



MINUTES

SESSION 11

SPECIAL MEETING OF

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

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WEDNESDAY, JUNE 25, 2014 – 9:03 A.M.

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

PRESENT:

Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

ABSENT:

Mayor Hazel McCallion	(Other Municipal Business)
Councillor Frank Dale	Ward 4 (Other Municipal Business)

STAFF:

Janice Baker, City Manager and Chief Administrative Officer
Gary Kent, Commissioner of Corporate Services and Chief Financial Officer
Paul Mitcham, Commissioner of Community Services
Martin Powell, Commissioner of Transportation and Works
Heather 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 9:03 a.m. by Acting Mayor Mullin.

2. APPROVAL OF AGENDA

Verbal Motion

Moved by: R. Starr

Seconded by: C. Fonseca

That the agenda be approved as follows:

- (a) Information Item I-3 a letter dated June 24, 2014, from the Daniels Corporation regarding the 2014 Development Charges Recommendations.

Carried

3. DECLARATIONS OF CONFLICT OF INTEREST - Nil**4. MINUTES OF PREVIOUS SPECIAL COUNCIL MEETING**

Verbal Motion

Moved by: G. Carlson

Seconded by: K. Mahoney

That the Council minutes of June 18, 2014 be approved as presented.

Carried

5. DEPUTATIONS

- (a) Remo Agostino, Vice President, Development, Daniels Corporation raised concerns regarding the removal of horizontal multiple dwellings from the definition of an apartment, the change in the size of small units and suggested that the transition period be that building permits be submitted by August 1, 2014 and building permits be issued by December 12, 2014. Mr. Agostino indicated that the change in fees and to allow staff to have time to issue the permits is why they are suggesting the extension. Gary Kent, Commissioner of Corporate Services indicated that the recommendation for small units is comparable to the municipalities around Mississauga.

- (b) Blair Wolk, Vice President, Orlando Corporation raised concerns regarding the demolition credits and compared Hemson's Employment study to a undertaking by Orlando Corporation. Gary Kent, Commissioner of Corporate Services indicated that Hemson Consulting Firm was used by the Region of Peel and the City of Brampton.

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

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

- (a) Development Charges By-law

Fabio Mazzocco, Argo Development spoke to the transition period.

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

- R-1 Report dated June 16, 2014, from the Commissioner of Corporate Service and Chief Financial Officer re: **2014 Development Charges Background Study and By-Law –Information Update.**

Recommendation

That the report entitled "*2014 Development Charges Background Study and By-law –Information Update*" dated 16th June, 2014, from the Commissioner of Corporate Services and Chief Financial Officer be received for information.

Resolution 0134-2014

Councillor Saito inquired about the dates of submitting and issuing building permits and recommended that the date of submitting be amended to July 15, 2014. She further recommended the removal of 7 (b) regarding horizontal multiple dwellings be removed from the definition of apartment. Councillor Starr inquired about the application process and suggested that the transition period be that building permits be submitted by July 1, 2014 and building permits be issued by November 30, 2014 and have staff work overtime to get the building permits issued. Acting Mayor Mullin inquired about the status of the existing applications. Ezio Savini, Director of Building indicated that they had a meeting with the developers and suggested that they put pressure on their consultants to have the building permits in on time and staff are already working overtime to meet the deadlines.

8. **UNFINISHED BUSINESS**

UB-1 Report dated June 3, 2014, from the Commissioner of Corporate Service and Chief Financial Officer re: **2014 Development Charges Background Study and By-law.**

Recommendation

1. That the following recommendations be approved by Council:
 - a. That the present practices regarding the collection of development charges and by-law administration continues to the extent possible, having regard to the requirements of *Development Charges Act, 1997* and its Regulations ("collectively referred to as the *Act*").
 - b. That the City continues its reporting policies consistent with the requirements of the *Act*.
 - c. That as required under the rules of the *Act*, the application of the by-law and the exemptions are codified within the Development Charge By-law proposed for adoption.
 - d. That the increase in the need for service is derived from the identification of growth and related need for services as set out in the City's official plan, capital forecasts and various City master plan documents, and as permitted in accordance with the rules of the *Act*.

- e. That the Development Charges By-law permits the payment of a development charge in either cash or through the provision of services-in-lieu agreements, subject to City approval.
2. That Council adopt the growth-related capital forecast for City Services included in the Development Charges Background Study–2014 and its companion documents, subject to an annual review through the City’s normal capital budget process and that the City of Mississauga Development Charges Background Study-2014 prepared by Hemson Consulting Ltd. be approved.
3. That the adoption of the growth related capital forecast signifies Council’s intention to ensure that the increase in services attributable to growth will be met as required under the *Development Charges Act, 1997 s.5(1)3.*, recognizing, however, that specific projects and project timing as contained in the study forecast may be revised from time to time at the discretion of Council.
4. That for lands which are the subject of existing agreements, development charges shall be levied at the rates in effect when building permits are issued, less any credits recognized under the procedures described in Ontario Regulation 82/98, Section 17.
5. That Council has determined the changes in the proposed by-law following the public meeting in order to address stakeholder concerns, do not require a further public meeting prior to the enactment of the City of Mississauga Development Charges By-law.
6. That a transitional provision in the 2014 DC By-law, whereby a complete building permit application be submitted to the City by July 15, 2014 and a building permit is issued by November 11, 2014 to be eligible for the payment of development charges under the 2009 By-law indexed rate schedules be approved.

7. That Council approve the following proposed policy changes:
 - a. The size of a small unit is defined as a unit consisting of GFA of 65 m² (700 sq. ft.).
 - b. A demolition credit have a 5 year life span for residential and a 10 year life span for a non-residential.
 - c. Definition of agricultural use will exclude the cultivation of medical marihuana.
 - d. Property previously owned by DC exempt entities shall be required to pay DC's when redeveloped for new use.
 - e. Hotel and motel be included in the definition of non-industrial.
 - f. A mechanism to monitor DC costs and revenues to determine if a full DC review is necessary.

8. That the City of Mississauga Development Charges By-law, 2014 be enacted.

Resolution 0133-2014

9. CORRESPONDENCE

(a) Information Items: I-1 – I-3

- I-1 A letter from the Dufferin-Peel Catholic District School Board regarding the passing of an Education Development Charges By-law on June 17, 2014.

Received for information

- I-2 A letter from the Peel District School Board regarding the passing of the 2014 Education Development Charges By-law on June 18, 2014.

Received for information

- I-3 A letter dated June 24, 2014, from the Daniels Corporation regarding the 2014 Development Charges Recommendations.

Received for information

10. NOTICE OF MOTION

- (a) That a transitional provision in the 2014 Development Charges by-law be approved, where a complete building permit application be submitted to the City by September 2, 2014 and a building permit is issued by January 15, 2015 to be eligible for the payment of development charges under the 2009 Development Charges By-law indexed rate schedules.

Councillor Starr suggested an amendment to the Notice of Motion to state that the building permits be submitted by July 1, 2014 and building permits be issued by November 30, 2014. Councillor McFadden agreed to the amendment. Councillor Starr further suggested an amendment to the demolition credits from four years to five years. A recorded vote was taken on the Notice of Motion. The motion regarding the transition period failed.

11. RESOLUTIONS

0133-2014 Moved by: P. Saito

Seconded by: K. Mahoney

1. That the following recommendations be approved by Council:
 - a. That the present practices regarding the collection of development charges and by-law administration continues to the extent possible, having regard to the requirements of *Development Charges Act, 1997* and its Regulations ("collectively referred to as the *Act*").
 - b. That the City continues its reporting policies consistent with the requirements of the *Act*.
 - c. That as required under the rules of the *Act*, the application of the by-law and the exemptions are codified within the Development Charge By-law proposed for adoption.
 - d. That the increase in the need for service is derived from the identification of growth and related need for services as set out in the City's official plan, capital forecasts and various City master plan documents, and as permitted in accordance with the rules of the *Act*.
 - e. That the Development Charges By-law permits the payment of a development charge in either cash or through the provision of services-in-lieu agreements, subject to City approval.

2. That Council adopt the growth-related capital forecast for City Services included in the Development Charges Background Study–2014 and its companion documents, subject to an annual review through the City’s normal capital budget process and that the City of Mississauga Development Charges Background Study-2014 prepared by Hemson Consulting Ltd. be approved.
3. That the adoption of the growth related capital forecast signifies Council’s intention to ensure that the increase in services attributable to growth will be met as required under the *Development Charges Act, 1997 s.5(1)3.*, recognizing, however, that specific projects and project timing as contained in the study forecast may be revised from time to time at the discretion of Council.
4. That for lands which are the subject of existing agreements, development charges shall be levied at the rates in effect when building permits are issued, less any credits recognized under the procedures described in Ontario Regulation 82/98, Section 17.
5. That Council has determined the changes in the proposed by-law following the public meeting in order to address stakeholder concerns, do not require a further public meeting prior to the enactment of the City of Mississauga Development Charges By-law.
6. That a transitional provision in the 2014 DC By-law, whereby a complete building permit application be submitted to the City by July 15, 2014 and a building permit is issued by November 11, 2014 to be eligible for the payment of development charges under the 2009 By-law indexed rate schedules be approved.

7. That Council approve the following proposed policy changes:
 - a. The size of a small unit is defined as a unit consisting of GFA of 65 m² (700 sq. ft.).
 - b. A demolition credit have a 5 year life span for residential and a 10 year life span for a non-residential.
 - c. Definition of agricultural use will exclude the cultivation of medical marihuana.
 - d. Property previously owned by DC exempt entities shall be required to pay DC's when redeveloped for new use.
 - e. Hotel and motel be included in the definition of non-industrial.
 - f. A mechanism to monitor DC costs and revenues to determine if a full DC review is necessary.

8. That the City of Mississauga Development Charges By-law, 2014 be enacted.

Carried

0134-2014 Moved by: K. Mahoney Seconded by: N. Iannicca

That the report entitled "*2014 Development Charges Background Study and By-law –Information Update*" dated 16th June, 2014, from the Commissioner of Corporate Services and Chief Financial Officer be received for information.

Carried

12. INTRODUCTION AND CONSIDERATION OF BY-LAWS

0161-2014 A by-law to provide for the payment of Development Charges and to repeal By-law 0342-2009.

Resolution 0133-2014

13. CONFIRMATORY BILL

0162-2014 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on June 25, 2014.

14. ADJOURNMENT – 9:55 a.m.

MAYOR

CLERK