to demolish the structure proceed through the applicable process.
Ward 8
(HAC-0106-2013)

GC-0700-2013
That the Memorandum dated October 18, 2013 from Laura Waldie, Heritage Coordinator, entitled "Heritage Impact Statement, 1370 Milton Avenue (Ward 1)," be received.
Ward 1
(HAC-0107-2013)

GC-0701-2013
That the Memorandum dated November 4, 2013 from Elaine Eigl, Heritage Coordinator, entitled "Municipal Water Servicing within the Willow Lane Right-of-Way (Ward 11)," be received.
Ward 11
(HAC-0108-2013)

GC-0702-2013
That the Memorandum dated November 5, 2013 from Elaine Eigl, Heritage Coordinator, entitled "2013 Cultural Heritage Program Award of Excellence Expenditure," be received.
(HAC-0109-2013)

GC-0703-2013
That the Memorandum dated November 12, 2013 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, entitled "Heritage Advisory Committee's Budget and Spending History, Clerk's File Number: MG.07," be received.
(HAC-0110-2013)

GC-0704-2013
That the chart dated November 19, 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-0111-2013)

GC-0705-2013
That the correspondence dated November 2013 from the Honourable Michael Coteau, Minister of Citizenship and Immigration, with respect to the 2014 Volunteer Service Awards Program, be received.
(HAC-0112-2013)

GC -0706-2013
That the recommendation to the Museums of Mississauga Advisory Committee (MOMAC) by the Collections and Storage Subcommittee (CASS) to dissolve the Subcommittee under Item 4 of the CASS report dated October 1, 2013, be approved.
(MOMAC-0026-2013)

GC-0707-2013
That the Collections and Storage Subcommittee (CASS) report dated October 1, 2013, be approved.
(MOMAC-0027-2013)

GC-0708-2013
That the PowerPoint presentation from Annemarie Hagan, Manager, Museums and Traditions, Culture Division, Community Services Department, with respect to the accomplishments of the Collections and Storage Subcommittee (CASS) from its inception in 2007 to its conclusion in 2013, dated November 25, 2013, be received.
(MOMAC-0028-2013)

GC-0709-2013
That a Terms of Reference Task Group composed of 4 Committee Members and the Manager of Museums and Traditions, be struck to recommend revisions to the Terms of Reference of the Museums of Mississauga Advisory Committee (MOMAC) based on the new MOMAC Mandate, as approved by Council on April 10, 2013, and that the Task Group complete its mandate and make recommendations to MOMAC at its March 17, 2014 meeting, be approved.
(MOMAC-0029-2013)

GC-0710-2013
That the Museums and Traditions Manager's Report, for the period September 1 to November 15, 2013, be received.
(MOMAC-0030-2013)

GC-0711-2013
That the Capital Project Update, dated November 18, 2013, from the Museums and Traditions Manager, be received.
(MOMAC-0031-2013)

GC-0712-2013
That the Museums of Mississauga Collections Communication Plan presented by Annemarie Hagan, Manager, Museums and Traditions, Culture Division, Community Services Department, to the Museums of Mississauga Advisory Committee on November 25, 2013, be received.
(MOMAC-0032-2013)

GC-0713-2013
Memorandum dated November 18, 2013 from Annemarie Hagan, Manager, Museums and Traditions, *entitled Meadowvale Blacksmith Shop, Peel Museum of Ontario's History*, be received.
(MOMAC-0033-2013)

GC-0714-2013
That the following Items for Information be received:

(a) Report dated September 23, 2013 to the Heritage Advisory Committee from Paul Mitcham, Commissioner, Community Services Department, entitled *Request to Alter a Heritage Designated Property – Benares Estate: Main House, Dairy House, Barn and Potting Shed, 1503 Clarkson Road (Ward 2)*;
(b) Report dated September 23, 2013 to the Heritage Advisory Committee from Paul Mitcham, Commissioner, Community Services Department, entitled *Request to Alter a Heritage Designated Property – Bradley Museum Barn and Wood Shed, 1620 Orr Road (Ward 1)*.

(MOMAC-0034-2013)

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BRAMPTON
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Corporate Services
Council and Administrative Services

November 7, 2013

COUNCIL AGENDA
DEC 11 2013

The Regional Municipality of Peel
Ms. Kathryn Lockyer, Clerk
10 Peel Centre Drive
Brampton, ON L6T 4B9

City of Mississauga
Crystal Greer, Director of
Legislative Services and City Clerk
300 City Centre Drive
Mississauga, ON L5B 3C1

Town of Caledon
C. de Gorter, Director of
Administration, Town Clerk
6311 Old Church Road
Caledon, ON L7C 1J6

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

Re: Preliminary 2013 Population and Employment Forecasts (File P00 GR)

The following recommendation of the Planning, Design and Development Committee Meeting of October 21, 2013 was approved by Council on November 6, 2013:

PDD185-2013

1. That the report from J. Given, Manager, Growth Management and Special Policy, dated October 9, 2013, to the Planning, Design and Development Committee Meeting of October 21, 2013, re: **Preliminary 2013 Population and Employment Forecasts** (File P00 GR) be received;

2. That the preliminary population and employment forecasts set out in this report be endorsed by the City of Brampton for use in completing the 2014 Development Charges By-law Update and the Transportation Master Plan Update;

3. That the Region of Peel be requested to use these preliminary forecasts in its preparation of a Regional Official Plan Amendment with forecasts that conform to Amendment 2 to the Growth Plan for the Greater Golden Horseshoe; and,

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4. That this report and Council resolution be forwarded to the Region of Peel and to the City of Mississauga and the Town of Caledon for information.

5. That the presentation by J. Given, Manager, Growth Management and Special Policy and R. Mathew, Hemson Consulting Limited, to the Planning, Design and Development Committee Meeting of October 21, 2013, re: **Preliminary 2013 Population and Employment Forecasts** be received.

Yours truly,

Shauna Danton
Legislative Coordinator
City Clerk's Office
Tel: 905-874-2116 Fax: 905-874-2119
e-mail: shauna.danton@brampton.ca

(PDD/D1/F2)

cc: M. Ball, Chief Planning and Infrastructure Services Officer
D. Kraszewski, Senior Executive Director, Planning and Infrastructure Services
H. Zbogar, Acting Director, Planning Policy and Growth Management, Planning and Infrastructure Services
J. Given, Manager, Growth Management and Special Policy, Planning and Infrastructure Services
B. Lakeman, Growth Management Policy Planner, Planning and Infrastructure Services

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BRAMPTON
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Report

Planning, Design and Development Committee
The Corporation of the City of Brampton

PLANNING, DESIGN & DEVELOPMENT COMMITTEE
DATE: October 21, 2013

Date: October 9, 2013

File: P00 GR

Subject: Preliminary 2013 Population and Employment Forecasts

Contact: Janice Given, Manager, Growth Management and Special Policy
(905-874-3459)

Overview:

- **Hemson Consulting Ltd. has prepared preliminary population and employment forecasts for the City of Brampton to 2041. Staff is recommending endorsement of the preliminary forecasts for use in completing the 2014 Development Charges By-law Update and the Transportation Master Plan Update.**
- **Brampton's current population, including the Census undercount, is approximately 580,700 persons. The preliminary forecasts indicate that Brampton's population will be 842,800 in 2031 and 899,500 in 2041.**
- **Brampton's current employment is approximately 184,500 jobs. The preliminary forecasts indicate that Brampton will have 290,680 jobs in 2031 and 321,430 jobs in 2041.**
- **The preliminary forecasts reflect suitable contributions from Brampton to Growth Plan requirements regarding the amount and distribution of growth in Peel, including achievement of a density of 51 persons and jobs per hectare in the City's designated greenfield area by 2031, achievement of the intensification target of a minimum of 26,500 new housing units within the City's built-up area by 2031, and achievement by 2031 of a density of 200 persons and jobs per hectare in the City's Urban Growth Centre.**
- **Finalization of the forecasts will require reconciliation with the Region of Peel's forecasts. Staff from the Region, City of Brampton, City of Mississauga, and Town of Caledon are currently working on the distribution of the population and employment assigned to Peel through Amendment 2 to the Growth Plan to the area municipalities. The results of this exercise, anticipated in early- to mid-2014, may require revisions to the City's forecasts.**

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Recommendations:

1. That the report from Janice Given, Manager, Growth Management and Special Policy, dated October 9, 2013, to the Planning, Design and Development Committee meeting of October 21, 2013, re: **"Preliminary 2013 Population and Employment Forecasts"**, be received;

2. That the preliminary population and employment forecasts set out in this report be endorsed by the City of Brampton for use in completing the 2014 Development Charges By-law Update and the Transportation Master Plan Update;

3. That the Region of Peel be requested to use these preliminary forecasts in its preparation of a Regional Official Plan Amendment with forecasts that conform to Amendment 2 to the Growth Plan for the Greater Golden Horseshoe; and,

4. That this report and Council resolution be forwarded to the Region of Peel and to the City of Mississauga and the Town of Caledon for information.

Introduction:

This report provides an update on the status of the City's 2013 population and employment forecasts received to-date from Hemson Consulting Ltd. The report also requests Council endorsement for the use of the preliminary forecasts in several studies of significance to the City.

Background:

According to the 2011 Census, Brampton was the ninth largest city in Canada, the fourth largest in Ontario, and the third largest in the Greater Toronto and Hamilton Area (GTHA). Between 2006 and 2011, Brampton grew at the highest rate among Canada's twenty largest cities. Planning for continued growth in Brampton requires an understanding of both past development activity and likely future development activity. Population and employment forecasts provide the City with information on which to base decisions about how, where, and when Brampton will grow.

The last comprehensive update of the City's population and employment forecasts was completed by Hemson Consulting Ltd. in 2009, based on data from the 2006 Census. The same consultant has been retained to prepare a comprehensive update of the City's population and employment forecasts based on data from the 2011 Census.

Current Situation:

Hemson Consulting Ltd. has provided the City with preliminary population and employment forecasts through to 2041. These preliminary forecasts reflect revisions made to initial forecasts provided by Hemson following extensive review by Planning and Infrastructure Services staff.

Finalization of the City's forecasts will require reconciliation with the Region of Peel's population and employment totals. Staff from the Region, City of Brampton, City of Mississauga, and Town of Caledon are currently working on the distribution of the population and employment assigned to Peel through Amendment 2 to the Growth Plan for the Greater Golden Horseshoe (Growth Plan) to the area municipalities. Completion of the Region's distribution exercise is anticipated in early- to mid-2014. The City's preliminary forecasts are, therefore, subject to change.

Updated forecasts are, however, required in the short term for use in the ongoing efforts to update the City's Development Charges By-law and Transportation Master Plan, to measure conformity to Growth Plan-related greenfield density and intensification targets, and to serve as input for the Region of Peel's distribution exercise and Official Plan review. Planning and Infrastructure Services staff recommends that the preliminary forecasts be endorsed for these purposes.

Once the forecasts have been finalized, the City's Official Plan will be amended to formally adopt the new forecasts. The adopted forecasts will serve as input to numerous planning studies, including the City's Official Plan review (and associated municipal comprehensive review), Secondary and Block Planning, servicing studies, environmental assessment studies, and market studies.

Preliminary 2013 Population and Employment Forecasts:

Forecast Context

Population and employment forecasts for Brampton must be considered in the context of the forecasts for the Region of Peel as a whole. The population and employment distributed to Brampton and the other area municipalities are laid out in the Region's Official Plan. Peel, in turn, is allocated population and employment through the Growth Plan. The forecasts for Peel and the other upper tier and single tier municipalities in the Greater Golden Horseshoe were updated in 2012 through Amendment 2 to the Growth Plan. Amendment 2 also extended the planning horizon to the year 2041. (See Appendix 1 for the most recent Growth Plan and Region of Peel forecasts.)

Data Sources

Hemson Consulting Ltd. used a number of data sources when preparing the preliminary 2013 population and employment forecasts. These sources include the 2011 Census and National Household Survey (the replacement for the former "long form" Census), detailed data on past development in the City's Secondary Plan Areas, insight from Planning and Infrastructure Services staff on the timing of future growth in Secondary Plan Areas, building permit data, data from the Economic Development Office's business surveys, preliminary land use data

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for areas of the City for which Secondary Plans are still under development, previous forecasts undertaken for the City, and data on economic trends and forecasts. (See Appendix 2 for a summary of key results from the 2011 Census and National Household Survey.)

Preliminary Forecasts

Brampton's current population (mid-year 2013, including the Census undercount) is approximately 580,700 persons. Employment in Brampton currently sits at approximately 184,500 jobs. The preliminary population and employment forecasts for the City are provided in Table 1.

Table 1 – Preliminary Forecasts

	Preliminary Forecasts		
	2021	2031	2041
Total Population (including undercount)	701,600	842,800	899,500
Total Employment	238,980	290,680	321,430

The preliminary forecasts for 2041 represent a 65 per cent increase in population (including the Census undercount) and an 88 per cent increase in employment in Brampton between 2011 and that year.

The preliminary forecast of 842,800 persons in 2031 is higher than the 727,000 persons set out for Brampton for 2031 in the City's Official Plan (based on the City's initial Growth Plan conformity exercise), a difference of 115,800 persons. This reflects higher than anticipated growth in Brampton and the unforeseen increase in the average household size in the City. (Information on average household size can be found in Appendix 1. See Appendix 3 for additional information on the preliminary population forecasts.)

There were a total of 171,150 jobs in Brampton in 2011. This is lower than the 181,910 jobs projected for 2011 in the previous forecasts prepared for the City by Hemson Consulting Ltd. The preliminary forecasts for later years are also lower in this iteration of the forecasts than in the previous forecasts (28,020 lower for 2031). Further, the 2031 preliminary forecast of 290,680 jobs is lower than the employment set out for Brampton for 2031 in the City's Official Plan (314,000). (See Appendix 4 for additional information on the preliminary employment forecasts.)

The lower than expected number of jobs in 2011 and the decreased employment forecast for 2031 in Brampton are attributed to:

- Lower than anticipated employment densities – fewer workers per square metre of floor area, especially in the manufacturing, warehousing, and logistics sectors, and expectations for further decreases in density in these types of employment;
- Slower than anticipated take up of employment lands – lands taking longer to develop than anticipated in the previous forecasts and the timeframe for some future development being pushed out further than previously envisioned (i.e., beyond 2031); and
- A reduction in the total amount of employment in the Heritage Heights area as a result of the Official Plan Amendment 2006-043 settlement.

Amendment 2 to the Growth Plan allocated 1.77 million persons and 880,000 jobs to Peel for the year 2031, increases of 130,000 persons and 10,000 jobs as compared to the original Growth Plan forecast. Contingent on direction from Council, Planning and Infrastructure Services staff proposes to send the City's preliminary population and employment forecasts to the Region as the City's requested portions of Peel's amended 2031 and 2041 total population and employment. Staff will then work, as required, to reconcile the City's preliminary forecasts in the context of the Amendment 2 totals for Peel and the forecasts of the other area municipalities – this will be done through the Region's population and employment distribution exercise. (Planning and Infrastructure Services staff will work to see that Brampton's interests, reflective of the demographic and housing trends outlined in the preliminary forecasts, are fairly represented in the distribution of the amended Peel population and employment totals for 2031.)

Official Plan Density, Intensification, and Employment Targets

In addition to the need to comply with Brampton's share of the total population and employment allocated to Peel Region through the Growth Plan, Brampton's forecasted population and employment must also comply with greenfield density and intensification targets established in the City's Official Plan (the targets are based on combined numbers of people and jobs). Brampton's Official Plan includes a policy that says the City must plan to achieve a minimum greenfield density of 51 people and jobs combined per hectare by 2031 – this is Brampton's contribution to the Region's achievement of 50 people and jobs per hectare over its total greenfield area by 2031. The Region must also ensure that by 2015 and for each year until 2025, a minimum of 40 percent of its residential development occurring annually be within its built-up area (and further that by 2026 and for each year thereafter a minimum of 50 per cent of the Region's residential development be within its built-up area). To achieve these targets, a minimum of 26,500 new residential units must be constructed within Brampton's built-up area by 2031. Finally, the City must plan to achieve, by 2031, a minimum density of 200 persons and jobs combined per hectare in the Urban Growth Centre (focused on Downtown Brampton).

The preliminary 2031 forecasted population and employment, and the split of the forecasted population between the built-up and greenfield areas, results in achievement of the density and intensification targets established for Brampton (see Table 2).

Table 2 – Achievement of Growth Plan Targets

Measure	Brampton Official Plan (2031)	Preliminary Forecasts (2031)
Greenfield density	51 ppj/ha	51 ppj/ha
New units in the built-up area	Minimum 26,500 units	33,225 units
Urban Growth Centre density	200 ppj/ha	208 ppj/ha

Note: ppj/ha = people and jobs combined per hectare

Achievement of the density and intensification targets both reflects and supports the City's Growth Plan Official Plan Amendment, which was largely approved by the Ontario Municipal Board in July 2013. The Growth Plan Official Plan Amendment, which brought the City's Official Plan into conformity with the Provincial Growth Plan and the Regional Official Plan,

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reinforced the City's sustainable city structure by directing a significant portion of new growth to the City's built-up area while protecting existing stable residential areas and by building complete and compact communities in the City's greenfield areas.

Through the Growth Plan Official Plan Amendment, the City set itself a target of accommodating 70,000 to 90,000 new Employment Land Employment (ELE) jobs (which may include limited amounts of service, retail, office, and institutional uses) on new lands designated primarily as employment land and on existing vacant employment lands by 2031. The preliminary employment forecast indicates that approximately 52,500 new ELE jobs will be accommodated by 2031. The shortfall is attributed to a decrease in ELE densities (fewer workers per square metre of floor area) and adjustments resulting from ongoing Secondary Planning in the Heritage Heights and Highway 427 Industrial areas.

Future Studies

Policy direction in the Growth Plan and the City's Official Plan is to plan for, protect, and preserve employment areas. In June 2010 Council passed a resolution that directed Planning and Economic Development staff to conduct a detailed review of the City's employment policies to identify strategies dealing with the policies, zones, and implementation mechanisms to best advance the City's long term vision for viable, prosperous employment lands of quality design. The issue of employment lands will be addressed in the employment study and the municipal comprehensive review that will be undertaken as part of the City's Official Plan review.

The Official Plan further notes that, given the global shift in the manufacturing base and the increasing size of the service sector (including information and knowledge-based industries), further study is required to determine the composition of employment and the resulting amount of land required to realize the City's long term economic vision.

Conclusion:

The preliminary population and employment forecasts received from Hemson Consulting Ltd. anticipate a 65 per cent growth in population and an 88 per cent growth in employment in Brampton between 2011 and 2041. The preliminary forecasts indicate that Brampton will achieve the Growth Plan-related density and intensification targets for 2031 set out for it while maintaining the City's vision to be a dynamic urban municipality with vibrant and sustainable communities. Planning and Infrastructure Services staff will work to address the employment-related issues raised by the forecasts through the City's Official Plan review and the Region's Amendment 2 to the Growth Plan population and employment distribution exercise. The preliminary forecasts will be finalized following completion of the Region's distribution exercise. In the interim, Planning and Infrastructure Services staff recommends that the preliminary forecasts be used to support the timely completion of the 2014 Development Charges Update and the Transportation Master Plan Update.

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Respectfully submitted,

Henrik Zbogar, MCIP, RPP
Acting Director, Planning Policy and
Growth Management

Dan Kraszewski, MCIP, RPP
Senior Executive Director, Planning
and Infrastructure Services

Authored by: Brian Lakeman, Growth Management Policy Planner

Appendices

Appendix 1: Growth Plan and Region of Peel Forecasts

Appendix 2: Census and National Household Survey Information

Appendix 3: Preliminary Population Forecasts – Additional Information

Appendix 4: Preliminary Employment Forecasts – Additional Information

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Appendix 1: Growth Plan and Region of Peel Forecasts

Growth Plan Forecasts

	Region of Peel					
	2001	2011	2021	2031	2036	2041
Population						
2006 Growth Plan	1,030,000	1,320,000	1,490,000	1,640,000		
Amendment 2 (2012)				1,770,000	1,870,000	1,970,000
Employment						
2006 Growth Plan	530,000	730,000	820,000	870,000		
Amendment 2 (2012)				880,000	920,000	970,000

Amendment 2 to the Growth Plan allocated an additional 130,000 persons to Peel for the year 2031. This revision reflects the underestimation of the average household size (persons per unit) in Peel. Peel's average household size grew from 2006 to 2011, in contrast to all other regions in the GTHA. All of Peel's growth in average household size can be attributed to Brampton. Between 2006 and 2011, the average household size in Brampton increased from 3.4 to 3.5 persons. During this time period the average household size in Caledon stayed stable at 3.1 persons, while in Mississauga it decreased from 3.1 to 3.0 persons. Brampton's average household size is expected to remain high (above 3.4 persons per unit) for the foreseeable future.

Region of Peel Forecasts

	2031	
Municipality	Population	Employment
Brampton	727,000	314,000
Caledon	108,000	46,000
Mississauga	805,000	510,000
Peel	1,640,000	870,000

These forecasts were approved in Regional Official Plan Amendment 24 in November 2012 and reflect the original Growth Plan forecasts for the Region.

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Appendix 2: Census and National Household Survey Information

Information from the 2011 Census and National Household Survey (NHS) formed the basis for the updated population and employment forecasts. Key results from the 2011 Census and NHS and, for comparative purposes, the 2001 and 2006 Censuses, are as follows:

	Census		
	2001	2006	2011
Census Population	325,000	433,810	523,910
Total Population (including undercount)	340,000	453,000	545,400
Total Units	97,550	125,930	149,270
Average Household Size	3.3	3.4	3.5
Total Employment	133,600	156,000	171,150

Note: The census undercount (also known as census undercoverage) refers to adjustments made to the number of persons recorded in the Census to include net undercoverage estimates (persons missed minus persons counted more than once). The estimated undercoverage rate for Peel in the 2011 Census is 3.94%.

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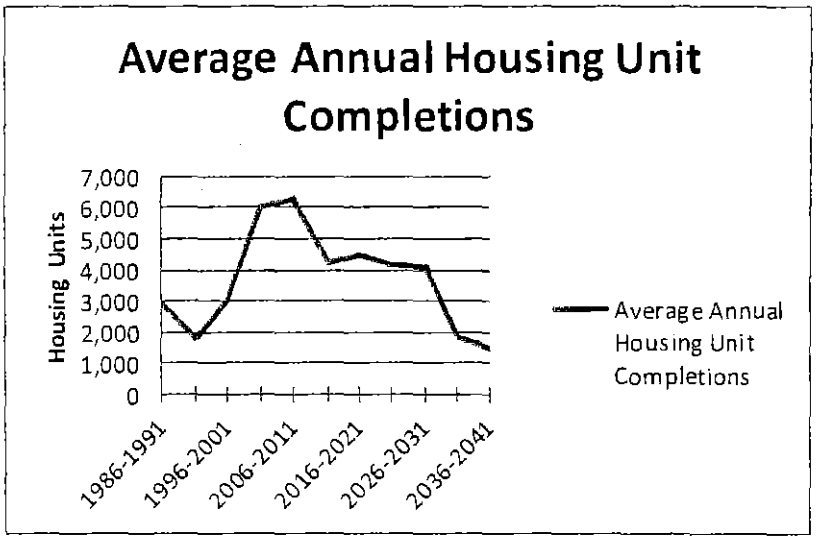
Appendix 3: Preliminary Population Forecasts – Additional Information

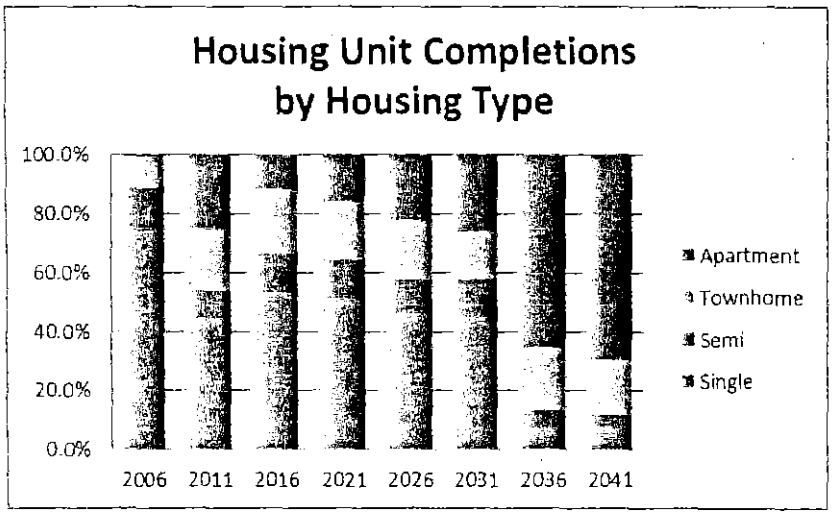
Growth Rate and "Build-Out"

The preliminary forecasts call for continued high rates of growth in Brampton through 2041. The rate of growth will, however, gradually decrease over time. This decrease – illustrated below by means of historic and forecasted annual housing unit completions – reflects the gradual "build-out" of Brampton, especially of its greenfield areas, and a resultant greater emphasis on growth through intensification (with its focus on growth in the Central Area and Urban Growth Centre, around Mobility Hubs and Major Transit Station Areas, and along Intensification Corridors).



Forecasts by Housing Type

The build-out of the City's greenfield areas and the shift to growth in the form of intensification is reflected in the preliminary forecasts of housing unit growth by housing type. As seen below, the composition of new housing units in Brampton is forecasted to shift over time from lower density (single detached and semi-detached) to higher density (townhouse and apartment) housing types, with occasional market-driven fluctuations.



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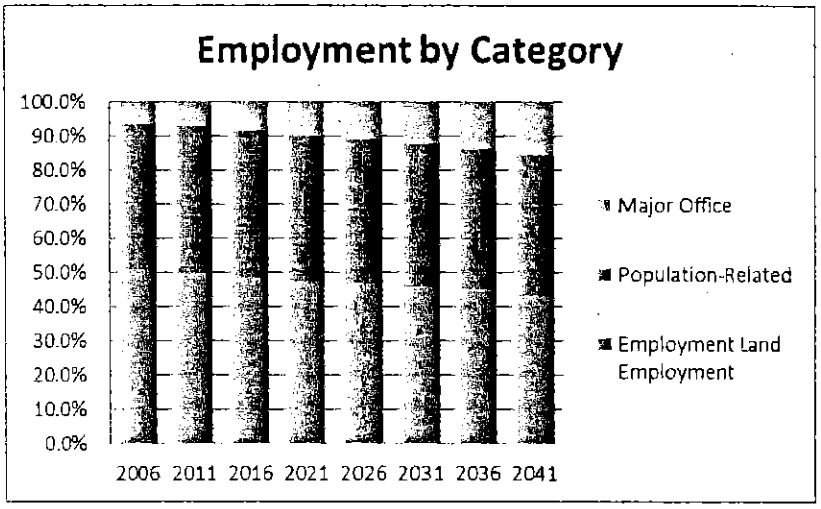
Appendix 4: Preliminary Employment Forecasts – Additional Information

Employment by Category

Hemson Consulting Ltd. forecasts employment in three distinct categories:

1. Employment Land Employment (ELE) – jobs accommodated on lands traditionally known as industrial areas. ELE covers a wide range of uses, including manufacturing, warehousing, logistics, research and development, and small office;
2. Population-Related Employment – jobs that are the direct result of residential development. This type of employment is generally accommodated on lands designated residential and includes retail and other commercial uses, schools, health care, institutions, and work-at-home; and
3. Major Office – jobs accommodated in office buildings of 1,860 square metres (20,000 square feet) or larger in size.

Brampton has a strong historic ELE base centered on the manufacturing, warehousing, and logistics sectors. Many municipalities in Ontario and the GTHA have seen a large decline in ELE jobs since the onset of the 2008 recession. Brampton has fared better than much of the GTHA in the retention of ELE jobs, showing a small increase between 2008 and 2011. Brampton's Population-Related sector is also strong. As illustrated below, the preliminary forecasts call for a gradual shift in the proportions of employment by category over time – away from ELE and towards Major Office:



Activity Rate

Municipalities need to plan to accommodate all three categories of employment in order to maintain economic viability and achieve a healthy activity rate (the proportion of jobs to population). A healthy activity rate is generally considered to be one in which the proportion of employees to residents is close to 50 per cent – where the live-work ratio is approximately 2:1. One of the objectives of the Employment policies in the City's Official Plan is to encourage a City-wide average live-work ratio of 2:1 by 2031 that will contribute to sustainability and enhance the quality of life of the community. Based on data from the

I-1m

Census and the National Household Survey, Brampton's activity rate in 2011 was 33 per cent (a 3:1 live-work ratio). Activity rates in comparable GTHA municipalities were higher – Mississauga's 2011 activity rate was 63 per cent, Vaughan's rate was 57 per cent, and Markham's rate was 48 per cent. The preliminary population and employment forecasts result in a slow but steady increase in activity rate in Brampton, though the activity rate does not approach 50 per cent (see below).

Year	Population	Employment	Activity Rate
2011	545,400	171,150	33%
2016	627,500	203,990	34%
2021	701,600	238,980	35%
2026	771,300	263,080	36%
2031	842,800	290,680	36%
2036	874,200	304,770	36%
2041	899,500	321,430	37%

BRAMPTON Flower City

Preliminary 2013 Population and Employment Forecasts

FLOWER CITY

BRAMPTON.CA

Senior Management Team
October 21, 2013

HEMSON Consulting Ltd.

BRAMPTON Flower City

Presentation Overview

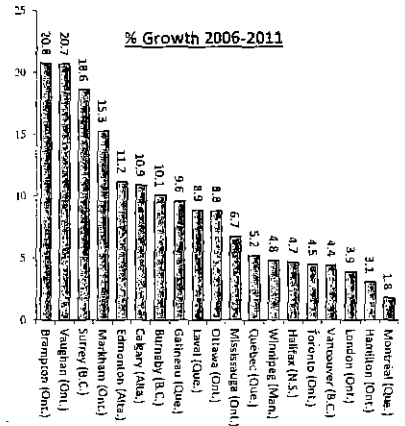
- *Brampton –Census Growth and Industrial Sectors*
- *Drivers of Updated Forecasts*
- *Conformity with Provincial and Regional Forecasts*
- *Peel's Forecast-Related Initiatives*
- *Brampton Preliminary Forecast*
- *Residential Forecasts-Trends and Issues*
- *Employment Forecasts-Trends and Issues*
- *Official Plan Performance Criteria*
- *Direction and Next Steps*

BRAMPTON Flower City

About Brampton

Among Canada's Fastest Growing Places 2006 - 2011

Brampton held the highest rate of population growth among Canada's 20 largest cities, between 2006 and 2011.



Source: Statistics Canada, 2006 and 2011 Censuses of Canada Compiled by the Brampton Economic Development Office – Business Information and Policy Branch

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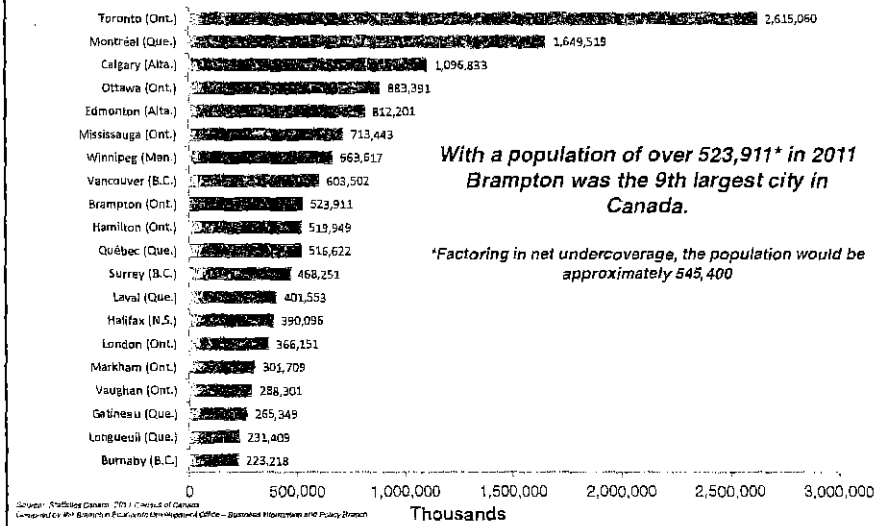
BRAMPTON Flower City

About Brampton

Brampton Among Canada's Largest Municipalities



With a population of over 523,911 in 2011 Brampton was the 9th largest city in Canada.*

**Factoring in net undercoverage, the population would be approximately 545,400*

4

BRAMPTON Flower City

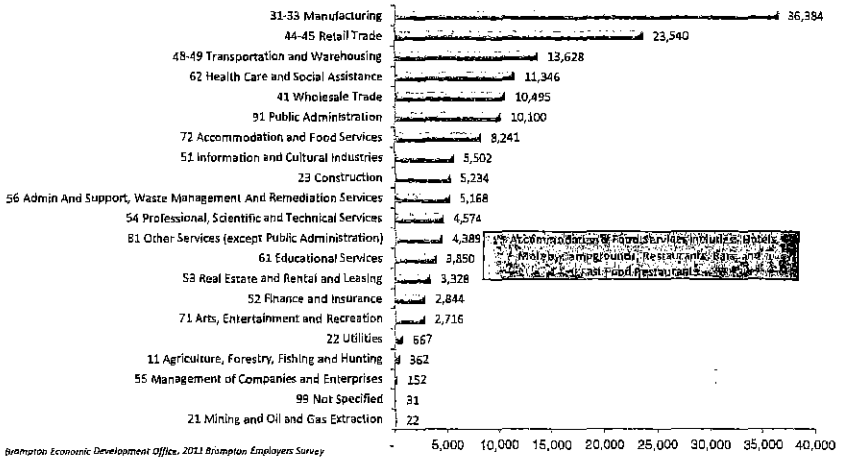
About Brampton

Brampton's Economy

Brampton contains over 8,000 businesses distributed across all major industries. Manufacturing, retail, and the wholesale trade represent the largest groups.

A Well Balanced Economy

Number of Employees Represented by *North American Industrial Classification System (NAICS)*



Source: Brampton Economic Development Office, 2011 Brampton Employers Survey

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BRAMPTON Flower City

Demands for Updated Forecasts

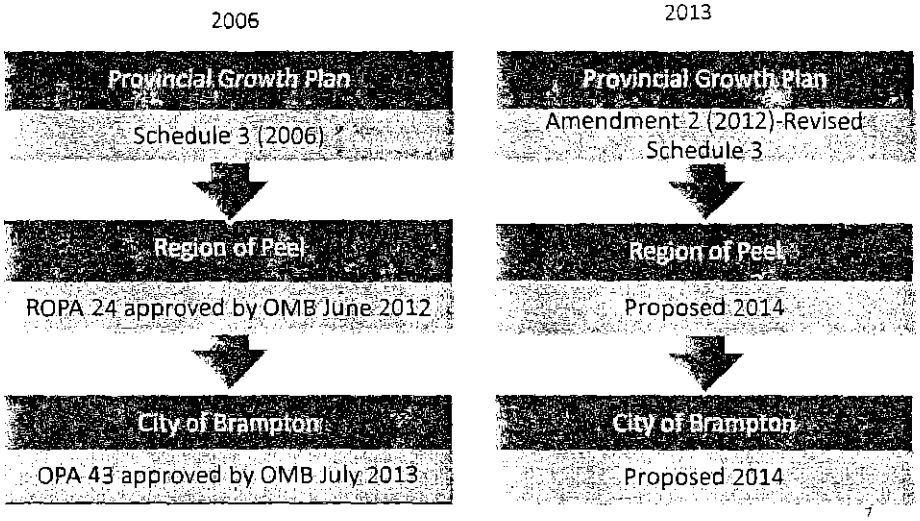
Internal Programs and Studies and External Customers

6

BRAMPTON Flower City

Forecast Context

Conformity with Provincial and Regional Forecasts



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BRAMPTON Flower City

Amendment 2 to the Growth Plan

Horizon Year Extended to 2041

Table 1: Region of Peel Population (000s) Forecast Comparison						
	2001	2011	2021	2031	2036	2041
2006 Growth Plan	1,030	1,320	1,490	1,640		
Amendment 2				1,770	1,870	1,970

Table 2: Region of Peel Employment (000s) Forecast Comparison						
	2001	2011	2021	2031	2036	2041
2006 Growth Plan	530	730	820	870		
Amendment 2				880	920	970

- Horizon Year extended to 2041
- 2006 Growth Plan Schedule 3 forecasts underestimated household size in Peel
- Additional 130,000 population assigned to Peel for 2031 in Amendment 2 to Growth Plan

8

BRAMPTON Flower City

Region of Peel Forecasts

Peel's Forecast-Related Initiatives

	ROPA 24 Approved 2031 Population
Brampton	727,000
Caledon	108,000
Mississauga	805,000
Peel Total	1,640,000

5 Year ROP Review

- Scoped Review
- Growth Management component includes forecasts to 2041

Growth Management Workshop (May 2013)

- To raise awareness of Growth Management issues in Peel

Peel Employment Trends and Forecasts Study

- Response to DC appeal
- Hemson Consulting
- Review of Employment Densities

Regional Forecasting Working Group

- Area Municipal Forecasts to Peel Q3/4
- TAC recommendation
- Peel Council Q2 2014

Peel Growth Management Committee

- Established June 2013 to recommend strategies for growth and intensification
- October 3 first meeting

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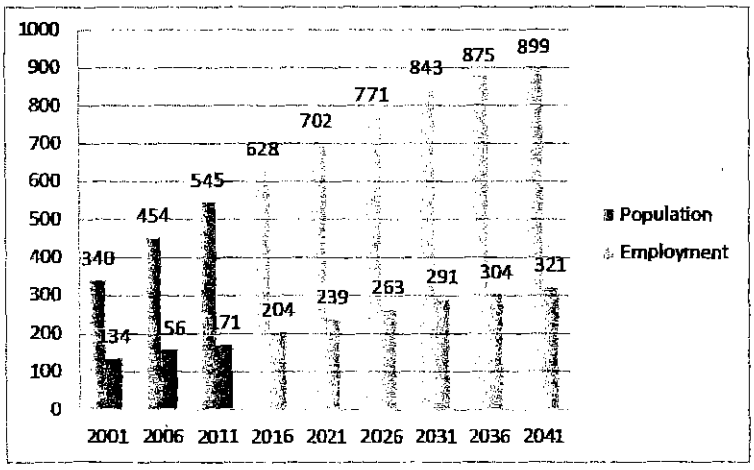
BRAMPTON Flower City

Preliminary Forecast

Brampton's Historic and Forecasted Population and Employment



BRAMPTON Flower City

Preliminary Forecast

New Forecasts Vs. OPA 43 Forecasts

	2021	2031	2041
2013 Draft Population	701,600	842,800	899,500
OPA 43 Population	635,000	727,000	n/a
2013 Draft Employment	238,980	290,680	321,430
OPA 43 Employment	280,000	314,000	n/a

- Preliminary 2031 Base Scenario Population Forecast increased over OPA 43 by 115,800 persons
- Preliminary 2031 Base Scenario Employment Forecast decreased over OPA 43 by 23,320 jobs
- 2041 Base Scenario Population Forecast close to 900,000 persons; 321,000 jobs

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BRAMPTON Flower City

Official Plan

Existing Policy Direction and OP Review

Growth Plan Amendments
OPA 43 and 74

- Largely approved by OMB in July 2013
- Identify Key Intensification Areas-UGC, Intensification Corridors, Mobility Hubs
- Establish Height and Massing in Intensification Areas
- Protect existing stable residential areas
- Establish greenfield density target 51 ppj/ha
- Target 26,500 intensification Units to 2031
- Protect Employment Lands-Plan to accommodate 70,000-90000 more ELE jobs to 2031

5 Year Official Plan Review : 2013

- Potential Increase in Density in Toronto Gore
- Greenbelt Conformity
- 2010 Council Resolution: Review Employment Policies and Tools to Achieve Long Term viable Employment Areas
- Undertake Employment Land Study/Municipal Comprehensive Review relative to lands in Bram East

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BRAMPTON Flower City

Preliminary Forecast

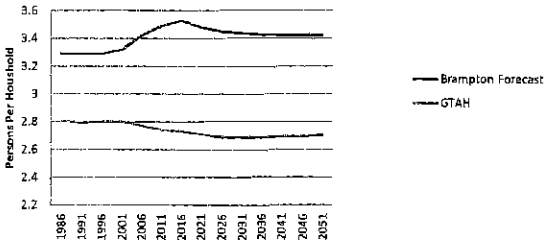
Residential Forecast Trends and Results

- 2011 Census showed household size in Brampton (3.49) much higher than had been forecast

- Comparisons:

Mississauga:	3.0
Caledon	3.1
Peel:	3.2
Markham	3.3
York:	3.2
Durham:	2.8
Halton:	2.8
Toronto:	2.5

- The shift in PPU trends and additional housing supply equate to a total 2031 population of approximately 843,000



- Forecast indicates that the overall PPU will remain high

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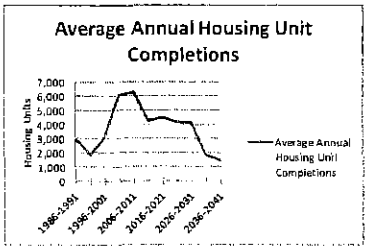
BRAMPTON Flower City

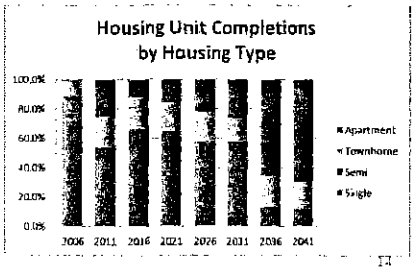
Preliminary Forecast

Residential Forecast Trends and Results



Type	singles	semi	row	apartment
Proportion of Total Units (2011 Census)	53%	14%	12%	22%

- Average annual housing unit completions shows a gradual decline to 2041 as Brampton builds out its greenfields
- As a result, there will be a gradual shift toward increasing intensification, reflected in the projected shift in housing types



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BRAMPTON Flower City

Preliminary Forecast

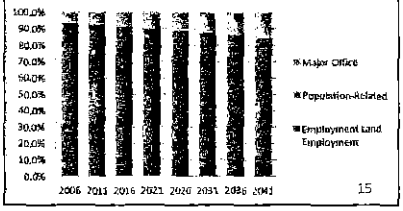
Employment Forecast Trends and Results

- The National Household Survey (NHS) data has been used, but is believed to under-represent total employment in Brampton and the GTAH
- Base employment in 2011 was less than had been expected (171,000 jobs rather than the 190,000)
- Patterns of employment growth in the GTAH are clear: an enormous decline in manufacturing employment since the recession has meant employment land employment has declined nearly everywhere, though Brampton shows limited growth from 2006-11

3 types of Employment:

- ***Employment Land Employment***
  - *Traditional industrial uses; protected by conversion policies*
- ***Population-Related Employment***
  - *Serves population-retail, other commercial, institutional; typically built on residential land*
- ***Major Office***
  - *Office buildings more than 20,000 square feet*

Employment by Category



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BRAMPTON Flower City

Preliminary Forecast

Employment Forecast Trends and Results

- Brampton's activity rate remains lower than comparable GTA municipalities

Brampton Activity Rate

	Population	Employment	Activity Rate
1991	241,600	88,100	0.38
2001	339,600	133,600	0.41
2011	545,400	171,100	0.33
2021	701,600	239,000	0.35
2031	842,600	290,600	0.36
2041	899,400	321,500	0.37
2051	948,900	357,700	0.39

	2011 Activity Rate
Brampton	33%
Markham	48%
Vaughan	57%
Mississauga	63%

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BRAMPTON Flower City

Preliminary Forecast

Employment Forecast Trends and Results

Long Term Employment Growth Prospects

- Decreased overall employment projection to 2031 due to:
  - Lower Employment density than had been forecast in 2009; likely to remain lower as a result of the character of employment land uses (floor space per worker is increasing-warehousing, transportation, automation)
  - Slower take-up of employment lands; lands take longer to develop; more future employment growth now pushed out beyond 2031
  - Reduction in total amount of employment in Heritage Heights arising from ROPA 24 settlement
- Brampton's major office and population-related employment forecasts are higher than previous forecasts

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BRAMPTON Flower City

Preliminary Forecast

Official Plan Performance Criteria

Measure	Brampton Official Plan (2031)	Brampton Preliminary Forecasts (2031)
Growth Plan Residential forecast for Peel	Peel 1.76 M	843,000 persons (Brampton share)
Growth Plan Employment forecast for Peel	Peel 880,000	290,700 jobs (Brampton share)
Greenfield density	51 ppj/ha	51 ppj/ha
New units in the built-up area	Minimum 26,500 units	33,225 units
Urban Growth Centre density	200 ppj/ha	208 ppj/ha

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BRAMPTON Flower City

Preliminary Forecasts

Recommendation for Council Endorsement

Planning Design and Development Committee October 21

Key Recommendations:

1. **That** the Preliminary Forecasts be endorsed by the City of Brampton for use in completing the 2014 Development Charges Update and Transportation Master Plan Update

2. **That** the Region of Peel be requested to use the Preliminary Forecasts in preparation of a Regional Official Plan Amendment that conforms to the Growth Plan.

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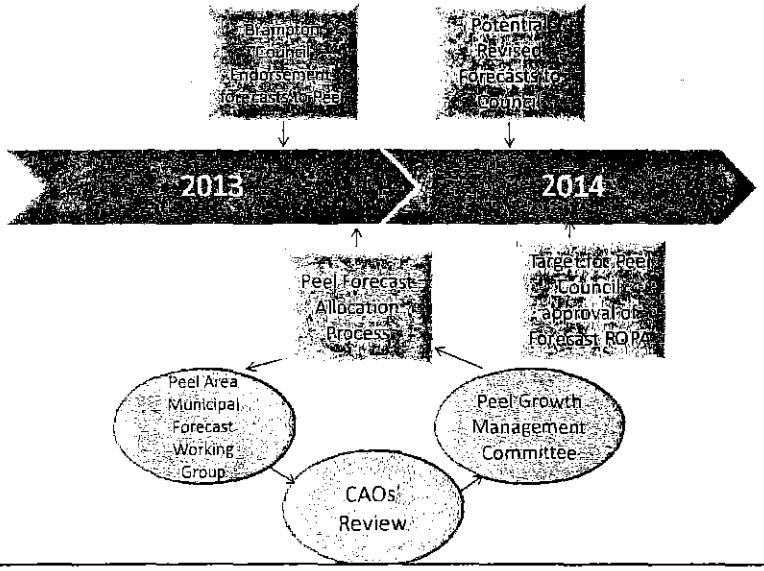
BRAMPTON Flower City

Preliminary Forecasts

Next Steps



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I-2

Region of Peel
Working for you

Public Notice

Notice of Public Information Centre # 2
Region of Peel Water and Wastewater Master Plan Update for the Lake-Based Systems

COUNCIL AGENDA
DEC 11 2013

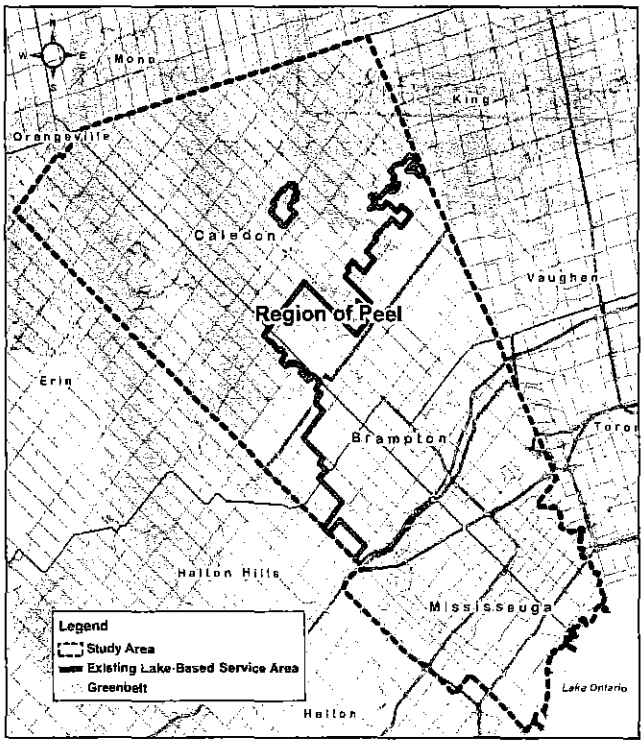
The Study

The Region of Peel is conducting a Water and Wastewater Master Plan for its lake-based systems (where Lake Ontario is the source of drinking water and the discharge point for treated wastewater) to update the current 2007 Master Plan.

The objective of the study is to identify long-term servicing plans for the Region's lake-based water and wastewater systems to support growth to 2031 and to consider longer-term servicing needs for growth beyond 2031, as identified by Amendment 2 (2013) of the Growth Plan for the Greater Golden Horseshoe, 2006.

The study area for the Water and Wastewater Master Plan includes the City of Mississauga, the City of Brampton and parts of the Town of Caledon.

The study will also review the Region's capital plan to meet the current servicing agreements with York Region and the City of Toronto.



The Process

The study will define existing problems and opportunities, consider and evaluate solutions and identify preferred water and wastewater servicing strategies. The study follows the Master Planning Process of the Municipal Engineer's Association. The Master Plan will follow Approach #2 which will fulfill the requirements for Schedule A, A+, and select Schedule B projects and become the basis for future investigations for specific Schedule C projects.

Public Consultation

Consultation with interested stakeholders including the public, special interest groups and regulatory agencies is considered a key component of this Master Plan Study. The study work plan provides for two rounds of Public Information Centres (PICs). The first round of PICs was held on February 14 and February 23, 2012, where water and wastewater servicing concepts under evaluation were presented.

Since the first round of the PICs, the Region has completed a review of potential impacts on the natural, social and economic environments associated with each of the water and wastewater servicing concepts and alternatives that the Master Plan Study has identified. The review has resulted in the selection of preliminary preferred water and wastewater servicing alternatives.

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

I-2a

The preliminary preferred water and wastewater servicing strategy has identified three (3) Schedule B projects whose requirements will be satisfied under this Master Plan. These projects are described as follows:

Wastewater Projects

675-mm to 900-mm diameter Northwest Brampton Sanitary Trunk Sewer (Heritage Road from Wanless Drive to Bovaird Drive)
1500-mm diameter twinning of the Lakeshore/Southdown Road Sanitary Trunk Sewer (Clarkson Road to the Clarkson WWTP)
900-mm diameter forcemain from the McVean Pumping Station along Queen Street East to Goreway Drive

There will be three separate sessions held for the second round of PICs, scheduled as follows:

Public Information Centre Locations:

Municipality	Date	Time	Location
City of Mississauga	Monday, November 25, 2013	4:00 - 7:00 p.m.	Burnhamthorpe Library 3650 Dixie Road Mississauga
City of Brampton	Tuesday, November 26, 2013	4:00 - 7:00 p.m.	Region of Peel Head Office 10 Peel Centre Drive, Brampton Brampton/Caledon Rooms (Suite A, 1st Floor)
Town of Caledon	Wednesday, November 27, 2013	4:00 - 7:00 p.m.	Caledon Community Complex – Banquet Hall B 6215 Old Church Road Caledon East

The Region wishes to ensure that anyone with an interest in this study has the opportunity to be involved and to provide input. Representatives from the Region and its consultants will be present at the PICs to answer questions and discuss the next steps in the study.

If you have any questions or comments or wish to obtain more information, please contact:

For water-related questions or comments:

Mr. Martin Pendlebury, P.Eng.
Project Manager, Water
The Region of Peel
10 Peel Centre Dr., 4th Floor Suite A
Brampton, ON L6T 4B9
905-791-7800 ext. 4548
Martin.Pendlebury@peelregion.ca

For wastewater-related questions or comments:

Ms. Kolsoom Motamedi, P.Eng.
Project Manager, Wastewater
The Region of Peel
10 Peel Centre Dr., 4th Floor Suite A
Brampton, ON L6T 4B9
905-791-7800 ext. 4196
Kolsoom.Motamedi@peelregion.ca

This notice was first issued on November 8, 2013.

With the exception of personal information, all comments will become part of the public record of the study. The study is being conducted according to the requirements of the Municipal Class Environmental Assessment, which is a planning process approved under Ontario's *Environmental Assessment Act*.

I-3

Hi Madam Mayor,

COUNCIL AGENDA
DEC 11 2013

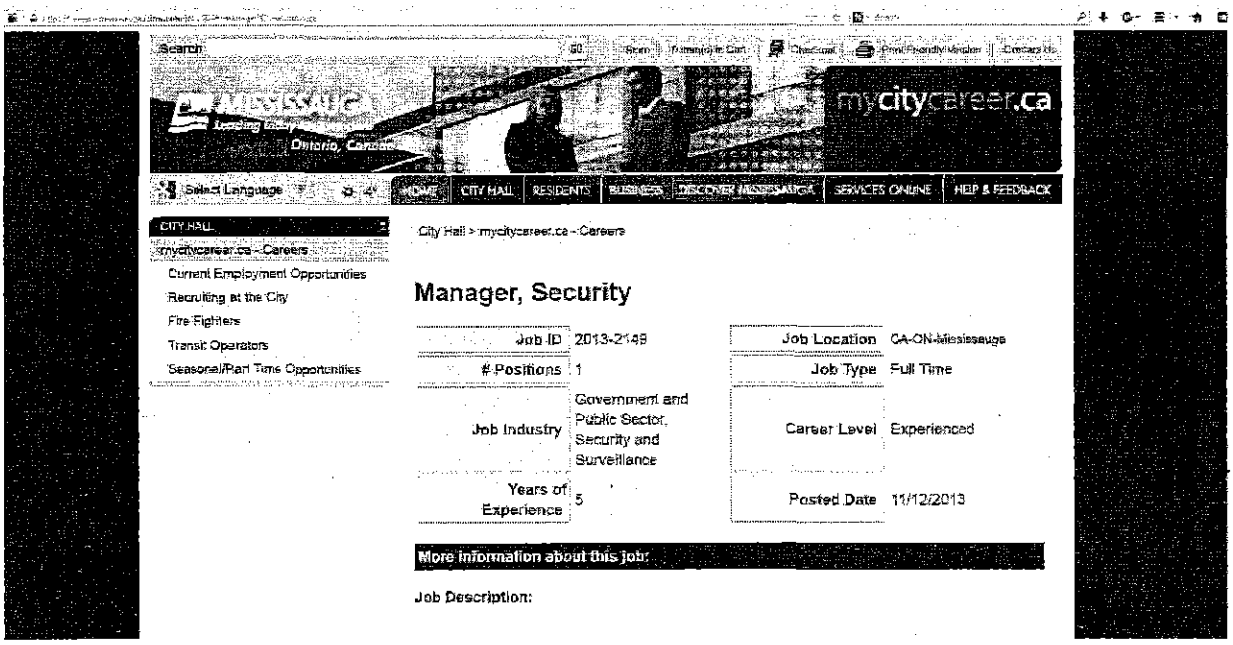
I hope that you are well.

Please forgive my haste and know that the supporting evidence (Freedom of Information and audio/video) can be prepared and brought forth in good time, but right now it is more important to bring this urgent request to your attention before a decision is made.

On November 12, 2013, as a result of receiving an email advising me that the City could not reveal the name of a City of Mississauga Corporate Security (MissCorpSec) Area Manager, I went to your website at mississauga.ca to see if I could find a name that way.

As is my practice I checked your Jobs and Careers page.

Imagine my SHOCK finding the job, "Manager, Security" posted the very same day!



Madam Mayor, you, Council, and the City Manager, MUST NOT fill the Manager, Security position internally.

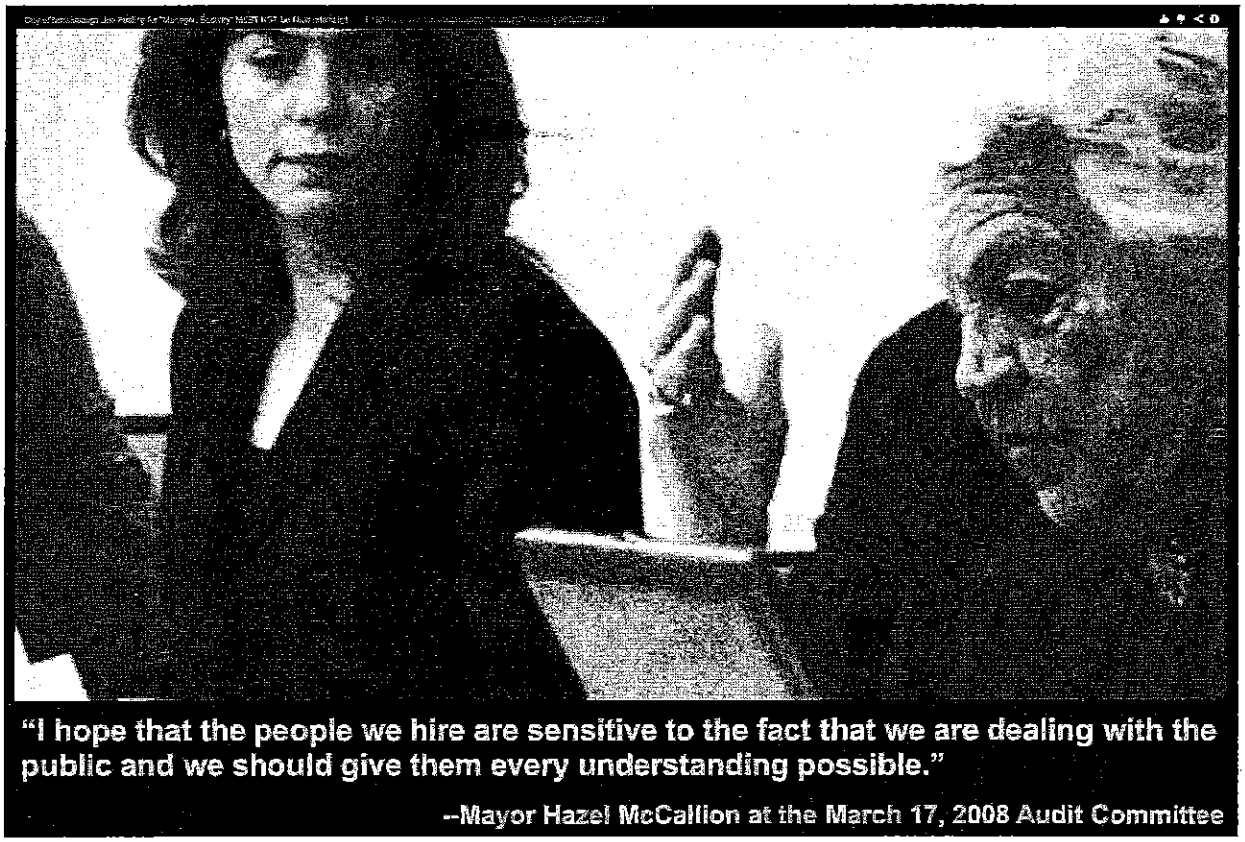
I remind you of an instruction you gave to Staff (and especially Jamie Hillis) at the March 17, 2008 Audit Committee meeting. Recall that you were reviewing the first-ever Security public complaints procedure and you said how important this document was.

And then, you pointedly told all there, "I hope that the people we hire are sensitive to the fact that we are dealing with the public and we should give them every understanding possible."

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

I-3a

To which Jamie Hillis responded, "Yes. Absolutely." It takes the most cursory of looks at City of Mississauga Corporate Security's "CSIS" database to confirm that "Yes. Absolutely." was a lie.



Another lie was that the City does not collect records on Ethnicity.

Your April 16, 2007 email to me states:

> "Contrary to your allegations, it is because the City does not discriminate on the basis of age and ethnicity that there are no records to be found based on such categories."

I know you didn't write that Madam Mayor, but someone on Staff turned you into a liar. That's why I wanted a name. I still want the name of the individual who made that statement. It's a blatant lie -- a lie that extends all the way back to at least January 2006. Corporate Security collected a lot more personal information on citizens than just Age and Ethnicity.

And ready for this? Remember that 9/10 year old girl that Security banned for 30 days from three facilities at once? Turns out she wasn't the youngest! The MissCorpSec "CSIS" database confirms they banned an 8 year old boy for 30 days as well.

So much for the Peel Youth Charter...

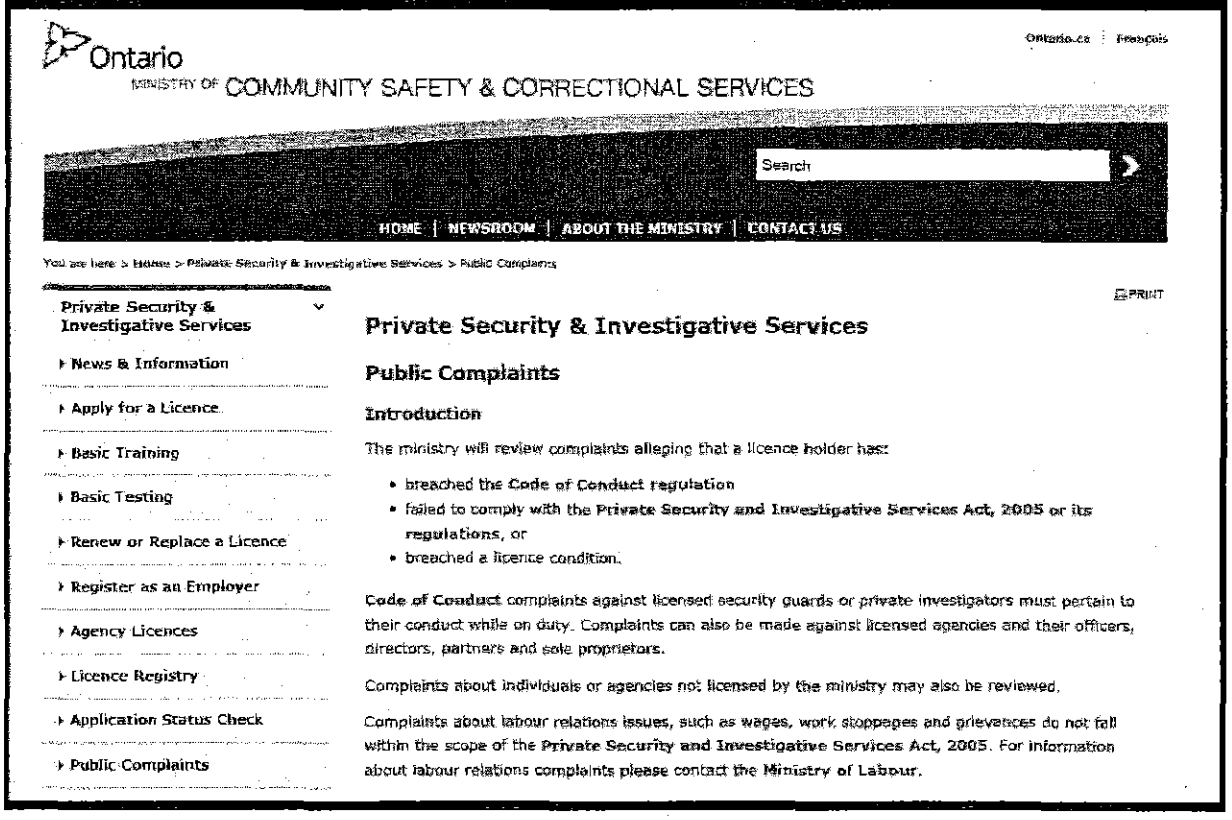
I'm asking that you, Madam Mayor, personally oversee the hiring of the new Manager of City of Mississauga Corporate Security. There is not enough time right now to explain why all MissCorpSec's SAMs (Security Area Managers) need to be replaced, and for that matter, Supervisors as well.

One step at a time, and the very best thing you can do for youth/citizens is to poach a new Security Manager who is "sensitive to the fact that we are dealing with the public" and "will give them every understanding possible."

This implies that the candidate would have a high standard of ethics and would be willing, and ideally eager, to submit to the Province's public complaints procedure under Bill 159.

As far as MISSISSAUGAWATCH can determine, City of Mississauga Corporate Security is the only Ontario municipal security operation *exempt* from the Ministry of Community Safety & Correctional Services public complaints process under Bill 159 Private Security and Investigative Services Act, 2005.

***Instead, citizens must submit to a Staff-drafted public complaints process where Security investigate themselves* (confirmed through Freedom of Information, emails and interview with Director Ken Owen).**



Ontario
MINISTRY OF COMMUNITY SAFETY & CORRECTIONAL SERVICES

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Private Security & Investigative Services

Public Complaints

Introduction

The ministry will review complaints alleging that a licence holder has:

- breached the **Code of Conduct** regulation
- failed to comply with the **Private Security and Investigative Services Act, 2005** or its regulations, or
- breached a licence condition.

Code of Conduct complaints against licensed security guards or private investigators must pertain to their conduct while on duty. Complaints can also be made against licensed agencies and their officers, directors, partners and sole proprietors.

Complaints about individuals or agencies not licensed by the ministry may also be reviewed.

Complaints about labour relations issues, such as wages, work stoppages and grievances do not fall within the scope of the **Private Security and Investigative Services Act, 2005**. For information about labour relations complaints please contact the **Ministry of Labour**.

In his book "Her Worship: Hazel McCallion and the Development of Mississauga", author Tom Urbaniak implied that when you go fishing, Madam Mayor, it isn't just for salmon. You've been known to "poach" for City Staff.

On page 4 in his book, Urbaniak states that you have "spared few efforts to recruit seasoned top bureaucrats, sometimes even poaching respected senior provincial public servants."

Madam Mayor, I urge you to poach and ensure we get a new Security Manager "who is sensitive to the

I-3c

fact that he is dealing with the public and should give them every understanding possible".

I've been documenting City of Toronto Corporate Security during Toronto Council meetings (November 13 and 18, 2013). That might be a good place to start...

Respectfully,
MISSISSAUGAWATCH

EXHIBIT 131124 01 "Contrary to your allegations, it is because the City does not discriminate on the basis of age and ethnicity that there are no records to be found based on such categories."
–Mayor Hazel McCallion, April 16, 2007 email

Email from Mayor Hazel McCallion, April 16, 2007 denies that the City (or City of Mississauga Corporate Security) keeps records based on age and ethnicity.

Mayor McCallion wrote, "Contrary to your allegations, it is because the City does not discriminate on the basis of age and ethnicity that there are no records to be found based on such categories." (highlighted in yellow)

At 11:03 AM 4/16/2007 -0400, Hazel McCallion wrote:
April 16, 2007
Our File: 07/030

You have also taken issue with my earlier statement that the City treats all its residents fairly regardless of language or ethnicity. You alleged that because there is no detail on any security reports based on age and ethnicity, I had no basis to make this statement. You also made other comments and references to instances that took place in the Brampton courts to substantiate your assertions. Contrary to your allegations, it is because the City does not discriminate on the basis of age and ethnicity that there are no records to be found based on such categories. I can also see no correlation between your speculative comments or such instances occurring outside of our City and your suggestion that the City is not treating its residents fairly, as I have indicated earlier.

Finally, you asked if I could help expedite the process of having you listed as a deputant. I understand that, at this time of writing, Ms. Crystal Greer, City Clerk, has responded to your request in this regard.

Sincerely,

HAZEL MCCALLION, C.M.
MAYOR

cc: Members of Council
Janice Baker, City Manager
Brenda Breault, Commissioner of Corporate Services & Treasurer
Mary Ellen Bench, City Solicitor
Crystal Greer, City Clerk

I-3d

EXHIBIT 131124 02 Print screen of City of Mississauga Corporate Security "CSIS" database.

Despite heated, chronic denials by the City, Freedom of Information eventually confirmed that City of Mississauga Security also kept records on ethnicity in Column "R" under the heading "Complexion".

Not only that but since January 1, 2006 the "CSIS" database had Caucasian spelled "Caucasion" and it would seem City of Mississauga Corporate Security also thinks that European is a complexion.

Print screen of City of Mississauga Corporate Security "CSIS" database

Despite heated, chronic denials by the City, Freedom of Information eventually confirmed that the City of Mississauga kept records on ethnicity in Column "R" under the heading "Complexion".

Not only that but since January 1, 2006, the "CSIS" database had Caucasian spelled "Caucasion" and it would seem that City of Mississauga Corporate Security also thinks that European is a complexion.

	P	Q	R	S	T	U
1	trBanningIssuedBy	EndedBy	ExternalSol	numComplexion	numSex	lbAgeRang	numArrestLevelOfForce
1401	Warburton		Black	Male	16 - 20	
1402	Elliott		East Indian	Female	11 - 15	
1403	Mercier		Caucasion	Male	36 - 40	
1404	Mercier			Male		
1405	Walczykiewicz		Caucasion	Male	36 - 40	
1406	Walczykiewicz		Caucasion	Female	36 - 40	
1407	Sandhi		East Indian	Male	36 - 40	(Escort/Holds)
1408	Elliott		Black	Female	26 - 30	
1409	Berazategui		Caucasion	Male	11 - 15	
1410	Kaschuk		East Indian	Male	11 - 15	
1411	Kaschuk		East Indian	Male	11 - 15	
1412	Kaschuk					
1413	Berazategui		West Indian	Male	16 - 20	
1414	Harding, J		Caucasion	Male	16 - 20	Handcuffs
1415	Mercier					
1416	Mercier					
1417	Mercier		Caucasion	Male	41 - 45	
1418	Berazategui		East Indian	Male	16 - 20	
1419	Mercier		Caucasion	Male	41 - 45	Handcuffs
1420	Berazategui		East Indian	Male	16 - 20	
1421	Berazategui		East Indian	Male	16 - 20	
1422	Berazategui		East Indian	Male	16 - 20	
1423	Williamson, D		European	Male	21 - 25	
1424	Williamson, D		European	Male	21 - 25	
1425	Williamson, D		European	Female	21 - 25	
1426	Williamson, D		European	Female	21 - 25	

EXHIBIT 131124 03 3/19/2007 -0400, March 19, 2007 email Our File: 07/030

"In any event, please be advised that the City treats all its residents fairly regardless of language or ethnicity."

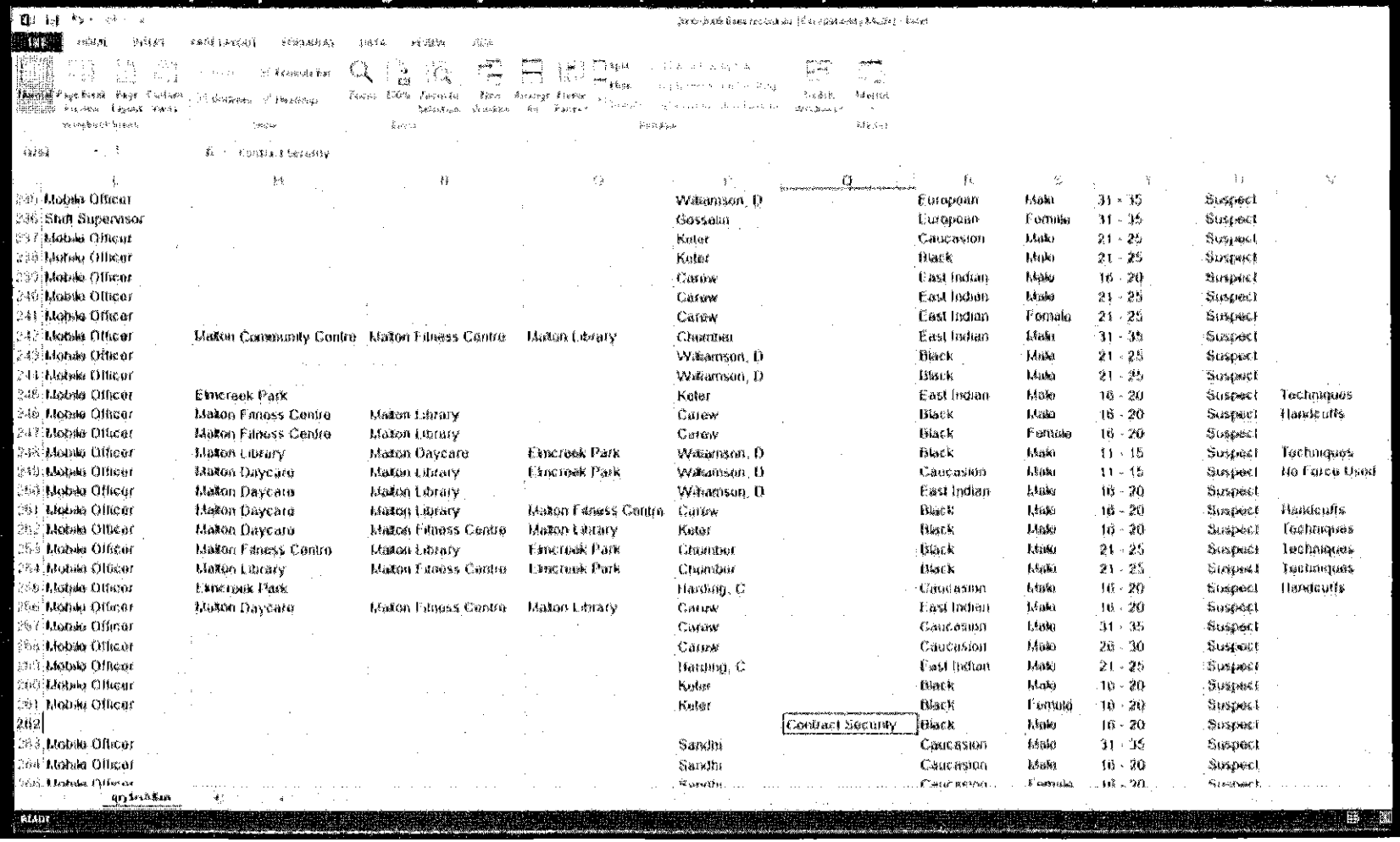
The fact is, the City does NOT treat "residents fairly regardless of language or ethnicity".

For example, if you are banned or arrested by "Contract Security" on City property (see below), you can file a complaint with the province under Bill 159. Not so if you're unfortunate enough meet up with a City of Mississauga Corporate Security guard. You are then denied that route and can only "complain" through the City's Staff-drafted public complaints process –where the Security bosses "investigate" –a Freedom of Information confirmed Road to Nowhere.

"In any event, please be advised that the City treats all its residents fairly regardless of language or ethnicity."
--Mayor Hazel McCallion email 3/19/2007 -0400, March 19, 2007 Our File: 07/030

The fact is, the City does NOT treat "residents fairly regardless of language or ethnicity".

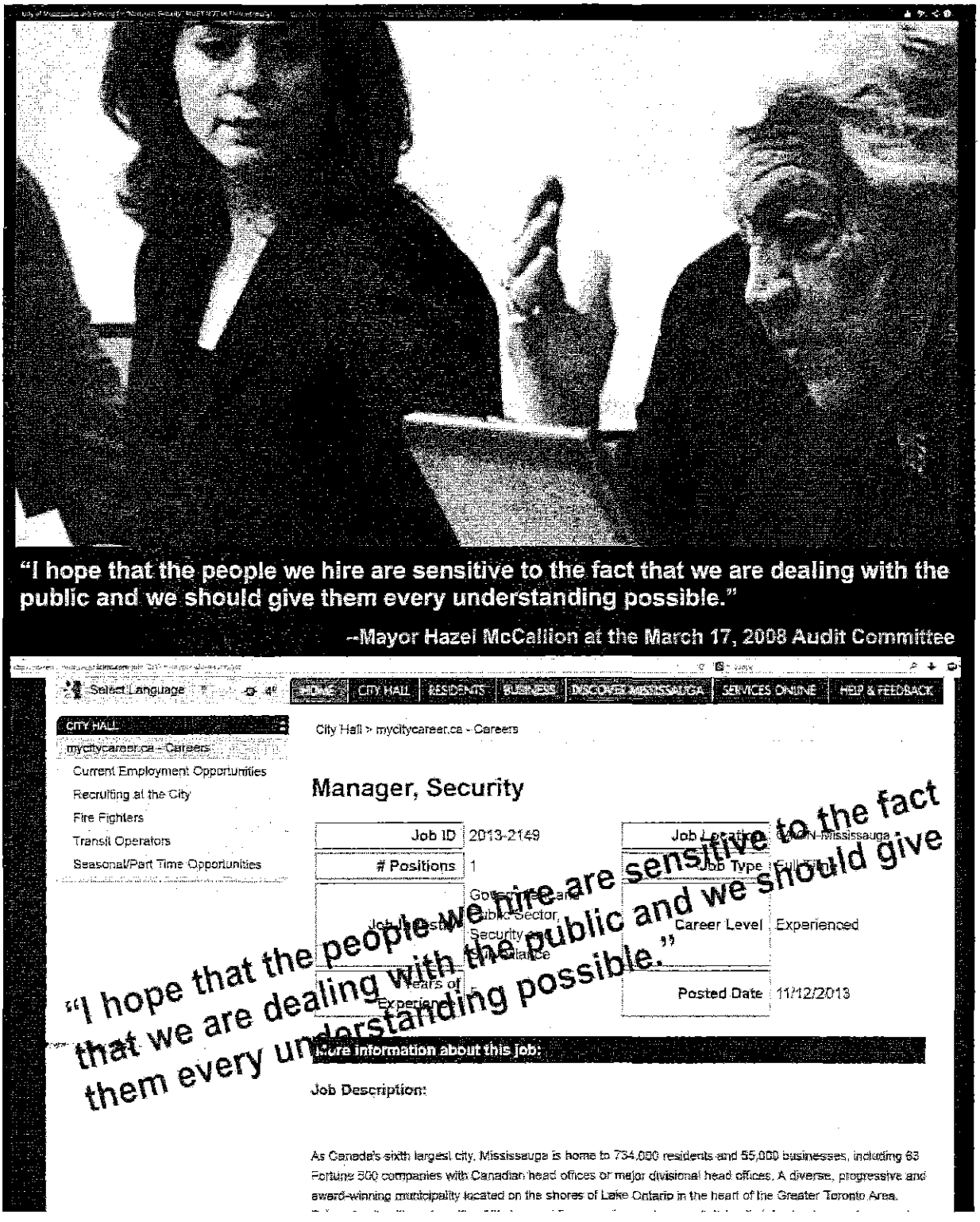
For example, if you are banned or arrested by "Contract Security" on City property (see below), you can file a complaint with the province under Bill 159. Not so if you're unfortunate enough meet up with a City of Mississauga Corporate Security guard. You are then denied that route and can only "complain" through the City's Staff-drafted public complaints process --where the Security bosses "investigate"...



240	Mobile Officer				Williamson, D		European	Male	31 - 35	Suspect	
236	Shift Supervisor				Gossain		European	Female	31 - 35	Suspect	
237	Mobile Officer				Kuter		Caucasion	Male	21 - 25	Suspect	
238	Mobile Officer				Kuter		Black	Male	21 - 25	Suspect	
239	Mobile Officer				Carow		East Indian	Male	16 - 20	Suspect	
240	Mobile Officer				Carow		East Indian	Male	21 - 25	Suspect	
241	Mobile Officer				Carow		East Indian	Female	21 - 25	Suspect	
242	Mobile Officer	Malton Community Centre	Malton Fitness Centre	Malton Library	Chumbar		East Indian	Male	31 - 35	Suspect	
243	Mobile Officer				Williamson, D		Black	Male	21 - 25	Suspect	
244	Mobile Officer				Williamson, D		Black	Male	21 - 25	Suspect	
245	Mobile Officer	Elmcreek Park			Kuter		East Indian	Male	16 - 20	Suspect	Techniques
246	Mobile Officer	Malton Fitness Centre	Malton Library		Carow		Black	Male	16 - 20	Suspect	Handcuffs
247	Mobile Officer	Malton Fitness Centre	Malton Library		Carow		Black	Female	16 - 20	Suspect	
248	Mobile Officer	Malton Library	Malton Daycare	Elmcreek Park	Williamson, D		Black	Male	11 - 15	Suspect	Techniques
249	Mobile Officer	Malton Daycare	Malton Library	Elmcreek Park	Williamson, D		Caucasion	Male	11 - 15	Suspect	No Force Used
250	Mobile Officer	Malton Daycare	Malton Library		Williamson, D		East Indian	Male	16 - 20	Suspect	
251	Mobile Officer	Malton Daycare	Malton Library	Malton Fitness Centre	Carow		Black	Male	16 - 20	Suspect	Handcuffs
252	Mobile Officer	Malton Daycare	Malton Fitness Centre	Malton Library	Kuter		Black	Male	16 - 20	Suspect	Techniques
253	Mobile Officer	Malton Fitness Centre	Malton Library	Elmcreek Park	Chumbar		Black	Male	21 - 25	Suspect	Techniques
254	Mobile Officer	Malton Library	Malton Fitness Centre	Elmcreek Park	Chumbar		Black	Male	21 - 25	Suspect	Techniques
255	Mobile Officer	Elmcreek Park			Harding, C		Caucasion	Male	16 - 20	Suspect	Handcuffs
256	Mobile Officer	Malton Daycare	Malton Fitness Centre	Malton Library	Carow		East Indian	Male	16 - 20	Suspect	
257	Mobile Officer				Carow		Caucasion	Male	31 - 35	Suspect	
258	Mobile Officer				Carow		Caucasion	Male	26 - 30	Suspect	
259	Mobile Officer				Harding, C		East Indian	Male	21 - 25	Suspect	
260	Mobile Officer				Kuter		Black	Male	16 - 20	Suspect	
261	Mobile Officer				Kuter		Black	Female	16 - 20	Suspect	
262						Contract Security	Black	Male	16 - 20	Suspect	
263	Mobile Officer				Sandhi		Caucasion	Male	31 - 35	Suspect	
264	Mobile Officer				Sandhi		Caucasion	Male	16 - 20	Suspect	
265	Mobile Officer				Sandhi		Caucasion	Female	16 - 20	Suspect	

I-3e

I-34



Cc Jim Tovey; Pat Mullin; Chris Fonseca; Frank Dale; Ron Starr; Nando Iannicca; Katie Mahoney; Pat Saito; Sue McFadden; George Carlson; John Stewart (Mississauga News); Emil Kolb; Ontario Ombudsman Andre Marin,

Cc: Crystal Greer; MISSISSAUGAWATCH

I-4

COUNCIL AGENDA
DEC 11 2013

Office of the City Clerk

November 26, 2013

City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

Dear Sir or Madam,

RE: CITY OF KINGSTON COUNCIL MEETING – NOVEMBER 19, 2013
NEW MOTION (4)

I would confirm that Kingston City Council at its regular meeting held on November 19, 2013, approved the following resolution, being New Motion (4):

(4) *Moved by Mayor Gerretsen*
Seconded by Deputy Mayor Berg
WHEREAS *the Ontario Municipal Board (OMB), under member Sylvia Sutherland, rendered a decision on November 08, 2013 to establish Kingston municipal electoral districts to include post-secondary student population estimates; and*
WHEREAS *the OMB is a provincial body that makes decisions on behalf of municipalities with provincial implications; and*
WHEREAS *no municipality with a university or college in Ontario currently uses post-secondary student population estimates when establishing electoral boundaries; and*
WHEREAS *the province of Ontario does not use post-secondary student population estimates when establishing provincial electoral ridings; and*
WHEREAS *the City of Kingston is now in a position to advocate for this OMB decision to become the standard for how the province of Ontario and all municipalities with colleges and universities across Ontario factor in post-secondary student population estimates in their electoral boundaries; and*
WHEREAS *the OMB decision now sets a new standard for all municipalities in Ontario; and*
WHEREAS *the province of Ontario should adhere to this decision made by the OMB as a provincial body;*
THEREFORE BE IT RESOLVED THAT *the City of Kingston advocate to the Government of Ontario to amend their provincial electoral riding boundaries to reflect the OMB decision rendered in Kingston and call for all municipalities with colleges and universities to factor in post-secondary student population estimates when establishing electoral boundaries; and*

The Corporation of the City of Kingston
216 Ontario Street, Kingston ON K7L 2Z3
Phone: (613) 546-4291 ext. 1247 Fax: (613) 546-5232 jbolognone@cityofkingston.ca

I-4a

THAT *a copy of this resolution be distributed to the following:*

1. *All municipalities in Ontario with post-secondary institutions;*
2. *The Premier of Ontario;*
3. *The Ontario Minister of Municipal Affairs and Housing;*
4. *All Members of Provincial Parliament;*
5. *The Ontario Municipal Board;*
6. *The Council of Ontario Universities; and*
7. *Colleges Ontario*

CARRIED

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

John Bolognone
City Clerk
/js

I-5

uniongas
A Spectra Energy Company

November 28, 2013

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

VIA COURIER

TO: ***ALL Clerks of Municipalities***

Union Gas filed an application with the Ontario Energy Board ("the Board") on October 22, 2013 seeking changes to Union's regulated gas distribution, transmission and storage services effective January 1, 2014.

Enclosed is a copy of the application, as well as a copy of the Notice of Application in English and in French issued by the Board on November 22, 2013 under Docket No. EB-2013-0365.

Yours truly,

Chris Ripley
Manager, Regulatory Applications

Encl.

I-5a

October 22, 2013

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: EB-2013-0365 – Union Gas Limited – 2014 Rates Application

Please find attached an application from Union Gas Limited ("Union") seeking changes to Union's regulated gas distribution, transmission and storage services effective January 1, 2014.

Union's supporting evidence will be filed at a later date. The application has been filed in advance of the evidence to expedite the application process.

If the proposed rate changes are approved by the Board the total bill increase for a typical Southern Operations residential customer consuming 2,200 m^3 per year would amount to $1 - $2 per year. For a typical Northern or Eastern Operations customer consuming 2,200 m^3 per year, the total bill decrease would amount to $16 - $20 per year.

Union seeks the Board's issuance of the final Rate Order by November 30, 2013 to ensure the implementation of 2014 rates by January 1, 2014. In the event that the Board does not issue a rate order by November 30, 2013 for implementation by Union on January 1, 2014, Union seeks an Order of the Board declaring Union's rates in effect as of December 31, 2013, interim as of January 1, 2014. It will be Union's proposal in this matter to deal with any retrospective impact of the delayed implementation through a rate rider for general service rate classes and a onetime adjustment for all other rate classes, which will recover any changes in rates ultimately approved by the Board's order with effect from January 1, 2014.

Yours truly,

[Original signed by]

Chris Ripley
Manager, Regulatory Applications

c.c.: EB-2013-0202 Intervenors
Crawford Smith, Torys

I-5b

Filed: 2013-10-22
EB-2013-0365

ONTARIO ENERGY BOARD

IN THE MATTER OF the Ontario Energy Board Act, 1998, S.O. 1998, c.15 (Sched. B);

AND IN THE MATTER OF an Application by Union Gas Limited, pursuant to section 36(1) of the *Ontario Energy Board Act, 1998*, for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas as of January 1, 2014.

APPLICATION

1. Union Gas Limited ("Union") is a business corporation incorporated under the laws of the province of Ontario, with its head office in the Municipality of Chatham-Kent.

2. Union conducts both an integrated natural gas utility business that combines the operations of distributing, transmitting and storing natural gas, and a non-utility storage business.

3. Union was an applicant in a proceeding before the Board for an order of the Board approving or fixing a multi-year incentive rate mechanism ("IRM") to determine rates for the regulated distribution, transmission and storage of natural gas. The Board assigned EB-2013-0202 to Union's application.

4. Union filed an IRM application with the Board on July 31, 2013. The application was supported by a comprehensive Settlement Agreement (the "Agreement") between Union and stakeholders. The stakeholders party to the Agreement were parties who participated in Union's 2008-2012 IRM proceeding and in the annual rate proceedings throughout the last IRM term. The proposed IRM parameters found in the Agreement were further supported by evidence and reports. The Board approved the Agreement on October 7, 2013.

I-5c

5. Union's Board-approved Agreement sets out a multi-year incentive ratemaking mechanism ("IRM") for calendar years 2014 to 2018. The framework includes a price cap index ("PCI"), where rates are a function of: an inflation factor ("I"), a productivity factor ("X"), certain non-routine adjustments (Z factors), certain predetermined pass-throughs (Y factors), and an adjustment for normalized average consumption ("NAC") to reflect changes in consumption in the General Service rate classes.

6. The IRM approved for Union contemplates the filing by Union of an application for Z factor adjustments, structural rate design changes or the pricing of new regulated services in a time frame that will enable these issues to be resolved in sufficient time to be reflected prospectively in the next year's rates. This requires the filing of a draft Rate Order with supporting documentation which reflects the impact of the PCI pricing formula so that a final Rate Order will be issued for implementation by January 1, 2014.

7. Union hereby applies to the Board, pursuant to section 36 of the Act and pursuant to the annual rate-setting process underlying the IRM in the Agreement, for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas effective January 1, 2014.

8. Union further applies to the Board for all necessary orders and directions concerning pre-hearing and hearing procedures for the determination of this application.

9. This application is supported by written evidence that will be filed with the Board and may be amended from time to time as circumstances may require.

10. The persons affected by this application are the customers resident or located in the municipalities, police villages and Indian reserves served by Union, together with those to whom Union sells gas, or on whose behalf Union distributes, transmits or stores gas. It is impractical to set out in this application the names and addresses of such persons because they are too numerous.

11. The address of service for Union is:

Union Gas Limited

P.O. Box 2001
50 Keil Drive North
Chatham, Ontario
N7M 5M1

Attention:	Chris Ripley Manager, Regulatory Applications
Telephone:	(519) 436-5476
Fax:	(519) 436-4641

- and -

Torys

Suite 3000, Maritime Life Tower
P.O. Box 270
Toronto Dominion Centre
Toronto, Ontario
M5K 1N2

Attention:	Crawford Smith
Telephone:	(416) 865-8209
Fax:	(416) 865-7380

DATED October 22, 2013.

UNION GAS LIMITED

[Original signed by]

Chris Ripley
Manager, Regulatory Applications

I-Se

ONTARIO ENERGY BOARD NOTICE TO CUSTOMERS OF UNION GAS LIMITED

Union Gas Limited has applied to change its natural gas rates effective January 1, 2014
Learn more. Have your say.

Union Gas Limited has applied to the Ontario Energy Board to change its natural gas rates effective January 1, 2014. Under the proposal, residential customers of Union Gas in Southern Ontario (those from Windsor to Hamilton) would see an increase of $1.55 (0.2%) to their average annual bill. Residential customers in all the other areas served by Union Gas would see a decline ranging from $16.54 to $19.76 (1.9% to 2.1%) to their average annual bill. Other customers, including businesses, may also be affected. In addition, Union has proposed to gradually allow large volume direct purchase customers to shift their natural gas delivery obligation from Parkway to Dawn.

THE ONTARIO ENERGY BOARD WILL HOLD A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider Union Gas' request. We will question the company on its case for a rate change. We will also hear arguments from individuals and from groups that represent Union Gas customers. At the end of this hearing, the OEB will decide what, if any, rate changes will be allowed.

Union Gas' application is based on an Incentive Ratemaking Framework previously approved by the Board for the period 2014-18. The rates are based on an adjustment formula that incorporates inflation and a productivity factor.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process. You can:

- review Union Gas Limited's application on the OEB's website now.
- sign up to observe the proceeding by receiving OEB documents related to the hearing.
- file a letter with your comments, which will be considered during the hearing.
- become an active participant (called an intervenor). Apply by **December 16, 2013** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- at the end of the process, review the OEB's decision and its reasons on our website.

LEARN MORE

The proposed charges relate to Union Gas Limited's distribution, storage and transmission rates. Our file number for this case is EB-2013-0365. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case please enter that file number at the OEB website: www.ontarioenergyboard.ca/notice. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB will determine at a later date whether to proceed by way of a written or oral hearing.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and email address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.

This rate hearing will be held under section 36 of the Ontario Energy Board Act, S.O. 1998 c.15 (Schedule B).

Ontario

Ontario Energy Board / Commission de l'énergie de l'Ontario

A - English - 8"
NOT STANDARD TEMPLATE, DO NOT USE
Not standard style. Ad style is following what was given by the client.

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	Date: November 25, 2013 11:08 AM		Operator: Aaron
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I-5f

AVIS DE LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO AUX CLIENTS DE UNION GAS LIMITED

Union Gas Limited a déposé une requête en vue d'obtenir une modification de ses tarifs de gaz naturel, entrant en vigueur au 1er janvier 2014. Apprenez-en plus. Donnez votre avis.

Union Gas Limited a déposé une requête auprès de la Commission de l'énergie de l'Ontario en vue d'obtenir une modification de ses tarifs de gaz naturel, entrant en vigueur au 1er janvier 2014. Avec l'adoption de cette proposition, les consommateurs résidentiels de Union Gas du sud de l'Ontario (de Windsor à Hamilton) verraient leur facture annuelle moyenne augmenter de 1,55 $ (0,2 %). Les consommateurs résidentiels de tous les autres secteurs desservis par Union Gas constateront une baisse au niveau de leur facture annuelle moyenne allant de 16,54 $ à 19,76 $ (de 1,9 % à 2,1 %). Les autres clients, y compris les entreprises, pourraient également être concernés. De plus, Union Gas a proposé de permettre progressivement aux clients en achat direct de grands volumes de transférer leurs obligations de livraison de gaz naturel de Parkway à Dawn.

LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO VA TENIR UNE AUDIENCE PUBLIQUE

La Commission de l'énergie de l'Ontario (CEO) tiendra une audience publique afin d'étudier la demande de Union Gas. Nous demanderons à la société de justifier la nécessité d'un changement tarifaire. Nous écouterons également les arguments des individus et des groupes représentant la clientèle de Union Gas. À l'issue de cette audience, la CEO décidera du bien-fondé d'un changement tarifaire et, le cas échéant, du montant du changement tarifaire à venir.

La demande de Union Gas repose sur un cadre de régulation incitatif précédemment approuvé par la Commission pour la période 2014-2018. Les tarifs sont établis selon une formule de rajustement calculé en fonction de l'inflation et un facteur de productivité.

La Commission de l'énergie de l'Ontario est une agence publique indépendante et impartiale. Les décisions que nous prenons visent à servir au mieux l'intérêt public. Notre objectif est d'encourager le développement d'un secteur de l'énergie efficace et financièrement viable afin d'offrir des services énergétiques fiables à un prix raisonnable.

INFORMEZ-VOUS ET DONNEZ VOTRE AVIS

Vous avez le droit d'être informé au sujet de cette demande et de participer au processus. Vous pouvez :

- examiner la demande de Union Gas Limited sur le site Web de la CEO dès maintenant;
- vous inscrire à titre d'observateur pour recevoir les documents de la CEO relatifs à l'audience;
- déposer une lettre de commentaires qui sera prise en compte au cours de l'audience;
- participer activement au processus (à titre d'intervenant). Inscrivez-vous avant le **16 décembre 2013**, faute de quoi l'audience aura lieu sans votre participation et vous ne recevrez plus d'avis dans le cadre de la présente affaire;
- examiner la décision rendue par la CEO à l'issue de la procédure, ainsi que ses justifications, sur notre site Web.

APPRENEZ-EN PLUS

Les tarifs proposés sont relatifs aux tarifs de distribution, de stockage et de transport de Union Gas Limited. Notre numéro de dossier pour cette affaire est EB-2013-0365. Pour obtenir de plus amples renseignements sur cette audience, sur les démarches à suivre pour déposer une lettre ou participer en tant qu'intervenant, ou pour consulter les documents relatifs à cette affaire, veuillez saisir ce numéro de dossier sur le site Web de la CEO : www.ontarioenergyboard.ca/notice. Pour toute question, vous pouvez également communiquer avec notre centre des relations avec les consommateurs au 1-877-632-2727.

AUDIENCES ORALES ET AUDIENCES ÉCRITES

Il existe deux types d'audiences à la CEO : les audiences écrites et les audiences orales. La CEO décidera ultérieurement de traiter l'affaire par voie d'audience orale ou écrite.

PROTECTION DES RENSEIGNEMENTS PERSONNELS

Si vous écrivez une lettre de commentaires, votre nom et le contenu de cette lettre apparaîtront dans le dossier public et sur le site Web de la CEO. Toutefois, votre numéro de téléphone, votre adresse et votre adresse électronique ne seront pas rendus publics. Si vous représentez une entreprise, tous les renseignements de l'entreprise demeureront accessibles au public. Si vous participez à titre d'intervenant, tous vos renseignements personnels seront rendus publics.

Cette audience sur les tarifs sera tenue en vertu de l'article 36 de la Loi de 1998 sur la Commission de l'énergie de l'Ontario, L.O. 1998, chap. 15 (annexe B).

Ontario

Ontario Energy Board | Commission de l'énergie de l'Ontario

D - French - 8"
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Not standard style. Ad style is following what was given by the client.
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day | Job#: D94-UNG-008_FR_8_D.indd | Version: 1a | Date: November 25, 2013 11:11 AM | Operator: Aaron | Size: 8 in X 11.4654 in | Lines: 161 | Page: 1

I-6

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel. 416-585-7000
Fax 416-585-6470
www.ontario.ca/MAH

Ministère des Affaires municipales et du Logement

Bureau du ministre

777, rue Bay, 17e étage
Toronto ON M5G 2E5
Tél. 416-585-7000
Téléc. 416-585-6470
www.ontario.ca/MAH

Ontario

COUNCIL AGENDA
DEC 11 2013

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☑ Corporate Services Finance D10 ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☐ Information ☐ Reply ☐ Report

13-4377

Dear Head of Council:

I am pleased to provide you with the requirements for the 2013 Municipal Performance Measurement Program (MPMP) in the attached list of measures and schedule. The program contributes to improved delivery of municipal services across Ontario by providing a standardized set of efficiency and effectiveness measures for key service areas. By reporting MPMP results to the public, Ontario municipalities are achieving a level of transparency and accountability which has gained both national and international recognition.

All municipalities are required to report data for 2013 MPMP measures to the Ministry by May 31, 2014 and to the public by September 30, 2014. Municipalities are asked to notify their regional Municipal Services Office of the date when and method how they reported their MPMP results to the public. Municipalities determine the best way to report to the public and can use the reporting templates provided by the Ministry.

For the 2013 reporting year, MPMP measures are the same as those for 2012 – with the exception of measures for Building Permits and Inspection Services. After reviewing historical MPMP data, and in consultation with municipal experts, the Ministry has revised these measures so that they provide a clearer picture of municipal practices.

The MPMP is a tool for comparison of results, which can help start a dialogue and advance local government priorities of efficiency and effectiveness in service delivery and accountability to the public. All MPMP data submitted by municipalities in previous years are available to the public on the Internet at: http://csconramp.mah.gov.on.ca/fir/ViewSchedules.htm.

Program data are also used by the Ontario Municipal Knowledge Network (OMKN) as a starting point to identify innovative municipal practices that are then shared among municipalities. The OMKN is administered by the Association of Municipalities of Ontario (AMO), with a mandate to enable information sharing to improve municipal services.

I-6a

I also invite municipalities to subscribe to the Municipal Information Data and Analysis System (MIDAS), AMO's web-based software tool for the municipal sector. MIDAS provides municipalities with free access to MPMP and Financial Information Return data to enable staff to perform year-over-year comparisons of your municipality's data and to generate comparisons with other municipalities of your choice. Please email AMO directly at *MIDASadmin@amo.on.ca* to receive your MIDAS password.

As you may be aware, the Ministry is making adjustments to how the MPMP is administered. The Ministry will be working closely with the municipal sector as we move forward.

Thank you for your on-going work to achieve greater efficiency and effectiveness in providing public services through your participation in measuring and reporting municipal performance.

Sincerely,

Linda Jeffrey
Minister

Attachments

c: Chief Administrative Officer
Municipal Treasurer/Clerk-Treasurer
MPMP Advisory Committee Members

List of Measures for 2013 Reporting Year

CHART

Municipal Performance Measurement Program (MPMP)

GENERAL GOVERNMENT

1.1

a) Operating costs for governance and corporate management as a percentage of total municipal operating costs.

b) Total costs for governance and corporate management as a percentage of total municipal costs.*

PROTECTION

Fire

2.1

a) Operating costs for fire services per $1,000 of assessment.

b) Total costs for fire services per $1,000 of assessment.*

2.2 Number of residential fire related civilian injuries per 1,000 persons.

2.3 Number of residential fire related civilian injuries averaged over 5 years per 1,000 persons.

2.4 Number of residential fire related civilian fatalities per 1,000 persons.

2.5 Number of residential fire related civilian fatalities averaged over 5 years per 1,000 persons.

2.6 Number of residential structural fires per 1,000 households.

Police

3.1

a) Operating costs for police services per person.

b) Total costs for police services per person.*

I-6c

3.2 Violent crime rate per 1,000 persons.

3.3 Property crime rate per 1,000 persons.

3.4 Total crime rate per 1,000 persons (Criminal Code offences, excluding traffic).

3.5 Youth crime rate per 1,000 youths.

BUILDING PERMITS AND INSPECTION SERVICES

4.1

a) Operating costs for building permits and inspection services per $1,000 of construction activity, averaged over three years (based on permits issued)

b) Total costs for building permits and inspection services per $1,000 of construction activity, averaged over three years (based on permits issued)

4.2

Median number of days to review a complete building permit application and issue a permit or not issue a permit, and provide all reasons for refusal, by category:

Category 1: Houses (houses not exceeding 3 storeys/600 square metres)

Reference: provincial standard is 10 working days

Category 2: Small Buildings (small commercial/industrial not exceeding 3 storeys/600 square metres)

Reference: provincial standard is 15 working days

Category 3: Large Buildings (large residential/commercial/industrial/ institutional)

Reference: provincial standard is 20 working days

Category 4: Complex Buildings (post disaster buildings including hospitals, power/water, fire/police/EMS, communications)

Reference: provincial standard is 30 working days

4.3

a) The number and percentage of building permit applications which are submitted and accepted by the municipality as complete applications, by

category, and

b) The number and percentage of building permit applications submitted and accepted by the municipality as incomplete applications, by category, and

c) The subtotal for the number of complete and incomplete building permit applications, by category:

Category 1: Houses (houses not exceeding 3 storeys/600 square metres)

Category 2: Small Buildings (small commercial/industrial not exceeding 3 storeys/600 square metres)

Category 3: Large Buildings (large residential/commercial/industrial/institutional)

Category 4: Complex Buildings (post disaster buildings including hospitals, power/water, fire/police/EMS, communications)

4.4

The total number of building permit applications submitted and accepted by the municipality (all categories).

TRANSPORTATION

Roadways

5.1

a) Operating costs for paved (hard top) roads per lane kilometre.

b) Total costs for paved (hard top) roads per lane kilometre.*

5.2

a) Operating costs for unpaved (loose top) roads per lane kilometre.

b) Total costs for unpaved (loose top) roads per lane kilometre.*

5.3

a) Operating costs for bridges and culverts per square metre of surface area.

b) Total costs for bridges and culverts per square metre of surface area.*

I-6e

5.4

a) Operating costs for winter control maintenance of roadways, excluding sidewalks and parking lots, per lane kilometre maintained in winter.

b) Total costs for winter control maintenance of roadways, excluding sidewalks and parking lots, per lane kilometre maintained in winter.*

5.5 Percentage of paved lane kilometres where the condition is rated as good to very good.

5.6 Percentage of bridges and culverts where the condition is rated as good to very good.

5.7 Percentage of winter events where the response met or exceeded locally determined municipal service levels for road maintenance.

Transit

6.1

a) Operating costs for conventional transit per regular service passenger trip.

b) Total costs for conventional transit per regular service passenger trip.*

6.2 Number of conventional transit passenger trips per person in the service area in a year.

ENVIRONMENT

Wastewater

7.1

a) Operating costs for the collection/conveyance of wastewater per kilometre of wastewater main.

b) Total costs for the collection/conveyance of wastewater per kilometre of wastewater main.*

7.2

a) Operating costs for the treatment and disposal of wastewater per megalitre.

b) Total costs for the treatment and disposal of wastewater per megalitre.*

7.3

a) Operating costs for the collection/conveyance, treatment, and disposal of wastewater per megalitre (integrated system).

b) Total costs for the collection/conveyance, treatment, and disposal of wastewater per megalitre (integrated system).*

7.4 Number of wastewater main backups per 100 kilometres of wastewater main in a year.

7.5 Percentage of wastewater estimated to have by-passed treatment.

Storm water

8.1

a) Operating costs for urban storm water management (collection, treatment, disposal) per kilometre of drainage system.

b) Total costs for urban storm water management (collection, treatment, disposal) per kilometre of drainage system.*

8.2

a) Operating costs for rural storm water management (collection, treatment, disposal) per kilometre of drainage system.

b) Total costs for rural storm water management (collection, treatment, disposal) per kilometre of drainage system.*

Drinking water

9.1

a) Operating costs for the treatment of drinking water per megalitre.

b) Total costs for the treatment of drinking water per megalitre.*

9.2

a) Operating costs for the distribution/transmission of drinking water per kilometre of water distribution/transmission pipe.

b) Total costs for the distribution/transmission of drinking water per kilometre of water distribution/transmission pipe.*

9.3

a) Operating costs for the treatment and distribution/transmission of drinking water per megalitre (integrated system).

b) Total costs for the treatment and distribution/transmission of drinking water per megalitre (integrated system).*

9.4 Weighted number of days when a boil water advisory issued by the medical officer of health, applicable to a municipal water supply, was in effect.

9.5 Number of water main breaks per 100 kilometres of water distribution pipe in a year.

Solid Waste

10.1

a) Operating costs for garbage collection per tonne or per household.

b) Total costs for garbage collection per tonne or per household.*

10.2

a) Operating costs for garbage disposal per tonne or per household.

b) Total costs for garbage disposal per tonne or per household.*

10.3

a) Operating costs for solid waste diversion per tonne or per household.

b) Total costs for solid waste diversion per tonne or per household.*

10.4

a) Average operating costs for solid waste management (collection, disposal and diversion) per tonne or per household.

b) Average total costs for solid waste management (collection, disposal and diversion) per tonne or per household.*

10.5 Number of complaints received in a year concerning the collection of garbage and recycled materials per 1,000 households.

10.6 Total number of solid waste management facilities owned by the municipality with a Ministry of Environment certificate of approval.

10.7 Number of days per year when a Ministry of Environment compliance order for remediation concerning an air or groundwater standard was in effect for a municipally owned solid waste management facility, by facility.

10.8 Percentage of residential solid waste diverted for recycling.

10.9 Percentage of residential solid waste diverted for recycling (based on combined residential and ICI tonnage).

PARKS AND RECREATION

11.1

a) Operating costs for parks per person.

b) Total costs for parks per person.*

11.2

a) Operating costs for recreation programs per person.

b) Total costs for recreation programs per person.*

I-6i

11.3

a) Operating costs for recreation facilities per person.

b) Total costs for recreation facilities per person.*

11.4

a) Operating costs for recreation programs and recreation facilities per person (Subtotal).

b) Total costs for recreation programs and recreation facilities per person (Subtotal).*

11.5 Total kilometres of trails and total kilometres of trails per 1,000 persons.

11.6 Hectares of open space and hectares of open space per 1,000 persons (municipally owned).

11.7 Total participant hours for recreation programs per 1,000 persons.

11.8 Square metres of indoor recreation facilities and square metres of indoor recreation facilities per 1,000 persons (municipally owned).

11.9 Square metres of outdoor recreation facility space and square metres of outdoor recreation facility space per 1,000 persons (municipally owned).

LIBRARY SERVICES

12.1

a) Operating costs for library services per person.

b) Total costs for library services per person.*

12.2

a) Operating costs for library services per use.

b) Total costs for library services per use.*

12.3 Library uses per person.

12.4 Electronic library uses as a percentage of total library uses.

12.5 Non-electronic library uses as a percentage of total library uses.

LAND USE PLANNING

13.1 Percentage of new residential units located within settlement areas.

13.2 Percentage of land designated for agricultural purposes which was not re-designated for other uses during the reporting year.

13.3 Percentage of land designated for agricultural purposes which was not re-designated for other uses relative to the base year of 2000.

13.4 Number of hectares of land originally designated for agricultural purposes which was re-designated for other uses during the reporting year.

13.5 Number of hectares of land originally designated for agricultural purposes which was re-designated for other uses since January 1, 2000.

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* Total costs means operating costs as defined by MPMP plus interest on long term debt and amortization on tangible capital assets as reported in the Financial Information Return.

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Schedule for 2013 Reporting Year

SCHEDULE

MUNICIPAL PERFORMANCE MEASUREMENT

Designated by the Minister under Section 299 of the *Municipal Act, 2001* (the "Act")

PROVISION AND PUBLICATION OF DESIGNATED MUNICIPAL INFORMATION

Performance measurement information

1. (1) A municipality shall in respect of each municipal fiscal year provide to the Minister and publish for the taxpayers of the municipality the performance measurement information designated in the attached chart (the "chart"). The chart forms part of this Schedule.

(2) The information provided by a municipality under subsection (1) shall include performance measurement information for any local board of the municipality that provides a public utility, and any planning board, transit commission or police services board of the municipality.

(3) This section does not require an entity described in clause (a), (b), (c) or (d) of subsection 299 (1) of the Act to provide performance measurement information directly to the Minister or to taxpayers.

Timing for provision and publication of information

2. (1) A municipality shall provide the information required by section 1 to the Minister not later than five months after the last day of the fiscal year to which the information relates.

(2) A municipality shall publish the information required by section 1 not later than nine months after the last day of the fiscal year to which the information relates.

Included information, publication and notice to ministry

3. (1) A municipality at a minimum shall include with the information published under section 1,

(a) the name of each performance measure in the chart and the fiscal year to which it relates; and

(b) the result generated for the measure by the electronic financial information return software of the Ministry, after the municipality submits the relevant performance measure information to the Minister.

(2) A municipality shall publish the information referred to in subsection (1) through one or more of the following methods,

(a) a direct mailing to taxpayers or households;
(b) an insert with the property tax bill;
(c) in local newspapers or advertising periodicals; or
(d) posting the information on the Internet.

(3) A municipality shall, as soon as reasonably possible after publishing the information under subsection (2), provide the following to the Municipal Services Office of the Ministry for the region that includes the municipality:

1. The date of publication.

2. The method or methods of publication that the municipality used.

Financial information return

4. A municipality shall provide to the Minister the information required by section 1 by reporting that information in those schedules or lines in the municipality's financial information return for the relevant municipal fiscal year that correspond

I-6m

to the service or function performance measurement categories designated in the chart.

Board or commission

5. (1) A board or commission of a municipality shall make available for review by a municipality any performance measurement information designated in the chart related to services or functions supplied in respect of the municipality by the board or commission in a fiscal year.

(2) In this subsection, "board or commission" means a local board that provides a public utility, and a planning board, transit commission or police services board.

Service or function not supplied

6. Despite section 1, if a municipality does not supply a service or function at any time in a fiscal year, the municipality is not required to provide or publish information related to that service or function designated in the chart for the fiscal year.

Definitions

7. In this Schedule,

"Minister" means the Minister of Municipal Affairs and Housing;

"Ministry" means the Ministry of Municipal Affairs and Housing;

"supply" means supply pursuant to a statute, bylaw or resolution or an arrangement or agreement with any person or municipality, and "supplied" has a corresponding meaning.

In force

8. This Schedule comes into force January 1, 2014 for the 2013 fiscal year.

INFORMATION ITEM I-7

HAS BEEN REMOVED FROM THE

DECEMBER 11, 2013 COUNCIL AGENDA

I - 8

Peel Children and Youth Initiative
Partnering for our future

COUNCIL AGENDA
DEC 11 2013

Mayor Hazel McCallion
Mississauga City Council
City of Mississauga
300 City Centre Drive
Mississauga, ON. L5B 3C1

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services	For ☐ Appropriate Action ☑ Information
☐ Planning & Building ☐ Transportation & Works	☐ Reply ☐ Report

CC: Paul Mitcham, Commissioner of Community Services

November 2013

Dear Mayor McCallion and members of Mississauga City Council,

On behalf of the Peel Children and Youth Initiative (PCYI) Board of Directors, we are pleased to announce the release of ***Voices: a Study of Youth in Peel***. We have enclosed the report for you.

Voices: a Study of Youth in Peel is the result of collaboration with our many community partners. It is a comprehensive, mixed-methods research study that includes a stratified random sample of 2,187 high school students in Peel region and targeted focus group discussions with 149 Peel youth. The report looks at six research questions that examine how youth spend their time, what they would like to be doing, and barriers they face.

The report largely informed ***Peel's Kids Participate***, a five-year Recreation and After School Strategy, which we shared with you earlier this year. Many recommendations that came out of the research, made in consultation with our Youth Advisory Council, are already being implemented with partners across Peel.

You can also view the report online at pcyi.org/peel-student-research . We look forward to sharing the findings with you in person in the near future.

Thank you for your continued support of the Peel Children and Youth Initiative.

Sincerely,

Humphrey Mitchell
Co-chair, Board of Directors
Peel Children and Youth Initiative

Joan Arruda
Co-chair, Board of Directors
Peel Children and Youth Initiative

Enclosed

50 Burnhamthorpe Road West, 4th Floor Link way, Suite 417, Mississauga, Ontario L5B 3C3
tel. 289-628-1646 | email. info@pcyi.org | www.pcyi.org

I-9

From: Hon. Bob Chiarelli [mailto:write2us@ontario.ca]
Sent: 2013/12/02 5:17 PM
To: Hazel McCallion
Subject: Ontario's New Long-Term Energy Plan: Achieving Balance

Ministry of Energy
Office of the Minister
4th Floor, Hearst Block
900 Bay Street
Toronto ON M7A 2E1
Tel.: 416-327-6758
Fax: 416-327-6754

Ministère de l'Énergie
Bureau du ministre
4e étage, édifice Hearst
900, rue Bay
Toronto ON M7A 2E1
Tél. : 416 327-6758
Téléc. : 416 327-6754

Ontario

December 2, 2013

Her Worship Hazel McCallion
Mayor
City of Mississauga
mayor@mississauga.ca

Dear Mayor McCallion,

As you may be aware, Ontario has been engaged in a comprehensive review of its energy plans for the future. This review of the Long-Term Energy Plan involved an unprecedented process of consultation and engagement for the ministry, with sessions held online and around the province with municipalities, First Nation and Métis communities, stakeholders and the public. I am pleased to inform you of the release of Ontario's updated Long-Term Energy Plan, *Achieving Balance*.

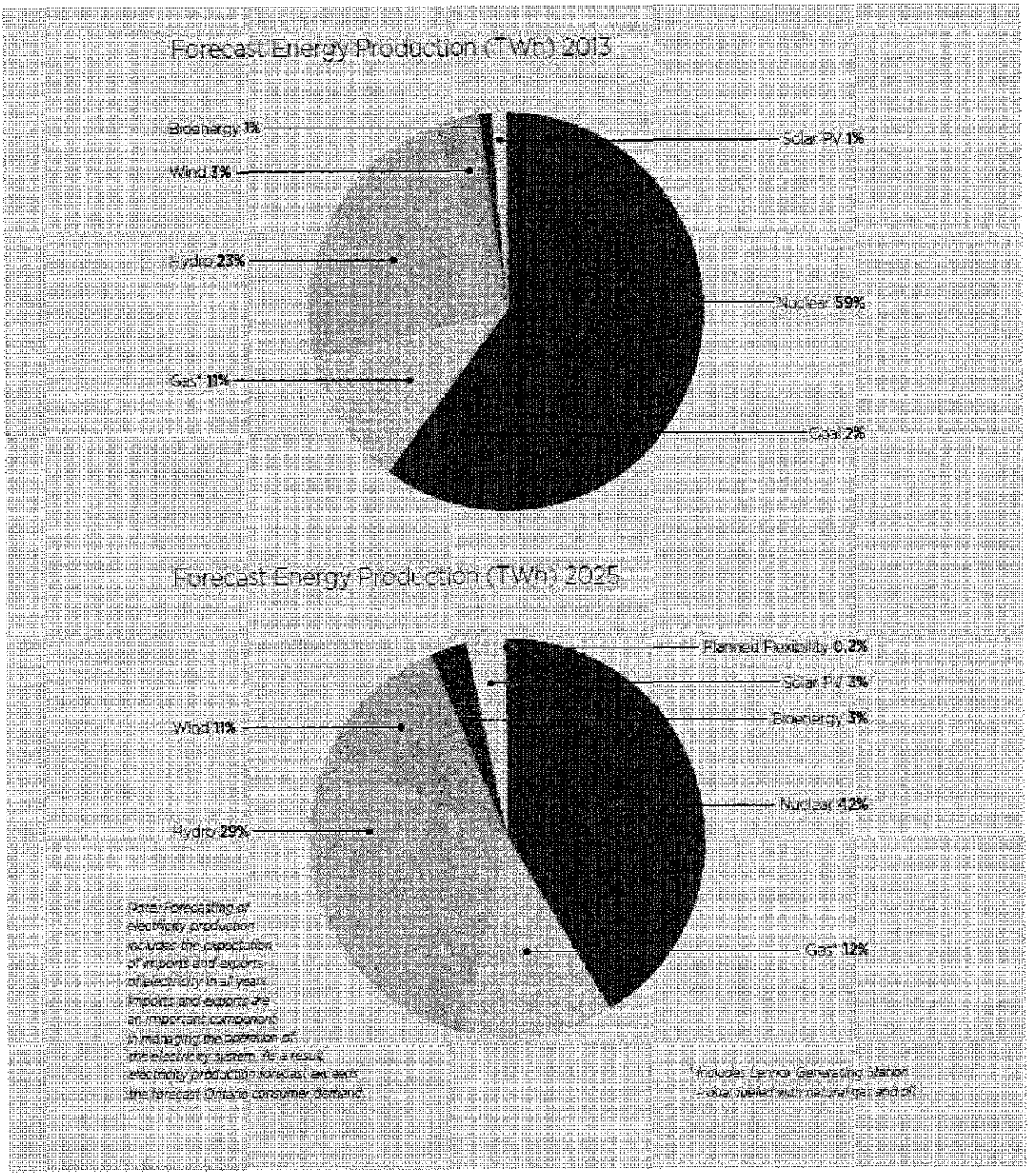
The new plan, which reflects input from thousands of Ontarians from across the province, encourages conservation and provides the clean, reliable and affordable energy Ontario will need now and into the future. It balances five principles that will guide future decisions: cost-effectiveness, reliability, clean energy, community engagement, and an emphasis on conservation and demand management before building new generation.

An important feature of the plan is the recognition that municipalities are a key stakeholder in energy planning. Communities must be allowed to take a more central role when implementing provincial policy objectives. The opportunity for communities to participate in energy infrastructure must be balanced with their responsibility to take ownership of local decisions.

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

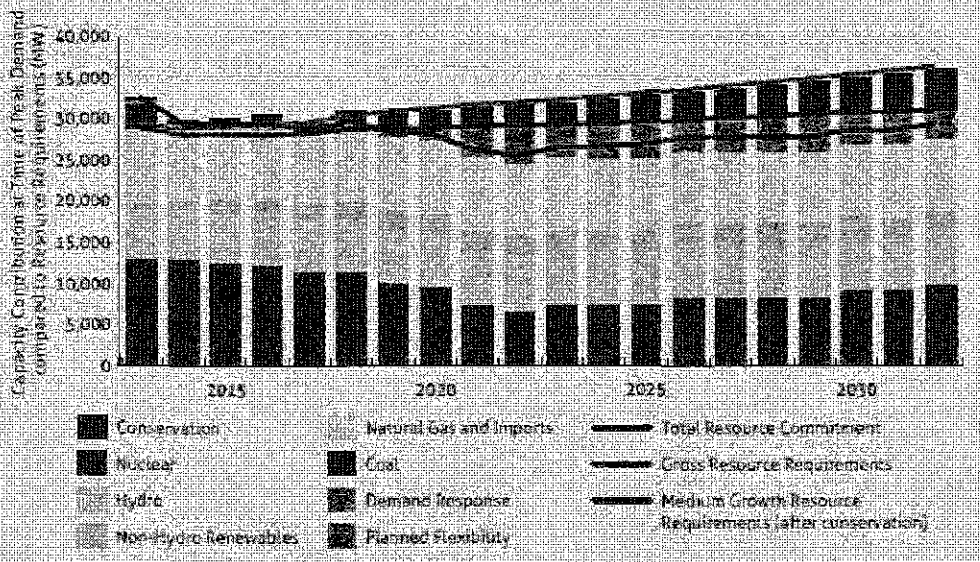
I-9a

Ontario's new Long-Term Energy Plan builds on the significant progress we have made in transforming the province's electricity system into one that Ontarians can count on. We are proud of the fact that Ontario has virtually eliminated coal from our electricity system with the last plant to close in 2014. The phase-out of coal is the single largest climate change initiative in North America that was costing Ontarians $4.4 billion annually in financial, health and environmental costs.



Key to the new plan is its flexibility. We are committing the resources to meet electricity demand growth that will be lower than previously anticipated as the economy continues its transition to an efficient, lower energy intensive future. We are ensuring we have the supply to meet the likely demand, and keeping options open to meet higher demand if needed. By reporting annually on the outlook for demand and supply, we will be able to make prudent adjustments to our energy investments.

Figure 18: Ontario's Planned Supply Mix (MW)



The release of the new Long-Term Energy Plan follows the most comprehensive set of consultations and engagements ever undertaken by the Ministry of Energy. Almost 8,000 people took an online survey and shared their views on conservation, energy supply, regional planning and imports. Over 1,000 submissions were received through the Environmental Registry and by the Ministry of Energy. Staff also sat down with representatives of almost 50 local distribution companies to obtain their views and suggestions on how to improve and maximize the delivery of conservation in Ontario. We travelled to 12 communities from Kenora to Whitby and Sault Ste. Marie to Ottawa to hear Ontarians' views on the options that should be addressed when it comes to electricity.

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We also met with representatives of nearly 100 First Nation and Métis communities and organizations in 10 engagement sessions across Ontario.
This process of consultation and engagement informed the direction of the Long-Term Energy Plan and we will continue to make engagement a priority in our energy planning.
I hope you enjoy reading *Achieving Balance*. It represents our commitment to a cost-effective, reliable and clean energy system for all Ontarians. I look forward to working together to implement Ontario's new Long-Term Energy Plan.
Sincerely,

Bob Chiarelli
Minister

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ONTARIO GOOD ROADS ASSOCIATION

1525 CORNWALL ROAD, UNIT 22
OAKVILLE, ONTARIO L6J 0B2
TELEPHONE 289-291-6472
FAX 289-291-6477
www.ogra.org

Working for Municipalities

COUNCIL AGENDA
DEC 11 2013

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

December 2, 2013

To the Head & Members of Council:

Re: Report of the OGRA Nominating Committee

The OGRA Nominating Committee met on November 27, 2013 and recommended a slate of candidates to the Board of Directors. The Board ratified the report as presented. The recommended slate is as follows:

Northern Zone	
Luc Duval, Director of Public Works & Engineering City of Timmins	Rick Harms, Project Engineer City of Thunder Bay
John MacEachern, Mayor Township of Manitouwadge	
Southwest Zone	
Chris Traini, County Engineer County of Middlesex	
South Central Zone	
Ken Lauppé, Manager, Road Operations City of Brampton	Terry McKay, Deputy Mayor Township of Chatsworth
Duncan McKinlay, Councillor County of Grey	
Southeast Zone	
Craig Davidson, CAO/Treasurer Municipality of Hasting Highlands	Steve Desroches, Deputy Mayor City of Ottawa
Michelle Hendry, Director of Public Works City of Kawartha Lakes	
Toronto	
Robert Burlie, Manager, Road Operations City of Toronto	Mark Grimes, Councillor City of Toronto

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The following current Boards members do not have to be re-elected to the Board and will automatically assume the following positions effective February 26, 2014:

President - Tom Bateman, P.Eng., County Engineer, County of Essex
1st Vice President – Rick Champagne, Councillor, Municipality of East Ferris
Immediate Past President – Joanne Vanderheyden, Mayor, Municipality of Strathroy-Caradoc

The above will serve on the 2014-2015 Board of Directors making a total of 15 on the Board.

The above slate of candidates will be ratified at the Annual Conference to be held in February, 2014. If any municipal member would still like to put their name forward for a position on the Board of Directors they must fill out and return the attached Nomination Form. All nominations must be postmarked or received by fax or e-mail no later than January 3, 2014 and sent to:

Alan Korell, Chair
Nominating Committee
1525 Cornwall Road
Unit 22,
Oakville, Ontario
L6J 0B2

Fax: 289-291-6477
E-mail: info@ogra.org

Please be advised that if any additional nominations are received by the deadline noted that an election will be required at the ROMA/OGRA Combined Conference.

Any questions regarding the Nomination process or serving on the Board of Directors can be directed to the undersigned at joe@ogra.org.

Yours truly,

J. W. Tiernay,
Executive Director

c. Alan Korell, Chair, Nominating Committee

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Ontario Good Roads Association

Board of Directors

Nomination and Consent Form

Working for Municipalities

We hereby nominate the following to the Board of Directors of the Ontario Good Roads Association for the 2014/15 term of office:

Name of Candidate

Name:_____

Position:_____

Municipality:_____

Moved by:_____

Seconded by:_____

(Candidates must be nominated by two eligible members of OGRA. A resolution of Council is acceptable but not mandatory)

Candidate Consent

The candidate nominated above must sign below indicating they consent to the Nomination and agree to let their name stand for office.

I, _____ hereby consent to the Nomination
(Name of Candidate)
to the Board of Directors of the Ontario Good Roads Association.

_____ _____
Signature Date

Submit completed form and candidates résumé by fax or e-mail to the attention of Alan Korel, Chair, OGRA Nominating Committee
Fax: 289-291-6477
E-mail: info@ogra.org

Please be informed of a proposed development in your neighbourhood

MISSISSAUGA
Leading today for tomorrow

This is to inform you that the landowner at 6155 Ninth Line, southeast corner of Ninth Line and Osprey Boulevard, has applied to the City to permit a plan of subdivision for seven (7) detached dwellings. Below is a short description of the applications. The City will be processing the applications as required by the Provincial *Planning Act* and we would welcome any comments you may have.

Proposal:

- The applicant is requesting a change in zoning from "R1" (Detached Dwellings – Typical Lots) to "R7-Exception" (Detached Dwellings – Shallow Lots).
- Approval of a proposed plan of subdivision for seven (7) detached dwellings.

Files: OZ 13/015 W10
T-M13005 W10

Applicant: Weston Consulting

Owner: Centreville Homes (Ninth Line) Inc.

Planning Information: Stephanie Segreti, Planner, Planning & Building Department at 905-615-3200 ext. 5531 or by email at stephanie.segreti@mississauga.ca

Notice Date: November 14, 2013

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services	For ☐ Appropriate Action ☑ Information
☐ Planning & Building ☐ Transportation & Works	☐ Reply ☐ Report

The following studies/information were submitted in support of the applications:

- Context Plan
- Boundary and Topographic Survey
- Survey of Blocks 220, 221 & 241, Plan 43M-1457
- Draft Plan of Subdivision
- Grading and Servicing Plans
- Planning Justification Report
- Stage 1 & 2 Archaeological Assessment
- Noise Feasibility Study
- Phase 1 Environmental Site Assessment
- Arborist Report & Tree Preservation Plan
- Draft Zoning By-law

***Planning Act* Requirements:**

The *Planning Act* requires that all complete applications be processed.

The above-noted applications are now being circulated to City Departments and Agencies for technical review.

Once this has been completed, a report summarizing the development and the comments received will be prepared by Planning staff and presented at a Public Meeting.

Notice of the Public Meeting will be given in accordance with the *Planning Act* requirements.

A recommendation on the applications will not be presented until after the Public Meeting and all technical comments have been received.

Director
Development and Design Division
Planning and Building Department

Please contact the Planning and Building Department in writing by mail at 300 City Centre Drive, Mississauga ON L5B 3C1 or by fax at 905-896-5553 or by email at application.info@mississauga.ca if:

- you would like to forward your views on the proposed development. Written submissions will become part of the public record; or
- you wish to be notified of any upcoming meetings.

More Information:

Contact the Planner responsible for the file (noted above) for further details on the actual proposal.

Planning documents and background material are available for inspection at the Planning and Building Department, Planning Services Centre, 3rd floor, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday. **Please contact the Planner noted above prior to your visit.**

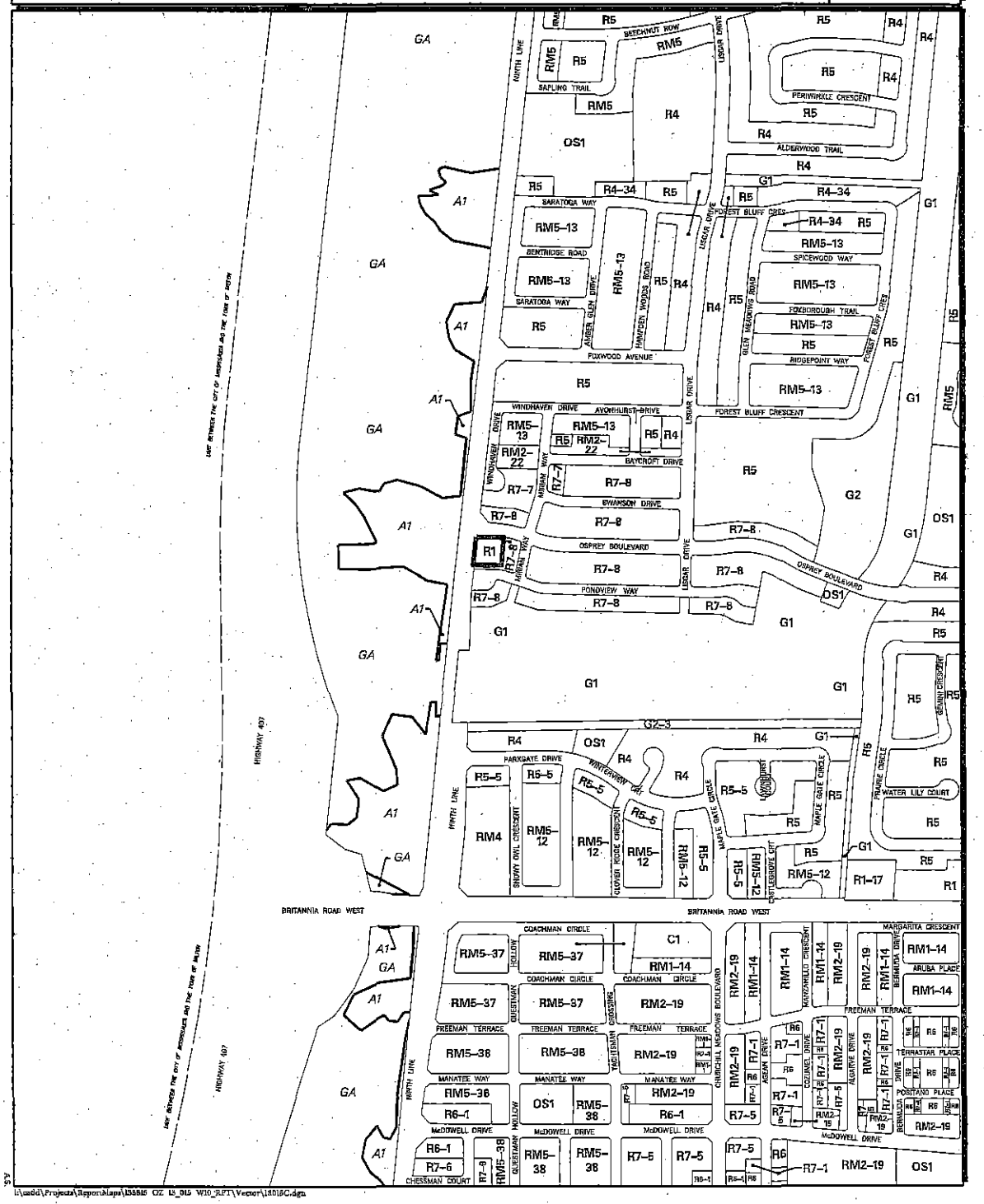
For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

K:\PLAN\DEVCONTL\GROUPWPDATA\COMPLETEAPPLICATIONS\2013\OZ 13_015_TM13005.notice.ss.cr.so.doc

I-11a

GENERAL CONTEXT MAP

OZ 13/015 W10
T-M 13005 W10



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I-12

Please be informed of a proposed development in your neighbourhood

MISSISSAUGA
Leading today for tomorrow

This is to inform you that the landowners at 1294 -1318 Alexandra Avenue, east of Cawthra Road and north of Atwater Avenue have applied to the City to permit eight (8) detached dwellings on a private road with access off of Seventh Street, and to recognize the existing frontages and the proposed retained lot areas on Alexandra Avenue. Below is a short description of the applications. The City will be processing the applications as required by the Provincial *Planning Act* and we would welcome any comments you may have.

COUNCIL AGENDA
DEC 11 2013

Proposal:

- The applicant is requesting an amendment to the Mississauga Official Plan policies for the Lakeview Local Area Plan from "Residential Low Density II" to "Residential Low Density II - Special Site";
- In addition, a change in zoning is being requested for the subject lands from "RM1" (Semi-Detached Dwellings) to "RM1- Exception" (Detached Dwellings on a Private Road) and "RM1- Exception" (Detached Dwellings recognizing the existing lot frontages and proposed retained lot areas).

File:	OZ 13/012 W1
Applicant/ Owner:	Weston Consulting Group Inc. / 1731860 Ontario Ltd.
Planning Information:	Sheena Harrington Slade, Planner, Planning & Building Department at 905-615-3200, ext. 4554 or by email at sheena.harringtonslade @mississauga.ca
Notice Date:	November 22, 2013

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services	For ☐ Appropriate Action ☑ Information
☐ Planning & Building ☐ Transportation & Works	☐ Reply ☐ Report

The following studies/information were submitted in support of the applications:

- Survey, Context Map, Concept Plan
- Typical Elevation
- Planning Justification Report
- Phase I Environmental Evaluation
- Functional Servicing Report
- Tree Inventory/Preservation Plan
- Parcel Registry Information
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment

***Planning Act* Requirements:**

The *Planning Act* requires that all complete applications be processed.

The above-noted applications are now being circulated to City Departments and Agencies for technical review.

Once this has been completed, a report summarizing the development and the comments received will be prepared by Planning staff and presented at a Public Meeting.

Notice of the Public Meeting will be given in accordance with the *Planning Act* requirements.

A recommendation on the applications will not be presented until after the Public Meeting and all technical comments have been received.

Director
Development and Design Division
Planning and Building Department

K:\PLAN\DEVCONTL\GROUP\WPDATA\COMPLETEAPPLICATIONS\oz13012 notice-complete application.shs.doc\rp.fw

Please contact the Planning and Building Department in writing by mail at 300 City Centre Drive, Mississauga ON L5B 3C1 or by fax at 905-896-5553 or by email at application.info@mississauga.ca if:

- You would like to forward your views on the proposed development. Written submissions will become part of the public record; or
- You wish to be notified of any upcoming meetings.

More Information:

Contact the Planner responsible for the file (noted above) for further details on the proposal.

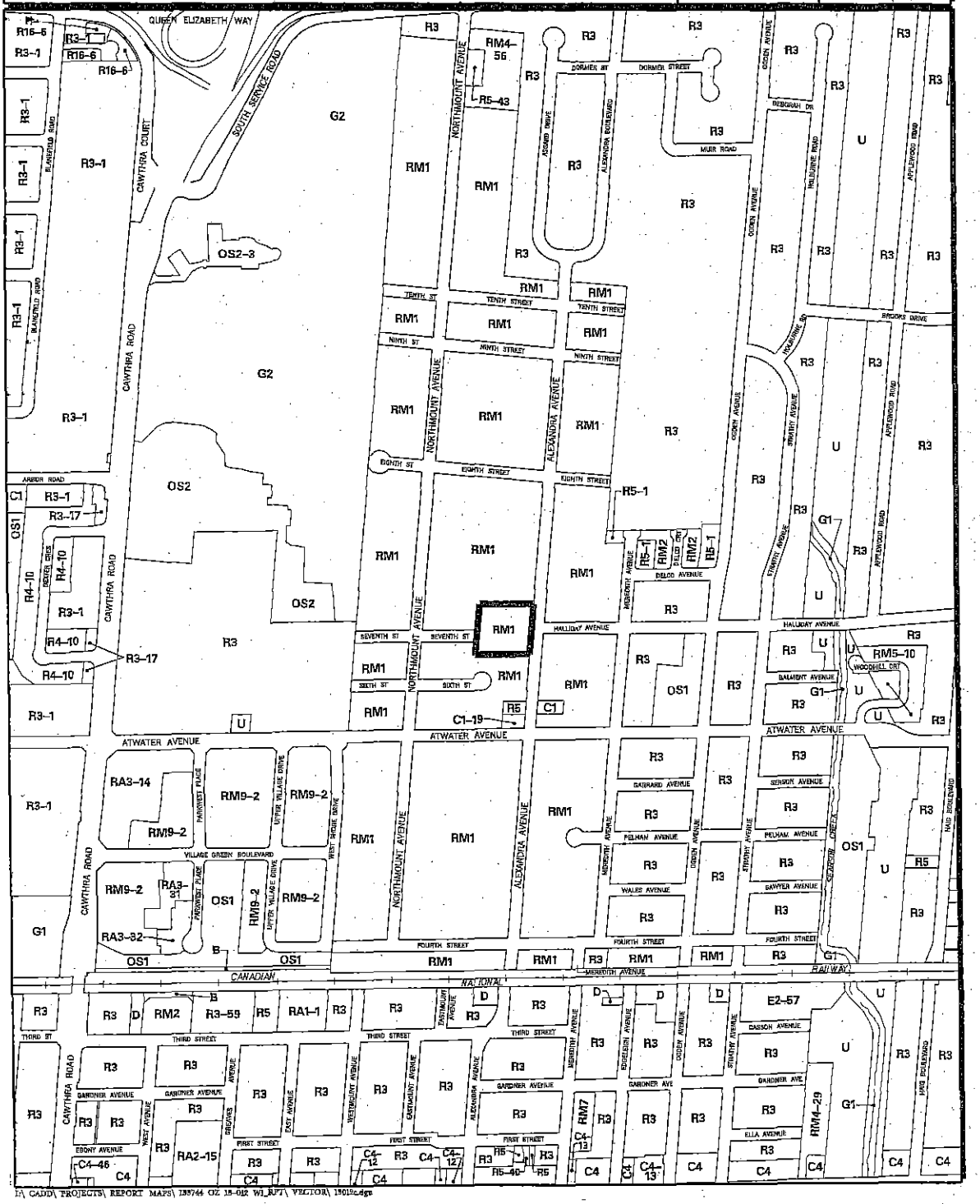
Planning documents and background material are available for inspection at the Planning and Building Department, Planning Services Centre, 3rd floor, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday. **Please contact the Planner noted above prior to your visit.**

For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

I-129

GENERAL CONTEXT MAP

OZ 13/012 W1 | APPENDIX 1



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I-13

Please be informed of a proposed development in your neighbourhood

MISSISSAUGA
Leading today for tomorrow

This is to inform you that the landowner at 266-272, 274, 280, 290 & 294 Lakeshore Road West, 125, 127, 131, 135, 139, 141 and 143 High Street West, and 5 Benson Avenue, north of Lakeshore Road West, east of Benson Avenue and south of High Street West has applied to the City to permit a continuing care retirement community consisting of 17 condominium townhouses, an 8-storey retirement rental building with 170 dwelling units, an 8-storey condominium/rental building with 142 dwelling units and street level commercial uses along Lakeshore Road West. Below is a short description of the applications. The City will be processing the applications as required by the Provincial *Planning Act* and we would welcome any comments you may have.

COUNCIL AGENDA
DEC 11 2013

Proposal:

- The applicant is requesting an amendment to the Mississauga Official Plan policies for the Port Credit Local Area Plan from "Mixed Use", "Mixed Use – Special Site 28", "Mixed Use – Special Site 38" and "Residential Low Density II" to "Residential High Density – Special Site";
- In addition, a change in zoning is being requested for the subject lands from "RM7" (Detached, Semi-Detached, Duplex, Triplex and Horizontal Multiple Dwellings with 4 to 6 Dwelling Units), "C4" (Mainstreet Commercial) and "C4-17" (Mainstreet Commercial) to "RA2-Exception" (Apartment Dwellings).

File: OZ 13/016 W1

Applicant: Freeman Planning Solutions Inc.

Owner: High Benson Holdings Inc.

Planning Information: Ben Phillips, Planner, Planning & Building Department at 905-615-3200 ext. 5751 or by email at ben.phillips@mississauga.ca

Notice Date: November 29, 2013

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services	For ☐ Appropriate Action ☑ Information
☐ Planning & Building ☐ Transportation & Works	☐ Reply ☐ Report

The following studies/information were submitted in support of the applications:

- Concept and Site Plans
- Context Map and Property Map
- Location Plan
- Draft Reference Plan
- Planning Justification Report
- Urban Design Brief
- Green Initiatives
- Arborist Report & Tree Preservation Plan
- Pedestrian Wind Assessment
- Shadow Study
- Traffic Impact Study
- Phase I Environmental Site Assessment
- Functional Servicing Report
- Noise Feasibility Study
- Easement Summary
- Draft Official Plan Amendment
- Draft Zoning By-law

***Planning Act* Requirements:**

The *Planning Act* requires that all complete applications be processed.

The above-noted applications are now being circulated to City Departments and Agencies for technical review.

Once this has been completed, a report summarizing the development and the comments received will be prepared by Planning staff and presented at a Public Meeting.

Notice of the Public Meeting will be given in accordance with the *Planning Act* requirements.

A recommendation on the applications will not be presented until after the Public Meeting and all technical comments have been received.

Director
Development and Design Division
Planning and Building Department

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Please contact the Planning and Building Department in writing by mail at 300 City Centre Drive, Mississauga ON L5B 3C1 or by fax at 905-896-5553 or by email at application.info@mississauga.ca if:

- You would like to forward your views on the proposed development. Written submissions will become part of the public record; or
- You wish to be notified of any upcoming meetings.

More Information:

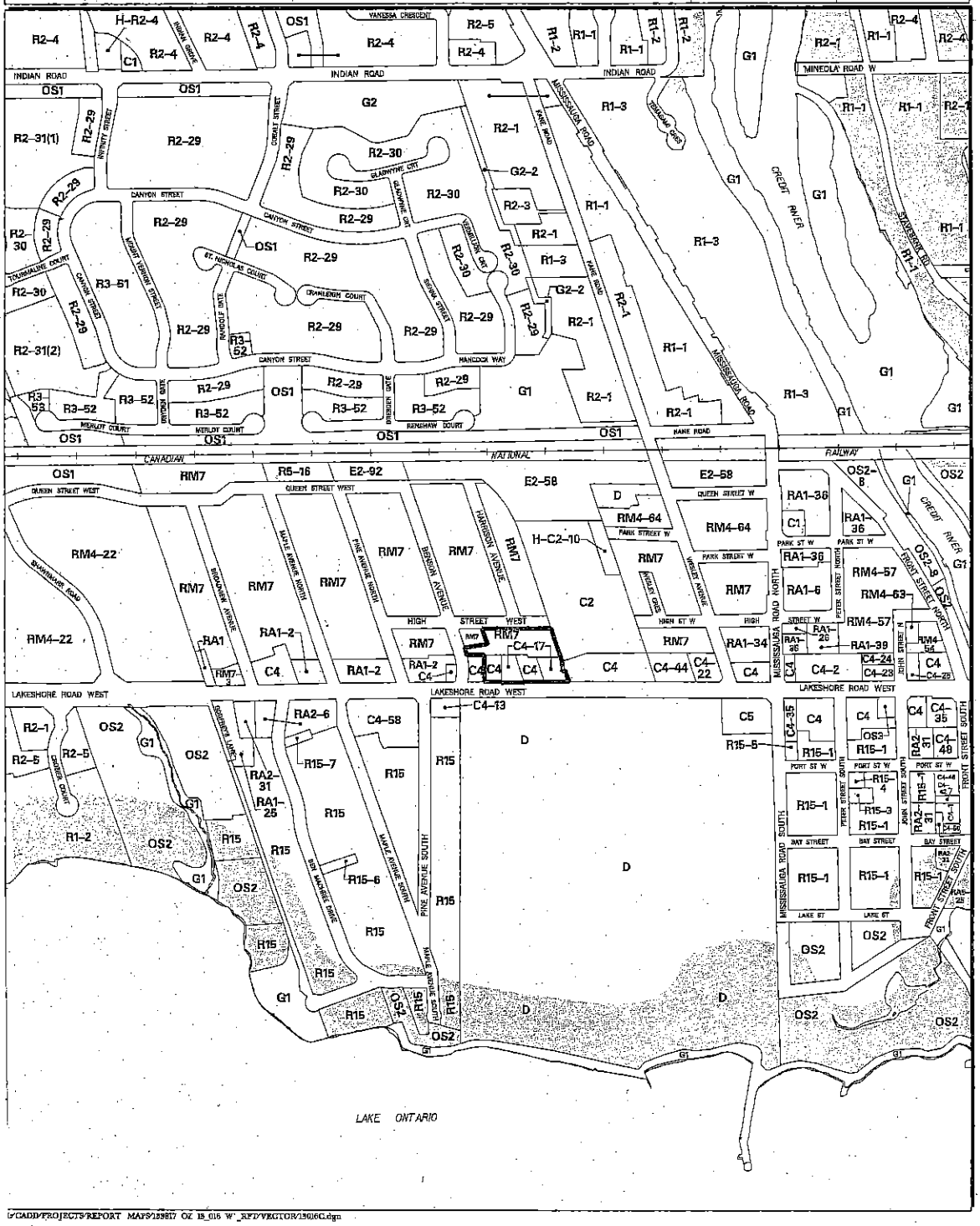
Contact the Planner responsible for the file (noted above) for further details on the actual proposal.

Planning documents and background material are available for inspection at the Planning and Building Department, Planning Services Centre, 3rd floor, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday. **Please contact the Planner noted above prior to your visit.**

For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

I-13a

GENERAL CONTEXT MAP | ~~OZ~~ 13-016 W1 | APPENDIX 1



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I-14

AMO Association of Municipalities Ontario

Sent via e-mail: mayor@mississauga.ca

December 4, 2013

COUNCIL AGENDA
Dec 11, 2013

Hazel McCallion
Mayor
City of Mississauga
300 City Centre Drive
Mississauga, Ontario L5B 3C1

Dear Mayor McCallion:

Re: Resolution on Fixing Canada's Housing Crunch

Thank you for sharing the City of Mississauga's resolution, passed by Council on November 20, 2013 regarding the development of a new long-term federal plan to fix Canada's Housing Crunch.

As the Federation of Canadian Municipalities' (FCM) advocacy campaign continues to unfold, AMO is committed to ensuring that the housing responsibilities of Ontario's municipal governments are understood by all orders of government.

We will continue to monitor developments of interest to members, communicate appropriately and work closely to support FCM's campaign.

Thank you again for your support.

Sincerely,

Michael Jacek

Michael Jacek
Senior Advisor

RECEIVED
REGISTRY No.
DATE DEC 04 2013
FILE No. R-01.13
MAYORS OFFICE

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

200 University Ave. Suite 801 www.amo.on.ca Tel 416.971.9856 Toll Free in Ontario
Toronto, ON, M5H 3C6 amo@amo.on.ca Fax 416.971.6191 877.426.6527

I-14(a)

R-01-13

OFFICE OF THE MAYOR

November 21, 2013

The Honourable Jason Kenney
Minister of Employment and Social Development
House of Commons
East Block
Ottawa, Ontario
K1A 0A6

Dear Mr. Minister:

Re: Fixing Canada's Housing Crunch

The Council of the Corporation of the City of Mississauga at its meeting on November 20, 2013, adopted the enclosed Resolution 0203-2013 with respect to "Fixing Canada's Housing Crunch".

Council endorses the Federation of Canadian Municipalities housing campaign and urges the Minister of Employment and Social Development to develop a long-term plan for housing that puts core investments on solid ground, increases predictability and protects Canadians from the planned expiry of $1.7 billion in social housing agreements. The long-term plan must ensure for a healthy stock of affordable rental housing for Canadians.

On behalf of the Members of Council, I urge you to put forward the Federation of Canadian Municipalities housing campaign.

Sincerely,

HAZEL McCALLION, C.M., LL.D.
MAYOR

MISSISSAUGA
Leading today for tomorrow

THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1
TEL: (905) 896-5555 FAX: (905) 896-5879

I-14(b)

cc: The Honourable Linda Jeffery, Minister of Municipal Affairs and Housing
Mississauga MPs
Members of Council
Federation of Canadian Municipalities
Association of Municipalities in Ontario

Enc.

I-14(c)

RESOLUTION 0203-2013
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on November 20, 2013

0203-2013 Moved by: Chris Fonseca Seconded by: Frank Dale

WHEREAS a stable and secure housing system that creates and maintains jobs and allows for a range of living options is essential to attracting new workers, meeting the needs of young families and supporting seniors and our most vulnerable citizens;

AND WHEREAS the high cost of housing is the most urgent financial issue facing Canadians with one in four people paying more than they can afford for housing, and mortgage debt held by Canadians now standing at just over $1.1 trillion;

AND WHEREAS housing costs and as the Bank of Canada notes, household debt, are undermining Canadians' personal financial security, while putting our national economy at risk;

AND WHEREAS those who cannot afford to purchase a home rely on the short supply of rental units, which is driving up rental costs and making it hard to house workers in regions experiencing strong economic activity;

AND WHEREAS an inadequate supply of subsidized housing for those in need is pushing some of the most vulnerable Canadians on to the street, while $1.7 billion annually in federal investments in social housing have begun to expire;

AND WHEREAS the stakes are especially high for Ontario's municipal governments as housing responsibilities have already been downloaded (unlike other provinces and territories) and this is not sustainable on the property tax base;

AND WHEREAS the Federation of Canadian Municipalities (FCM) has launched a housing campaign, "Fixing Canada's Housing Crunch," calling on the federal government to increase housing options for Canadians and to work with all orders of government to develop a long-term plan for Canada's housing furture;

AND WHEREAS FCM has asked its member municipalities to pass a council resolution supporting the campaign;

AND WHEREAS our community has continuing housing needs, that can only be met through the kind of long-term planning and investment made possible by federal leadership;

NOW THEREFORE BE IT RESOLVED that Council endorses the FCM housing campaign and urges the Minister of Employment and Social Development to develop a long term plan for housing that puts core investments on solid ground, increases predictability, protects Canadians from the planned expiry of $1.7 billion in social housing agreements and ensures a healthy stock of affordable rental housing for Canadians;

AND FURTHER that a copy of this resolution be sent to the Minister of Employment and Social Development, to the Minister of Municipal Affairs and Housing, local Members of Parliament, to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

Carried

I-15

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel. 416-585-7000
Fax 416-585-6470
www.ontario.ca/MAH

Ministère des Affaires municipales et du Logement

Bureau du ministre

777, rue Bay, 17e étage
Toronto ON M5G 2E5
Tél. 416-585-7000
Téléc. 416-585-6470
www.ontario.ca/MAH

Ontario

COUNCIL AGENDA
Dec 11, 2013

MIN13-61468

NOV 2 7 2013

Your Worship
Mayor Hazel McCallion
City of Mississauga
300 City Centre Drive
Mississauga ON L5B 3C1

Dear Mayor McCallion:

The Honourable Kathleen Wynne, Premier of Ontario, has asked me to respond to your correspondence regarding your proposed legislative amendment to declare vacant the office of a member of a municipal council who is a registered candidate in a federal or provincial election.

As you are aware, legislation such as the *Municipal Act, 2001* is currently under review. As Minister of Municipal Affairs and Housing, I appreciate your suggested changes, and welcome suggestions from all municipalities and stakeholders on improvements to the legislation. Please be assured that your suggested changes are being given careful consideration.

Thank you for writing. Please accept my best wishes.

Sincerely,

Linda Jeffrey
Minister

RECEIVED
REGISTRY No.
DATE DEC 05 2013
FILE No.
MAYORS OFFICE

☑ Receive	☐ Resolution
☐ Direction Required	☐ Resolution / By-Law
☐ Community Services ☐ Corporate Services ☐ Planning & Building ☐ Transportation & Works	For ☐ Appropriate Action ☑ Information ☐ Reply ☐ Report

I-15(a)

CITY OF MISSISSAUGA
INCORPORATED 1974

OFFICE OF THE MAYOR

December 15, 2011

The Honourable Kathleen O. Wynne
Minister of Municipal Affairs and Housing
17th Floor
777 Bay Street
Toronto, Ontario M5G 2E5

Dear Madam Minister:

Re: Amendment to the Elections Act, 1990

The Council of the Corporation of the City of Mississauga at its meeting on December 14, 2011, adopted the enclosed Resolution 0291-2011 with respect to implementing legislative amendments to require municipal Councillors who seek federal or provincial office to resign from office.

The *Municipal Elections Act*, 1996 subsection 29 (1.1) requires that a Member of Legislative Assembly of Ontario or the Senate or the House of Commons of Canada to resign their seat by the close of nominations for the municipal election, otherwise the clerk must reject the nomination. However, the *Elections Act, 1990* has no legislative requirement that the municipal councillor(s) who seek provincial office, resign.

On behalf of the members of Council, I request that you consider amending the legislative requirements to require municipal councillors who seek provincial office resign from office in a like manner to the requirements of subsection 29 (1.1) of the *Municipal Elections Act*, 1996.

Sincerely,

HAZEL McCALLION, C.M., LL.D.
MAYOR

MISSISSAUGA
Leading today for tomorrow

THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ON L5B 3C1
TEL: 905-896-5555 FAX: 905-896-5879
mayor@mississauga.ca

I-15(b)

OFFICE OF THE MAYOR

cc: Mississauga MPPs
Association of Municipalities of Ontario (AMO)
Members of Council
Karren Wallace, Municipal Services Office, Ministry of Municipal Affairs and Housing, Central Region

Enc.

MISSISSAUGA
Leading today for tomorrow

THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ON L5B 3C1
TEL: 905-896-5555 FAX: 905-896-5879
mayor@mississauga.ca

I-15(c)

RESOLUTION 0291-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on December 14, 2011

0291-2011 Moved by: Ron Starr Seconded by: Chris Fonseca

And Whereas the *Municipal Elections Act, 1996* and Regulations enacted under that legislation and the Municipal *Act, 2001* determines who can run for local office;

And Whereas the Province of Ontario's *Municipal Elections Act*, subsection 29 (1.1) of the Act requires a Member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada to resign their seat by the close of nominations for the municipal election, otherwise the clerk must reject their nomination;

And Whereas there is no legislative requirement for municipal councillors who wish to seek federal or provincial office to resign;

And Whereas when councillors seek federal or provincial office concerns arise about the ability for them to use their municipal office as an election platform and also about how effective they can be as a councillor when they are busy campaigning, and if elected the municipality is then faced with the prospect of an expensive by-election;

Therefore Be It Resolved:
That the Provincial government and Federal government be requested to implement legislative amendments to require municipal councillors who wish to seek federal or provincial office to resign from office in a like manner to the requirements of subsection 29 (1.1) of the *Municipal Elections Act, 1996* .

November 27, 2013

WHEREAS the Ward 5 office and the Transportation and Works Department have received many concerns from residents pertaining to traffic safety and aggressive driving on Bristol Road for more than fifteen years;

AND WHEREAS the Ward 5 office in collaboration with the Transportation and Works Department have tried several measures with the objective of calming traffic and improving safety on Bristol Road over the years including curve warning signs, enhanced pavement marking and requests for additional police enforcement;

AND WHEREAS narrowing the road by reducing the number and width of traffic lanes can have a calming effect on traffic and improve traffic safety;

AND WHEREAS the Mississauga Cycling Master Plan, approved by Council in September 2010, outlined a plan to build a comprehensive cycling network across the City and identified Bristol Road as a primary cycling route and proposed the installation of on-street bicycle lanes;

AND WHEREAS the Transportation and Works Department studied the traffic patterns and capacity on Bristol Road, and following a process of public consultation, recommended the implementation of bicycle lanes between Terry Fox Way and Kennedy Road through a lane reduction in a report to General Committee which was approved by Council on July 4, 2012;

AND WHEREAS the installation of bicycle lanes on Bristol Road between Terry Fox Way and Kennedy Road was completed through changes to pavement markings and signage in Spring and Summer 2013;

AND WHEREAS on-street parking was maintained along most of the roadway with residential frontage through a designated parking area on the south side but that the section between McLaughlin Road and Swiftcurrent Trail is not as wide as most other sections of Bristol Road and an on-street parking area (or parking lay-bays within reasonable walking distance) could not be accommodated in the design, resulting in the prohibition of on-street parking through this section;

M-1(a)

November 27, 2013

AND WHEREAS since September 2013 residents fronting Bristol Road West between McLaughlin Road and Swiftcurrent Trail have raised concerns regarding the prohibition of on-street parking in front of their homes;

AND WHEREAS the Ward 5 office has worked to expedite a staff review of a variety of solutions to these concerns as outlined in a report to Transportation Committee entitled *"Three Hour Parking and Bicycle Lanes – Bristol Road West between McLaughlin Road and Swiftcurrent Trail (Ward 5)"*

AND WHEREAS the report recommends that additional civil works required to accommodate both a bicycle lane and an on-street parking lane on the south side of Bristol Road West between McLaughlin Road and Swiftcurrent Trail be completed when the road is resurfaced;

AND WHEREAS this section of roadway is currently proposed for resurfacing in 2015, based on the existing pavement condition;

AND WHEREAS in order to address the concerns from area residents in a manner that prioritizes traffic safety on Bristol Road and maintains the continuity of the bicycle lanes, it would be prudent to advance the timing of resurfacing on this section of Bristol Road to 2014 through the deferral other resurfacing locations that were forecast in Ward 5 to the following year;

NOW THEREFORE BE IT RESOLVED THAT Council supports the recommendations contained in report to Transportation Committee entitled *"Three Hour Parking and Bicycle Lanes – Bristol Road West between McLaughlin Road and Swiftcurrent Trail (Ward 5)"* and that the resurfacing of Bristol Road and the required civil improvements between McLaughlin Road and Hurontario Street be advanced to 2014.

Bonnie Crombie

Motion (a)

COUNCIL AGENDA
DEC 11 2013

1) That Council approve the 2014 Budget as set out in:
   a. 2014-2016 Business Plan Update & 2014 Budget Sections D through S (excluding the labour component) with adjustments noted under 1) c. and including:
      i. Appendix 1 – Details of Changes to Maintain Current Levels and Operationalize Prior Decisions;
      ii. Appendix 2 – 2014 Budget Requests;
      iii. Appendix 3 – Proposed 2014 Capital Program;
      iv. Appendix 4 – Proposed 2015-2016 Capital Program; and

   b. 2014-2016 Business Plan Update & 2014 Budget Section T – Reserve and Reserve Funds;
      i. Appendix 1 – 2014 Reserve and Reserve Fund Transfers.

   c. That the following adjustments to the 2014-2016 Business Plan Update & 2014 Budget be approved:
      i. That the operating budget for the Transitway stations be reduced by $350,000 from $751,000 to $401,000;
      ii. That the Mississauga Transit operating budget for diesel fuel be reduced by $350,000 from $1,748,000 to $1,398,000;
      iii. That Business Services – Revenue and Material Management Division operating budget be increased by $70,000 and 1.2 FTEs for the re-opening of an information desk at the Civic Centre, as directed at the December 2, 2013 Budget Committee meeting;
      iv. That the Information Technology budget be adjusted to include the implementation of an Automatic Dialing – Announcing Device with one-time costs of $35,000 to be funded from the tax capital reserve and operating costs of $1,500 per year, as directed at the December 2, 2013 Budget Committee meeting.

2) That the labour component of the Budget be approved including a non-union total compensation program of $6.9 million to fund annual job rate progression and an economic adjustment.

3) That Council approve any necessary 2014 budget re-allocations of service initiatives to ensure that costs are allocated to the appropriate service area with no net change to the 2014 operating levy.

4) That the 2014 property tax levy be approved at $393,201,001 including the following Special Purpose Levies:
   a) Infrastructure and Debt Levy increase in the amount of $7,394,000;
   b) Emerald Ash Borer Levy increase in the amount of $2,800,000;
   c) University of Toronto Mississauga Special Levy in the amount of $1,000,000 to be included in the City's Budget for the next 10 years; and
   d) To establish the necessary Reserve Funds and transfers.

5) That following the incorporation of adjustments approved by Budget Committee, the number of Full Time Equivalent (FTE) positions in 2014 is 5,133.3.

6) That the following projects with multi-year funding, which have or will commence prior to full funding being allocated, be approved to a maximum cost as follows:

- Land/Cooksville Creek SWM Pond #3702 North of Matheson Blvd at $28.8 million over 2014 to 2016 (TWSD00207);
- New Facility – Cooksville Creek Pond #3702 – North of Matheson Boulevard between McLaughlin at $17.6 million over 2014 and 2015 (TWSD00203);

Motion (O)

- Roadways Rehabilitation (Major Roads) at $13.1 million over 2014 and 2015 (TWRR00019 and TWRR00086);
- Torbram Road Grade Separation at $13.0 million over 2014 and 2015 (TWMR00004);
- Goreway Drive Rail Grade Separation at $12.0 million over 2014 to 2016 (TWMR00047);
- Traffic Management Centre (Advanced Transportation Management System) at $10.6 million over 2014 to 2018 (TWOE00040);
- Roadways Rehabilitation (Residential) at $6.0 million over 2014 and 2015 (TWRR00096);
- Transit Farebox Refurbishment at $5.0 million over 2014 and 2015 (TWTR00079);
- Square One Drive from Hammerson Drive to Duke of York Blvd at $4.2 million over 2014 and 2015 (TWMR00140);
- Design and Construction of New Fire Station 120 at $3.7 million over 2014 and 2015 for a total of $4.2 million (CMFS00033);
- Design and Construction of Leased Station 119 at an additional $1.5 million over 2014 and 2015 for a total of $5.9 million gross budget – $4.2 million net budget (CMFS00032);
- Vehicle & Equipment Replacement at $2.2 million over 2014 and 2015 (TWOE00320);
- Construction of Multi-Use Trails at various locations at $2.0 million over 2014 to 2016 (CMPF00405);
- Multi-Use Trails along Hanlan Routes at $1.9 million over 2014 to 2016 (TWOE00087);
- Library Self-Serve Technology-Workstation Rollout at $1.6 million over 2014 and 2015 for a total of $2.9 million (CMLS00006);
- Network Access Switches Replacement & Expansion at $1.6 million over 2014 and 2015 (CPIT00256);
- Design & Construction of East Hydro One Corridor Trail – Etobicoke Creek to BRT at $1.3 million over 2014 to 2017 (CMPF00417);
- Pathway Lighting – Various Parks at $1.1 million over 2014 and 2015 (CPFP00234);
- Roof Replacement – Civic Centre at $0.9 million over 2014 and 2015 (CPFP00199);
- Skylight and Roof Replacement – Central Library North Atrium at $0.9 million over 2014 and 2015 (CPFP00198);
- New Fire Truck – Fire Station 120 at $0.7 million over 2014 and 2015 (CMFS00121);
- 2014 Inspections – VFA Assessments – Various Locations at $0.7 million over 2014 and 2015 (CPFP00346);
- HR Admin Processes & Forms Automation at $0.6 million over 2014 and 2015 (CPBS00001);
- Downtown Infrastructure and Public Realm Plan at $0.6 million over 2014 to 2016 (COSP00011);
- City Wide Energy Audit at $0.5 million over 2014 and 2015 (CPFP00140);
- Parking Lot LED Lighting – Various Locations at $0.5 million over 2014 and 2015 (CPFP00142);
- Phone Replacements at $0.5 million over 2014 and 2015 (CPIT00190);
- Interior Finishes – River Grove Community Centre-North Area at $0.5 million over 2014 and 2015 (CPFP00241);
- Design & Construction of Lakeview Corridor Trail – Lakeshore Road to QEW at $0.4 million over 2014 and 2015 (CMPF03008);
- Design & Construction of Community Park F_408 at $0.4 million over 2014 and 2015 (CMPF00469);
- Energy Management – Re-commissions at $0.4 million over 2014 and 2015 (CPFP00143);
- IT Service Management Program at $0.3 million over 2014 and 2015 (CPIT00245);
- Design & Construction of Bridge at P_505 at $0.3 million over 2014 to 2016 (CMPF03022);
- Planning and Development Studies – Lifecycle Replacement at $0.2 million over 2014 and 2015 (CMPF00269); and
- IT e3 Project Portfolio Management at $0.2 million over 2014 and 2015 (CPIT00272).

7) That all necessary by-laws be enacted.