

AGENDA

SESSION 13

THE COUNCIL OF

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

WEDNESDAY, JUNE 10, 2015 - 9:00 A.M.

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

Contact: Carmela Radice, Legislative Coordinator, Office of the City Clerk Telephone: 905-615-3200, ext. 5426; <u>carmela.radice@mississauga.ca</u>



Meetings of Council streamed live and archived at mississauga.ca/videos

1. CALL TO ORDER

2. <u>APPROVAL OF AGENDA</u>

3. <u>DECLARATIONS OF CONFLICT OF INTEREST</u>

4. <u>MINUTES OF PREVIOUS COUNCIL MEETINGS</u>

(a) May 27, 2015

5. <u>PRESENTATIONS</u>

(a) Commander-in-Chief (CinC) Unit Commendation and Rotation Bar

Mayor Crombie will present Oliver M. Carrubba, City of Mississauga Transit employee with the Commander-in-Chief (CinC) Unit Commendation and Rotation Bar.

(b) National Transit Corporate Recognition Award

Mary-Lou Johnston, Manager of Business Development, MiWay will speak to the National Transit Corporate Recognition Award which was received in the marketing and communications category from the Canadian Urban Transit Association. Mayor Crombie and Ms. Johnston will present the award to the staff.

6. **DEPUTATIONS**

(a) <u>Apportionment of Taxes</u>

There may be persons in attendance who wish to address Council apportionment of taxes.

Corporate Report R-2

(b) <u>Mississauga Gives</u>

Emily Kovacs, Director of Marketing and Communications from Mississauga Gives will provide an overview of Mississauga Gives and will be requesting support, endorsement and developing an official partnership with the City of Mississauga.

(c) <u>Malton Community Festival</u>

Dianne Douglas, Chair of Malton Community Centre will provide an overview of the 10th Annual Malton Community Festival.

- 3 -

(d) <u>Mississauga Italfest</u>

Nancy Mancini, Volunteer Chair, Marketing and Public Relations Committee of ITALFEST will highlight this year's event.

(e) <u>Pigeon Enclosure</u>

Pat Jobe, resident will speak in opposition of providing an exemption to the Animal Care and Control By-law to allow for the pigeon enclosure at 820 Eaglemount Crescent (Ward 6).

<u>Petition P-2</u> <u>GC-0342-2015/June 3, 2015</u>

(f) Our Future Mississauga - 2014 Report on the Strategic Plan

Susan Burt, Director of Strategic Community Initiatives will provide an overview of Our Future Mississauga - 2014 Report on the Strategic Plan.

Corporate Report R-1

7. <u>PUBLIC QUESTION PERIOD – 15 Minute Limit</u>

(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 Report dated May 20, 2015, from the City Manager and Chief Financial Officer re: **Our Future Mississauga - 2014 Report on the Strategic Plan.**

Recommendation

That the report titled "Our Future Mississauga - 2014 Report on the Strategic *Plan*", dated May 20, 2015 from the City Manager and Chief Administrative Officer be received for information.

<u>Motion</u>

- 4 -

R-2 Report dated May 25, 2015, 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 May 25, 2015 from the Commissioner of Corporate Services and Chief Financial Officer be approved.

Motion

R-3 Report dated May 28, 2015, from the City Solicitor re: Request to Seek Intervener Status in the Town of Richmond Hill's motion for leave to appeal the OMB's decision on Parkland Dedication Calculations.

Recommendation

- That the report from the City Solicitor dated May 28, 2015 and titled: "Request to Seek Intervener Status in the Town of Richmond Hill's motion for leave to appeal the OMB's Decision on Parkland Dedication Calculations" be received for information;
- 2. That Council confirms that Resolution 0055-2015 did and continues to authorize the City Solicitor to seek intervener status on the Town of Richmond Hill's motion for leave to appeal the OMB's Decision to the Divisional Court as a friend of the Court.

Motion

9. <u>PRESENTATION OF COMMITTEE REPORTS</u>

(a) General Committee Report 10-2015 dated June 3, 2015.

<u>Motion</u>

10. <u>UNFINISHED BUSINESS - Nil</u>

- 5 -

11. <u>PETITIONS</u>

P-1 A petition was received on May 28, 2015 with approximately100 signatures raising their concerns regarding tree preservation in the City of Mississauga (Ward 1).

Receive and refer to Community Service Department for a report

P-2 A petition was received on June 3, 2015 with 7 signatures to the exemption to the Animal Care and Control By-law to allow for the pigeon enclosure at 820 Eaglemount Crescent (Ward 6).

Receive and refer to Transportation and Works for a reply GC-0342-2015/June 3, 2015

12. <u>CORRESPONDENCE</u>

- (a) Information Items: I-1
- (b) Direction Item Nil

13. <u>NOTICE OF MOTION</u>

M-1 Councillor Parrish is requesting Council to implement a one-year pilot project to begin at the end of June 2015 allowing seniors to take advantage of a reduced rate and for the transit drivers to administer the \$1 charge per ride during off-peak hours, weekends and holidays only and to introduce time-transfers of sufficient length to allow clients of food banks to collect their groceries and return home on a single fare.

<u>Motion</u>

14. MOTIONS

- (a) To approve recommendations from the following Committee Reports:
 - (i) Recommendations GC-0336-2015 to GC-0411-2015 inclusive contained in the General Committee Report 10-2015 dated June 3, 2015.
- (b) To close to the public a portion of the Council meeting to be held on June 10, 2015, to deal with various matters. (See Item 18 Closed Session).

(c) To receive the report titled "Our Future Mississauga - 2014 Report on the Strategic Plan", dated May 20, 2015 from the City Manager and Chief Administrative Officer.

Corporate Report R-1

 (d) To adopt the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated May 25, 2015 from the Commissioner of Corporate Services and Chief Financial Officer.

Corporate Report R-2

 (e) To receive the report from the City Solicitor dated May 28, 2015 and titled:
 "Request to Seek Intervener Status in the Town of Richmond Hill's motion for leave to appeal the OMB's Decision on Parkland Dedication Calculations"

Corporate Report R-3

(f) To request the Minister of Finance for the Province of Ontario to increase the PILT rate to reflect the increase in the municipal levy since 2001.

GC-0357-2015/June 3, 2015

(g) To appoint a Planning and Development Committee Chair for a term of one year.

GC-0386-2015/June 3, 2015

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 43R-35558 (in the vicinity of Lakeshore Road West and Godfrey's Lane) (Ward 1).
- B-2 A by-law to establish certain lands as part of the municipal highway system
 Registered Plan 43R-36448 (in the vicinity of Eglinton Avenue East and Maingate Drive) (Ward3).

GC-0345-2015/June 3, 2015

B-3 A by-law to establish certain lands as part of the municipal highway system
 Registered Plan 43R-18288 (in the vicinity of Eglinton Avenue East and Maingate
 Drive) (Ward 3).

GC-0345-2015/June 3, 2015

- B-4 A by-law to establish certain lands as part of the municipal highway system Registered Plans 43M-1844, 43R-23179, 43R-30270 and 43R-35176 (in the vicinity of Mavis Road and Bristol Road West) (Ward 6).
- B-5 A by-law to establish certain lands as part of the municipal highway system
 Registered Plan43R-35555 (in the vicinity of Mississauga Road and Highway
 403) (Ward 8).
- B-6 A by-law to adopt Mississauga Official Plan Amendment No. 34 OZ 13/012 Owner: Glen Schnarr & Associates, Applicant: 1731860 Ontario Ltd. (Ward 1).

PDC-0022-2015/April 13, 2015

B-7 A by-law to amend By-law 0225-2007, as amended making various amendments OZ 13/012 Owner: Glen Schnarr & Associates, Applicant: 1731860 Ontario Ltd. (Ward 1).

PDC-0022-2015/April 13, 2015

B-8 A by-law to amend By-law 186-05 being the Parks By-law, as amended making various amendments.

GC-0321-2015/May 20, 2015

B-9 A by-law to amend By-law 291-2014 as amended being the fees and charges bylaw for Parks, Marinas, Forestry, Cemeteries and Sports Fields.

GC-0321-2015/May 20, 2015

B-10 A by-law to amend By-law No. 555-2000 as amended, being the Traffic By-law deleting Schedule 1 three hour parking limit exemption Maple Avenue, adding Schedule 1 three hour parking limit exemption Maple Avenue (Ward 1).

GC-0343-2015/June 3, 2015

B-11 A by-law to temporarily close a Public Highway a portion of Square One Drive between Duke of York Boulevard and Living Arts Drive temporarily from 7:00 a.m. on Monday, June 22, 2015 to 7:00 p.m. on Friday, September 4, 2015 (Ward 4).

GC-0346-2015/June 3, 2015

B-12 A by-law to amend By-law 135-14, as amended being the Licensing Administrative Penalty By-law by deleting and replacing Schedule "B".

GC-0350-2015/June 3, 2015

B-13 A by-law to amend By-law 420-04, as amended, being the Public Vehicle Licensing By-law with various amendments.

GC-0350-2015/June 3, 2015

B-14 A by-law to amend the Screening and Hearing Officer By-law 285-13 by replacing the definition.

GC-0350-2015/June 3, 2015

B-15 A by-law to amend By-law 521-04, as amended, being the Tow Truck Licensing By-law making various amends.

GC-0350-2015/June 3, 2015

B-16 A by-law to amend the Public Vehicle Licensing By-law 420-04, as amended making various amendments.

GC-0351-2015 and GC-0352-2015/June 3, 2015

B-17 A by-law authorize the execution of the amendment to the Road Maintenance and Repair Agreement with the Regional Municipality of Peel.

GC-0354-2015/June 3, 2015

B-18 A by-law to authorize the execution of an Alternate Locate Agreement between Enbridge Gas Distribution Inc. and the Corporation of the City of Mississauga.

GC-356-2015/June 3, 2015

16. **INQUIRIES**

17. OTHER BUSINESS AND ANNOUNCEMENTS

Council Agenda

- 9 -

18. <u>CLOSED SESSION</u>

- (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: Ontario Municipal Board – Appeal of Minor Variance - 2076 Almira Court – Ward 8.

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 June 10, 2015.

20. <u>ADJOURNMENT</u>



Clerk's Files

Originator's Files

CD.21.STR

DATE:	May 20, 2015				
то:	Mayor and Members of Council Meeting Date: June 10, 2015				
FROM:	Janice M. Baker, FCPA, FCA City Manager and Chief Administrative Officer				
SUBJECT:	Our Future Mississauga - 2014 Report on the Strategic Plan				
RECOMMENDATION:	That the report titled "Our Future Mississauga - 2014 Report on the Strategic Plan", dated May 20, 2015 from the City Manager and Chief Administrative Officer be received for information.				
REPORT HIGHTLIGHTS:	 There are 120 action items to support implementation of the Strategic Plan. Currently, 100 are in process and 10 are complete. Seventeen(17) strategic actions were addressed last year. These are highlighted in the 2014 Report on the Strategic Plan. 				
	 2014 marks the halfway point of implementing the Goals listed in the Plan. In recognition of this, the 2014 Report on the Strategic Plan includes a summary on the many positive ways this document has impacted Mississauga. 				
	• The full details of the 2014 actions and 5 year review of accomplishments will be outlined in an interactive, dynamic website. A downloadable, text only, version will be available to print.				

R-1(a)

BACKGROUND:

In April 2009, Council endorsed the Strategic Plan titled "Our Future Mississauga". This document contains a number of Strategic Goals accompanied by action items. To demonstrate the City's commitment to the Plan and its Goals, an annual Report Plan is provided to the community outlining the actions taken the previous year to advance the Plan.

COMMENTS:

<u>2014 Update</u>

The Strategic Plan lists a number of actions for implementation. Over the past few years, other items from the Plan's "Actions for Future Consideration" were brought forward to reflect the needs of the community. This has resulted in a list of 120 action items. Currently, 100 of these are in process and 10 are complete. These initiatives demonstrate the City's commitment to achieving the Goals of the Strategic Plan.

Below is a list of key actions taken in 2014 to further the Plan. These are described in the 2014 Report on the Strategic Plan attached as Appendix 1.

Pillar	Initiatives
Move	 AutoShare Renewal Freedom Pass Mississauga Transitway Phase I Opening Silver WALK Friendly Community designation
Belong	 Older Adult Pane Second Units CIP Award Sheridan Phase II
Connect	 Streetsville Village Square Meadowvale Heritage Conservation District Update
Prosper	 New City Brand 3D Printer at Central Library New Public Art Installations

Green	• LED Lights at Tomken Twin Arenas
	Natural Heritage and Urban Forest Strategy and
	Urban Forest Management Plan
	One of Canada's Greenest Employers
	• Town Hall Challenge 20 by '15
	• 2014 MBOT Clean & Green Award

As in previous years, the full details of all actions taken in 2014 will be contained on an interactive and dynamic website. A downloadable, text only, version will also be available to print. The updated website will go live following the Council meeting on June 10, 2015.

5 Year Review

The Strategic Goals are to be reviewed every ten years to ensure they remain relevant. 2014 marks the halfway point of implementing the current Goals. In recognition of this, the 2014 Report includes a summary of the many positive ways the Plan has impacted Mississauga residents over the past five years, including:

- Improved transit reflected in an additional 137,000 hours of service provided over this period;
- Construction of Sheridan College, adding new vibrancy to the downtown;
 - The City's public art collection grew by 30%;
 - The Plan's commitment to greening our environment guided the installation of 30,000 LED streetlights resulting in over 8 million kilowatt hours, or \$1.3 million, in savings for taxpayers; and
 - The importance of youth is demonstrated by multiple efforts including increased library programs and resulted in Mississauga receiving the Gold Youth Friendly Community designation.

A more comprehensive list will be on the website.

STRATEGIC PLAN:

The Strategic Plan makes a promise to monitor implementation by producing an annual progress report. This report meets this commitment and demonstrates the many positive changes resulting from the Strategic Plan. Council

V 4(C

FINANCIAL IMPACT: Funding for the development of the reports as well as website and printed materials is available in an existing account of the Strategic Community Initiatives Division.

CONCLUSION:

The 2014 Report on the Strategic Plan outlines last year's top achievements. At the same time, it fulfills the commitment made to the community to report back annually on the Plan's progress.

2014 marks the halfway point of implementing the Strategic Goals outlined in the Plan. As a result, the 2014 annual report and the website list a number of positive ways the Plan has impacted Mississauga over the past five years. This demonstrates the key role it has in decision making, priority setting and building a great global city.

ATTACHMENTS:

Appendix 1: 2014 Report on the Strategic Plan

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

Prepared By: Susan Burt Director, Strategic Community Initiatives



Clerk's Files

Originator's Files

DATE:	May 25, 2015	COUNCIL AGENDA June 10, 2015			
TO:	Mayor and Members of Council Meeting Date: June 10, 2015				
FROM:	Gary Kent Commissioner of Corporate Services and G	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 May 25, 2015 from the Commissioner of Corporate Services and Chief Financial Officer be approved.				
BACKGROUND:	Section 356 of the <i>Municipal Act</i> 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 <i>Municipal Act</i> 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 <i>Municipal Act</i> , 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:

1: Summary of Apportionment of Taxes under the *Municipal Act* for hearing on June 10, 2015

Gary Kent Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Cathy McDonald, Manager, Revenue and Taxation

Appendix 1

Page 1 of 2

Summary of Apportionment of Taxes under the Municipal Act

For Hearing on June 10, 2015

Rosanna Angelini (905)615-3200

Corporate Services Revenue

May 25, 2015 10:29

Apportionment No	Roll No	Location	Legal Dscr	Tax Year	Assessment	Recommended Apportionment of Taxes	Recommended Apportionment of Payments
8598	05-04-0-158-95432-0000	2560 EGLINTON AVE W	RCP 1003 PT LOT 12 43R35779 PARTS 2 TO 17	2014	8,509,263	124,076.06	- 7,450.86
	05-04-0-158-95433-0000	2550 EGLINTON AVE W	RCP 1003 PT LOT 12 RP 43R35779 PART 1	2014	3,104,523	45,267.97	- 2,718.39
8599	05-04-0-098-22600-0000	1200 OLD DERRY RD	TORONTO CON 3 WHS W PT LOTS 9 10 RP 43R6477 PARTS 3	2014	3,452,073	12,369.28	- 15,974.54
8601	05-07-0-165-00425-0000	1029 WEST AVE	PLAN C23 PT LOT 64 RP 43R34075 PART 2	2014	178,500	1,624.44	- 1,081.26
	05-07-0-165-00450-0000	1031 WEST AVE	PLAN C23 PT LOT 64 RP 43R34075 PART 1	2014	178,500	1,621.44	
8602	05-07-0-156-03950-0000	1417 LAKESHORE RD E	PLAN A20 PT LOTS 1 TO 3 PT LANE RP 43R34025 PART 2	2011	779,094	17,811.36	- 17,811.26
8603	05-04-0-163-19601-0000	483 FAITH DR 101	PSCP 813 LEVEL 1 UNIT 1 LEVEL A UNIT 41 PKG LEVEL 1 UNIT 10 PKG LEVEL A UNIT 123 LKR	2014	408,545	3,714.11	- 889.37
	05-04-0-163-19691-0000	483 FAITH DR	PSCP 813 LEVEL A UNITS 2 38 39 40 42 45 48 59 60 65 69 74 AND 82 PKG	2014	57,307	520.56	
	05-04-0-163-19692-0000	483 FAITH DR	PSCP 813 LEVEL A UNIT.83 LKR	2014	648	5.89	
8604	05-04-0-096-07777-0000	7326 GOLDEN MEADOW CRT	PLAN 43M1788 PT BLK 71 RP 43R34454 PART 12	2014	61,864	561.95	- 504.40
	05-04-0-096-07787-0000	7324 GOLDEN MEADOW CRT	PLAN 43M1760 BLK 158 43M1788 PT BLK 71 RP 43R34454 PARTS 11 AND 19	2014	73,936	677.60	
8605	05-07-0-060-02700-0000	2300 HAINES RD	PLAN G14 PT LOTS 26 AND 27	2014	2,615,000	52,262.98	- 79,437.43

Summary of Apportionment of Taxes under the Municipal Act

For Hearing on June 10, 2015

Apportionment		Location Legal Ds		Tax	Assessment	Recommended Apportionment of Taxes	Apportionment of
No	Roll No		Legal Dscr	Year			
8608	05-09-0-004-08105-0000	60 FOREST AVE	PLAN F12 PT LOT 328 RP 43R34864 PART 2	2014	160,500	1,457.94	- 630.12
	05-09-0-004-08101-0000	58 FOREST AVE	PLAN F12 PT LOT 328 43R34864 PART 1	2014	160,500	1,457.94	- 630.12
8609	05-07-0-156-03950-0000	1417 LAKESHORE RD E	PLAN A20 PT LOTS 1 TO 3 PT LANE RP 43R34025 PART 2	2012	834,297	18,323.31	- 18,323.30
8610	05-07-0-156-03950-0000	1417 LAKESHORE RD E	PLAN A20 PT LOTS 1 TO 3 PT LANE RP 43R34025 PART 2	2013	974,429	20,998.94	- 21,033.97
8611	05-04-0-098-14000-0000	2285 BRITANNIA RD W	TORONTO CON 5 WHS PT LOT 6 RP 43R35521 PARTS 1 TO 6	2014	2,068,352	31,135.80	- 47,367.90
8616	05-07-0-163-22100-0000	1088 GARDNER AVE	PLAN E21 PT LOT 88 RP 43R35038 PART 1	2014	153,000	1,389.80	- 459.00
	05-07-0-163-22200-0000	1092 GARDNER AVE	PLAN E21 PT LOT 88 RP 43R35038 PART 2	2014	153,000	1,389.80	- 459.00
					Total	336,667.17	- 214,770.92

Page 2 of 2

2-20

C)



Clerk's Files

Originator's Files

LA12 RIC

COUNCIL AGENDA

June 10, 2015

DATE:

May 28, 2015

City Solicitor

TO:

FROM:

Mary Ellen Bench, BA, JD, CS

Mayor and Members of Council Meeting Date: June 10, 2015

SUBJECT:

Request to Seek Intervener Status in the Town of Richmond Hill's motion for leave to appeal the OMB's decision on Parkland **Dedication Calculations**

RECOMMENDATION: 1. That the report from the City Solicitor dated May 28, 2015 and titled: "Request to Seek Intervener Status in the Town of Richmond Hill's motion for leave to appeal the OMB's Decision on Parkland Dedication Calculations" be received for information:

> 2. That Council confirms that Resolution 0055-2015 did and continues to authorize the City Solicitor to seek intervener status on the Town of Richmond Hill's motion for leave to appeal the OMB's Decision to the Divisional Court as a friend of the Court.

BACKGROUND:

At its meeting of March 11, 2015 Legal Services brought a Report to Council seeking instructions to intervene on the Town of Richmond Hill's (the "Town") challenge to the January 15, 2015 decision of the Ontario Municipal Board, which capped the Town's use of the alternate rate for calculating parkland dedication of 1 ha per 300 units authorized by the Planning Act at a maximum of 25 percent (the "Decision"). A copy of that Report is attached as Appendix 1. In that Report the City Solicitor advised that the Board's Decision had the potential to cause the parkland dedication by-law in every

PRESENT STATUS:

municipality to be challenged and to severely constrain every municipality's ability with respect to park dedication, even though the *Planning Act* provides that the specific rate is to be determined by Council by-law. The City Solicitor further advised that there was merit to the legal arguments being raised by the Town.

The Town has brought a motion for leave to appeal the Decision to the Divisional Court. This motion has not yet been scheduled. One of the tests to be met in order to be granted leave to appeal to the Divisional Court is the determination that the OMB Decision involves a matter of broad public importance. Therefore the Town asked other municipalities to consider seeking "friend of court" status on the leave to appeal motion. In response, Legal Services sought and received these instructions from Council on March 11, 2015 and were authorized to assist and support the Town's attempt to overturn the OMB Decision as a friend of the court. The motion for leave to intervene is scheduled for June 12, 2015.

COMMENTS:

The recommendation in the Report provided that the City Solicitor is "authorized to assist and support the Town of Richmond Hill's attempt to overturn the Ontario Municipal Board's decision as a friend of the court and by seeking intervener status". The Report went on to specify that it was recommended that the City file the necessary application seeking to become a friend of the court and to eventually intervene in the motion for leave and ultimately the Divisional Court Appeal if leave is granted.

The City's authority to intervene has been challenged by legal counsel for the developer. Out of an abundance of caution, the City Solicitor now seeks confirmation that these instructions included the authorization to seek intervener status as a friend of the Court both at the motion for leave to appeal the Decision to the Divisional Court and the appeal itself, should it be granted.

FINANCIAL IMPACT:

No impact. As previously outlined, there is potential revenue loss if the OMB's Richmond Hill parkland dedication decision is applied to the City. Council

CONCLUSION:

The purpose of this Report is to confirm that at its meeting of March 11, 2015 Council authorized the City Solicitor to seek intervener status both at the motion for leave to appeal the Decision to the Divisional Court and the appeal itself, should it be granted.

ATTACHMENTS:

Appendix 1: Corporate Report dated March 11, 2015

Mary Ellen Berch, BA, JD, CS City Solicitor

Prepared By: Marcia Taggart, Deputy City Solicitor

Appendix 1

R-3(c)



Corporate Report Clerk's Files

Originator's Files

LA12 RIC

DATE:	February 24, 2015
TO:	Mayor and Members of Council Meeting Date: March 11, 2015
FROM:	Mary Ellen Bench, BA, JD, CS City Solicitor
SUBJECT:	Request to Support Richmond Hill's Court Challenge of the OMB's Decision on Parkland Dedication Calculations
RECOMMENDATION:	1. That the report from the City Solicitor dated February 27, 2015 and titled: "Request to Support the Town of Richmond Hill's Court Challenge of the OMB's Decision on Parkland Dedication Calculations" be received for information;
	2. That the City Solicitor is authorized to assist and support the Town of Richmond Hill's attempt to overturn the Ontario Municipal Board's decision as a friend of the court and by seeking intervener status if the leave to appeal to Divisional Court is granted.
REPORT HIGHLIGHTS:	 January 15, 2015 the Ontario Municipal Board ("OMB") issued a decision that capped the Town of Richmond Hill's use of the alternate rate for calculating parkland dedication of 1 ha per 300 units authorized by the <i>Planning Act</i> at a maximum of 25 percent. The OMB imposed this cap even though the <i>Planning Act</i> does not include wording that refers to a 25 percent cap. The City of Mississauga uses the same alternate rate calculation used by the Town of Richmond Hill (the "Town"). Many other municipalities across Ontario also us this alternate rate since it is

Council

February 24, 2015 (2-3(d)

	authorized under the <i>Planning Act</i> .
•	The Town has filed a section 43 request with the OMB. A section
	43 request is a request for the OMB to review its own decision.
•	The Town has also filed a Leave to Appeal application with the
	Divisional Court.
	The Town's Factum material in support of its motion for Leave to
	Appeal must be filed with the Divisional Court by March 23, 2015
	and the Town is asking other municipalities to support its Leave
	Application.
•	There are other municipalities considering and seeking instructions
-	to assist the Town because of the significant impact the OMB
	decision will have.
•	The OMB's decision has the potential to cause the parkland
	dedication by-law in every municipality to be challenged and to
	severely constrain every municipality's ability with respect to park
	dedication, even though the Planning Act provides that the specific
	rate is to be determined by council by-law.
•	The potential impact of this decision if applied to the City is
	significant, but the precise number is not available at the time of
	writing this report
•	Legal Services believes there is merit to the legal arguments raised by the
	Town of Richmond Hill.
•	For these reasons the City is seeking instructions to assist the Town at the
	Divisional Court.

BACKGROUND:

January 15, 2015 the Ontario Municipal Board issued a decision on a contested hearing involving the Town of Richmond Hill's (the Town") Official Plan polices dealing with the amount of park dedication that a municipality may require as a condition of development approval under the *Planning Act*.

The decision followed a lengthy hearing involving the Town and several developer appellants. BILD was not a party but the Town advises that some of the appellants were funded by BILD. The Board determined that in this case the use of the alternate rate of 1 ha per 300 units authorized by the *Planning Act* must be capped at a maximum of 25 percent of the developable area of the site or the cash-in-lieu equivalent, regardless of the site area, the density, or the number of units proposed in a development. The City of Mississauga uses the same calculation under the *Planning Act* as does the Town. The

Planning Act does not impose a 25 percent cap as imposed by the Board. We are not aware of the Board imposing such a cap before this decision.

The capping imposed by the OMB means that the Town's Official Plan and potentially all other municipal Official Plans must stipulate that park dedication will be capped at 25 percent, even where the alternative rate of 1 hectare per 300 units authorized by the *Planning Act* would lead to a higher rate. This decision has the potential to severely constrain every municipality's ability with respect to park dedication, even though the *Planning Act* provides that the specific rate is to be determined by council by-law. In this respect, staff believes there are sufficient legal grounds to support a challenge to the Board's decision.

PRESENT STATUS:

The Town has filed a section 43 review request with the OMB. This is a request that the OMB review its decision. In addition the Town has brought an application for Leave to Appeal to the Ontario Divisional Court on a question of law under section 96 of the *Ontario Municipal Board Act*. The Town intends to ask the Court to determine that the Board has erroneously interpreted the *Planning Act* regarding the use of the alternate park dedication rate.

The Town's Factum material in support of its motion for Leave to Appeal must be filed with the Court by March 23, 2015.

One of the tests to be met in order to be granted leave to appeal to the Divisional Court is the determination that the OMB decision involves a matter of broad public importance. The Court must understand that this OMB decision may impact all Ontario municipalities that acquire parkland or cash-in-lieu through the development process, and not just the Town. Therefore the Town is asking other municipalities to consider seeking "friend of the court" status on the Leave to Appeal hearing to assist in emphasising the significance of the OMB decision and to assist in identifying the broader municipal impact and matters of public importance for all Ontario municipalities.

COMMENTS:

In the case of Richmond Hill, it has determined that as a result of this decision it will not meet its parkland needs through *Planning Act* dedications and may need to utilize other sources,, such as the tax base to meet its needs. Development charges cannot be used for parkland acquisition, and other potential revenue tools for municipal parkland and recreational needs are extremely limited. The Town-wide per capita provision rate of parkland will fall over time and the provision of parkland in growing high density areas will be more limited and in less supply compared to older low density areas. These concerns are shared by many, if not all, municipalities.

This decision could establish a precedent for OMB adjudication of all new Official Plans currently under appeal or future appeals. It is likely that developers will apply for Official Plan amendments in other municipalities and seek to have the OMB compel a lower park dedication rate as a matter of policy if this decision stands.

FINANCIAL IMPACT:

A review is being undertaken as to the potential revenue loss if the OMB's Richmond Hill parkland dedication decision is applied to the City. At the time of writing this report the amount is uncertain but is anticipated to be a significant amount. The estimated numbers will be provided in time for the Council meeting on March 11, 2015.

CONCLUSION:

Given the potential impact of the OMB's decision as summarized in this report it is recommended that the City file the necessary application seeking to become a friend of the court and to eventually intervene in motion for Leave and ultimately the Divisional Court Appeal if leave is granted.

Mary Ellen Bench, BA, JD, CS City Solicitor

Prepared By: Kelly G. Yerxa, Deputy City Solicitor

REPORT 10 - 2015

June 10,2015

TO: THE MAYOR & MEMBERS OF COUNCIL

General Committee of Council presents its tenth Report of 2015 and recommends:

GC-0336-2015

That the deputation by Samantha Angel, Co-Chair, Western GTA Summit and Grant Clark, Senior Advisor with respect to Mississauga Connects, Western GTA Summit on June 4, 2015 at Sheridan College be received for information.

GC-0337-2015

That the deputation by Rajan Balchandani, Manager, Energy Management with respect to Energy Management Programs and Achievements be received for information.

GC-0338-2015

That the Corporate Report dated May 15, 2015 from the Commissioner of Community Services entitled, "Mississauga Celebration Square – Strategic Plan and Public Art Update" be endorsed in principle and that staff be directed to report back on the feasibility of various locations for the public art installation of "the book".

GC-0339-2015

That the Corporate Report titled "June is Recreation and Parks Month" dated May 19, 2015, from the Commissioner of Community Services be received for information.

GC-0340-2015

That "A Framework for Recreation in Canada 2015 – Pathways to Wellbeing", attached as Appendix 1 to the Corporate Report titled "A Framework for Recreation Canada 2015 – Pathways to Wellbeing" dated May 19, 2015, from the Commissioner of Community Services be endorsed as a guide for the planning and delivery of Recreation and Parks services in Mississauga.

GC-0341-2015

That the report from the Commissioner of Transportation and Works, dated May 20, 2015 and entitled "Review of the Adequate Heat By-law 0365-95, as amended," be received for information.

GC-0342-2015

That the request for an exemption to the Animal Care and Control By-law 0098-04, as amended, to permit one existing Pigeon Enclosure located in the rear yard of 820 Eaglemount Crescent, as detached residential property owned by Mr. and Mrs. John and Maria Sousa, be approved as outlined in the report from the Commissioner of Transportation and Works, dated May 20, 2015 entitled "Request for an Exemption to the Animal Care and Control By-law 0098-04, as amended, for a Pigeon Enclosure, 820 Eaglemount Crescent, Ward 6. (Ward 6)

GC-0343-2015

That a by-law be enacted to amend By-law 555-00, as amended to relocate the existing 15-hour parking on the east side of Maple Avenue North. (Ward 1)

GC-0344-2015

That a by-law be enacted to amend By-law 555-2000, as amended, to implement paid parking between Monday and Friday, 8:00 am to 6:00 pm, and Saturday and Sunday, between 10:00 am and 6:00 pm on the north-east side of Sherobee Road between Hurontario Street and North Service Road.

(Ward 7)

GC-0345-2015

- 1. That a by-law be enacted authorizing City staff to permanently close that portion of Eglinton Avenue East, described as Part 1 on Reference Plan 43R-18288.
- 2. That a by-law be enacted to establish Part 4 on Reference Plan 43R-36448 as a public highway forming part of Eglinton Avenue East.

(Ward 3)

GC-0346-2015

That a by-law be enacted to implement a temporary road closure of Square One Drive between Duke of York Boulevard and Living Arts Drive commencing at 7:00 a.m. on Monday, June 22, 2015, and ending at 7:00 p.m. on Friday, September 4, 2015. (Ward 4)

GC-0347-2015

1. That a by-law be enacted to allow two consecutive closures of Torbram Road between Kimbel Street and the northerly limits, for the duration of approximately two weeks respectively, within the time frame from 7:00 a.m on Monday, June 22, 2015, and 7:00 p.m. on Friday, September 25, 2015. 2. That Dufferin Construction Company be granted an exemption from Noise By-law No. 360-79, as amended, to allow for extended 24-hour construction work for the construction of railway track diversions and at-grade crossing surface associated with the above mentioned two consecutive road closures within the time frame from 7:00 a.m. on Monday, June 22, 2015 and ending at 7:00 p.m. on Friday, September25, 2015.

(Ward 5)

GC-0348-2015

That a traffic control signal be installed at the intersection of Tenth Line West at Serena Way/Sunlight Street and that the costs of the installation be funded from the Capital Reserve account.

(Ward 10)

GC-0349-2015

That the proposed 2015 Traffic Signal Installation Program, as outlined in the report dated May 12, 2015, from the Commissioner of Transportation and Works, be approved. (Wards 1, 2, 3, 4, 8, 9 and 10)

GC-0350-2015

- That a by-law to amend the Licensing Administrative Penalty By-law 135-2014 (Appendix 1) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 20, 2015 entitled "By-laws to Establish a System of Administrative Penalties Respecting Mobile Licensing for the City of Mississauga".
- That a by-law to amend the Tow Truck Licensing By-law 521-04, as amended, (Appendix 2) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 20, 2015 entitled "By-laws to Establish a System of Administrative Penalties Respecting Mobile Licensing for the City of Mississauga".
- 3. That a by-law to amend the Public Vehicle Licensing By-law 420-04, as amended, (Appendix 3) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 20, 2015 entitled "By-laws to Establish a System of Administrative Penalties Respecting Mobile Licensing for the City of Mississauga".
- 4. That a by-law to amend the Screening and Hearing Officer By-law 285-2013 (Appendix
 6) be enacted as outlined in the report from the Commissioner of Transportation and
 Works, dated May 20, 2015 entitled "By-laws to Establish a System of Administrative
 Penalties Respecting Mobile Licensing for the City of Mississauga".

GC-0351-2015

That a by-law be enacted to amend the Public Vehicle Licensing By-law 420-04, as amended, to incorporate lease agreement requirements for brokerages of accessible taxi cabs as outlined in the report from the Commissioner of Transportation and Works, dated May 20, 2015 entitled "Changes to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs".

GC-0352-2015

That a by-law be enacted to amend the Public Vehicle Licensing By-law 420-04, as amended, to incorporate the changes for English language assessments for the owners and drivers of airport municipal transportation vehicles as outlined in the report from the Commissioner of Transportation and Works, dated May 20, 2015 entitled "Changes to the Public Vehicle Licensing By-law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles".

GC-0353-2015

That the report titled "Lakeshore Road Transportation Master Plan and Implementation Strategy", dated May 19, 2015 from the Commissioner of Transportation and Works, be received for information.

GC-0354-2015

That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute, on behalf of the Corporation of the City of Mississauga, an Amending Road Maintenance and Repair Agreement with The Regional Municipality of Peel, in a form satisfactory to the City Solicitor.

GC-0355-2015

That the revised Corporate Policy and Procedure, Roadway Directional Signage 10-04-01, attached as Appendix 1 to the Corporate Report dated May 14, 2015 from the Commissioner of Transportation and Works, be approved.

GC-0356-2015

That a by-law be enacted to authorize the Commissioner of Community Services on behalf of the City of Mississauga, to enter into an agreement with Enbridge Gas Distribution Inc., regarding alternate locates in City parks and in a form satisfactory to the City Solicitor.

GC-0357-2015

1. That the report dated May 11, 2015 from the Commissioner of Corporate Services and Chief Financial Officer be received for information.

- 2. That Council request the Province of Ontario to increase the per passenger rate for the Greater Toronto Airport Authority (GTAA) Payment in Lieu of Taxes (PILT) to reflect the increase in the municipal levy since 2001 and eliminate the cap on the PILT.
- 3. That the Ontario Minister of Finance, the Mississauga MPP's and the Cities of Toronto, Ottawa, London and Thunder Bay be so advised.

GC-0358-2015

That the revised Corporate Policy and Procedure, Allowable Business Expenses – Employees and Citizen Members of Committees and Boards 04-05-1, attached as Appendix 1 to the Corporate Report dated April 20, 2015 from the Commissioner of Corporate Services and Chief Financial Officer, be approved.

GC-0359-2015

- 1. That the request for a crossing guard at the intersection of Credit Valley Road and Metcalfe Avenue for the students attending Credit Valley Public School be denied as the warrants are not met.
- 2. That the Vehicle Count Reports for Metcalfe Avenue in front of 4560 Metcalfe Avenue, provided by Transportation and Works Department be received for information.
- 3. That the Traffic Safety Council conduct a further site inspection at the intersection of Credit Valley Road and Metcalfe Avenue for the students attending Credit Valley Public School, once the new buildings being constructed are ready for occupancy.
- 4. That Transportation and Works Department be requested to provide a vehicle count report when Traffic Safety Council conducts a further site inspection on Metcalfe Avenue, south of Bay Villa Avenue when the new buildings being constructed are ready for occupancy.

(TSC-0079-2015)

GC-0360-2015

That the deputation by Michael Donnelly, Peel Regional Police with respect to cycling enforcement/education be received. (MCAC-0021-2015)

GC-0361-2015

That the deputation by Irina Polo, Project Manager, Park Development and April Szeto, Landscape Architect, Harrington McAvan with respect to Hydro One Trail East (South City Trail) be referred to the Network and Technical Subcommittee. (MCAC-0022-2015)

GC-0362-2015

That the deputation by Dana Glofcheskie, Transportation Project Engineer and Leslie Green, Manager, Transportation Projects, with respect to McLaughlin Road Class Environment Study be received.

(MCAC-0023-2015)

GC-0363-2015

That the remaining stock of the 2014 Tour de Mississauga cycling jerseys be sold at a reduced price from \$60.00 to \$40.00 (including tax). (MCAC-0024-2015)

GC-0364-2015

That the memorandum dated May 7, 2015 from Jacqueline Hunter, Active Transportation Technologist regarding the 1st quarterly update on the Proposed 2015 Cycling Network Program be referred to the Network and Technical Subcommittee. MCAC-0025-2015

GC-0365-2015

That the 2015 Mississauga Cycling Advisory Committee Calendar of Events be received as amended.

(MCAC-0026-2015)

GC-0366-2015 That the 2015 Community Ride Schedule be received as amended. (MCAC-0027-2015)

GC-0367-2015

That up to \$100.00 be spent from the 2015 Mississauga Cycling Advisory Committee budget for Irwin Nayer to attend the Joint Cycling Committee Meeting on May 30, 2015. (MCAC-0028-2015)

GC-0368-2015

That the Heritage Property Grant Program requests be approved as outlined in the report from the Commissioner of Community Services dated April 21, 2015. (HAC-0023-2015)

GC-0369-2015

That the property located at 15 Shady Lawn Court, which is listed on the City's Heritage Register, is not worthy of heritage designation, and consequently, that the owner's request to demolish proceed through the applicable process. (HAC-0024-2015)

GC-0370-2015

That the request to alter the property at 7005 Pond Street, as described in the report from the Commissioner of Community Services, dated April 14, 2015, be approved, and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto. (HAC-0025-2015)

GC-0371-2015

That the request to alter the property at 7050 Old Mill Lane, as described in the report from the Commissioner of Community Services, dated April 14, 2015, be approved and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto. (HAC-0026-2015)

GC-0372-2015

That the request to alter the property at 42 Lake Street, as described in the report from the Commissioner of Community Services dated April 14, 2015, be approved, and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto. (HAC-0027-2015)

GC-0373-2015

- That the request to install two plaques at J. C. Saddington Park, 53 Lake Street, as described in the report from the Commissioner of Community Services, dated April 29, 2015, be approved, with the caveat that plaques' format and location may change in the future.
- 2. That a city-wide plaque policy is needed and that this matter be referred to the Office of the City Manager for action.

(HAC-0028-2015)

GC-0374-2015

That the property located at 1445 Glenburnie 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 proceed through the applicable process. (HAC-0029-2015)

GC-0375-2015

That the property located at 267 Kenollie Avenue, which is listed on the City's Heritage Register, is not worthy of heritage designation, and consequently, that the owner's request to demolish proceed through the applicable process. (HAC-0030-2015)

GC-0376-2015

That the Memorandum from Paula Wubbenhorst, Senior Heritage Coordinator, Culture Division, dated April 27, 2015 that Recommendation HAC-0072-2013 with respect to 1125 Willow Lane (Ward 11) be revised to approve the drawings presented at the Heritage Advisory Committee Meeting held on September 17, 2013 and not those included in the Corporate Report dated August 29, 2013 from the Commissioner of Community Services. (HAC-0031-2015)

GC-0377-2015

That staff survey the members of Council for interest in an annual election of a Chair for the Planning and Development Committee and provide the results at the June 3, 2015 General Committee meeting.

(GOV-0009-2015)

GC-0378-2015

That Members of General Committee may speak on an item of business for five (5) minutes and any Member wishing to speak to an item of business for a second time may do so for a further five (5) minutes and that staff be directed to update the Procedure By-law 0139-2013. (GOV-0010-2015)

GC-0379-2015

That the report entitled, 'Governance Committee Review – Additional Research', dated May 6, 2015 from the City Manager and Chief Administrative Officer be received for information. (GOV-0011-2015)

GC-0380-2015

That Public Question Period be included on the agenda at all Budget Committee meetings. (GOV-0012-2015)

GC-0381-2015

- 1. That the revised Corporate Policy and Procedure, Elected Officials' Expenses 04-05-04 attached as Appendix 1 to the Corporate Report dated April 20, 2015 from the Commissioner of Corporate Services and Chief Financial Officer, be approved.
- 2. That staff be directed to review the Elected Officials' Expenses Policy every two (2) years.

(GOV-0013-2015)

GC-0382-2015

- 1. That the revised Corporate Policy and Procedure "Corporate Reports" be amended as outlined in Appendix 1 to the Corporate Report dated May 8, 2015 from the Commissioner of Corporate Services and Chief Financial Officer and that it further be amended to include imperial and metric measurements in corporate reports and that metric measurements are required for by-laws.
- That the proposed Corporate Report template attached as Appendix 3 to the Corporate Report dated May 8, 2015 from the Commissioner of Corporate Services and Chief Financial Officer be approved and that the template be used for all Corporate Reports prepared for consideration by Council or Committees of Council after September 1, 2015. (GOV-0014-2015)

GC-0383-2015

That the following Terms of Reference for advisory committees of Council be approved as outlined in the Corporate Report dated May 8, 2015 from the Commissioner of Corporate Services and Chief Financial Officer:

- a) Accessibility Advisory Committee
- b) Diversity and Inclusion Advisory Committee
- c) Environmental Action Committee
- d) Governance Committee
- e) Heritage Advisory Committee
- f) Mississauga Cycling Advisory Committee
- g) Museums of Mississauga Advisory Committee
- h) Public Véhicle Advisory Committee
- i) Traffic Safety Council
- j) Towing Industry Advisory Committee

(GOV-0015-2015)

GC-0384-2015

That the workplan for the Governance Committee be approved as amended to move the budget allocation process for advisory committees to the 3rd quarter in 2015 and the Integrity Commissioner RFP to the 4th quarter of 2016. (GOV-0016-2015)

GC-0385-2015

That staff be directed in consultation with the Integrity Commissioner to review draft wording to amend Rule 2 - Gift and Benefits in the Council Code of Conduct. (GOV-0017-2015)

GC-0386-2015

That a Chair be appointed to the Planning and Development Committee for a one year term and that the appointment be considered at the June 10, 2015 Council meeting. (GOV-0018-2015)

GC-0387-2015

That staff survey the members of Council for interest in an annual election of a Chair for the Planning and Development Committee and provide the results at the June 3, 2015 General Committee meeting. (GOV-0009-2015)

GC-0388-2015

That Members of General Committee may speak on an item of business for five (5) minutes and any Member wishing to speak to an item of business for a second time may do so for a further five (5) minutes and that staff be directed to update the Procedure By-law 0139-2013. (GOV-0010-2015)

GC-0389-2015

That the report entitled, 'Governance Committee Review – Additional Research', dated May 6, 2015 from the City Manager and Chief Administrative Officer be received for information. (GOV-0011-2015)

GC-0390-2015

That Public Question Period be included on the agenda at all Budget Committee meetings. (GOV-0012-2015)

GC-0391-2015

- 1. That the revised Corporate Policy and Procedure, Elected Officials' Expenses 04-05-04 attached as Appendix 1 to the Corporate Report dated April 20, 2015 from the Commissioner of Corporate Services and Chief Financial Officer, be approved.
- 2. That staff be directed to review the Elected Officials' Expenses Policy every two (2) years.

(GOV-0013-2015)

GC-0392-2015

1. That the revised Corporate Policy and Procedure "Corporate Reports" be amended as outlined in Appendix 1 to the Corporate Report dated May 8, 2015 from the Commissioner of Corporate Services and Chief Financial Officer and that it further be amended to include imperial and metric measurements in corporate reports and that metric measurements are required for by-laws.

2. That the proposed Corporate Report template attached as Appendix 3 to the Corporate Report dated May 8, 2015 from the Commissioner of Corporate Services and Chief Financial Officer be approved and that the template be used for all Corporate Reports prepared for consideration by Council or Committees of Council after September 1, 2015.

(GOV-0014-2015)

GC-0393-2015

That the following Terms of Reference for advisory committees of Council be approved as outlined in the Corporate Report dated May 8, 2015 from the Commissioner of Corporate Services and Chief Financial Officer:

- a) Accessibility Advisory Committee
- b) Diversity and Inclusion Advisory Committee
- c) Environmental Action Committee
- d) Governance Committee
- e) Heritage Advisory Committee
- f) Mississauga Cycling Advisory Committee
- g) Museums of Mississauga Advisory Committee
- h) Public Vehicle Advisory Committee
- i) Traffic Safety Council
- j) Towing Industry Advisory Committee

(GOV-0015-2015)

GC-0394-2015

That the workplan for the Governance Committee be approved as amended to move the budget allocation process for advisory committees to the 3^{rd} quarter in 2015 and the Integrity Commissioner RFP to the 4^{th} quarter of 2016.

(GOV-0016-2015)

GC-0395-2015

That staff be directed in consultation with the Integrity Commissioner to review draft wording to amend Rule 2 - Gift and Benefits in the Council Code of Conduct. (GOV-0017-2015)

GC-0396-2015

That a Chair be appointed to the Planning and Development Committee for a one year term and that the appointment be considered at the June 10, 2015 Council meeting. (GOV-0018-2015)

GC-0397-2015

- 1. That the presentation made by Grace Vivilecchia, resident, with respect to safety concerns associated with the removal of school bus service for students attending St. Julia Catholic Elementary School to the school be received.
- 2. That the request to conduct a site inspection at Sombrero Way and Nimbus Gate, Sombrero Way and Harmony Hill, and at Lamplight Way and Historic Trail, for students attending St. Julia Catholic Elementary School be referred to the Site Inspection Subcommittee for a report back to the Traffic Safety Council at the next meeting.

(Ward 11)

(TSC-0080-2015)

GC-0398-2015

That Transportation and Works be requested to re-inspect the area of Tenth Line and Sunlight St/Serena Way, once the area development is completed on the east side of Tenth Line and the subdivision is assumed (by the City).

(Ward 10)

(TSC-0081-2015)

GC-0399-2015

That the request for a crossing guard at the intersection of Mineola Road and Woodland Avenue for students attending Kenollie Public School be denied as the warrants are not met. (Ward 1)

(TSC-0082-2015)

GC-0400-2015

- 1. That the request for a crossing guard at the intersection of Lewisham Drive and Brookhurst Road for the students attending Willow Glen Public School be denied as the warrants are not met.
- 2. That the Transportation and Works department be requested to review signage and replace faded signs at Lewisham Drive, north of the park path on the west side, and on Brookhurst Road at the bridge for students attending Willow Glen Public School.

(Ward 2)

(TSC-0083-2015)

GC-0401-2015

 That the request for a crossing guard at the intersection of Bloor Street and Bridgewood Drive, for the students attending Forest Glen Public School be denied as the warrants are not met. 2. That the request for a crossing guard at the intersection of Ponytrail Drive and Bridgewood Drive for the students attending Forest Glen Public School be denied as the warrants are not met.

(Ward 3) (TSC-0084-2015)

GC-0402-2015

That the Report submitted by Sandra Beniuk, Mashkoor Sherwani and Louise Goegan, Goegan summarizing the sessions they attended at the 65th Annual Ontario Traffic Council Conference held on May 3rd to 5th, 2015 in Sault Ste. Marie. (TSC-0085-2015)

GC-0403-2015

That the report from the Manager of Parking Enforcement with respect to parking enforcement in school zones for the month of April 2015 be received. (TSC-0086-2015)

GC-0404-2015

That the Minutes from the Walk to School Subcommittee meeting on May 20, 2015 be received. (TSC-0087-2015)

GC-0405-2015

That Louise Goegan be appointed as the Chair of the Walk to School Subcommittee for a term ending on November 30, 2018 or until a successor is appointed. (TSC-0088-2015)

GC-0406-2015

That the Action Items List from the Transportation and Works Department for the month of April 2015 be received. (TSC-0089-2015)

GC-0407-2015

- That the request for a crossing guard at the intersection of Second Line and Silverthorn Mill Avenue for students attending St. Julia Catholic School and Meadowvale Village Public School be denied as the warrants are not met.
- 2. That the Site Inspection Subcommittee of Traffic Safety Council conduct a further site inspection at Second Line and Sombrero Way for the students attending St. Julia Catholic School and Meadowvale Village Public School in September 2015 when bussing is removed.

3. That Transportation and Works Department be requested to conduct a speed study east of Second line and Sombrero Way for students attending St. Julia Catholic School and Meadowvale Village Public School.

(Ward 11) (TSC-0090-2015)

GC-0408-2015

That the Minutes from the Public Information Subcommittee meeting on May 25, 2015 be received for information. (TSC-0091-2015)

GC-0409-2015

That Heather Relf be appointed as Chair of the Traffic Safety Council's Public Information Subcommittee for a term ending on November 30, 2018 or until a successor is appointed. (TSC-0092-2015)

GC-0410-2015

That the letter dated May 27, 2015 from Councillor George Carlson with respect to the Removal of School Bus Services for Students attending St. Julia Catholic Elementary School be received for information.

(Ward 11) (TSC-0093-2015)

GC-0411-2015

That a staff member from the Active Transportation section of the Transportation, Infrastructure and Planning Division, be requested to sit on the Traffic Safety Council's Advisory Board. (TSC-0094-2015)



COUNCIL AGENDA

une 10,2015

Mississauga, Ontario May 26, 2015

Dear Mr. Tovey and all Mississauga Council members,

Tree Preservation

This is the cover letter for the attached letter urging Mississauga Council to take appropriate steps to preserve and enhance the tree canopy in Mississauga. We have canvassed four streets in the vicinity of Port Credit Secondary School, and over 100 residents have signed the letter. We believe this is indicative of the concern that Mississauga residents have about what appears to be the unrestricted cutting down of trees in the south Mississauga area.

Some years ago, we know that the City of Mississauga had a tree preservation bylaw. From our observation of what is happening in this area, we can only conclude that there is now virtually no protection for trees on residential properties. We have the following questions:

- 1. Does Mississauga have a bylaw regulating the cutting of mature trees on residential properties?
- 2. If no, will Mississauga Council introduce and enforce such a bylaw?
- 3. If yes, why is the enforcement of the bylaw apparently lax or non-existent? On enquiry, we have found that property owners have no difficulty getting a building permit for renovations or complete redevelopment, regardless of the number of mature trees to be cut down.

We urge Mississauga Council to take the appropriate steps to protect our mature trees.

Yours truly,

Elizabeth Harmelink 106 Hollyrood Hts. Dr.

E. Harmelink

Sheila Bonchar 114 Hollyrood Hts. Dr. Doug Caldwell 98 Hollyreod Hts. Dr.

Sheila Bonchar

8 Hollyrood Hts. Dr. Allued

(--)

^_ <u></u>		
Receive	Resolution	
Direction Required	Resolution / By-Law	
Community Services	For Appropriate Action	
 Planning & Building Transportation & Works 	☐ Information ☐ Reply ☑ Report	

Mississauga, Ontario

May 19, 2015

Dear Mr Tovey

\$

The time has come for Mississauga to reflect what is being done for trees in other jurisdictions. To highlight our lack of foresight with respect to the environment Toronto has a 30-40% tree canopy and tree protection in place as well as Oakville, Richmond Hill and the Niagara region to name a few. Mississauga has a 15% tree canopy and no tree protection – this is unacceptable. Ward 1 is home to original Carolinian forest oaks and maples, many of which are over a hundred years old. Sadly, in the last 20-30 years, a city employee in the forestry department stated that the tree canopy in south Mississauga has been reduced by over 50%. In addition, we have recently lost countless numbers of ash trees which further augments the need to preserve our healthy trees. The bylaws that currently exist enable developers to proceed without any concern for the fate of centuries-old oaks and maples in particular.

Developers need to build more responsibly according to bylaws which **you** introduce and enforce protecting the natural landscape of this sensitive region. The size and age of trees is not taken into enough consideration when permits have been issued in the past. Planting saplings to replace giant oaks and maples is laughable.

Your favourable reaction to these concerns will have a huge impact on the future of south Mississauga.

Elizabeth Harmelink, 106 Holly word It's Dr. 85 Foxhunt Court He Toxhunt arts 169 Oakes Dr 162 Oakes Dr. 162 Oakes Pr. 163 Oakes Dr. 155 Oakes Dr. 143 Oakes Drive 143 Oakes Drive Diasca heila

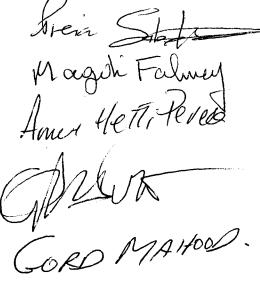
P-1(b) OLEKANDRA GATRYLENKO / 132 Oakes. dr. L5G, 3MI NATALIYA NIKOLAEYNKO / 132 Oakes. de. 156 STI 95 OAMESDA. BOB SCHEUMICH WAL 87 OAKES Dr. BRIAN HACK 86 OAKES DR. JULIE ROWE Doug LAMB 85 MINTEOLA RD., E 85 MINZOLA RD., E MARISA WODESKI 2271 KENBARB RD NICOIK GABSCH 11 John St fose Schneider 3377 Hurontario Lee Bradford 114 Hollysood Hts. Mike Banchar Stephen Bonchar 119 Hollyrood Hts. 13F Hollyrood Hts """ Steve Kuffell MARy Kuttell 156 Hollyroad Height Dr. 149 Hillyroad F-1515. Dr. Stare Baridelle Muhile Valia 156 Hollyrood Heights Dr. Mary Furlin 125 Holly road bleights D. CHIRIS KIRK

P-1(c)

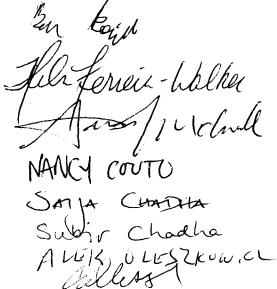
114 Holly vood Hts Dr 125 "" " Sheila Barchar Alicia Kink CREG SHANKS 130 Hollyrood Hts Dr TOLOAN PHAM 130 HOLYNOOD HITS DR. Cecilia Kim 109 Hollyrood Hts Dr. Yachiyo Okada 93 Hollyrood Hts Pr. SY H-LLYRON HTS D. LEN.N GAMAGE Set Hornows HATS D. Holow Dyunh HOLLYROOD HTS. DRIVE S'HEENA FRODYMA 78 ROBERT FRODYMA HOLLYROOD HTS. DRIVE 78 HOLLYROODHTS DR. 61 JANET PYPE GORDON PYPE HOLLYROODITTS DR. 61 PatrilAh Beigh HOLLYROOD HEIGHTS 102. FRANK BORGNACH 131 JACQUELINE BERGATION τ. ι١. SARA BENGNACH τ. 137 Hollycodtts Dr. Michelle Fahmey 137 HOLLYROOD HTS. Dr. Labiba Fahmer 137 Hollynood Hts. Dr. Alexandra Fahmap 137 HOLLYROOD ITTS DR. FINDLEW (AHMEY 137 6 Holly sou) AVe, R.K. BINDLISH David Bonchar 90 Hally vood Heights Drive 90 Hally ROOD HEIGHTS DRIVE. S. TURNER-GOMES

P-1(d)

WJ Boncha Barbon Gehoing Iha Valiquetk (Dobrinoff) Sandra Brown



John Green



114 Hollyrood Hts Dr. 20 Mineola Rd. E. 1386 Woodedon Dr. 2943 Gardenview Cres.

130 Mineola Rd East. 137 HOLLYROOD HTS D. Miss. 71 Hollyrood HTS DR Miss. 50 Howorked the UZ HOLLYROOD HEHTS

35 Holly road they biles Dr.

1395 Holly Road. are 1390 Holaport are 1380 Hollyroop AVE 1380 HULLEUD AVE. Hollyrood Avenue 1376 Hollyrood Avenue 1376 1365 HOLLYRAN NG

P-1(e)

Mili 1364 Hollyrood Ave.

Benna Chy 1305 Hullywood ave. Voug & Cheryl & Lauren aldwell 78 Hollyrood Heghts Pr. Susar Hocevan 1386 Wilson Avenue Peter Hocevan Celine Goddard 92 Foxhart CXt Go Matthew Gooldand Otto Mississange + Joel May 103 Foxhurt Court, Miss. Bernad ette Lonergan 1369 WILSON AVE MISSISSINGA, ONT CATTLY VARARECCUIA 1365 Wilson Ave. Ton Murris Mississarga. on Trucella 1316 Wilson Ave. R.D. Staddon 1355 WILSON QUE. 1355 Wilson ave Bestadden

P-1(f)

Andren Staddon A.S.L Jenn Nesbitt chris O'Connar Dave Mills Gagell Mills Celet Kodys O David Walmsley + Jennifer Silk Sara Aquino Paul Easterbook Shirley Forde Eva Wibinshi'

1353 Wilson Avenue 1355 Wilson Avenue 65 Min-eola Rd. E 65 Mineola LU E JJ Miedal'E 91 Mineola Rd E 91 Mureda R& E 106 Oakes Drive DU Oakes Drive. 107 Dakes Drive 133 Oakes Drie

May29,2015

City of Mississauga

Re: 820 Eaglemount Cres. Mississauga, Ontario

We the undersigned strongly object to the Pigions being housed at 820 Eaglemount Cres Mississauga

- 1. They are very dirty animals. Their droppings are very toxic and pose a health risk.
- 2. Daily droppings on cars, sidewalks and driveway, yards etc. The acid from their droppings are eating away at paint.
- 3. A lot of Children in Area very unhealthly for all.

4. Almost afraid to go outside for fear of bird droppings landing on you. As these birds are let out a few times a day to fly. (in flocks)

There is always the risk of this happening from birds in general but when the flocks of pigeons fly overhead circleling the same area over and over for 15 to 20 minutes at a time, it is hard not to be hit by their droppings You know with dogs and cats - owners are required to pick up after their pets.

If they want these birds as pets, they should be made to pick up after them. Toop and Scoop or in this case they should be washing a lot of cars and sidewalks/driveways. (which is a waste of good water) if they want these birds for food - then they should be living on a farm not in the city. Or keep these birds contained in their own yard. These birds are a health risk for all concerned.

<u>Address:</u> Eaglemount Cres.	<u>Sign Signature</u>	<u>Name (Please Print)</u>	
831	forte	Laura Rocha	
830	DeBaberer	DONA BABCOCK	
823	P/IL	PAT JOBE	
321	Ém	P. Hurlock.	
819	Swey Co Sally	SHASHI SINGH	
817	RIQ	Schr Mahmood.	
825	SK4B	PUTH BROWN	

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

P-2

COUNCIL AGENDA

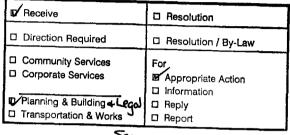
June 10, 2015

COUNCIL AGENDA June 10,2015

Castlera

June 4, 2015

Mayor and Members of Council City of Mississauga c/o Carmela Radice, Council Coordinator Office of the City Clerk 300 City Centre Drive Mississauga ON, L5B 3C1



Service

Dear Madame Mayor and Members of Council:

Re: OPA/Rezoning Application OZ 13/013 W9 2700 Aquitaine Avenue: Proposed New Rental Housing Construction Owner: 7838797 Canada Inc. Development Manager: Carttera Private Equities Inc.

Carttera Private Equities Inc. (Carttera) is a well-managed, privately owned pension fund advisor, with extensive experience in all sectors of city building. Most recently, we have developed two award winning offices in Meadowvale (1919 Minnesota Court & 7100 West Credit Avenue) and have just broken ground on a 270,000 square foot office campus, known as Gateway Meadowvale, at Highway 401 and Winston Churchill Boulevard. We have a history of working cooperatively with the jurisdictions in which we work and would like to continue that tradition with an exciting new proposal for purpose-built rental housing at 2700 Aquitaine Avenue.

The current buildings on this 8 acre site have been in a state of decline for some time. In initial discussions with tenants currently on the site, we found a very positive response to a proposal to rebuild and add value through this redevelopment. The reinvestment in both the Meadowvale Town Centre and Meadowvale Community Centre have greatly improved the established community. Our proposed redevelopment would complete the transformation of a significant part of the City and add to the much needed inventory of rental housing in Mississauga.

CARTTERA MANAGEMENT INC. 20 Adelaide Street East, Suite 501 Toronto, Ontario M5C 2T6

 TELEPHONE:
 416-593-4747

 FACSIMILE:
 416-867-9790

I-

J-1(a)

Disappointingly, discussions with the local Councillor seemed to have reached an impasse. While we respect the jurisdiction of each Councillor, we believe this project needs to be considered by all of the City Councillors who are concerned about the future of this City. It is too important to leave the final decision to the OMB, a needlessly expensive process scheduled to commence on November 3rd, 2015.

Carttera prefers to work closely with the community and all its representatives. OMB mediation was proposed at the May 4, 2015 Planning and Development Committee (PDC) meeting. It is our understanding that a further report is to be brought forward in-camera in early June to decide whether Mississauga City Council will agree to mediation. Mediation is a less expensive, less confrontational form of problem solving which can lead to a result welcomed by the tenants, the City and Carttera. Should mediation reach an impasse, the November OMB hearing date remains.

We would like to present some thoughts to assist members of Council in its deliberation of this very significant proposal:

- Places to Grow: the Growth Plan for the Greater Golden Horseshoe defines "Intensification Areas" as "lands identified by municipalities or the Minister of Infrastructure within a settlement area that are to be the focus for accommodating intensification. Intensification areas include urban growth centres, intensification corridors, major transit station areas, and other major opportunities that may include infill, <u>redevelopment</u>, brownfield sites, the expansion or conversion of existing buildings and greyfields." Further Places to Grow states, "Policies will encourage intensification generally through-out the built up area."
- The proposed redevelopment at 2700 Aquitaine Avenue does not strain existing community services and facilities, or generate any significant impacts on the community at large. The May 4 PDC Report on Comments concludes that there are no negative cumulative impacts on local traffic, servicing capacity or soft services in the area such as schools, parks or Community Services. In fact, the Meadowvale Community Centre is doubling in size to service the local community. Our proposal also serves a demand for rental housing; a need that was identified by the Region of Peel Housing Strategy.
- Through a recent Scoped Environmental Impact Study (EIS), it was concluded that Lake Aquitaine, being a storm water retention pond, does not support any significant natural heritage features and, with proper mitigation, no direct impacts to the adjacent recreational uses are found. In fact, implementation of the recommended mitigation measures will result in an enhancement of the natural heritage function of Lake Aquitaine. The recommended 2:1 replanting ratio will allow further opportunities to plant new trees. Tree removal was identified as a concern by City

staff in their Recommendation Report and Carttera is prepared to look at ways to reduce tree removal. This is a legitimate impact issue that can be thoroughly canvassed through mediation.

- The supply of purpose built rental housing has generally declined over the past 20 years. Combined with strong population growth, there remains tight rental market conditions in Mississauga. The stock of rental units has declined while the urgency for providing an adequate supply of rental units for the City has increased. The City identified a target for the construction of 72 new purpose-build rental apartment units between 2011 and 2016, however since 2011, the City has experienced a net decline in new purpose-built rental apartment units. The proposed redevelopment can help reverse this trend, particularly in northwest Mississauga. As no new rental apartments have been built in the immediate area in decades, Carttera proposes to build high end residential rental stock that will be the best in class in the Meadowvale area.
- Over an 8 acre site, the proposed redevelopment in its current form, represents an increase in Floor Space Index (FSI) from 1.0 FSI to 2.16 FSI. These are not significantly large numbers considering the typical end of the residential high density designation range in Mississauga is 2.9 FSI. Carttera is and remains open to looking at further ways to reduce the heights and densities on this site, but in order to do so needs an opportunity to work with City staff. Board mediation would provide the appropriate opportunity to allow this process to occur.
- Under the exact same local Official Plan 2010 policy regime that staff and Council relied upon to refuse the 2700 Aquitaine application, a similar application under appeal to the OMB was settled upon and supported on September 3, 2013 for OPA/Rezoning Application OZ 11/017 W1: 501 Lakeshore Inc, Trinity Properties Lakeshore Inc. and 1716336 Ontario Inc. in Ward 1. In this instance, staff recommended approval of a settlement proposing a high density component up to 14 storeys having no proximity to either the Port Credit or "to be determined" Lakeview Community Node Boundary, having only 50 ft. (14.24 m) frontage onto a local road (Enola Avenue) with no transit service and directly abutting low density detached dwellings along either side of Enola Avenue. Yet, the 2700 Aquitaine site currently houses a 15 storey apartment building which does not abut any low density single detached dwellings, directly abuts a Community Node boundary, has frontage onto a Major Collector Road and is within walking distance to a local and Regional GO transit hub. In supporting application OZ 11/017 W1, it was staff's opinion that, "proposals for heights more than four storeys or different than established in the Character Area policies, will only be considered where it can be demonstrated to the City's satisfaction that: an appropriate transition in heights that respects the surrounding context will be achieved; the development proposal enhances the existing or planned development; the City Structure is maintained, and the

I-1(c)

development proposal is consistent with the policies of this plan." These policies were relied upon to justify intensification in excess of 4 storeys outside of a designated intensification area.

• The proposed redevelopment represents an investment of approximately \$96 million into Ward 9. The amount of fees generated to the City via application fees, Development Charges and permit fees is approximately an additional \$21 million.

In closing, we believe there is a significant opportunity for the City to work towards a "made in Mississauga" solution through Board mediation. It is an available option worthy of exploration. If the process fails, then either party can simply say an effort was made but no agreement could be reached and the matter would proceed, as scheduled, to OMB. We urge Members of Council to consider these matters when making a decision. Thank you for your consideration.

Yours truly,

Jan P. Cilly

Dean Cutting, Partner Carttera Private Equities Inc.

Copy: Bonnie.Crombie@mississauga.ca Jim.Tovey@mississauga.ca Karen.Ras@mississauga.ca Chris.Fonseca@mississauga.ca John.Kovac@mississauga.ca Carolyn.Parrish@mississauga.ca Ron.Starr@mississauga.ca Nando.Iannicca@mississauga.ca Matt.Mahoney@mississauga.ca Pat.Saito@mississauga.ca Sue.McFadden@mississauga.ca George.Carlson@mississauga.ca Marcia.Taggart@mississauga.ca Mary.Flynn-Guglietti@mcmillan.ca cbasan@carttera.com jiml@gsai.ca

Motion June 10, 2015

COUNCIL AGENDA June 10, 2015

Moved by: C. Parrish Seconded by:

WHEREAS many Mississauga seniors are of low or moderate income; and

WHEREAS not all neighbourhoods within the city have adequate access to seniors' centres and activities;

WHEREAS many low- or moderate-income seniors must use public transit because they can no longer afford the operation of a private vehicle or they are physically challenged and/or cognitively impaired; and walking to libraries, community centres and parks can be onerous and unsafe, particularly in extreme weather;

WHEREAS heavily subsidized public transit does have down times when most routes have reduced ridership;

WHEREAS the study currently being conducted by the Region of Peel has been extended to the end of December and does not specifically address low-income seniors (in fact has very few seniors in its sample);

THEREFORE BE IT RESOLVED:

- 1. That staff implement a one-year pilot project by the end of June 2015, which is celebrated as Seniors' Month in Mississauga, with a minimum of inconvenience for seniors taking advantage of the reduced rate and for the transit drivers administering it. The new charge of a dollar per ride will be for off-peak hours, weekends and holidays only.
- 2. Introduce time-transfers of sufficient length so clients of food banks can collect their groceries and return home on a single fare.

(The above points are to be voted on separately.)

annist