

Council

Date

October 28, 2015

Time

9:00 a.m.

Location

Council Chamber, 2nd Floor, Civic Centre, 300 City Centre Drive, Mississauga, ON L5B3C1

Members Present

Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6 (left at 9:45 a.m.)
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10 (Acting Mayor)
Councillor George Carlson	Ward 11

Members Absent

Mayor Bonnie Crombie

Staff Present

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

Find it online

<http://www.mississauga.ca/portal/cityhall/councilcommittees>

1. **CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Acting Mayor McFadden.

2. **APPROVAL OF AGENDA**

Verbal Motion

Moved by: R. Starr

Seconded by: C. Fonseca

That the agenda be approved as presented.

Carried

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

4. **MINUTES OF PREVIOUS COUNCIL MEETINGS**

Verbal Motion

Moved by: J. Tovey

Seconded by: K. Ras

That the Council minutes of October 14, 2015 be approved as presented.

Carried

5. **PRESENTATIONS** - Nil

6. **DEPUTATIONS**

(a) World Prematurity Day – November 17, 2015

Robert Moss spoke to World Prematurity Day and requested that Council light up Mississauga Celebration Square purple on November 17, 2015. Acting Mayor McFadden, Councillors Ras and Fonseca spoke to their personal experience regarding premature babies and endorsed the need to raise awareness and support for families of premature babies.

Information Item I-1
Resolution 0248-2015

(b) Mississauga Vital Signs 2015 Report

Eileen MacKenzie, President and CEO and Brian Reusch, Grants and Community Initiatives Manager from the Community Foundation of Mississauga highlighted the findings of the Mississauga Vital Signs 2015 Report. Members of Council thanked Ms. MacKenzie and Mr. Reusch for providing a very well prepared report.

Councillor Starr left at 9:45 a.m.
Deputations were presented (d) (c) and (e).

- (c) Ontario Municipal Board (OMB) of Appeal – Official Plan Amendment No. 9
(Clarkson Village Area)

Sue Shanley, member of the Clarkson Village Steering Committee spoke about the Clarkson Village Study and requested that Council support the Clarkson Village study.

Closed Session Item (i)
Resolution 0260-2015

- (d) Ontario Municipal Board (OMB) of Appeal – Official Plan Amendment No. 9
(Clarkson Village Area)

Wendy Davies and Boyd Upper, residents spoke about keeping the area in the character of Clarkson Village and requested Council to support the Clarkson Village study.

Closed Session Item (i)
Resolution 0260-2015

- (e) Ontario Municipal Board (OMB) of Appeal – Official Plan Amendment No. 9
(Clarkson Village Area)

Cameron McCuaig, resident spoke about that the proposal subject to the OMB appeal is consistent with the official plan; intensification is desired in the community; Lakeshore Road and Southdown Road are key arterial roads that are located near a GO station; it will drive new tax revenues, higher property values and the intensification may result in the community to become an official mobility hub. Councillor Saito inquired about the number of storeys of the building and developing a policy. Councillors Tovey, Iannicca, Saito and Carlson discussed the Ontario Municipal Board process. Ed Sajecki, Commissioner of Planning and Building indicated that the Ontario Municipal Board decisions are evidenced based. Councillor Ras thanked the residents for attending, indicated that a community meeting was held in regards to the matter and indicated that she is determined to ensure that proposed developments be built right and is worthy of Clarkson Village's neighbourhood.

Closed Session Item (i)
Resolution 0260-2015

7. PUBLIC QUESTION PERIOD – 15 Minute Limit - Nil

(In accordance with Section 43 of the City of Mississauga Procedure By-law 0139-2013)
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 will ask their question; the time limit is 5 minutes for each question, as public question period total limit is 15 minutes.

8. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

- R-1 Report dated October 5, 2015, from the Commissioner of Planning and Building re: **Recommendation Report (Ward 8); 1007 Mississauga Road ; northwest corner of Mississauga Road and North Sheridan Way, Applicant: Marilyn Raphael Applications to permit three detached homes.**

Recommendation

That the Report dated October 5, 2015, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 13/024 W8, Marilyn Raphael, 1007 Mississauga Road, northwest corner of Mississauga Road and North Sheridan Way, 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*, any further notice regarding the proposed amendment is hereby waived.
2. That the application to amend Mississauga Official Plan from **Motor Vehicle Commercial** to **Residential Low Density I** to permit detached homes be approved.
3. That the application to change the Zoning from **C5-14 (Motor Vehicle Commercial)** to **R1-Exception (Detached Dwellings – Typical Lots) and B (Buffer)** to permit 3 detached homes in accordance with the proposed revised zoning standards described in Appendix 5 of this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development;
 - (b) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District and Dufferin-Peel Catholic District School Boards not apply to the subject lands.
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 18 months of the Council decision.

Resolution 0255-2015

9. PRESENTATION OF COMMITTEE REPORTS

- (a) General Committee Report 15-2015 dated October 21, 2015.

Resolution 0253-2015

The recommendations were approved as follows:

GC-0615-2015

That the report dated October 6, 2015 entitled, "Update on Arterial Road Rationalization" from the Commissioner of Transportation and Works be received for information and that staff be directed to prepare a motion for Council to consider that outlines the City's initial concerns in the June 27, 2006 corporate report.

GC-0616-2015

That all necessary by-laws be enacted to allow for a temporary exception that would permit the setting off of fireworks for Diwali (November) and Chinese New Year (January) in accordance with the Corporate Report dated October 6, 2015 from the Commissioner of Community Services and that the said exemption be effective as of November 1, 2015 for a period of one year.

GC-0617-2015

That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at any time on the west, north and east side (outer circle) of Woodchase Crescent. (Ward 5)

GC-0618-2015

That a by-law be enacted to amend By-law 555-2000, as amended, to implement a U-Turn prohibition on Plum Tree Crescent for both directions between a point 135 metres (443 feet) west of Vanderbilt Road (north intersection) and a point 250 metres (820 feet) west of Vanderbilt Road (south intersection). (Ward 9)

GC-0619-2015

That a by-law be enacted to amend The Traffic By-law 555-00, as amended, to implement no parking at any time on both sides of Haines Road between Queensway East and Dundas Street East. (Ward 1)

GC-0620-2015

That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to implement no parking at any time on the east side of Stainton Drive between Forestwood Drive and a point 89 metres (292 feet) southerly thereof. (Ward 6)

GC-0621-2015

That the Commissioner of Community Services and City Clerk be authorized, on behalf of The Corporation of the City of Mississauga (the "City") to enter into an agreement with Ontario Fire Administration Incorporated, for the purpose of conducting Candidate Testing Services in a form satisfactory to the City Solicitor.

GC-0622-2015

That the Community Services Department be authorized to submit a minor variance application to the Committee of Adjustment to permit the reduction of required parking for the Malton Community Centre for the purposes of providing required parking for YMCA staff operating the child care centre.
(Ward 5)

GC-0623-2015

1. That notwithstanding the Public Notice requirements included in the *Planning Act*, additional notice be provided for any Committee of Adjustment application seeking relief for the separation distance identified in Table 2.1.2.1.1 of Zoning By-law 0225-2007, as amended, in accordance with the separation distance identified in the Table 2.1.2.1.1 of Zoning By-law 0225-2007, as amended.
2. That the cost of the additional notification of property owners beyond the statutory 60.0m (196.85ft.) circulation area be the actual cost of the additional properties circulated and be borne by the applicant.
3. That the Planning Act Fees and Charges By-law 0246-2015, be amended, to reflect the additional fee requirement for circulation of applications that seek relief from a separation distance identified in Table 2.1.2.1.1 of Zoning By-law 0225-2007, as amended.
4. That Corporate Policy 07-06-01 on Committee of Adjustment Applications be amended to reflect the additional circulation area based on the separation distances identified in Table 2.1.2.1.1 of Zoning By-law 0225-2007, as amended.

GC-0624-2015

1. That the report titled "*Municipal Act, 2001, Five-Year Provincial Review*" by the City Solicitor be received for information;
2. That staff be authorized to make submissions to the Ministry of Municipal Affairs and Housing to propose amendments to the Municipal Act, 2001 as outlined in this report from the City solicitor, titled "Municipal Act, 2001, Five-Year Provincial Review"; and
3. That the report from the City Solicitor, titled "Municipal Act, 2001, Five-Year Provincial Review" be forwarded to the Minister of Municipal Affairs and Housing, all local MPPs and the Association of Municipalities of Ontario (AMO) for their information.

GC-0625-2015

That the deputation and associated PowerPoint presentation by Rod Muir, Chair, Sierra Club Canada Foundation, be received.
(EAC-0032-2015)

GC-0626-2015

That the deputation and associated PowerPoint presentation by Alana Evers, Team Leader-Landscape Architect, Parks and Forestry Division and Mike Dartizio, Senior Associate, Stantec Consulting with respect to Off Road Trail (ORT) #7, be received.
(MCAC-0044-2015)

GC-0627-2015

That the matter of centre line striping on multi-use trails along roadways and those that serve as main routes through greenbelts and parks be referred to staff to determine the feasibility of implementing full lining on heavily used trails and report back to the Mississauga Cycling Advisory Committee at a future meeting.
(MCAC-0045-2015)

GC-0628-2015

That the Mississauga Cycling Advisory Committee use the remaining Tour de Mississauga T-shirts for promotional giveaways at the remaining Community Rides.
(MCAC-0046-2015)

GC-0629-2015

That the report from the Tour de Mississauga Subcommittee with respect to the 2015 Tour de Mississauga, be received.
(MCAC-0047-2015)

GC-0630-2015

That the 2015 Community Rides event calendar, be received.
(MCAC-0048-2015)

GC-0631-2015

That the 2015 MCAC Event Calendar, be received.
(MCAC-0049-2015)

GC-0632-2015

That the email dated September 23, 2015 from Councillor Fonseca with respect to Mississauga Moves – 2015 Transportation Summit, be received.
(MCAC-0050-2015)

GC-0633-2015

That the Notice of Completion – Burnhamthorpe Road Watermain – Municipal Class EA, Region of Peel, be received.
(MCAC-0051-2015)

GC-0634-2015

That the email dated October 7, 2015 from Don Patterson, Citizen Member, Mississauga Cycling Advisory Committee with respect to his resignation from the Committee, be received.
(MCAC-0052-2015)

GC-0635-2015

1. That the letter dated September 30, 2015 from Councillor Carolyn Parrish, Ward 5 with respect to the proposed widening of McLaughlin Road, be received;
2. That the matter of the proposed widening of McLaughlin Road be referred to the Network and Technical Subcommittee and relevant staff for consideration and report back to the Mississauga Cycling Advisory Committee.
(MCAC-0053-2015)

GC-0636-2015

That the report dated October 13, 2015 from the City Manager entitled "Enersource Update" be received for information.

GC-0637-2015

That the Closed Session matter regarding the Living Arts Centre be received for information.

- (b) Planning and Development Committee Report 13-2015 dated October 26, 2015.

Resolution 0253-2015

The recommendations were approved as follows:

PDC-0059-2015

That the Report dated October 2, 2015, from the Commissioner of Planning and Building regarding the application by Leonard Regina, Joan Pighin and Michelle Regina to permit Business Employment uses under File OZ 15/001 W5, at 6900 Dixie Road, be received for information, and notwithstanding planning protocol, that the Recommendation Report be brought directly to a future Council meeting.
File: OZ 15/001 W5

PDC-0060-2015

That the report dated October 2, 2015, from the Commissioner of Planning and Building regarding the application by 388 Hazelhurst Road LP to permit additional industrial uses under File OZ 15/004 W2, at 388 Hazelhurst Road, be received for information, and notwithstanding planning protocol, that the Recommendation Report be brought directly to a future Council meeting.
File: OZ 15/004 W2

PDC-0061-2015

That the report dated October 2, 2015 from the Commissioner of Planning and Building regarding the applications by Gordon Woods Development Limited to permit two apartment buildings (32 and 25 storeys) consisting of 545 units with retail commercial uses at grade, and 49 back to back townhouse units within four blocks under file OZ 12/003 W7, at 2114, 2124 and 2130 Hurontario Street and 2095-2143 Grange Drive, be received for information.
File: OZ 12/003 W7

PDC-0062-2015

That the Report dated October 2, 2015, from the Commissioner of Planning and Building recommending approval of the removal of the H holding symbol application, under File CD.21.FRO, City of Mississauga, Marina Park (P-112), 15 Front Street South, east side of Front Street South, south of Lakeshore Road West, be adopted and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

File: CD.21.FRO

PDC-0063-2015

That the Report dated October 2, 2015, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 13/016 W1, High Benson Holdings Inc., 266-294 Lakeshore Road West, 125-143 High Street West and 5-7 Benson Avenue, be adopted, as amended, 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, any further notice regarding the proposed amendment is hereby waived.
2. That the application to amend Mississauga Official Plan from Residential Low Density II, Mixed Use, Mixed Use – Special Site 28 and Mixed Use – Special Site 38 to Mixed Use – Special Site to permit retirement dwelling units, apartment dwelling units, townhouses and street level commercial uses consistent with the provisions outlined in Appendix 1 (I-9) be approved.
3. That the application to change the Zoning from RM7 (Detached, Semi-Detached, Duplex and Triplex Dwellings), C4 (Mainstreet Commercial) and C4-17 (Mainstreet Commercial) to H-C4-Exception (Mainstreet Commercial with Holding Provision) to permit retirement dwelling units, apartment dwelling units, townhouses and street level commercial uses in accordance with the proposed revised zoning standards described in Appendix 6 of this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development;
 - (b) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District and the Dufferin-Peel Catholic District School Boards not apply to the subject lands.

4. That the "H" Holding Provision is to be removed from the H-C4-Exception (Mainstreet Commercial with Holding Provision) zoning applicable to the subject lands, by further amendment, upon confirmation from the applicable agencies and City Departments that matters as outlined in the Report dated October 2, 2015, from the Commissioner of Planning and Building, have been satisfactorily addressed.
5. In the event these applications are approved by Council and that a further amendment to remove the "H" Holding Symbol be applied for, that staff be directed to hold discussions with the applicant to secure community benefits, in accordance with Section 37 of the Planning Act and the Corporate Policy and Procedure on Bonus Zoning, and to return to Council with a report outlining the recommended community benefits upon conclusion of the discussions.
6. 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.
7. That as an additional condition for the "H" holding provision to be removed, the developer must provide funding to the satisfaction of the City for the installation of traffic signal lights and associated infrastructure at the intersection of Benson Avenue and Lakeshore Road West
8. That the letter dated October 26, 2015 from Arlene Beaumont, W.E. Oughtred & Associates, be received.

File: OZ 13/016 W1

PDC-0064-2015

That the report titled, "Conservation Authorities Act Review" from the Commissioner of Planning and Building dated October 2, 2015 be forwarded by the City Clerk to the Ministry of Natural Resources and Forestry, Region of Peel, City of Brampton, Town of Caledon, Conservation Halton, Credit Valley Conservation and Toronto and Region Conservation Authority.

File: LA.07.CON

PDC-0065-2015

1. That the report entitled "Port Credit GO Station Southeast Area Master Plan Study", dated October 2, 2015 from the Commissioner of Planning and Building, be endorsed; and
2. That planning staff be directed to prepare an Official Plan Amendment to Mississauga Official Plan and the Port Credit Local Area Plan that implements the Port Credit GO Station Southeast Area Master Plan Study.
3. That realty services staff be directed to initiate the process of declaring the City owned closed Queen Street East road allowance lands surplus for the purposes of negotiating the transfer of these lands to Metrolinx in support of the redevelopment of the Port Credit GO station southeast parking lot.

4. That the Planning and Building Department advise Metrolinx of City Council's request that staff be formally included in the review of redevelopment proposals for the Port Credit GO station southeast parking lot.
5. That the Planning and Building Department advise Metrolinx of City Council's request that a smaller parking structure be considered at the Port Credit GO Station in order to promote active transportation and transit usage.

File: CD.04-POR

PDC-0066-2015

That in accordance with Council Procedure By-law 0139-2013, the Planning and Development Committee continue its Meeting past 11:00 p.m.

PDC-0067-2015

That the Report dated October 2, 2015 from the Commissioner of Planning and Building titled "Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for the Sheridan Park Corporate Centre" be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, revisions to the proposed Zoning By-law amendments are being recommended, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the Planning Act, any further notice regarding the proposed amendments is hereby waived.
2. That the proposed amendments to Mississauga Official Plan to revise the existing Sheridan Park Corporate Centre Character Area policies be approved in accordance with Appendix 5 of this report.
3. That the proposed amendments to Zoning By-law 0225-2007 to revise the existing zoning regulations for lands in the Sheridan Park Corporate Centre be approved in accordance with Appendix 7 of this report.
4. That the following correspondence be received:
 - (a) Letter dated October 26, 2015 from Abdullatif Bakbak, Muslim Association of Canada;
 - (b) Letter dated October 26, 2015 from Michael Gagnon, Gagnon & Law Urban Planners Ltd.
 - (c) Letter dated October 26, 2015 from Ryan Guetter and Josh Berry, Weston Consulting

File: CD.04-SHE

10. UNFINISHED BUSINESS - Nil

11. PETITIONS

- P-1 A petition received on October 8, 2015 with approximately 30 signatures requesting that a larger bus be assigned to Bus 109S be scheduled to leave every morning at Meadowvale Bus Terminal at 7:47 a.m. (Ward 9).

Received and referred to Transportation and Works Department
Resolution 0249-2015

Councillor Saito requested that the petition be received and referred to Transportation and Works staff for appropriate action.

- P-2 A petition received on October 9, 2015 with approximately 13 signatures requesting an all way stop sign be installed at the intersection of Loonlake Avenue and Midgreen Lane and Whimbrel Road (Ward 6).

Received and referred to Transportation and Works Department for a report back
to General Committee
Resolution 0250-2015

12. CORRESPONDENCE

- (a) Information Items – I-1

I-1 A letter dated July 13, 2015, from the Founder and Executive Director of Canadian Premature Babies Foundation regarding the request in shining a light on World Prematurity Day on November 17, 2015.

Received for information

- (b) Direction Item – D1

D-1 That the City of Mississauga endorse Mark Schiller, Executive Director of Water and Wastewater Divisions, at Public Works as the Region of Peel's candidate to be a member on the CTC Region Source Protection Committee.

Resolution 0251-2015

13. NOTICE OF MOTION

- M-1 Councillor Ras is requesting that Council establish a working committee of interested Councillors and appropriate staff to consider a separate credit program for residential properties that utilize volume control measures and that the working committee should report back to Council by the Spring of 2016.

Councillor Ras spoke to the motion and requested amendments to the motion. Members of Council spoke in support of the motion. Crystal Greer, City Clerk indicated that the appointments to the working committee will be dealt with at the November 18, 2015 Council meeting.

Resolution 0252-2015

14. RESOLUTIONS

0248-2015 Moved by: C. Fonseca Seconded by: K. Ras

That Communication and Mississauga Celebration Square staff light up Mississauga Celebration Square and the clock tower purple for World Prematurity Day on November 17, 2015.

Carried

0249-2015 Moved by: P. Saito Seconded by: M. Mahoney

That the petition requesting a larger bus be assigned to Bus 109S scheduled to leave every morning at Meadowvale Bus Terminal at 7:47 a.m. be referred to Transportation and Works department.

Carried

0250-2015 Moved by: N. Iannicca Seconded by: C. Parrish

The petition requesting an all way stop sign be installed at the intersection of Loonlake Avenue and Midgreen Lane and Whimbrel Road be referred to Transportation and Works Department for a report back to General Committee.

Carried

0251-2015 Moved by: J. Kovac Seconded by: C. Fonseca

WHEREAS the Region of Peel endorsed Mark Schiller, Executive Director of Water and Wastewater Divisions, Public Works as the Region of Peel's candidate to the CTC Region Source Protection Committee at the Toronto and Region Source Protection Authority (TRSPA);

AND WHEREAS the Region of Peel requested that the Cities of Mississauga, Brampton and the Town of Caledon jointly endorse Mark Schiller as the candidate and forward the endorsements the TRSPA no later than November 15, 2015;

NOW THEREFORE BE IT RESOLVED that the City of Mississauga endorse Mark Schiller, Executive Director of Water and Wastewater Divisions, Public Works as the Region of Peel's candidate to the CTC Region Source Protection Committee at the Toronto and Region Source Protection Authority;

AND FURTHER that this Resolution will be forwarded to the TRSPA no later than November 15, 2015.

Carried

0252-2015 Moved by: K. Ras Seconded by: C. Fonseca

Whereas the City of Mississauga is implementing a Stormwater Charge starting in January 2016;

And whereas residential property owners who reduce stormwater run-off from their property to the stormwater system help improve the overall system and should be incented to do so;

And whereas many residents have an interest in a credit program and a City of our size should be a leader in getting residents to reduce their individual impact to help manage stormwater;

And whereas this program should be about fairness and have the flexibility to receive a credit or adjust the formula to cap the stormwater charge;

Now therefore be it resolved that Council establishes a working committee of Councillors and appropriate staff to consider a separate credit program for residential properties that utilize volume control measures;

And further that the working committee should report back to Council by the spring of 2016.

Carried

0253-2015 Moved by: N. Iannicca Seconded by: M. Mahoney

Recommendations GC-0615-2015 to GC-0637-2015 inclusive contained in the General Committee Report 15-2015 dated October 21, 2015, be approved.

Recommendations PDC-0059-2015 to PDC-0067-2015 inclusive contained in the Planning and Building Report 13-2015 dated October 26, 2015, be approved.

Carried

0254-2015 Moved by: P. Saito Seconded by: M. Mahoney

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 October 28, 2015 shall be closed to the public to deal with the following matters:

- (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: **Instructions for OMB hearing regarding appeals by RioCan (Clarkson) Inc., Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas and regarding the proceedings before the OMB by 607074 Ontario Limited in respect of Official Plan Amendment No. 9 (“OPA 9”) and Zoning By-law Amendment No. 0194-2014 (“ZBLA”) for the Clarkson Village area.**
 - (ii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Verbal Update - OMB hearing regarding the appeal by 7838794 Canada Inc. (c/o Carterra Private Equities Inc.) at 2700 Aquitaine Avenue, City of Mississauga, Ward 9.**

Carried

0255-2015

Moved by: M. Mahoney

Seconded by: P. Saito

That the Report dated October 5, 2015, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 13/024 W8, Marilyn Raphael, 1007 Mississauga Road, northwest corner of Mississauga Road and North Sheridan Way, 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*, any further notice regarding the proposed amendment is hereby waived.
2. That the application to amend Mississauga Official Plan from **Motor Vehicle Commercial** to **Residential Low Density I** to permit detached homes be approved.
3. That the application to change the Zoning from **C5-14 (Motor Vehicle Commercial)** to **R1-Exception (Detached Dwellings – Typical Lots) and B (Buffer)** to permit 3 detached homes in accordance with the proposed revised zoning standards described in Appendix 5 of this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development;

- (b) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District and Dufferin-Peel Catholic District School Boards not apply to the subject lands.
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 18 months of the Council decision.

Carried

0256-2015

Moved by: G. Carlson

Seconded by: P. Saito

WHEREAS the Mayor and Members of Council and staff at the City of Mississauga are saddened to learn of the passing on Sunday, October 10, 2015 of Joseph (Joe) Kenneth Hamilton.

AND WHEREAS Joe was an employee at the City of Mississauga since 1991 in the Transportation and Works Department as a Certified Engineering Technologist;

AND WHEREAS Joe's passion was his photography, and he was proud of the work he did for Inside Track/NASCAR racing;

NOW THEREFORE BE IT RESOLVED that sincere condolences be extended to his mother Beverly, his brothers James and John and their families on behalf of the Mayor and Members of Council and staff of the City of Mississauga.

Carried

0257-2015

Moved by: J. Tovey

Seconded by: C. Parrish

WHEREAS the Ministry of Municipal Affairs and Housing is conducting its 5-year review of the *Municipal Act, 2001* and is seeking comments from municipalities and stakeholders;

AND WHEREAS in 2006 new permissive taxing authority was granted to the City of Toronto in the *City of Toronto Act, 2006* but was not extended to municipalities generally;

AND WHEREAS the new tax tools extended to Toronto provide an additional revenue source for funding infrastructure and other capital and operating demands;

AND WHEREAS municipalities are responsible for maintaining 63% of infrastructure in the province with only 9% of the revenue;

AND WHEREAS municipalities will never achieve fiscal sustainability without revenue tools that grow with the economy and make municipalities full partners with the provincial and federal governments;

AND WHEREAS the *Municipal Act, 2001* requires all council meetings be open to the public, except in limited and specified circumstances, but does not define the term “meeting”;

AND WHEREAS the *Municipal Act, 2001* permits a municipal council to discuss land acquisitions *in camera* but does not permit closed meetings to discuss other commercial transactions;

AND WHEREAS municipalities are at a competitive disadvantage compared to business corporations which can engage in confidential negotiations with companies concerned with protecting proprietary technology;

AND WHEREAS s.44(2) of the *Municipal Act, 2001* imposes statutory joint and several liability on municipalities for damages sustained by persons whose injuries are caused or contributed to by highway non-repair;

AND WHEREAS if other at-fault defendants are unable to pay, the plaintiff can recover the entire damages award from the municipal defendant, even if it is only 1 per cent responsible;

AND WHEREAS with the advent of the “shared economy”, municipalities across Ontario are now faced with the challenge of regulating new forms of transportation service providers such as Uber, as well as other internet dispatch businesses such as Air BnB;

AND WHEREAS the shared economy continues to evolve and municipalities will face new and emerging business models that do not even exist at present;
NOW THEREFORE BE IT RESOVED:

1. that staff be authorized to make submissions to the Ministry of Municipal Affairs and Housing to propose amendments to the *Municipal Act, 2001* as outlined in the report from the City Solicitor dated October 7, 2015, titled “*Municipal Act, 2001, Five-Year Provincial Review*”;
2. that the *Municipal Act, 2001* be amended to include a broad power to impose taxes beyond the property tax (including any ancillary enforcement, fine and penalty powers), available to all municipalities if they choose to use it;
3. that Council of the City of Mississauga request the Government of Ontario and the Government of Canada to extend additional tax authority to municipalities, beyond the tax tools contained in the *City of Toronto Act,, 2006*, including authority to collect sales taxes and receive a share of income tax revenues;

4. that the *Municipal Act, 2001* and associated regulations that pertain to investment be amended to provide enhanced revenue from investments, to provide higher expected revenue to municipalities while continuing to maintain a very low risk profile;
5. that the *Municipal Act, 2001* be amended to include a definition of a “meeting” of council and that s.239(2) amended to permit closed meetings to discuss proposed or pending commercial business transactions;
6. that the *Municipal Act, 2001* be amended to clarify that a municipality that has a permanent easement over lands that are located within its boundaries, but owned by another party, may pass a by-law establishing those lands as a highway;
7. that s.42(2) of the *Municipal Act, 2001* be amended to substitute a system of modified proportionate liability for municipalities as an incremental reform that strikes an appropriate balance between compensating accident victims and protecting public tax payers;
8. that the *Municipal Act, 2001* provide clear authority for municipalities to regulate new and emerging transportation service providers, internet dispatch businesses and other business models that develop under the new “shared economy” to ensure that new business models are held to the same standards as existing industries with respect to public safety and consumer protection; and
9. that the report from the City Solicitor dated October 7, 2015, titled “*Municipal Act, 2001, Five-Year Provincial Review*” and a copy of this Resolution be forwarded to the Minister of Municipal Affairs and Housing, all local MPPs, all local MPs and the Association of Municipalities of Ontario (AMO) for their information.
10. that the motion be forwarded to the Federation of Canadian Municipalities for their consideration.

Carried

Councillors Tovey, Ras, Fonseca, Parrish, Iannicca and Saito indicated that they do not support land transfer tax but do support the motion. Councillor Tovey requested that the Resolution be sent to the Federation of Canadian Municipalities.

0258-2015

Moved by: C. Parrish

Seconded by: N. Iannicca

WHEREAS Mississauga Council adopted a report in July 2006 entitled, “Modernizing Roads Service Delivery and Cost Allocation Methods in the Region of Peel”; and

WHEREAS this report presented a position that, “the Cities of Mississauga and Brampton and the Town of Caledon each have jurisdictional and financial responsibility over all roads within their boundaries, excluding those under provincial jurisdiction and those rural road in Caledon deemed truly regional following a rationalization review”; and

WHEREAS in August 2006 Regional Council directed staff to work with area municipalities to undertake a rationalization of the arterial road inventory from the perspective of customer service and cost; and

WHEREAS Phase 1 and Phase 2 of this review are complete resulting in the definition of a major arterial road and nine jurisdictional options with Option 4A being selected as the preferred model; and

WHEREAS Phase 3 of this review continues with the model for the maintenance of roadways (curb-to-curb) still outstanding; and

WHEREAS an ARRASC task force workshop will take place on October 29, 2015 with a primary objective to discuss the various service delivery options for the operation and maintenance of Regional Roads;

Therefore be it resolved that the City of Mississauga supports a model that would see the City have jurisdictional and financial responsibility of all roads within its boundary, excluding those under provincial jurisdiction, in order to provide a more efficient level of customer service and a clearer picture within the urban area of who is responsible for the road system within its borders.

Carried

Councillor Parrish thanked Geoff Wright, Director of Works Operations and Maintenance for preparing the motion and requested that the Resolution be sent to the Committee. Councillor Tovey spoke in support of the motion

0259-2015 Moved by: C. Parrish

Seconded by: N. Iannicca

WHEREAS at Council’s meeting on June 24, 2015 Council adopted Resolution 0159-2015 which repealed Resolution 0101-2015;

AND WHEREAS Resolution 0101-2015 included recommendations from the Planning and Development Committee Report 5-2015 and from General Committee Report 7-2015;

AND WHEREAS Resolution 0159-2015 was only intended to replace Recommendation PDC-0023-2015;

NOW THEREFORE BE IT RESOLVED that Recommendations PDC-0021-2015 and PDC-0022-2015 be approved;

AND FURTHER that Recommendations GC-0219-2015 to 0269-2015 inclusive contained in the General Committee Report 7-2015 be approved.

Carried

15. INTRODUCTION AND CONSIDERATION OF BY-LAWS

- 0263-2015 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-36168 (in the vicinity of Queensway West and Confederation Parkway (Ward 7).
- 0264-2015 A by-law to authorize the execution of a Development Agreement between the Erin Mills Development Corporation and the Corporation of the City of Mississauga, southeast corner of Burnhamthorpe Road West & Ninth Line Applicant: Stantec Consulting Owner: Erin Mills Development Corporation (OZ 12/011 W8) (Ward 8).
- Resolution 0076-2015/April 1, 2015
- 0265-2015 A by-law to amend By-law Number 0225-2007, as amended by adding the Exception Table 8.2.3.114 Applicant: Stantec Consulting Owner: Erin Mills Development Corporation (OZ 12/011 W8) (Ward 8).
- Resolution 0076-2015/April 1, 2015
- 0266-2015 A by-law to amend By-law 340-01, being the Outside Fireworks Vendors Licensing By-law to add definitions to section 1 of By-law 340-01.
- GC-0616-2015/October 21, 2015
- 0267-2015 A by-law to amend the Business Licensing By-law 1-06, as amended to delete subsection 2(4) in its entirety and replace.
- GC-0616-2015/October 21, 2015
- 0268-2015 A by-law 293-2001, being a by-law respecting the setting off of Fireworks within the limits of the City of Mississauga.
- GC-0616-2015/October 21, 2015
- 0269-2015 A by-law to amend By-law No. 555-2000, as amended, being the Traffic By-law by adding Schedule 3 no parking on Haines Road, Stainton Drive, by adding Schedule 19 prohibited u-turns on Plum Tree Crescent and by adding Schedule 31 driveway boulevard parking-curb to sidewalk Woodchase Crescent..
- GC-0617-2015/October 21, 2015
- 0270-2015 A by-law to establish certain lands as part of the municipal highway system Registered Plan 43R-17654 (in the vicinity of Eglinton Avenue West and Creditview Road) (Ward 6).

0271-2015 A by-law to amend By-law Number 0225-2007, as amended changing from “H-OS2-9” to “OS2-9” and “H-G1-11” to “G1-11” CD.21.FRO Owner/Applicant: City of Mississauga (Ward 1).

PDC-0062-2015/October 26, 2015

16. **INQUIRIES**

(a) Council Meeting - November 11, 2015

Councillor Parrish inquired about the cancellation of the November 11, 2015 Council meeting. Crystal Greer, City Clerk indicated that at the November 9, 2015 General Committee meeting staff was directed to cancel the November 11, 2015 meeting in honour of Remembrance Day and to add a Council meeting to the November 18, 2015.

(b) Roof Over Our Heads

Councillor Parrish requested that Emily Irvine, Planner provide an update regarding the report “Roof over our Heads”. Ed Sajecki, Commissioner of Planning and Building indicated that the intent is to report back to Council.

(c) Light Rail Transit (LRT)

Members of Council inquired and provided comments regarding the City of Brampton’s decision not to support the Hurontario – LRT. Janice Baker, City Manager indicated that she would send out the Resolution that was passed at the Brampton City Council meeting and further indicated that an education session regarding the LRT and other transit initiatives that will be forthcoming.

(d) Leaf Pick Up Program

Councillor Ras thanked Martin Powell, Commissioner of Transportation and Works for extending leaf pick up for one additional week.

(e) Security Cameras

Councillor Tovey inquired about a by-law where neighbours have security cameras facing the neighbour’s property. Martin Powell, Commissioner of Transportation and Works indicated that by-law staff will work with the legal staff on the matter and report back to Councillor Tovey.

(f) Stop Sign

Councillor Tovey inquired about pedestrian safety at the intersection of Park St and Ann Street near the Port Credit Go Station.

17. OTHER BUSINESS AND ANNOUNCEMENTS

(a) Events

Councillor Saito spoke of the event where the Toronto Scottish Regiment was recognized for their service in Afghanistan.

(b) Joe's Fresh Produce

Councillor Parrish thanked Joe's Fresh Produce a vendor at the Mississauga Celebration Square Farmer's Market for providing fruits and vegetables to some of the foodbanks in Mississauga.

(c) Congratulations

Councillor McFadden congratulated all new members of Council on their one year anniversary.

18. CLOSED SESSION

Pursuant to Resolution 0254-2015. Council moved into Closed Session at 11:20 a.m.

- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Instructions for OMB hearing regarding appeals by RioCan (Clarkson) Inc., Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas and regarding the proceedings before the OMB by 607074 Ontario Limited in respect of Official Plan Amendment No. 9 ("OPA 9") and Zoning By-law Amendment No. 0194-2014 ("ZBLA") for the Clarkson Village area.**

Michal Minkowski, Legal Counsel provided information regarding the appeals by RioCan (Clarkson) Inc., Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas and regarding the proceedings before the OMB by 607074 Ontario Limited in respect of Official Plan Amendment No. 9 ("OPA 9") and Zoning By-law Amendment No. 0194-2014 ("ZBLA") for the Clarkson Village area. Members of Council inquired about the appeals. Mr. Minkowski provided responses.

- (ii) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Verbal Update - OMB hearing regarding the appeal by 7838794 Canada Inc. (c/o Carterra Private Equities Inc.) at 2700 Aquitaine Avenue, City of Mississauga, Ward 9.**

Michal Minkowski, Legal Counsel provided an update regarding the appeal by 7838794 Canada Inc. (c/o Carterra Private Equities Inc.) at 2700 Aquitaine Avenue. Councillor Saito provided background information regarding the matter. Members of Council inquired about the appeal. Mr. Minkowski provided responses.

RESOLUTIONS (AS A RESULT OF CLOSED SESSION)

Council moved out of closed session at 12:11 p.m. The following resolutions were passed pursuant to the Closed Session:

0260-2015 Moved by: K. Ras Seconded by: C. Parrish

1. That the Report regarding "Instructions for OMB hearing regarding appeals by RioCan (Clarkson) Inc., Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas and regarding the proceedings before the OMB by 607074 Ontario Limited in respect of Official Plan Amendment No. 9 ("OPA 9") and Zoning By-law Amendment No. 0194-2014 ("ZBLA") for the Clarkson Village area" be received for information.
2. That Council consent to the proposed settlement of the appeals by RioCan (Clarkson) Inc. and the proposed settlement to the proceedings before the OMB by 607074 Ontario Limited consistent with the terms described in this report, and direct the City Solicitor or her designate to present the settlements to the Ontario Municipal Board ("OMB").
3. That Council authorize the City Solicitor or her designate to make any technical or minor drafting or editorial modifications to the final text of the proposed OPA 9 and ZBLA settlement documents if required, provided these are consistent with the principles set out in this report and are consented to by the Director of Development and Design, Planning Department or her designate.
4. That Council not support the settlement proposal by Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas, and directs the City Solicitor or her designate to attend before the OMB to oppose the appeal of these parties against Official Plan Amendment No. 9 and Zoning By-law Amendment No. 0194-2014 and to retain such witnesses as may be required to support the Council position.

Carried

0261-2015 Moved by: P. Saito

Seconded by: M. Mahoney

That the verbal update by legal and planning staff regarding the OMB appeal by 7838794 Canada Inc (c/o Carterra Private Equities Inc.) at 2700 Aquitaine Avenue (Ward 9) be received for information.

That Council reject the applicant's proposed settlement offer

Carried

19. CONFIRMATORY BILL

0272-2015 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on October 28, 2015.

20. ADJOURNMENT - 12:13 p.m.

Mayor

Clerk