

Approved: March 5, 2014



MINUTES

SESSION 3

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

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WEDNESDAY, February 12, 2014 – 9:13 A.M.

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

PRESENT: Mayor Hazel McCallion
Councillor Jim Tovey Ward 1 (Departed at 12:01 p.m. Other Municipal Business)
Councillor Pat Mullin Ward 2
Councillor Chris Fonseca Ward 3
Councillor Frank Dale Ward 4
Councillor Bonnie Crombie Ward 5 (Departed at 12:54 p.m. Other Municipal Business)
Councillor Ron Starr Ward 6
Councillor Nando Iannicca Ward 7
Councillor Pat Saito Ward 9
Councillor Sue McFadden Ward 10
Councillor George Carlson Ward 11

ABSENT: Councillor Katie Mahoney Ward 8 (Personal)

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

1. CALL TO ORDER

The meeting was called to order at 9:13 a.m. by Mayor McCallion, with the saying of the Lord's Prayer.

Members of Council presented flowers to Mayor McCallion for her 93rd birthday.

2. APPROVAL OF AGENDA**Verbal Motion**

Moved by: N. Iannicca

Seconded by: R. Starr

That the agenda be approved with the addition of the following:

- (a) B-18 A by-law to authorize the execution of a section 30 Agreement under the Expropriations Act, R.S.O. 1990, c.E.26 between Amacon Development (City Centre) Corp. and The Corporation of the City of Mississauga. Being PIN 13141-0320 being Part of Lot 19 Concession 2, North of Dundas Street, Toronto Township Part of Lot 19, Concession 2, N.D.S. west side of Confederation Parkway, north of Burnhamthorpe Road West (CD.21.AMA W4/MG.23.REP)

PDC-0009-2014/February 3, 2014

Carried

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

Moved by: R. Starr

Seconded by: C. Fonseca

That the Council minutes of January 22, 2014 be approved as presented.

Carried

5. PRESENTATIONS**(a) Abilities Award**

Diana Simpson, Accessibility Coordinator, Jaime Castro, Founder and Public Relations Director of the Abilities Awards, Rabia Khedr, Chair of Mississauga Accessibility Advisory Committee and Mayor McCallion presented the 2013 Abilities Award for the “Exceptional Volunteer with a Disability” to Glenn Barnes, Committee Member from the Mississauga Accessibility Advisory Committee. Mr. Casto, Ms. Khedr and Ms. Simpson spoke to and requested support for the 2nd Annual Abilities Awards – “The Academy Awards of the Disability Community” to be held on December 3, 2014 in Mississauga. Mayor McCallion and Members of Council support the Abilities Awards being hosted in Mississauga. Councillors Tovey and Saito congratulated Glenn Barnes on receiving the “Exceptional Volunteer with a Disability” Award and further thanked Mr. Barnes and Ms. Khedr for their contribution towards improving the transit in Mississauga.

Information Item I-1
Resolution 0018-2014

(b) Government Finance Officers Association Awards

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer provided an overview of the Government Finance Officers Associations Award. Mr. Kent and Mayor McCallion presented the 2013 Distinguished Budget Presentation Award to staff.

6. DEPUTATIONS**(a) Peel District School Board - Special Education High Needs Funding**

Janet McDougald, Chair of the Peel District School Board spoke to Special Education High Needs Funding required in Peel Region and further requested that Council endorse the Peel District School Board’s initiative to fix the formula for special education and write a letter to the Minister of Education and local Members of Provincial Parliament. Mayor McCallion and Members of Council endorsed the Peel District School Board’s initiative to the fix the formula for special education funding campaign.

Information Item I-1
Resolution 0019-2014

Councillor Starr requested that deputation (e) be brought forward at this time.

(b) Autism Awareness – ONE person ONE Donation ONE Hope

Janan Di Nola, Co-founder One Piece Productions spoke to the goal of bringing the world's attention to autism asked that Mississauga Celebration Square "Light It Up Blue" in celebration of World Autism Awareness Day April 2, 2014. Mayor McCallion and Members of Council requested that the Ms. Di Nola's presentation be referred to Mississauga Celebration Square Events Committee's next meeting.

Resolution 0021-2014

(c) Art Gallery of Mississauga

Stuart Keeler, Director/Curator Art Gallery of Mississauga and Mike Douglas, Board President, Art Gallery of Mississauga, Community resident and publisher of Spirit of Mississauga provided an update on 2013 events and spoke to the plans for 2014 regarding exhibitions, programs, community connections and asked to come back to Council to present their Business Planning Study. Mayor McCallion and Members of Council congratulated Mr. Keeler and Mr. Douglas on their hard work and dedication to the Art Gallery of Mississauga and indicated that they would be welcomed to come back to make their deputation.

(d) Friends of the Greenbelt Foundation

Shelley Petrie, Program Director of Friends of the Greenbelt Foundation spoke to the "Expansion of the Provincial Greenbelt Plan Area into Mississauga" report and indicated that the Friends of the Greenbelt Foundation will be celebrating their birthday at Mississauga Celebration Square's ice rink. Mayor McCallion and Members of Council thanked Ms. Petrie and the Foundation for supporting the City's report and Council supports their birthday celebration.

Unfinished Business UB-1

Resolution 0022-2014

Resolution 0023-2014

(e) The Mikey Network

Hugh Heron, Chairman and Bob Finnigan, Vice President of The Mikey Network provided information about "The Mikey Network" and the donation of 250 Mikey defibrillators being given to the Peel District School Board. Mayor McCallion and Members of Council thanked The Mickey Network for their donation to the Peel District School Board and spoke in support of defibrillators being in every city facility as well as directing staff to report back on options for high-rise buildings related to emergency measures such as including defibrillators and emergency generators in all high-rise buildings.

Resolution 0020-2014

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

(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 January 20, 2014, from the Commissioner of Planning and Building re: **Rezoning and Draft Plan of Subdivision Applications, to permit 24 semi-detached dwellings 5337 and 5353 Ninth Line and Blocks 548 to 553, inclusive, on Registered Plan 43M-1357, South of Tacc Drive, east side of Ninth Line, Owner: Cal-Arvona Developments Inc. Applicant: KLM Planning Partners Inc. Bill 51, Supplementary Report, Ward 10.**

Recommendation

That the Report dated January 20, 2014, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 13/004 W10 and T-M13001 W10, Cal-Arvona Development Inc., 5337 and 5353 Ninth Line and Blocks 548 to 553, inclusive, on Registered Plan 43M-1357, south of Tacc Drive, east side of Ninth Line, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.

2. That the application to change the Zoning from "R1" (Detached Dwellings - Typical Lots) to "RM1-1" (Semi-Detached Dwellings) and "RM1-Exception" (Semi-Detached Dwellings) and from "RM1-1" (Semi-Detached Dwellings) to "RM1-Exception" (Semi-Detached Dwellings) to permit a plan of subdivision for 24 semi-detached dwellings in accordance with the proposed zoning standards described in the Information Report, be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved.
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
 - (c) Prior to final approval, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for this plan.
 - (d) That in accordance with Council Resolution 160-91, requiring a minimum of three car spaces per dwelling, including those in a garage be required on-site and a minimum of 0.25 on-street visitor parking spaces per dwelling be required for dwellings on lots less than 12 m (39.4 ft.) of frontage for the subject development shall not apply.

3. That the Plan of Subdivision under file T-M13001 W10, be recommended for approval subject to the conditions contained in Appendix S-4, attached to the report dated January 20, 2014 from the Commissioner of Planning and Building.

4. 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 36 months of the Council decision.

Resolution 0025-2014

- R-2 A report dated January 29, 2014, from the Commissioner of Community Services re: **Port Credit Cultural Node Project Update, (Ward 1)**.

Recommendation

That the recommendations in the corporate report dated January 29, 2014 from the Commissioner of Community Services entitled "Port Credit Cultural Node Project Update", be approved, as follows:

- a) That applications for patio encroachment agreements within the Port Credit Cultural Node area be received no later than November 30th of the previous calendar year to allow for review and approval of applications for the following season;
- b) That acoustic music be permitted at outdoor patios in the Port Credit Cultural Node area;
- c) That a City initiated, blanket minor variance be sought to permit outdoor displays and street furniture immediately adjacent to a commercial business within the Port Credit BIA pilot project area, subject to an encroachment permit with the City, and such further conditions as stated in this report; and,
- d) That propane heaters be permitted on public right-of- way patios subject to an encroachment agreement with the City and such further conditions as stated in this report.

Resolution 0026-2014

Resolution 0027 -2014

Councillor Tovey requested that the motion requesting amendments to City of Mississauga By-laws for the Port Credit Business Improvement Area (BIA) as part of the Port Credit Culture Node Project. Mayor McCallion requested that staff look into some unique opportunities to get residents enjoying local businesses and further indicated that these amendments should also reflect Clarkson and Streetsville.

- R-3 A report dated January 29, 2014, from the Commissioner of Transportation and Works re: **2014 American Public Works Association (APWA) Congress Exposition - Toronto.**

Recommendation

That the City of Mississauga sponsor \$5000 at the Bronze level to the 2014 American Public Works Association (APWA) Congress and Exposition – Toronto.

Resolution 0028 -2014

Mayor McCallion requested that Corporate Report R-3 regarding “2014 American Public Works Association (APWA) Congress Exposition – Toronto” be referred to the Regional Municipality of Peel.

9. PRESENTATION OF COMMITTEE REPORTS

- (a) Transportation Committee Report 2-2014 dated January 29, 2014.

Resolution 0024-2014

The recommendations were approved as follows:

TC-0005-2014

1. That the Commissioner of Transportation and Works and the City Clerk be authorized to execute and affix the corporate seal on behalf of The Corporation of the City of Mississauga (the “City”) to the Universal Transit Pass Agreement between the City, the Governing Council of the University of Toronto (the “University”) and Erindale College Student Union (the “UTMSU”) for a three (3) year term beginning September 2014 until August 2017, in a form satisfactory to Legal Services, as outlined in the report dated January 6, 2014 from the Commissioner of Transportation and

Works.

2. That the Mississauga Transit Fares By-Law # 218-13 be amended to reflect a Universal Pass (U-Pass) annual fee of one hundred and sixty-eight dollars and thirty-five cents (\$168.35) in September 2014 for the fall/winter term and to reflect the one-time replacement fee of 50 percent of the value of the U-pass.
3. That the Mississauga Transit Fares By-Law # 218-13 be amended to reflect a Universal Pass (U-Pass) annual fee of one hundred and three dollars and seventy-four cents (\$103.74) in May 2015 for the summer U-Pass term and a one-time replacement fee of 50 percent of the value of the U-Pass.
4. That all necessary by-laws be enacted.

TC-0006-2014

1. That the report entitled, "Petition: Tedlo Street-Transit Service Request" dated January 9, 2014 from the Commissioner of Transportation and Works be received for information.
2. That a copy of the report be forwarded to the petitioners by the City Clerk's office.

TC-0007-2014

1. That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute the agreement with the Canadian National Railway Company (CNR) and the Corporation of the City of Brampton for the construction and future maintenance of the Torbram Road Grade Separation at CNR Halton Subdivision, Mileage 10.49, in a form satisfactory to the City Solicitor.
2. That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute the agreement with Metrolinx and the Canadian National Railway Company (CNR) for the construction and future maintenance of the Torbram Road Grade Separation at Metrolinx Weston Subdivision, Mileage 16.17, in a form satisfactory to the City Solicitor.

3. That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute the joint Municipal Capital Road Project Agreement with the Corporation of the City of Brampton for the reconstruction of Torbram Road from Kimbel Street to the Ontario Hydro corridor including two road/rail grade separations and a storm water pumping station, , in a form satisfactory to the City Solicitor.

TC-0008-2014

That a bylaw be enacted authorizing the Mayor and the Commissioner of Corporate Services and Chief Financial Officer to execute a letter of agreement on behalf of the City of Mississauga with the Province of Ontario on the Gas Tax Funding, attached as Appendix 1 to the Corporate Report dated January 15, 2014 from the Commissioner of Corporate Services and Chief Financial Officer.

TC-0009-2014

That the matter of reviewing the need for a Transportation Committee be referred to the Governance Committee.

TC-0010-2014

That the deputation made by Michael Gusche, Project Coordinator regarding the Sawmill Trail project be received.
(MCAC-0001-2014)

TC-0011-2014

That the deputation made by Michael Gusche, Project Coordinator regarding the Off Road Cycling Network plan be received and referred to the Network and Technical Subcommittee.
(MCAC-0002-2014)

TC-0012-2014

That the memorandum dated January 8, 2014 from Jacquelyn Hayward Gulati, Manager Cycling Office regarding the 2013 Cycling Network Program: Year-End Report be received and referred to the Network and Technical Subcommittee.
(MCAC-0003-2014)

TC-0013-2014

That the memorandum dated January 8, 2014 from Jacquelyn Hayward Gulati, Manager Cycling Office regarding the Proposed 2014 Cycling Network Plan be received and referred to the Network and Technical Subcommittee.

(MCAC-0004-2014)

TC-0014-2014

1. That up to \$250.00 be allocated to purchase Tour de Mississauga postcards and that the funds come from the 2014 Mississauga Cycling Advisory Committee budget.
2. That up to \$750.00 be allocated to purchase promotional and marketing items for the 2014 Toronto Bike Show and that the funds come from the 2014 Mississauga Cycling Advisory Committee budget.

(MCAC-0005-2014)

TC-0015-2014

That \$300.00 be allocated towards incidentals for the Tour de Mississauga working group meetings and that the funds come from the 2014 Mississauga Cycling Advisory Committee budget.

(MCAC-0006-2014)

TC-0016-2014

That Heather Relf, Boris Swedak, Matthew Moore and Sushil Kumra be appointed as members of the Budget Subcommittee of Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.

(TSC-0001-2014)

TC-0017-2014

That Louise Goegan, Dan Suess, Altamash Syed, David Brennan and Peter Westbrook be appointed as members of the Walk to School of Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.

(TSC-0002-2014)

TC-0018-2014

That Anna Mydral, Peter Westbrook, Louise Goegan and Sushil Kumra be appointed as members of the Kiss & Ride Subcommittee of Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.

(TSC-0003-2014)

TC-0019-2014

That David Brennan, Dan Suess, Matthew Moore, Denise Gordon-Mohamud, Altamash Syed and Heather Relf be appointed as members of the Public Information Subcommittee of Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.

(TSC-0004-2014)

TC-0020-2014

That Peter Westbrook, Boris Swedak and Altamash Syed be appointed as members of the Dismissal Subcommittee of Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.

(TSC-0005-2014)

TC-0021-2014

That Councillor Sue McFadden, Dan Suess, Louise Goegan, Peter Westbrook and Boris Swedak be appointed as members of the Site Plan Review Subcommittee of Traffic Safety Council for the term ending in November 30, 2014 or until a successor is appointed.

(TSC-0006-2014)

TC-0022-2014

That the memorandum dated January 17, 2014 from Angie Melo, Legislative Coordinator, with respect to the new site plan review process be received for information.

(TSC-0007-2014)

(Ward 2)

TC-0023-2014

1. That the request for a crossing guard in front of Tecumseh Public School be denied as the warrants have not been met.
2. That the Transportation and Works be requested to review No U-Turn signage in front Tecumseh Public School.

(TSC-0008-2014)

(Ward 8)

TC-0024-2014

1. That Transportation and Works be requested to review the following for St. Margaret of Scotland School at the intersection of the Collegeway/Hornbeam Crescent:
 - a. Sign corner prohibitions as soon as possible.
 - b. Review on-street parking once the parking consideration terminates April 30, 2014.

2. That Transportation and Works be requested to install corner No Stopping prohibitions at the intersection of Chokecherry Crescent and Hornbeam Crescent.

(TSC-0009-2014)

(Ward 8)

TC-0025-2014

1. That the request for a crossing guard on Artesian Drive between Fulwell Road and Derrydown Drive for the students attending Artesian Drive Public School be denied as the warrants have not been met and that the Site Inspection Subcommittee of Traffic Safety Council re-inspect the intersection once the Peel District School Board has erected a fence on school property.
2. That the Peel District School Board be requested to erect a fence on school property between the driveway entrance and exit to discourage pedestrians from walking through the Kiss & Ride.
3. That Transportation and Works be requested to review the landing pad in place on the north side of Artesian Drive opposite Dunoon Drive for consideration for removal.
4. That the Principal of Artesian Drive Public School be requested to operate a dismissal program in the afternoon.

(TSC-0010-2014)

(Ward 8)

TC-0026-2014

1. That the request for two crossing guards at the intersection of Artesian Drive and Southampton Drive/Colombo Crescent for the students attending Artesian Drive Public School be denied as the warrants have not been met.
2. That Transportation and Works be requested to cold patch the southeast corner of Artesian Drive and Colombo Crescent.

(TSC-0011-2014)

(Ward 8)

TC-0027-2014

That Transportation & Works be requested to replace the "No parking" driveway prohibition signs with "No Stopping" prohibitions in front of Erin Centre Middle School.

(TSC-0012-2014)

(Ward 10)

TC-0028-2014

1. That the request to extend the crossing guard time at Thorn Lodge Drive at the Kiss & Ride entrance to Sheridan Park Public School be denied as the warrants have not been met.
2. That Parking Enforcement, be requested to enforce the parking infractions at Thorn Lodge Drive at the Kiss & Ride entrance to Sheridan Park Public School between 8:00 a.m. and 8:30 a.m. and 3:00 p.m. and 3:30 p.m., when Transportation and Works has put signage in place.

(TSC-0013-2014)

(Ward 2)

TC-0029-2014

1. That the request for a crossing guard at the intersection of Escada Drive and Freshwater Drive for the students attending St. Bernard of Clairvaux Catholic School be denied as the warrants have not been met.
2. That the Principal at St. Bernard of Clairvaux be requested to remind the parents to use the Kiss & Ride instead of parking on Freshwater Drive.
3. That the Site Inspection Subcommittee conduct a site inspection in front of St. Bernard of Clairvaux Catholic School to ensure signage is adequate.

(TSC-0014-2014)

(Ward 10)

TC-0030-2014

That the School Zone Safety (Kiss & Ride) Report from November and December 2013 be received for information.

(TSC-0015-2014)

TC-0031-2014

That the Dufferin Peel Catholic School Board be requested to review the following for St. Therese of the Child Jesus Elementary School:

- a. Review the feasibility of erected a fence in front of the school so that parents and children use the property route into the school, instead of crossing the bus and car lanes.
- b. Place "Do Not Enter" signs at the driveway entrance to discourage parents from exiting through the entrance.
- c. That the Principal of St. Therese of the Child Jesus Elementary School be requested to have a teacher volunteer stand closer to the stop bar to encourage parents to utilize all of the Kiss & Ride.

(TSC-0016-2014)

(Ward 10)

TC-0032-2014

That the Peel District School Board be requested to repaint the Kiss & Ride markings at Tecumseh Public School.

(TSC-0017-2014)

(Ward 2)

TC-0033-2014

1. That the Peel District School Board be requested to review the following:
 - a. Consider moving the fence back on the northwest side of the building so that the west side can be used for loading and unloading of buses.
 - b. Review the need for the Kiss & Ride markings to be repainted.
 - c. Install a fence along the front of the school to encourage children and parents to enter the school property through the proper pathways.
2. That Transportation and Works be requested to remove the landing pad in front of the Artesian Drive Public School.

(TSC-0018-2014)

(Ward 8)

TC-0034-2014

That the Peel District School Board be requested to consider closing off the west side entrance to the parking lot at Erin Centre Middle School.

(TSC-0019-2014)

(Ward 10)

TC-0035-2014

1. That the Peel District School Board be requested to review signage in the Kiss & Ride at Fallingbrook Middle School.
2. That the Principal of Fallingbrook Middle School be requested to show the Traffic Safety Council Kiss & Ride video to the parents of newly enrolled students.
3. That the Principal of Fallingbrook Middle School be requested to continue to work with the parents to encourage them to leave the school property by Dream Crest Road instead of circling around the parking lot.

(TSC-0020-2014)

(Ward 6)

TC-0036-2014

That the email dated December 3, 2013 from Joanne Igerich, Principal, with respect to a request for a site inspection at St. Margaret of Scotland School be received

(TSC-0021-204)

(Ward 8)

TC-0037-2014

That Traffic Safety Council send a letter to the Dufferin-Peel Catholic District School Board and Peel District School Board expressing concern with traffic congestion in front of schools, specifically parents stopping and/or parking in front of schools causing unsafe conditions for students crossing, and requesting that the School Boards work with school principals to encourage parents to utilize the Kiss & Ride.

(TSC-0022-2014)

TC-0038-2014

That the Action Items List from the Transportation and Works Department for the month of November 2013 be received for information.

(TSC-0023-2014)

TC-0039-2014

That the report from the Manager of Parking Enforcement with respect to parking enforcement in school zones for the month of December 2013 be received for information.

(TSC-0024-2014)

TC-0040-2014

That Traffic Safety Council request Council to consider appointing a Traffic Safety Council citizen member as a Life Member of Traffic Safety Council, based on the Life Membership criteria in the Committee's Terms of Reference.

(TSC-0025-2014)

TC-0041-2014

1. That the request for a second crossing guard at the intersection of Artesian Drive and Long Acre/Glasshill Drive for the students attending Artesian Drive Public School be denied as the warrants have not been met.
2. That Transportation and Works be requested to cold patch/repair the landing pad/curb on the southeast corner at Artesian Drive and Long Acre/Glasshill Drive.

(TSC-0026-2014)

(Ward 8)

TC-0042-2014

1. That Transportation and Works be requested to sign the Cul-de-sac "No Stopping" from 8:00 a.m. – 9:30 a.m. and 3:00 p.m. – 4:30 p.m., Monday to Friday, September to June on Florian Road behind St. Timothy Catholic School.
2. That the Principal of St. Timothy Catholic School be requested to encourage the parents currently parking on Florian Road to utilize the Kiss & Ride at the school to drop off students.

(TSC-0027-2014)

(Ward 7)

- (b) Planning and Development Committee Report 2-2014 dated February 3, 2014.

Resolution 0024-2014

The recommendations were approved as follows:

PDC-0005-2014

That the Report dated January 14, 2014 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested one (1) Sign Variance Application described in Appendix 1 to the Report, be adopted in accordance with the following:

1. That the following Sign Variance be granted:

- (a) Sign Variance Application 13-06207
Ward 3
1127792 Ontario Limited
2225 Dundas St. E.

To permit the following:

- (i) One (1) ground sign located on the city road allowance subject to the issuance of an encroachment agreement with the City.
- (ii) One (1) ground sign with a sign area of 15.34 sq. m. (165.16 sq. ft.) per sign face.

File: BL.03-SIG (2014)

PDC-0006-2014

1. That the Draft Lakeview Local Area Plan (January 2014), under separate cover to the report titled "Draft Lakeview Local Area Plan" dated January 14, 2014 from the Commissioner of Planning and Building be circulated for comment to City Departments, agencies and stakeholders for review, and further, that a public consultation program, including an open house and statutory public meeting, be held.
2. That the letter dated February 3, 2014 from Mr. Jim Levac, Senior Associate, Weston Consulting Group Inc., be received.

File: CD.03.LAK

PDC-0007-2014

That the Report dated January 14, 2014, from the Commissioner of Planning and Building regarding a proposed Housekeeping Amendment 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

PDC-0008-2014

That the Report dated January 14, 2014, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R1" (Detached Dwellings - Typical Lots) to "R4- Exception" (Detached Dwellings - Typical Lots) under file OZ 13/014 W10 and a Draft Plan of Subdivision to permit 15 detached dwellings under file T-M13004 W10, Argo Trail Corporation, 6565 Ninth Line, be received for information and notwithstanding planning protocol, that the Supplementary Report be brought directly to a future Council meeting.

Files: OZ 13/10 W10 and T-M13004 W10

PDC-0009-2014

That the Report dated January 14, 2014, from the Commissioner of Planning and Building recommending approval of the applications under File CD.21.AMA W4, Amacon Development (City Centre) Corp., Part of Lot 19, Concession 2, N.D.S., be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the amendments have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the Planning Act, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the application to amend Mississauga Official Plan from "Public Open Space" to "Downtown Mixed Use" and "Public Open Space", as amended, and to add a new Minor Collector road (Square One Drive), be approved, as per Appendix S-3 of this Report. This amendment will permit revised park limits and add a new road.
3. That the application to change the Zoning from "CCOS" (City Centre – Open Space) to "CC4-5" (City Centre – Mixed Use) and "CCOS" (City Centre – Open Space), as amended, and change the CC4 (City Centre – Mixed Use) zoning provisions to permit revised tower placement, heights and floor plates, be approved in accordance with Appendix S-4 of this Report.
4. That Legal Services be directed to prepare an amendment to the Agreement dated December 14, 2005, relating to the Urban Design Control Document to incorporate the revisions as per Appendix S-5, to accommodate the revised master plan.
5. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

File: CD.21.AMA W4

Councillor Dale spoke to PDC-0009-2014 noting that he met with residents of the adjacent condominium with respect to the extension of Square One Drive going through an Environmental Assessment (EA) process and that the relocation of their condominium driveway will be at no cost to them and thanked staff for all their work on this matter.

- (c) General Committee Report 2-2014 dated February 5, 2014.

Resolution 0024-2014

The recommendations were approved as follows:

GC-0021-2014

That the following deputations with respect to the Expansion of the Provincial Greenbelt Plan Area into Mississauga be received:

- a) Olav Sibille, Planner, Park Planning and Paul Lowes, Principal, Sorensen Gravely Lowes Planning Associates Inc.
- b) Thaia Jones, Sierra Club of Peel and Kiruthiha Kulendiren, David Suzuki Foundation

GC-0022-2014

That the deputation by Olav Sibille, Planner, Park Planning, Mirek Sharp, Principal, North South Environmental and Margot Ursic, Planning Ecologist, Beacon Environmental with respect to the Natural Heritage and Urban Forest Strategy and Urban Forest Management Plan be received.

GC-0023-2014

1. That the “Natural Heritage and Urban Forest Strategy” (NH&UFS) and the “Urban Forest Management Plan” (UFMP), provided as Appendix 3 to the Corporate Report dated January 14, 2014 from the Commissioner of Community Services be endorsed in principle;
2. That the Implementation Guides for the “Natural Heritage and Urban Forest Strategy” and the “Urban Forest Management Plan”, provided as Appendix 4 to the Corporate Report dated January 14, 2014 from the Commissioner of Community Services, be referred to the annual business planning and budget process for review and prioritization;
3. That staff initiate consultations with land owners of properties proposed to be included in the City’s Natural Heritage System as shown on Map 1 of the Natural Heritage and Urban Forest Strategy; and
4. That a public meeting be held to consider amendments to Mississauga Official Plan further to the policy directions recommended in Appendix E of the Natural Heritage and Urban Forest Strategy.

GC-0024-2014

That the Corporate Report dated January 14, 2014 from the Commissioner of Community Services with respect to the expansion of the Provincial Greenbelt Plan Area into Mississauga be referred to Council without a recommendation.

GC-0025-2014

That the deputation by Ted Li and Tracy Lee, Kaleidoscope Chinese Performing Arts Society with respect to the 2014 Arts and Culture Grant Program be received.

GC-0026-2014

1. That the 2014 Arts and Culture grant allocations as outlined in the report "Recommended Grant Allocations for the 2014 Arts and Culture Grant Program", dated January 6, 2014, from the Commissioner of Community Services, be approved.
2. That Cultural projects with a "Pan Am Games" focus be prioritized for project grant approvals in 2015.

GC-0027-2014

That the 2014 grant allocations for the Cultural Festivals and Celebrations Grant Program as outlined in the report "Recommended Grant Allocations for the 2014 Cultural Festivals and Celebrations Grant Program", dated January 6, 2014 from the Commissioner of Community Services, be approved.

GC-0028-2014

1. That the 2014 Recreation and Sport grant allocations as outlined in the report "Recommended Community Grant Allocations for the 2014 Recreation and Sport Grant Program and 2014 Environment Grant Program" dated January 14, 2014 from the Commissioner of Community Services, be approved.

2. That the Commissioner of Community Services and City Clerk be given authority to enter into a multi-year funding agreement with Ecosource for no more than the total award of \$75,000 annually in a form satisfactory to Legal Services, City Manager's Department for January 1, 2014 to December 31, 2018.
3. That the Commissioner of Community Services and City Clerk be given authority to enter into a multi-year funding agreement with Nexus Youth Services, Volunteer Mississauga Brampton Caledon (VMBC), Square One Older Adult Centre, Mississauga Sports Council, St John Ambulance and The Riverwood Conservancy for no more than the total award outlined in Appendix 2, "Recommended Grant Allocations – Recreation and Sport, 2014 Community Grant Program", in a form satisfactory to Legal Services, City Manager's Department, for January 1, 2014 to December 31, 2018.
4. That the Commissioner of Community Services and City Clerk be given authority to amend the current multi-year funding agreement with Safe City Mississauga to extend the term to 2018 in a form satisfactory to Legal Services, City Manager's Department, effective for 2015 to 2018.
5. That all necessary by-laws to execute the funding agreements with EcoSource, Nexus Youth Services, Volunteer Mississauga Brampton Caledon (VMBC), Square One Older Adult Centre, Mississauga Sports Council, St John Ambulance and The Riverwood Conservancy be enacted.

GC-0029-2014

1. That funding of \$990,000 be transferred from Capital Tax Reserves to (PN12-331) as replacement for CIIF funding to allow the Streetsville Village Square tender to be awarded as outlined in the report dated January 24, 2014 from the Commissioner of Community Services, to ensure continuation of the project notwithstanding that discussions with the Federal Government are ongoing with regard to an extension to the CIIF project completion date.

2. That all necessary by-laws be enacted.
(Ward 11)

GC-0030-2014

That McNally Construction Inc. be granted an exemption from the Noise Control By-law No. 360-79, as amended, to allow for extended tunnelling construction work of the Hanlan Feedermain as outlined in the Corporate Report dated January 13, 2014 from the Commissioner of Transportation and Works for the following locations:

- a. 920 Lakeshore Road East, commencing at 7:00 p.m. on Tuesday, February 18, 2014 and ending at 7:00 a.m. on Monday, June 1, 2015.
- b. 1352 Lakeshore Road East, commencing at 7:00 p.m. on Tuesday, February 18, 2014 and ending at 7:00 a.m. on Friday, April 1, 2016.
- c. 1635 Cormack Crescent, commencing at 7:00 p.m. on Tuesday, February 18, 2014 and ending at 7:00 a.m. on Friday, January 1, 2016.

(Ward 1)

GC-0031-2014

That McNally-Kiewit-Aecon Partnership be granted an exemption from Noise Control By-law No. 360-79, as amended, to allow for extended construction work for the third phase of twinning of the existing West Trunk Sanitary System between Highway 401 and Queen Elizabeth Way (QEW), commencing Tuesday, February 18, 2014 and ending Friday, August 29, 2014.

(Wards 9 and 11)

GC-0032-2014

That the Realty Services Section of Corporate Services Department be authorized to enter into negotiations for a lease agreement, in a form and content satisfactory to the City Solicitor, between the City of Mississauga as landlord and 2016169 Ontario Inc. (o/a Blyth Academy) as tenant, for the Cawthra-Elliot House located at 1507 Cawthra Road, in accordance with the terms contained herein.

(Ward 1)

GC-0033-2014

1. That the City owned parcel of land located on the west side of Keenan Crescent, between 3681 and 3685 Keenan Crescent, containing an area of approximately 115 square metres (1,238 square feet), be declared surplus to the City's requirements. The City owned parcel is described as PCL PLAN-2, SEC M7; BLK H, PL M7, in the City of Mississauga, Regional Municipality of Peel, Ward 5.
2. That Realty Services staff be authorized to proceed to dispose of the subject property to the adjacent landowners once it has been declared surplus.
3. That all steps necessary to comply with the requirements of Section 2. (1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week prior to the execution of an agreement for the sale of the subject land under delegated authority.

(Ward 5)

GC-0034-2014

1. That a portion of City owned property, municipally known as 4140 Pheasant Run, containing a site area of approximately 0.81 ha. (2 acres), be declared surplus to the City's requirements for the purpose of a proposed conveyance to Hearthouse Hospice Inc. upon satisfactory completion of all required lease payment under a five (5) year lease-to-own agreement. The subject lands are legally described as Part of Block X on Registered Plan M-120, containing approximately 2 acres in the approximate location as shown on Appendix 1, in the City of Mississauga, Regional Municipality of Peel, in Ward 8.

2. That the requirements of Section 2.(1) of City Notice By-law 215-2008 be waived and, in lieu, notice to the public will be given by posting a notice on the City of Mississauga's website for at least three weeks prior to the Transfer of Title the subject land to Hearthouse Hospice Inc.

(Ward 8)

GC-0035-2014

That the following Corporate Policies and Procedures be declared obsolete:

- a) Assisted Education Leave (01-06-06)
- b) Portables (03-03-02)
- c) Highway Noise in Industrial Subdivisions (09-03-01)

GC-0036-2014

That the matter regarding a bylaw to amend the Tow Truck Licensing By-Law to clarify subsection 4(3)(b) of the Tow Truck Licensing By-Law and to set out the appropriate time frames for subsequent applications for tow truck licences be referred back to staff for further discussion.

GC-0037-2014

That the City Manager conduct further in depth analysis of the market data regarding Director compensation and return to Council for further discussion.

10. **UNFINISHED BUSINESS**

UB-1 A report dated January 14, 2014, from the Commissioner of Community Services re: **Expansion of the Provincial Greenbelt Plan Area into Mississauga.**

Recommendation

1. That the report dated January 14, 2014, from the Commissioner of Community Services entitled "Expansion of the Provincial Greenbelt Plan Area into Mississauga", be received for information.

2. That the Commissioner of Community Services be directed to submit a Corporate Report prior to the Summer 2014 Council recess, outlining a plan and cost estimates to expand the Provincial Greenbelt by designating selected public lands as Urban River Valley, as outlined in the Legislation.

Resolution 0022-2014

11. **PETITIONS** - Nil

12. **CORRESPONDENCE**

(a) Information Items: I-1-I-10

- I-1 An email dated January 23, 2014, from Jaime Castro regarding hosting the 2nd annual Abilities Awards – “The Academy Awards of the Disability Community” on December 3, 2014.

Received for information

- I-2 A letter dated January 15, 2014, from the Chair of Peel District School Board seeking advice on how the City and the Peel District School Board can work together to fix the Special Education High Needs funding formula.

Received for information

- I-3 A letter dated January 15, 2014, from the Region of Peel Office of the Chair regarding an Update on the December 2013 Ice Storm and Clean Up.

Received for information

- I-4 An email dated January 20, 2014, from Petra Montes Ward 2 resident requesting that the City of Mississauga regarding on priority sidewalk snow cleaning to extend the snow cleaning to non-priority sidewalks for extreme winter weather conditions.

Received and referred to Transportation and Works Department for appropriate action

- I-5 A letter dated January 20, 2014, from The Town of Caledon regarding the December 21, 2013 Ice Storm and Provincial Consultation on the Land Use Planning and Appeal System.

Received for information

Mayor McCallion spoke about the Provincial Consultation on the Land Use Planning and Appeal System.

- I-6 Notice of Proposed Development dated January 23, 2014, Application OZ 13/019 W11 requesting a change in zoning from “D” (Development) to “E2-Exception” (Employment – Exception), “G1” (Greenbelt – Natural Hazards), “G2” (Greenbelt – Natural Features) and “G2-1” (Greenbelt – Natural Features – Exception) Applicant: Greg Dell & Associates Owner: Aujla Investments Inc. (Ward 11).

Received for information

- I-7 Notice of Proposed Development dated January 31, 2014, Application OZ 13/022 W7 requesting amendments to the Mississauga Official Plan policies for the Downtown Fairview Character Area from “Residential High Density – Special Site 1” to “Residential High Density – Special Site 1” (as amended) Applicant: Sorensen Gravely Lowes Planning Associates Inc. Owner: Solmar Inc. (Ward 7).

Received for information

- I-8 An email dated February 7, 2014, from the Association of Municipalities of Ontario regarding the recent developments in Joint and Several Liability – Municipal Action Needed.

Received for information

Resolution 0029-2014

Mayor McCallion and Members of Council raised concerns about the liability and spoke in support of the proposed motion.

- I-9 A letter dated February 11, 2014, from Mayor McCallion regarding Private Member's Bill, Bill 69 – *"An Act representing payments made under contracts and subcontracts in the construction industry"*.

Received for information
Resolution 0031-2014

Mayor McCallion requested that a motion be prepared for the Private Member's Bill, Bill 69 *"An Act representing payments made under contracts and subcontracts in the construction industry"*.

- I-10 A letter dated February 11, 2014, from the Land and Water Program Manager from the Environmental Defence Canada regarding Mississauga's Natural Heritage & Urban Forest, Growing the Greenbelt initiative.

Unfinished Business UB-1
Received for information
Resolution 0022-2014

- (b) Direction Item: D-1-D-2

- D-1 A letter dated January 13, 2014, from Randy Pettapiece, MPP (Perth-Wellington) requesting that Council pass a motion regarding joint and several liability.

Resolution 0029-2014

Mary Ellen Bench, City Solicitor explained joint and several liability and the *Negligence Act*. Mayor McCallion indicated that the Association of Municipalities of Ontario has been dealing with this issue for years and asked all municipalities to get involved.

- D-2 An email dated February 11, 2014, from the Association of Municipalities of Ontario requesting municipalities register with Transport Canada to receive annual reports about dangerous goods transported by Canadian railways.

Resolution 0030-2014

Mayor McCallion and Members of Council directed staff to register with Transport Canada in order to receive annual reports about dangerous goods transported by rail.

13. **NOTICE OF MOTION** - Nil

14. **RESOLUTIONS**

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

0018-2014 Moved by: P. Saito Seconded by: N. Iannicca

That Council supports the Abilities Awards to be held in Mississauga on December 3, 2014.

Carried

0019-2014 Moved by: N. Iannicca Seconded by: G. Carlson

That Council endorses the Peel District School Board's initiative to "fix the formula" for Special Education and write a letter to the Minister of Education and Mississauga's MPPs reinforcing the need and supporting the "fix the formula fund Peel students fairly on the Special Education Funding" campaign.

Recorded Vote

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

Carried (11,0, 1-Absent) Unanimously

0020-2014 Moved by: F. Dale Seconded by: N. Iannicca

That staff be directed to prepare a report on the status of the availability of defibrillators in City Facilities; and

That staff be directed to report back on options for high-rise buildings related to emerging measures including requirements for defibrillators in each building and emergency generators.

Carried

0021-2014 Moved by: F. Dale Seconded by: B. Crombie

That Janan Di Nola's deputation Autism Awareness – One Person, One Donation, One Hope be referred to Mississauga Celebration Square Events Committee and that staff be directed to add this matter to the next meeting.

Carried

0022-2014 Moved by: J. Tovey Seconded by: G. Carlson

1. That the report dated January 14, 2014, from the Commissioner of Community Services entitled "Expansion of the Provincial Greenbelt Plan Area into Mississauga", be received for information.
2. That the Commissioner of Community Services be directed to submit a Corporate Report prior to the Summer 2014 Council recess, outlining a plan and cost estimates to expand the Provincial Greenbelt by designating selected public lands as Urban River Valley, as outlined in the Legislation.

Carried

0023-2014 Moved by: J. Tovey Seconded by: B. Crombie

That Council supports Friends of the Greenbelt Foundation's birthday.

Carried

0024-2014 Moved by: F. Dale Seconded by: C. Fonseca

Recommendations TC-0005-2014 to TC-0042-2014 inclusive contained in the Transportation Committee Report 2-2014 dated January 29, 2014, be approved

Recommendations PDC-0005-2014 to PDC-0009-2014 inclusive contained in the Planning and Building Committee Report 2-2014 dated February 3, 2014, be approved

Recommendations GC-0021-2014 to GC-0037-2014 inclusive contained in the General Committee Report 2-2014 dated February 5, 2014, be approved

Carried

0025-2014 Moved by: S. McFadden Seconded by: G. Carlson

That the Report dated January 20, 2014, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 13/004 W10 and T-M13001 W10, Cal-Arvona Development Inc., 5337 and 5353 Ninth Line and Blocks 548 to 553, inclusive, on Registered Plan 43M-1357, south of Tacc Drive, east side of Ninth Line, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the application to change the Zoning from "R1" (Detached Dwellings - Typical Lots) to "RM1-1" (Semi-Detached Dwellings) and "RM1-Exception" (Semi-Detached Dwellings) and from "RM1-1" (Semi-Detached Dwellings) to "RM1-Exception" (Semi-Detached Dwellings) to permit a plan of subdivision for 24 semi-detached dwellings in accordance with the proposed zoning standards described in the Information Report, be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved.
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.

- (c) Prior to final approval, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for this plan.
 - (d) That in accordance with Council Resolution 160-91, requiring a minimum of three car spaces per dwelling, including those in a garage be required on-site and a minimum of 0.25 on-street visitor parking spaces per dwelling be required for dwellings on lots less than 12 m (39.4 ft.) of frontage for the subject development shall not apply.
3. That the Plan of Subdivision under file T-M13001 W10, be recommended for approval subject to the conditions contained in Appendix S-4, attached to the report dated January 20, 2014 from the Commissioner of Planning and Building.
4. 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 36 months of the Council decision.

Carried

0026-2014 Moved by: J. Tovey

Seconded by: C. Fonseca

That the recommendations in the corporate report dated January 29, 2014 from the Commissioner of Community Services entitled "Port Credit Cultural Node Project Update", be approved, as follows:

- a) That applications for patio encroachment agreements within the Port Credit Cultural Node area be received no later than November 30th of the previous calendar year to allow for review and approval of applications for the following season;
- b) That acoustic music be permitted at outdoor patios in the Port Credit Cultural Node area;

- c) That a City initiated, blanket minor variance be sought to permit outdoor displays and street furniture immediately adjacent to a commercial business within the Port Credit BIA pilot project area, subject to an encroachment permit with the City, and such further conditions as stated in this report; and,
- d) That propane heaters be permitted on public right-of- way patios subject to an encroachment agreement with the City and such further conditions as stated in this report.

Carried

0027-2014 Moved by: J. Tovey

Seconded by: P. Mullin

WHEREAS certain private property owners and/or the businesses operating on their property ("Private Property Owners/Businesses") within the Port Credit Business Improvement Area ("Port Credit BIA") wish to provide small outdoor seating and/or limited retail displays in the public right-of way or on their private property immediately adjacent to such businesses;

WHEREAS at its meeting on July 3, 2012, Council for The Corporation of the City of Mississauga (the "City") passed resolution number 0119-2013 which directed the Culture Division to investigate and report back to Council on the requirements and criteria to allow small businesses operating within the Port Credit BIA as part of the City's Port Credit Culture Node Project to provide limited displays and outdoor seating for customers on both the public right-of-way and private lands;

AND WHEREAS certain Private Property Owners/Businesses within the Port Credit BIA who are authorized to have patios on the public right-of-way under the City's Port Credit Culture Node Project wish to provide unamplified live acoustic music and heaters on their patios;

AND WHEREAS staff have reviewed these requests and determined that it would be appropriate to grant them subject to certain terms and conditions;

AND WHEREAS Council has delegated authority to the Commissioner of Corporate Services and Treasurer and the City Clerk to execute encroachment agreements pursuant to the requirements of the City's Encroachment By-law 0057-2004, as amended by By-law 0108-2011 (the "Encroachment By-law");

AND WHEREAS staff have determined that variances to the City's Zoning By-law 0225-2007, as amended, may be required to permit the temporary encroachments onto the public right-of-way in the Port Credit BIA;

AND WHEREAS subsection 69 (2) of the *Planning Act* states that the council of a municipality may waive the requirement for the payment of a fee in respect of applications under the *Planning Act* where the council is satisfied that it would be unreasonable to require the payment;

NOW THEREFORE BE IT RESOLVED:

1. That Council authorizes the Director, Culture Division or his designate (the "Director") to make and submit such applications to the Committee of Adjustment as the Director deems appropriate, for the purpose of obtaining minor variances from the current zoning regulations for the Port Credit Business Improvement Area ("Port Credit BIA") to permit limited outdoor seating and limited retail displays on the public right-of-way subject to an encroachment agreement between the City and each applicant private property owner;
2. That subject to such terms and conditions as the Director deems appropriate, that he, on behalf of the City, be authorized to act as representative for any private property owner in the Port Credit BIA requesting that the City act as such solely for purpose of obtaining minor variances from the current zoning regulations for the Port Credit BIA as part of the Port Credit Culture Node Project in order to permit limited outdoor seating and limited retail displays on such private property owners' property;

3. That private property owners and/or the businesses operating on their property that are authorized to have patios on the public right-of-way under the City's Port Credit Culture Node Project be authorized to offer live unamplified acoustic music and heaters on their patios, subject to (i) applicable laws, including fire and safety regulations and City by-laws; (ii) an encroachment agreement between the City and each applicable private property owner; and (iii) certain terms and conditions that may be imposed by the Director and/or the Fire and Emergency Services Division from time to time in their discretion.
4. That notwithstanding the provisions of the City of Mississauga's Planning Act Processing Fees By-law 0254-2013, as amended by By-law 293-2013, all the fees normally required to be paid with respect to Minor Variance applications be waived.
5. That notwithstanding the provisions of the City of Mississauga's General Fees and Charges By-law 249-13, as amended, all fees associated with an encroachment agreement, including but not limited to, the application fee, legal fee and encroachment fee, be continued to be waived for the Port Credit Culture Node Project.
6. That notwithstanding the provisions of the City of Mississauga's Encroachment By-law 0057-2004, as amended by By-law 0108-2011, all applicable fees and expenses as outlined and defined in the Encroachment By-law be continued to be waived for the Port Credit Culture Node Project.
7. That notwithstanding the protocol for circulation of encroachment agreements by the City's Realty Services Division, the circulation process for the encroachment agreement between the City and each of the private property owners within the Port Credit BIA qualified to participate in the Port Credit Culture Node Project continue to be waived.

Carried

0028-2014 Moved by: N. Iannicca

Seconded by: S. McFadden

That the report dated January 29, 2014 from the Commissioner of Transportation and Works re: 2014 American Public Works Association (APWA) Congress and Exposition – Toronto be referred to the Region of Peel.

Carried

0029-2014 Moved by: P. Saito

Seconded by: S. McFadden

WHEREAS the joint and several provisions of the *Negligence Act*, also known as the 1% rule, provide that where two or more persons are found at fault or negligent, they are jointly and severally liable to the person suffering the loss or damage, and mean that a party which is only 1% at fault may be required to pay the plaintiff's entire judgment particularly in cases where the other defendant is unable to meet a court ordered award;

AND WHEREAS municipalities are viewed by the courts as "deep pocket" defendants with large public resources at their disposal through the power of property taxation, with the result that municipalities have often become the targets of litigation when other defendants do not have the means to pay high damage awards;

AND WHEREAS municipalities exist to connect people to their community and to provide the infrastructure and social and recreational opportunities which advance the development of a community, and these large awards make it very difficult to find a reasonable balance between the amenities residents and others want and the risk of litigation, regardless of the level of due diligence carried out by the municipality;

AND WHEREAS joint and several liability is problematic not only because of the disproportional burden on municipalities that courts award, but also because the fear of large court awards pressures municipalities to settle out of court to avoid expensive litigation for amounts that often represent a greater percentage than the degree of municipal fault, and encourages plaintiffs to add municipalities as defendants even in questionable circumstances, due to the likelihood that a plaintiff can build an argument that a municipality is 1% responsible for an event that happens within municipal boundaries;

AND WHEREAS many municipalities face extremely high deductibles on their insurance coverage and many municipalities cannot even obtain liability coverage because of the impact of the 1% rule on insurance costs;

AND WHEREAS AMO prepared a case for Joint and Several Liability Reform that was presented to the Province in 2010, asking the Province of Ontario to address joint and several liability because of the impact of rising insurance premiums, rising awards, and the unfairness to local property taxpayers burdened with these awards under the 1% rule;

AND WHEREAS British Columbia, Saskatchewan and 38 states in the U.S.A. have enacted some form of proportionate liability;

AND WHEREAS the provisions of the *Negligence Act* that provide for joint and several liability were never intended to place the burden of insurer of last resort on municipalities and were in place when court awards were smaller and long before the social safety net of publicly funded health care, the Ontario accident insurance benefits program, new forms of private insurance coverage, WSIB, employer funded benefits, homeowners insurance, title insurance and other such programs existed;

AND WHEREAS AMO estimates that in the last four years alone municipalities have faced insurance premium increases of \$35 million, and it is unfair and unrealistic for the Provincial government to allow the rapid rising insurance premiums to continue;

AND WHEREAS MPP Randy Pettapiece, Perth Wellington, recently introduced a Private Members' resolution in the Ontario Legislature asking the government to "protect taxpayers from high property taxes by implementing a comprehensive, long-term solution to reform joint and several liability insurance for municipalities by no later than June 2014" and debate on the resolution is scheduled for February 27, 2014;

NOW THEREFORE BE IT RESOLVED THAT:

1. That the AMO report entitled "*The Case for Joint and Several Liability Reform in Ontario*" dated April 1, 2010 be endorsed;
2. The Private Resolution introduced by MPP Randy Pettapiece be supported, and the government be requested to protect property taxpayers from higher taxes by implementing a comprehensive, long-term solution to reform joint and several liability and introduce a system based on proportionate liability for municipalities, by no later than June 2014;

3. That the Province be requested to address the alarming rise in municipal insurance premiums due to rising litigation and claim costs;
4. A copy of this Resolution be sent to Randy Pettapiece, MPP Perth-Wellington, the Premier of Ontario, the Minister of Attorney General, the Minister of Municipal Affairs and Housing, all local Members of Provincial Parliament, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

Carried

0030-2014 Moved by: C. Fonseca Seconded by: F. Dale

That staff be directed to register with Transport Canada in order to receive annual reports about dangerous goods transported by rail.

Carried

0031-2014 Moved by: S. McFadden Seconded by: G. Carlson

That Council endorses the Large Urban Mayor's Caucus of Ontario (LUMCO) concerns regarding Private Member's Bill, Bill 69 – An Act representing payments made under contracts and subcontracts in the construction industry due to the financial impacts of passing such a law.

Carried

0032-2014 Moved by: G. Carlson Seconded by: S. McFadden

WHEREAS the *Municipal Act, 2001*, as amended (the "Act"), requires Council to pass a resolution prior to closing part of a meeting to the public;

AND WHEREAS the Act requires that the resolution states the act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

NOW THEREFORE be it resolved that a portion of the Council meeting held on February 12, 2014 shall be closed to the public to deal with the following matters:

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

- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeal of “A” 437/13 – Imran Khan Dentistry Professional Corp. – 6951 Second Line West – Ward 11.**
- (ii) A proposed or pending acquisition of land or disposition of land by the municipality or local board re: **Torbram Road Grade Separation Project - Agreements of Purchase and Sale between Canadian National Railway Company and the Corporation of the City of Mississauga (Ward 5).**
- (iii) A proposed or pending acquisition of land or disposition of land by the municipality or local board re: **Lease Agreement with the YMCA for the Ernest Majury Child Care Centre at 1320 Williamsport Drive (Ward 3).**
- (iv) Personal matters about an identifiable individual, including municipal or local board employees re: **Traffic Safety Council – Life Member Nomination**
- (v) Personal matters about an identifiable individual, including municipal or local board employees re: **Employee Performance Review.**

Carried

Councillor Tovey departed at 12:01 p.m.

15. INTRODUCTION AND CONSIDERATION OF BY-LAWS

- 0016-2014 A by-law to establish certain lands as part of the municipal highway system Plan 43R-33542 (in the vicinity of Torbam Road and Rena Road) (Ward 5).

0017-2014 A by-law to allocate sums from the Capital Reserve Fund (Account 33121) to the Automatic Dialling – Announcing Device Project (PN14-510) and to authorize the withdrawal therefrom.

Resolution 0211-2013/December 11, 2013

0018-2014 A by-law to authorize the execution of a Letter of Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of Mississauga.

TC-0008-2014/January 29, 2014

0019-2014 A by-law to amend By-law No. 555-2000, as amended, being the Traffic By-law by deleting Schedule 3 no parking on Bristol Road West, and deleting Schedule 34 bicycle lanes on Bristol Road West, by adding Schedule 3 no parking on Bristol Road West and adding Schedule 34 bicycle lanes Bristol Road West (Ward 5)

TC-0067-2013/ November 27, 2013

0020-2014 A by-law to allocate sums from the Parkland Dedication Reserve Fund (Account 32121) to the Hershey Parcel Development Planning Project (PN13-442) and to authorize the withdrawal therefrom (Ward 5).

GC-0668-2013/December 4, 2013

0021-2014 A by-law to transfer funds from the Development Charges Reserve Fund Fire (Account 31320) to the Fire Master Plan Project (PN14-251).

GC-0006-2014/January 15, 2014

0022-2014 A by-law to authorize the execution of an Agreement for the implementation of an eradication plan for the Asian Long Horn Beetle (the “ALHB”).

GC-0608-2013/November 13, 2013

0023-2014 A by-law to amend By-law 0347-2008, as amended being a By-law to exempt certain lands from Part-Lot Control Registered Plan 43M1776 (Ward 11).

0024-2014 A by-law to amend 0282-2013, 0284-2013, 0285-2013, 0286-2013, 0287-2013 and 0288-2013, various by-laws to revise the date of enactment to June 1, 2014 for the Administrative Penalties System.

GC-0609-2013/November 13, 2013

0025-2014 A by-law to Adopt Mississauga Official Plan Amendment No. 18
Owner/Applicant: Amacon Development (City Centre) Corp (Ward 4).

PDC-0009-2014/February 3, 2014

0026-2014 A by-law to amend By-law Number 0225-2007, as amended
Owner/Applicant: Amacon Development (City Centre) Corp on the North side of Burnhamthorpe Road West, west of Confederation Parkway (Ward 4).

PDC-0009-2014/February 3, 2014

0027-2014 A by-law to authorize the execution of an Assumption Agreement between Amacon Development (City Centre) Corp. Peel Standard Condominium Corporation No. 954 and The Corporation of the City of Mississauga,
Owner/Applicant: Amacon Development (City Centre) Corp (Ward 4).

PDC-0002-2009/January 21, 2009

0028-2014 A by-law to amend By-law 0293-2006, as amended being the Site Plan Control By-law section 5, Schedules 4 and 5 and adding Schedule 5A.

PDC-0004-2014/January 13, 2014

0029-2014 A by-law to authorize the execution of a Development Agreement between Centre City Capital Limited, The Corporation of the City of Mississauga and The Regional Municipality of Peel, southeast corner of Lakeshore Road East and Elizabeth Street (OZ 08/009 W1) (Ward 1).

PDC-0039-2012/June 20, 2012

0030-2014 A by-law to adopt Mississauga Official Plan Amendment No. 1 Owner: Centre City Capital Limited Applicant: Michael Crabtree, John D. Rogers & Associates (Ward 1)

PDC-0039-2012/June 20, 2012

0031-2014 A by-law to amend By-law Number 0225-2007, as amended in the zoning of the property outlined on the attached Schedule "A" from "C4" to "C4-60", southeast corner of Lakeshore Road East and Elizabeth Street, Owner: Centre City Capital Limited Applicant: Michael Crabtree, John D. Rogers & Associates (OZ 08/009 W1) (Ward 1).

PDC-0039-2012/June 20, 2012

0032-2014 A by-law to authorize the execution of an Agreement between The Corporation of the City of Mississauga and Centre City Capital Limited pursuant to Section 37 of the *Planning Act*, as amended with respect to lands municipally known as 91-93 & 99 Lakeshore Road East and 42 Port Street East, Owner: Centre City Capital Limited Applicant: Michael Crabtree, John D. Rogers & Associates (OZ 08/009 W1) (Ward 1).

PDC-0039-2012/June 20, 2012

0033-2014 A by-law to authorize the execution of a section 30 Agreement under the Expropriations Act, R.S.O. 1990, c.E.26 between Amacon Development (City Centre) Corp. and The Corporation of the City of Mississauga. Being PIN 13141-0320 being Part of Lot 19 Concession 2, North of Dundas Street, Toronto Township Part of Lot 19, Concession 2, N.D.S. west side of Confederation Parkway, north of Burnhamthorpe Road West (CD.21.AMA W4/MG.23.REP)

PDC-0009-2014/February 3, 2014

16. INQUIRIES**(a) Snow Build Up**

Councillor Starr inquired about the snow pile up on City Streets. Martin Powell, Commissioner of Transportation and Works indicated that staff will eliminate the critical areas in the City.

17. OTHER BUSINESS AND ANNOUNCEMENTS**(a) Mississauga Steelheads**

Mayor McCallion congratulated Members of Council on promoting the Mississauga Steelheads.

(b) Federal Budget

Mayor McCallion inquired about how the federal budget will help municipalities and the Federation of Canadian Municipalities response to the federal budget. Janice Baker, City Manager and CAO indicated that the federal government is looking into developing a disaster relief program and providing some funding in 2015 - 2016 on mitigation measures for infrastructure to control flooding and further indicated that the Federation of Canadian Municipalities response made a point that the federal budget lacks progress on housing and infrastructure. Councillor Fonseca indicated that the Federation of Canadian Municipalities is meeting in March and the federal budget will be discussed.

(c) Events

Councillor Saito spoke to an upcoming event in Ward 9.

(d) Events

Councillor Starr spoke to an upcoming event in Ward 6.

18. CLOSED SESSION

Councillor Crombie departed at 12:54 p.m.

Pursuant to Resolution 0032-2014, Council moved into Closed Session at 12:20 p.m. Council moved out of closed session at 12:54 p.m. The following resolutions were passed pursuant to the Closed Session:

- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeal of “A” 437/13 – Imran Khan Dentistry Professional Corp. – 6951 Second Line West – Ward 11.**

Councillor Carlson provided background information on property 6951 Second Line West.

0033-2014 Moved by: G. Carlson

Seconded by: S. McFadden

That Legal Services be instructed to SUPPORT the decision of the Committee of Adjustment (File No. “A” 437/13 with respect to Imran Khan Dentistry Professional Corp. – 6951 Second Line West – Ward 11) and to attend before the Ontario Municipal Board along with any necessary staff and/or consultants to represent the City of Mississauga.

Carried

- (ii) A proposed or pending acquisition of land or disposition of land by the municipality or local board re: **Torbram Road Grade Separation Project - Agreements of Purchase and Sale between Canadian National Railway Company and the Corporation of the City of Mississauga (Ward 5).**

Sherly Badin, Supervisor of Capital Acquisitions provided background information on the Agreements of Purchase of Sale between Canadian National Railway Company and the Corporation of the City of Mississauga and indicated a change to the recommendation number 4 in the report.

0034-2014 Moved by: R. Starr

Seconded by: F. Dale

1. That a by-law be enacted authorizing the Commissioner of Transportation and Works and the City Clerk to execute an Agreement of Purchase and Sale ("APS") Agreement (Firstly), and all ancillary documents and subsequent amending agreements thereto, between Canadian National Railway Company ("CN") as Vendor and The Corporation of the City of Mississauga ("the City") as Purchaser, as required by the City of Mississauga in connection with the Torbram Road Grade Separation Project. The purchase price of the lands is \$275,000 plus HST for the purchase of a 1,265.3 square metre (13,619.8 square foot) parcel. The agreement also provides for payment of \$145,000 plus HST in compensation to CN for loss of revenue for their existing billboard sign. The lands are legally described as Part of Lot 14, Concession 6 EHS and designated as Parts 17, 20, 23 and 24, 43R-33544, City of Mississauga, Regional Municipality of Peel, in Ward 5.

2. That a by-law be enacted authorizing the Commissioner of Transportation and Works and the City Clerk to execute an Agreement of Purchase and Sale ("APS") Agreement (Thirdly), and all ancillary documents and subsequent amending agreements thereto, between Canadian National Railway Company ("CN") as Vendor and The Corporation of the City of Mississauga ("the City") as Purchaser, as required by the City of Mississauga in connection with the Torbram Road Grade Separation Project. The purchase price is \$125,000 plus HST for the purchase of a 582.3 square metre (6,267.3 square foot) parcel. The agreement also provides for payment of \$145,000 in compensation to CN for loss of their existing billboard sign. The lands are legally described as Part of Lots 13 and 14, Concession 5 EHS and designated as Parts 1 and 2, 43R-34256, City of Mississauga, Regional Municipality of Peel, in Ward 5.

3. That a by-law be enacted authorizing the Commissioner of Transportation and Works and the City Clerk to execute an Agreement of Purchase and Sale (“APS”) Agreement (Fourthly), and all ancillary documents and subsequent amending agreements thereto, between Canadian National Railway Company (“CN”) as Vendor and The Corporation of the City of Mississauga (“the City”) as Purchaser, as required by the City of Mississauga in connection with the Torbram Road Grade Separation Project. The purchase price is \$300,000 plus HST for the purchase of a 1,376.3 square metre (14,814.8 square foot) parcel. The lands are legally described as Part of Lot 14, Concession 6 EHS and designated as Parts 18, 21 and 25, 43R-33544, City of Mississauga, Regional Municipality of Peel, in Ward 5.
4. That the Commissioner of Transportation and Works approve and execute on behalf of the City, all closing documentation that may be required in connection with the conveyance of an easement from Her Majesty the Queen in right of Ontario (“OILC”), to Canadian National Railway Company (“CN”) and pay all costs including consideration estimated at \$150,000, as well as reasonable legal costs and disbursements, as required in connection with the Torbram Grade Separation Project and as authorized by the delegated authority of By-law 0375-2008.

Carried

- (iii) A proposed or pending acquisition of land or disposition of land by the municipality or local board re: **Lease Agreement with the YMCA for the Ernest Majury Child Care Centre at 1320 Williamsport Drive (Ward 3).**

Councillor Fonseca provided background information on the property at 1320 Williamsport Drive. Mayor McCallion and Members of Council inquired about the lease agreement at the location. Mary Ellen Bench, City Solicitor and Kevin Nutley, Supervisor, Land Management responded to the inquires.

0035-2014 Moved by: C. Fonseca Seconded by: F. Dale

That Council authorize staff from Realty Services to negotiate and enter into a lease agreement with the YMCA of Greater Toronto, for the operation of a Child Care Centre at the property known as Ernest Majury Child Care Centre, located at 1320 Williamsport Drive, in form and content satisfactory to the City Solicitor.

Carried

0036-2014 Moved by: C. Fonseca Seconded by: F. Dale

That Council direct staff to come back to Council with a report regarding the YMCA for the Ernest Majury Child Care Centre at 1320 Williamsport Drive land use.

Carried

(iv) Personal matters about an identifiable individual, including municipal or local board employees re: **Traffic Safety Council – Life Member Nomination**

There was no discussion.

0037-2014 Moved by: S. McFadden Seconded by: F. Dale

WHEREAS Boris Swedak has been a member of the Traffic Safety Council (TSC) since January 16, 2002;

AND WHEREAS he was instrumental in the implementation of the Dismissal Program and oversees the entire operation;

AND WHEREAS he has also served as a member of TSC Budget and Site Plan Review subcommittees and participated in many site inspections;

NOW THEREFORE BE IT RESOLVED THAT Boris Swedak is hereby appointed as a life member of the Traffic Safety Council in recognition of his outstanding contribution to this community.

Carried

- (v) Personal matters about an identifiable individual, including municipal or local board employees re: **Employee Performance Review.**

This matter was not dealt with.

BY-LAWS (AS A RESULT OF CLOSED SESSION)

0034-2014 A by-law to authorize the execution of Agreements of Purchase and Sale with Canadian National Railway Company as Vendor to purchase certain lands in the City of Mississauga required in connection with the Torbram Road Grade Separation Project (Ward 5).

Resolution 0034-2014

19. CONFIRMATORY BILL

0035-2014 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on February 12, 2014.

20. ADJOURNMENT - 1:02 p.m.

MAYOR

CLERK