



AGENDA

GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

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WEDNESDAY, NOVEMBER 13, 2013 – 9:00 A.M.

COUNCIL CHAMBER – 2nd FLOOR – CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

Members

Mayor Hazel McCallion	
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5 (Chair)
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Contact:

Sacha Smith, Legislative Coordinator, Office of the City Clerk
905-615-3200 ext. 4516 / Fax 905-615-4181
sacha.smith@mississauga.ca

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CALL TO ORDER

APPROVAL OF THE AGENDA

DECLARATIONS OF CONFLICT OF INTEREST

PRESENTATIONS

DEPUTATIONS

- A. Muneef Ahmad, Water Resources Engineer and Christine Zimmer, Manager, Protection and Restoration, Credit Valley Conservation Authority with respect to Low Impact Development
- B. Item 2 Gavin Longmuir, Manager, Forestry

MATTERS TO BE CONSIDERED

- 1. Keeping of Chickens in Urban Areas
- 2. Asian Long-horned Beetle
- 3. By-laws to Establish a System of Administrative Penalties for the City of Mississauga
- 4. Mullet Creek Engineered Drainage Channel Land Acquisition of Block A, M-30 between Argentia Road and Erin Mills Parkway (Ward 9)
- 5. Assumption of Municipal Works (Wards 4 and 7)
- 6. Services Agreement for Mississauga Toronto West Tourism
- 7. Single Source Contract Award for “City Standard” Parks Utility Tractors/Loaders
- 8. Authorization to Enter into a Sublease Extension and Amending Agreement with Centre City Capital Limited (Ward 1)
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COUNCILLORS' ENQUIRIES

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CLOSED SESSION

(Pursuant to Subsection 239 (2) of the Municipal Act, 2001)

Labour relations or employee negotiations – Early Retiree Group Benefit Plan Update for Full-time Non-Union Staff

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MATTERS TO BE CONSIDERED

1. Keeping of Chickens in Urban Areas

Corporate Report dated October 30, 2013 from the Commissioner of Transportation and Works with respect to the keeping of chickens in urban areas.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works dated October 30, 2013 and titled "Keeping of Chickens in Urban Areas" be received for information.

2. Asian Long-horned Beetle

Corporate Report dated October 15, 2013 from the Commissioner of Community Services with respect to the Asian Long-horned Beetle.

RECOMMENDATION

- 1. That the report dated October 15, 2013 from the Commissioner of Community Services entitled "Asian Long-horned Beetle" be received for information.

(2.)

2. That the Commissioner of Community Services and the City Clerk, or a designate for either party be authorized to execute and affix the corporate seal on behalf of The Corporation of the City of Mississauga (the "City") to enter into an agreement at a future date between the City and the Canadian Food Inspection Agency to allow for the implementation of an Asian Long-horned Beetle eradication plan, including reimbursement for City costs, in a form satisfactory to Legal Services and further that all necessary by-laws be approved.

3. By-laws to Establish a System of Administrative Penalties for the City of Mississauga

Corporate Report dated October 30, 2013 from the Commissioner of Transportation and Works with respect to by-laws to establish a system of Administrative Penalties.

RECOMMENDATION

1. That a by-law to establish a system of administrative penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga (Appendix 1) be enacted.
2. That a by-law to establish the positions of screening officer and hearing officer to adjudicate reviews and appeals of administrative penalties (Appendix 2) be enacted.
3. That a by-law to amend the Traffic By-law 555-00, as amended, (Appendix 3) be enacted.
4. That a by-law to amend the Fire Route By-law 1036-81, as amended, (Appendix 4) be enacted.
5. That By-law 300-04 be repealed and a by-law to appoint municipal law enforcement officers for the purpose of enforcing applicable City by-laws on private properties, be enacted (Appendix 5).
6. That a by-law to delegate authority to the Commissioner of Transportation and Works, or his/her delegate, on behalf of the Corporation of the City of Mississauga to enter into agreements between the City and private security companies (Appendix 6), in a form satisfactory to Legal Services, be enacted.

4. Mullet Creek Engineered Drainage Channel Land Acquisition of Block A, M-30 between Argentia Road and Erin Mills Parkway (Ward 9)

Corporate Report dated October 24, 2013 from the Commissioner of Transportation and Works with respect to the Mullet Creek Engineered Drainage Channel land acquisition between Argentia Road and Erin Mills Parkway.

RECOMMENDATION

1. That the Realty Services Section of the Corporate Services Department be authorized to negotiate and execute an agreement for the conveyance of Block A, M-30 from Markborough Properties to the City of Mississauga in accordance with City of Mississauga By-law 0375-2008.
 2. That funds of \$50,000 be transferred from the Contributions - Drainage Reserve (#35203) to PN 13-144 Land Acquisition of Block A on Mullet Creek for undertaking Phase 1 and Phase 2 Environmental Site Assessments to confirm site conditions and closing costs associated with the acquisition of Block A, M-30.
 3. That the necessary by-law(s) be enacted.
5. Assumption of Municipal Works (Wards 4 and 7)

Corporate Report dated October 28, 2013 from the Commissioner of Transportation and Works with respect to the assumption of municipal works.

RECOMMENDATION

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1796, (lands located north of Rathburn Road East, south of Meadows Boulevard, west of Cawthra Road and east of Wilcox Road, in Z- 28, known as Kozel Court Extension Subdivision and that the Letter of Credit in the amount of \$95,997.06 be returned to the developer.

43M-1796 Ward 4

(5.)

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Municipal Works Agreement for CD.06.SOH (Herpreet S. Sohi and Ravinder K. Sohi), lands located south of Queensway West, east of Stavebank Road and west of Hurontario Street in Z-15, known as 2160 Gordon Drive, and that the Letter of Credit in the amount of \$43,070.00 be returned to the developer.

CD.06.SOH Ward 7

6. Services Agreement for Mississauga Toronto West Tourism

Corporate Report dated October 30, 2013 from the Commissioner of Community Services with respect to a services agreement for Mississauga Toronto West Tourism.

RECOMMENDATION

That the Commissioner of Community Services be authorized to enter into a Services Agreement with Toronto Convention and Visitors Association ("Tourism Toronto"), for the purpose of providing tourism management services to the City of Mississauga, attached as Appendix 1, and in a form satisfactory to Legal Services as outlined in the report dated October 30, 2013, and further that all necessary by-laws be approved.

7. Single Source Contract Award for "City Standard" Parks Utility Tractors/Loaders

Corporate Report dated October 15, 2013 from the Commissioner of Community Services with respect to a single source contract award for City Standard Parks Utility Tractors/Loaders.

RECOMMENDATION

1. That utility tractors/loaders, related attachments and Original Manufacturer Parts (OEM) manufactured by Kubota Tractor Corporation be approved as a City Standard for Parks Operations;
2. That Kooy Brothers Lawn Equipment Ltd. be approved as a single source vendor for the supply and delivery of Kubota brand utility tractors/loaders, related attachments and OEM parts for which they are the exclusive distributor;
3. That the Purchasing Agent be authorized to execute the appropriate form of commitment to Kooy Brothers Lawn Equipment Ltd. for the immediate supply and delivery of fifteen (15) Kubota brand utility tractors/loaders with existing approved funding;

(7.)

4. That the Purchasing Agent be authorized to execute the appropriate forms of commitment to Kooy Brothers Lawn Equipment Ltd. for the supply and delivery of Kubota brand utility tractors/loaders, related attachments and OEM parts, as required, and for which funding is approved in the budget, for the period of 2014 through to 2018.
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8. Authorization to Enter into a Sublease Extension and Amending Agreement with Centre City Capital Limited (Ward 1)

Corporate Report dated October 15, 2013 from the Commissioner of Community Services with respect to the authorization to enter into a sublease extension and amending agreement with Centre City Limited.

RECOMMENDATION

1. That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute and affix the Corporate Seal to a Sub-lease Extension and Amending Agreement, including all ancillary documents and subsequent amending agreements, between Centre City Capital Limited ("CCCL") and the City, for the use of a parcel of land, south of J.J. Plaus Park, known as the "Pier" comprising an area of approximately 1,022 square metres (11,000 square feet) terminating on April 29, 2023.
 2. That paid parking at JJ Plaus Park be approved in principle and referred to the Transportation and Works Department for evaluation and implementation as outlined in the draft Mississauga Parking Strategy- Phase II- Port Credit and Lakeview Report.
-
9. Surplus Land Declaration and Sale of City-Owned Lands adjacent to 31 Lakeshore Road East to Centre City Capital Limited (Ward 1)

Corporate Report dated October 23, 2013 from the Commissioner of Corporate Services and Chief Financial Officer with respect to a surplus land declaration and sale of City-owned lands adjacent to 31 Lakeshore Road East to Centre City Capital Limited.

(9.)

RECOMMENDATION

1. That the irregular-shaped parcel of land west of the property municipally identified as 31 Lakeshore Road East, containing an area of approximately 121 square metres (1,302.4 square feet), be declared surplus to the City's requirements for the purpose of a sale to the owner of 31 Lakeshore Road East, being Centre City Capital Limited ("CCCL"), subject to protection for existing utilities, if any. The subject lands are legally described as part of the Harbour Company Plot Plan PC2 being designated as Part 1 on a draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, City of Mississauga, Regional Municipality of Peel, in Ward 1.
2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land.
3. That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute and affix the Corporate Seal to an Agreement of Purchase and Sale (the "Agreement"), including ancillary documents and subsequent amending agreements, between The Corporation of the City of Mississauga (the "City") as Vendor and CCCL as Purchaser, for 121 square metres (1,302.4 square feet) of land identified as Part 1 on the draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, together with an access easement along 43 square metres (462.8 square feet) of land identified as Part 2 on a draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, to be merged with the adjoining CCCL property municipally identified as 31 Lakeshore Road East on terms detailed herein. The purchase price is Seventy-Two Thousand, Four Hundred Dollars (\$72,400.00). The subject lands are located on the south side of Lakeshore Road East, west of Stavebank Road and are legally described as part of the Harbour Company Plot Plan PC2 and designated as Parts 1 and 2 on draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, City of Mississauga, Regional Municipality of Peel, in Ward 1.
4. That a by-law be enacted authorizing the Commissioner of Community Services to execute an Appointment and Authorization of Agent form, including all ancillary documents required in regard to CCCL's proposed minor variance application(s) on behalf of the City for the lands to be sold.

10. 2014 Interim Tax Levy for Properties Enrolled in the Pre-Authorized Tax Payment Plan

Corporate Report dated October 25, 2013 from the Commissioner of Corporate Services and Chief Financial Officer with respect to the 2014 Interim Tax Levy for properties enrolled in the pre-authorized tax payment plan.

RECOMMENDATION

1. That a by-law be enacted to provide for a 2014 interim tax levy based on 50 per cent of the previous year's annualized taxes on those properties subject to an agreement under the City of Mississauga Pre-authorized Tax Payment Plan.
2. That the 2014 interim levy for residential properties enrolled in the due date plan be payable in three (3) instalments on March 6th, April 3rd, and May 1st, 2014.
3. That the 2014 interim levy for properties in the commercial, industrial and multi-residential property classes enrolled in the due date plan be payable in one (1) instalment on March 6th, 2014.
4. That the 2014 interim levy for properties enrolled in the monthly plan be payable in six (6) instalments based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd of the months of January, February, March, April, May and June, 2014.

11. Strike-off of Taxes Deemed Uncollectable

Corporate Report dated October 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer with respect to the strike-off of taxes deemed uncollectable.

RECOMMENDATION

That unpaid taxes, penalties and interest totaling \$91,822.15 as outlined in the corporate report dated October 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be written off as uncollectable and removed from the tax roll.

12. Municipal Property Exemption – Royal Canadian Legion and the Army, Navy and Air Force Veterans Club

Corporate Report dated October 25, 2013 from the Commissioner of Corporate Services and Chief Financial Officer with respect to municipal property exemption.

RECOMMENDATION

That Council enact a by-law to provide for the exemption and/or grant of/equivalent to City and Regional taxes until the year 2023 for all properties that qualify pursuant to Section 6.1 of the *Assessment Act, R.S.O. 1990, c. A.31* and Section 107(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*.

ADVISORY COMMITTEE REPORTS

Public Vehicle Advisory Committee Report 4-2013 – October 15, 2013
(Recommendation PVAC-0020-2013 to PVAC-0026-2013)

Heritage Advisory Committee Report 8-2013 – October 22, 2013
(Recommendation HAC-0082-2013 to HAC-0104-2013)

Mississauga Celebration Square Events Committee Report 7-2013 – November 4, 2013
(Recommendation MCSEC-0024-2013 to MCSEC-0027-2013)

Environmental Advisory Committee Report 7-2013 – November 5, 2013
(Recommendation EAC-0045-2013 to EAC-0048-2013)

COUNCILLORS' ENQUIRIES

OTHER BUSINESS/ANNOUNCEMENTS

CLOSED SESSION

(Pursuant to Subsection 239 (2) of the Municipal Act, 2001)

Labour relations or employee negotiations – Early Retiree Group Benefit Plan Update for Full-time Non-Union Staff

ADJOURNMENT



Corporate Report

Clerk's Files

Originator's
Files

DATE: October 30, 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **Keeping of Chickens in Urban Areas**

General Committee

NOV 13 2013

RECOMMENDATION: That the report from the Commissioner of Transportation and Works dated October 30, 2013 and titled "Keeping of Chickens in Urban Areas" be received for information.

**REPORT
HIGHLIGHTS:**

- At its meeting of September 28, 2011 Council approved a recommendation not to amend the Animal Care and Control By-law 0098-04, as amended, to permit the keeping of urban chickens.
- At the General Committee meeting of June 26, 2013 Councillor Tovey requested a further report on the keeping of urban chickens.
- There is public interest, both for and against, the keeping of urban chickens. There are potential benefits or beliefs related to the keeping of urban chickens. There are also identified concerns and potential health risks that may be mitigated with appropriate restrictions and controls.
- Many of the benefits of urban chickens can be obtained from other means: by purchasing eggs from retailers who sell organic or free range eggs and by acquiring pets that are permitted under the Animal Care and Control By-law 0098-04, as amended, to provide companionship for family members.

also receive increased request for the keeping of other animals in urban areas that are presently prohibited.

- Some municipalities permit urban chickens; others do not.

BACKGROUND:

At its meeting of September 28, 2011 Council approved the following recommendation:

"GC-0589-2011

That no changes are made around the keeping of chickens in Mississauga and that staff continue to monitor the issue for potential future action as outlined in the Corporate Report dated August 24, 2011 from the Commissioner of Community Services. (EAC-0014-2011)"

A copy of the Corporate report dated August 24, 2011 from the Commissioner of Community Services, titled "Animal Care and Control By-law 98-04 – Chickens on Property", is attached to this report as Appendix 1.

At the General Committee meeting of June 26, 2013 the following was raised in Councillors' inquiries:

"Councillor Tovey noted that he received an inquiry about chickens on private property. He requested that the matter be reviewed again and the previous report be brought back to General Committee."

In addition, at its meeting of September 18, 2013 Council received the following items and referred them to the Transportation and Works Department for a report and appropriate action:

- Petition received at the Office of the City Clerk on August 19, 2013 containing approximately 489 electronic signatures requesting to amend Mississauga By-law 299-04 appointing City employees as municipal law enforcement officers for the purpose of enforcing municipal by-laws.

The petition quoted the wrong municipal by-law number and is a petition to amend the Animal Care and Control By-law 0098-04, as amended, to permit the keeping of chickens in urban areas. A copy of this petition is available for viewing in the office of the City Clerk.

- Email dated August 26, 2013 to Mayor McCallion from Graham and Lindsay Davies who are residents of Mississauga and who are not in support of the keeping of chickens in residential areas.

A copy of the email is attached as Appendix 2.

At its meeting of October 30, 2013 Council received the following item and referred it to the Transportation and Works Department for a report:

- Petition received at the Office of the City Clerk on October 11, 2013 containing approximately 223 signatures requesting to amend Mississauga Animal Care and Control By-law 98-04 asking for chickens to be allowed in backyards.

A copy of this petition is available for viewing in the office of the City Clerk.

The purpose of this report is to respond to the request to report to General Committee on the issue of amending the Animal Care and Control By-law 0098-04, as amended, to permit the keeping of chickens in urban areas. In particular, this report will provide information about the keeping of chickens in urban areas, as well as inform General Committee of the types of restrictions and controls that would need to be included in a by-law to minimize problems and potential health risks.

PRESENT STATUS:

Requirements of the Animal Care and Control By-law 0098-04, as amended

In accordance with the Animal Care and Control By-law 0098-04, as amended, chickens are only permitted to be kept on lands zoned and used for agricultural purposes.

In addition, the by-law outlines specific requirements for indoor and outdoor animal enclosures for certain animals permitted to be kept under the by-law. These requirements are aimed at ensuring the health and welfare of the animal and the general public, and require that:

- the enclosure be escape proof; and,
- the outdoor animal enclosure be located on a property's rear yard at least three metres (9.84 feet) from the property line and at least 6.1 metres (20.01 feet) from any school, church, or residential building not located on the same lot.

Based on the current provisions of the by-law for outdoor animal enclosures, very few residential lots in Mississauga would be able to accommodate chickens due to insufficient lot size.

COMMENTS:

There is increasing interest in raising chickens in urban settings across North America. Staff have reviewed the matter of the keeping of urban chickens with various sources, including the following:

- peer-reviewed literature, especially focusing on the November 2011 Journal of Community Health article, "Raising chickens in City Backyards: the Public Health Roles" by S.L. Pollack (Public Health Agency of Canada) et al;
- key provincial and federal government websites related to regulating eggs and chickens in Ontario including slaughter requirements;
- urban chicken reports from other municipalities;
- newspaper articles regarding keeping urban chickens;
- Peel Public Health; and,
- actions of other municipalities.

Potential Benefits:

While there has been interest, both for and against, allowing chickens to be kept in urban areas, some of the above sources identified various potential benefits or beliefs including:

- educational opportunities (i.e. teaching children about where food, such as eggs, comes from and providing animal care experience);
- greater control over egg source in order to know where the egg originated;
- increased food security, although limited, when financially feasible to keep chickens;
- the belief that global environmental sustainability begins with local initiatives such as backyard chickens;
- the belief that there is a lessening to some extent of carbon emissions typically associated with transporting food such as eggs;
- companionship for family members as chickens may be treated as pets;
- the belief that eggs will be fresher, taste better and be pesticide free;
- expected better conditions for chickens in comparison to industrial farms; and,
- possible reduction of municipal solid waste through consumption of table scraps and other organic waste by chickens.

Many of the benefits of urban chickens can be obtained by purchasing eggs from retailers who sell organic or free range eggs. If eggs are organic or free range, it is shown on the egg carton. Organic birds are fed only certified organic feed and in Ontario most free range farmers have chosen to feed their birds organic feed. In addition, other pets permitted under the by-law can be a source of companionship for

family members.

In addition, while the City does receive complaints about pigeons, they are primarily related to the gathering of large flocks of wild pigeons as a result of deliberate or unintentional feeding. Further, the by-law permits the keeping of not more than 40 pigeons on any premise subject to the pigeon enclosure being located in the rear yard at least 6.1 metres (20.01 feet) from the property line.

Potential Issues/Risks:

While some municipalities allow chickens in urban areas under certain conditions, keeping and maintaining chickens in backyards within an urban setting is not without risk. These risks can be mitigated by following good practices to safeguard disease transmission and through amendments to the Animal Care and Control By-law 0098-04, as amended.

Some of the potential issues/risks related to the keeping of urban chickens, which would need to be addressed through a by-law, are summarized below:

- determining the appropriate number to permit, age and type of chickens (how many to keep, abandonment/slaughter of old chickens, capacity of animal shelter and whether to permit chicks and roosters);
- food safety issues (unlawful sale or redistribution, potential for disease transmission, process for disposal of unwanted or deceased chickens and chicken slaughter);
- chicken care treatment (potential for disease transmission from sick chickens);
- chicken enclosure and design versus free range (risk of attraction of pests and predators, including mice, rats squirrels, raccoons, foxes, skunks, coyotes, hawks and snakes, which may also pose as a threat to the chickens themselves; and, risk of disease transmission);

- chicken waste (i.e. methods of disposal, odours and how to not affect groundwater); and,
- potential for increased number of complaints relating to noise, odours and attraction of rodents and other wildlife.

Required Amendments to the Animal Care and Control By-law 0098-04, as amended:

To mitigate identified concerns and potential health risks, the following types of restrictions/controls would need to be incorporated into a by-law to amend the Animal Care and Control By-law 0098-04, as amended:

- prohibit the sale or distribution of eggs to others outside the household in order to comply with relevant provincial and federal legislation and to reduce the potential for food borne illnesses and other disease transmission;
- limit the number of chickens to four per residential zoned lot;
- prohibit the keeping of roosters or any other poultry except chickens;
- prohibit chicks under four months of age;
- require chicken enclosures be maintained in a clean condition free from obnoxious odours, substances and vermin;
- prohibit owners from allowing chickens to be at large (outside the enclosure, chicken run or off the property);
- require that the chicken's food supply be protected from vermin;
- require that manure disposal occur through municipal waste disposal in accordance with the requirements of the Region of Peel Waste Collection By-law 91-007, as amended (refer to Appendix 3);
- prohibit the home slaughter of chickens and only allow the slaughter of chickens at provincially licensed abattoirs; and,

- require that any naturally deceased chicken be disposed of at a rendering facility or at Animal Services and not through municipal waste disposal (refer to Appendix 3).

As outlined earlier in this report the Animal Care and Control By-law 0098-04, as amended, has provisions that require animal enclosures to be escape proof; and, that outdoor animal enclosures are required to be located on a property's rear yard, at least three metres (9.84 feet) from the property line, and at least 6.1 metres (20.01 feet) from any school, church, or residential building not located on the same lot. Staff would propose that to reduce the risk of noise and odour complaints as well as the risk of disease transmission, chicken enclosures be subject to the same location requirements as pigeon enclosures: the enclosure being required to be located in the rear yard at least 6.1 metres (20.01 feet) from the property line.

There is the potential that by allowing urban chickens and in keeping with the trend towards urban farming, Council may also receive increased requests for the keeping of other animals in residential zones that are presently prohibited, including but not limited to goats, pigs, and other poultry. Notwithstanding the urban chicken issue, staff have recently received requests through Council for exemptions to the Animal Care and Control By-law 0098-04, as amended, for the keeping of a goat and a pig in urban areas.

Peel Public Health:

Staff contacted Peel Public Health on the issue of urban chickens. Senior staff from Peel Public Health indicated that they have not performed a systematic literature review on the issue of urban chickens and there is apparently limited research evidence on the public health impacts of raising chickens in an urban setting. Peel Public Health did provide staff with a copy of the November 2011 Journal of Community Health article, "Raising chickens in City Backyards: the Public Health Roles" by S.L. Pollack (Public Health Agency of Canada) et al. In addition, senior staff from Peel Public Health indicated that the risk of pathogen transmissions appears to be low and does not present a greater risk to public health than keeping other domestic animals (cats and/or dogs).

Actions of other Municipalities:

Staff performed an environmental scan and contacted the municipalities of Hamilton, Burlington, Oakville, Brampton, Toronto, Richmond Hill, Markham, Halifax, Moncton, Ottawa, Winnipeg, Edmonton, Calgary and Vancouver to obtain the following information:

- do they permit chickens in the urban area;
- number and nature of chicken-related complaints received;
- comments on their experience regarding the enforcement of chickens; and,
- if chickens are not permitted under their by-laws, what is the rationale for this decision.

The results of this research are attached as Appendix 4. In particular, of the 14 municipalities contacted only two, namely Brampton and Vancouver permit chickens in residential areas.

Brampton staff have advised that since their by-law was amended on November 28, 2012 to permit chickens in residential areas, there has been an increase in complaints received of two to three per month, including complaints about stray chickens but primarily about property standard related issues (odour and mess). Vancouver staff advised that they receive approximately 20 complaints per year usually related to loose chickens or noise.

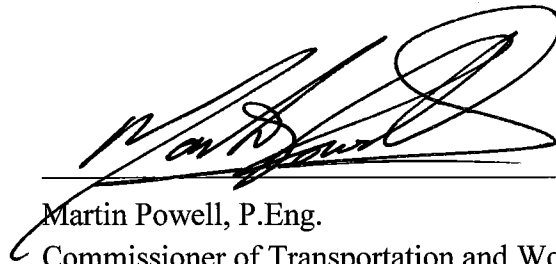
The reasons provided by the municipalities consulted that do not allow urban chickens included some of the risks outlined in this report, the lack of demand to permit urban chickens and the capacity of their animal control facilities to handle abandoned chickens.

- STRATEGIC PLAN:** The City's Strategic Plan identifies Living Green as one of the Strategic Pillars for Change. A program to allow and facilitate the keeping of urban chickens in Mississauga could align with the strategic goals set under Living Green to "Lead and Encourage Environmentally Responsible Approaches" and to "Promote a Green Culture".
- FINANCIAL IMPACT:** Should the Animal Care and Control By-law 0098-04, as amended, be revised to permit the keeping of urban chickens, additional municipal law enforcement officers (MLEOs) may be required to regulate depending on the number of residents who keep urban chickens, the compliance of these residents with City by-laws and the nature and number of chicken-related complaints received. The annual cost of a MLEO is approximately \$92,000, including salary and benefits.
- CONCLUSION:** This report presents the results of staff's review of the urban chicken issue. There are potential benefits or beliefs related to the keeping of urban chickens. There are also potential problems and health risks that may be mitigated with appropriate restrictions and controls, subject to these controls being followed by the keepers of urban chickens.
- However, many of the benefits related to the keeping of urban chickens alternatively can be obtained by purchasing eggs from retailers who sell organic or free range eggs. Further, other pets permitted under the by-law can be a source of companionship for family members. In addition, there is also the potential that by allowing urban chickens Council may receive increased requests for the keeping of other animals presently prohibited under the by-law from being kept in urban areas, including but not limited to goats, pigs, other poultry.
- As a result, staff do not recommend that the Animal Care and Control By-law 0098-04, as amended, be amended to permit the keeping of urban chickens. However, should Council wish to permit the keeping of urban chickens, staff will bring forward a by-law to amend the Animal Care and Control By-law 0098-04, as amended, to permit the keeping of urban chickens with the restrictions/controls outlined in

this report to mitigate the risks associated with keeping chickens in an urban setting.

ATTACHMENTS:

- Appendix 1: Corporate report dated August 24, 2011 from the Commissioner of Community Services, titled "Animal Care and Control By-law 98-04 -- Chickens on Property"
- Appendix 2: Email dated August 26, 2013 to Mayor McCallion from Graham and Lindsay Davies
- Appendix 3: Excerpt from Region of Peel Waste Collection By-law 91-007, as amended
- Appendix 4 Regulation of Chickens in other Municipalities



Martin Powell, P.Eng.

Commissioner of Transportation and Works

Prepared By: Mickey Frost, Director, Enforcement

1(K)



Corporate Report

Files

Environmental Advisory
Committee

SEP 06 2011

DATE: August 24, 2011

TO: Chair and Members of Environmental Advisory Committee
Meeting Date: September 6, 2011

FROM: Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

SUBJECT: Animal Care and Control By-law 98-04 – Chickens on Property

RECOMMENDATION: That no changes are made around the keeping of chickens in Mississauga and that staff continue to monitor the issue for potential future action.

BACKGROUND: At its meeting on July 6, 2011, Mississauga Council reviewed a resident's letter (Appendix 1) requesting termination of the Animal Care and Control By-law 98-04, as amended, to allow the keeping of chickens on her property, and passed Resolution 0187-2011:

"That the letter dated June 24, 2011 from Landon McLaughlin, resident, with respect to allowing chickens on his property, be referred to staff and the Environmental Advisory Committee for review."

To gain a better understanding of the issues associated with this request, staff from the Environmental Management Section, Recreation and Parks Division, Community Services Department, conducted the following research:

- Reviewed Mississauga's Animal Care and Control By-law 98-04

- Reviewed Mississauga's Zoning By-law 0225-2007 and Official Plan
- Contacted Mississauga staff from the Animal Services Section, Enforcement Division, Transportation and Works Department, from the City-Wide Planning Section, Policy Planning Division, Planning and Building Department, and from the Development and Design Division, Planning and Building Department
- Contacted other Canadian municipalities regarding the keeping of chickens
- Scanned for local media coverage on this topic

PRESENT STATUS: Mississauga's Animal Care and Control By-law 98-04

Chickens are considered livestock under the Animal Care and Control By-law and as such they are only permitted to be kept on lands zoned for Agricultural use. This by-law also has provisions regarding animal enclosures, including provisions which relate to maintenance, offensive odour, animal health, etc. (Sections 21) to 24)). For outdoor animal enclosures, for animals kept on lands that are not zoned and used for agricultural purposes, Section 22) 1) of the by-law requires that enclosures are located in the rear yard and that (other than pigeon enclosures) they are "...at least 3 metres (10 feet) from the property line and a least 6.1 metres (20 feet) from any school, church, or residential building not located on the same lot...". Based on the City's current Animal Care and Control By-law, very few lots in Mississauga (due to size) could accommodate chickens. Based on staff's limited knowledge of Ms. McLaughlin's property, it is expected that the City's by-law would not permit her to keep chickens.

Mississauga Zoning and Official Plan

There is nothing in the City's Zoning By-law that would permit residents to keep chickens on their property. The City no longer has designated agricultural lands (where it would be permitted) in the Official Plan, although there are two Development Zones that allow a permitted agricultural use to continue. The D-8 and D-9 zones allow

agricultural uses on the two to three remaining operating farms in the city.

The Urban Agriculture section of the Official Plan (Section 7.7) focuses on urban gardens/community gardening (and mentions farmers' markets) as a means for residents to access locally grown produce.

Experience of Other Municipalities

The surrounding municipalities of Oakville, Burlington and Hamilton do not permit chickens to be kept in residential zones.

The City of Toronto currently does not permit chickens in residential zones. Staff have been requested to respond to a similar request but have not brought a report forward as of yet.

The City of Brampton presently allows two chickens per property unless the owner is a member of a club or association in which case there is no restriction on the number. Staff were advised that this has caused some problems and they will be addressed via a by-law amendment in the future.

In 2010, the City of Vancouver's Animal Control By-law and Zoning and Development By-law were amended to allow/guide the keeping of backyard hens. There is a limit to the number of hens that can be kept on a lot, and people keeping hens are to first register with the city. There are also a number of requirements/restrictions associated with keeping hens, some of which relate to coops, slaughtering, selling hen products, etc. Of note, the number of chicken-related complaints has not changed significantly, however the program has had little uptake.

Local Media Coverage

A scan for local media coverage on the keeping of chickens in urban areas was conducted. Articles pertaining to areas such as St. Catharines (2011), Trent Hills (July 2011) and Toronto (April 2010) were found. Of note, various and differing perspectives/outcomes were included in the articles scanned.

COMMENTS:

While the keeping of chickens does have some benefits such as a means to provide fresh eggs, the keeping of them in residential settings does lead to problems and the very real prospect of complaints from neighbours that do not share the same enthusiasm for this proposal.

More specifically, complaints of noise, odours and the attraction of rodents and other wildlife such as foxes, raccoons, skunks and coyotes to the area, will cause problems for the other residents and are to be expected.

The introduction of other wildlife into the area as a result of the keeping of chickens also poses a threat to the chickens themselves.

As well, there are a number of questions that would need to be answered (e.g., regarding potential health concerns) before staff could provide detailed recommendations on the development and implementation of a program to permit the keeping of chickens in Mississauga, including any associated by-law amendments.

More specifically, the following are examples of actions that could be required prior to permitting the keeping of chickens in Mississauga:

- Conduct additional research, including consultation with external resources such as Peel Public Health, around the keeping of chickens in urban areas
- Investigate the level of interest, and thus potential uptake, among residents
- Develop any necessary amendments to the City's Animal Care and Control By-law, including potential restrictions related to the keeping of chickens, and bring them forward to Council
- Investigate the potential need for amendments to other City by-laws (e.g., in relation to noise, property standards) and, if required, develop the necessary amendments and bring them forward to Council

- Investigate other relevant regulations/legislation (e.g., the Protection of Livestock and Poultry from Dogs Act) for any implications related to keeping chickens in Mississauga

Of note, the restrictions related to keeping chickens mentioned above, which could help manage issues related to noise and stray animals, could include the following:

- Allow the keeping of hens only – This could help eliminate noise issues that could be caused by crowing roosters
- Set a minimum age for chickens (i.e., four months of age) – This could facilitate determination of gender, etc.
- Limit the number of chickens that could be kept per lot/property
- Prohibit chickens from being at large

Should the keeping of chickens become permitted in Mississauga, implementation could involve the following:

- Preparing Animal Services facilities to accept and shelter unwanted or stray chickens (e.g., add a chicken coop)
- Training Animal Services staff to deal with unwanted or stray chickens
- Setting up a chicken registration/licensing system
- Developing and implementing an awareness campaign for staff and the public
- Enforcing restrictions/by-laws that pertain to keeping chickens

To accomplish the above, involvement of City staff from various departments and divisions, such as the following, would be required:

- Environmental Management Section, Recreation and Parks Division, Community Services Department

- Animal Services Section, Enforcement Division, Transportation and Works Department
- Legal Services Division, City Manager's Department
- Communications Division, Corporate Services Department

Given that the development and implementation of a program to permit the keeping of chickens in Mississauga would be relatively resource intensive, and given that the City does not currently have a specific policy direction regarding animal-related agricultural operations in urban areas, it is recommended that staff continue to monitor the issue of keeping chickens in urban areas for potential future action.

STRATEGIC PLAN:

The City's Strategic Plan identifies Living Green as one of the Strategic Pillars for Change. A program to allow and facilitate the keeping of chickens in Mississauga could align with the strategic goals set under Living Green to "Lead and Encourage Environmentally Responsible Approaches" and to "Promote a Green Culture".

FINANCIAL IMPACT:

There are no costs associated with the recommendation of this report, however staff time would be required to monitor the issue of keeping chickens in urban areas.

Costs could be incurred should staff be directed to estimate the level of interest in keeping chickens among Mississauga residents and/or to pursue the development and implementation of a program to allow the keeping of chickens in the city.

CONCLUSION:

Chickens are considered livestock under the Animal Care and Control By-law and as such they are only permitted to be kept on lands zoned for Agricultural use. Accordingly, the development and implementation of a program to allow and facilitate the keeping of chickens in Mississauga could require resources for by-law amendments, development of a registration/licensing system, staff training, etc.

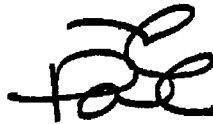
1(q)

While the keeping of chickens does have some benefits such as a means to provide fresh eggs, the keeping of them in residential settings does lead to problems and the very real prospect of complaints from neighbours that do not share the same enthusiasm for this proposal.

At this time, it is recommended that no changes are made around the keeping of chickens in Mississauga and that staff continue to monitor the issue for potential future action.

ATTACHMENTS:

Appendix 1: Resident Letter Requesting Termination of the
Animal Care and Control By-law 98-04



Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

Prepared By: Brenda E. Osborne, Manager of Environment

COUNCIL AGENDA
JUL 06 2011

1(r)

Her Worship Mayor Hazel McCallion
Office of the Mayor
City of Mississauga
300 City Centre Drive
Mississauga, Ontario L5B 3C1

Landon McLaughlin

6/24/2011

Dear Mayor Hazel McCallion

It has come to my attention that the city of mississauga does not allow hens to be kept in backyards on non-zoning agricultural areas due to bylaw 242-04 Prohibited animals in Schedule A. I would like for this bylaw to be terminated so that I may have a chicken in my backyard to help me around my garden and also for the fresh eggs that would be produced by the chicken. My family and I have been looking to go organic and live a more natural lifestyle. The eggs from the store do have chemicals on the shells so that their shelf life is a lot longer and I do not like that these chemicals are entering my body. We would like to have chickens to help around our garden by using their waste as fertilizer also to have them eat the bugs that try to destroy our fruits and vegetables, and to also reduce the amount of garbage thrown out since we could give the chickens kitchen scraps which would eliminate the food from going into the trash. Since mississauga is not allowed to have chickens in backyards on non-zoning agricultural areas I cannot live the natural lifestyle that I am trying to achieve due to the bylaw. I would like to note that the city of Brampton does allow for people to have chickens in their backyards, and there are no problems with it. Chickens are a great animal to have as they are easy to keep and they are a lot quieter then the dogs that people have in many neighbourhoods especially since hens go to sleep as the sun sets. I am asking for the ability to have a maximum of 3 chickens to be kept in a single backyard, no roosters and for chickens to be used only for eggs and helping with gardens and not for home-slaughter, and the same rules should apply to hens as they do to other animals such as dogs and cats such as noises and nuisance and animal cruelty. Mayor Hazel McCallion I am asking you to please consider allowing hens to be kept in our backyards and to please remove the bylaw so that a more natural lifestyle can be achieved. I would like to thank you for taking the time to read this letter on this important issue. Thank you.

Sincerley,

Landon McLaughlin

<input type="checkbox"/> Receive	<input type="checkbox"/> Resolution
<input checked="" type="checkbox"/> Direction Required	<input type="checkbox"/> Resolution / By-Law
<input type="checkbox"/> Community Services	For
<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Appropriate Action
<input type="checkbox"/> Planning & Building	<input type="checkbox"/> Information
<input type="checkbox"/> Transportation & Works	<input type="checkbox"/> Reply
	<input type="checkbox"/> Report

1(S)
From: Lindsay Doherty
Sent: 2013/08/26 10:32 PM
To: Hazel McCallion
Subject: Mississauga Chicken By-law

Dear Mayor McCallion,

We've been reading the press that backyard chicken by-law has gotten over the past couple weeks:

http://www.thestar.com/news/gta/2013/08/13/mississauga_henkeeper_runs_afoul_of_antifowl_bylaw.html
<http://www.mississauga.com/news-story/4029239-mississauga-chicken-keeper-runs-afoul-of-city-bylaw/>

It sounds as if Council is considering amending the by-law to permit keeping chickens on residentially-zoned properties. We are against changing the by-law for a number of reasons.

We live on the same block as Marianne Kalich and have noticed a large increase in wildlife on our property since April - including raccoons and feral cats. We're concerned because these animals defecate in our yard and flower beds. We have young children and this poses a health risk to them as we spend a significant amount of time in our yard.

Furthermore Marianne has publicly stated that she intends to keep her chickens past their laying years - leading us to believe she will continue to accumulate birds to maintain her egg laying 'needs'. She started with 6 - how many can we expect going forward? In Brampton if you keep more than 2 chickens you require a permit.

Residential properties are not zoned for farming purposes and we vote to keep it this way. There are too many health and safety concerns with these types of operations.

We have been in touch with our Ward 1 Councillor Jim Tovey (see below) but we thought it prudent to voice our concerns directly to you, since we are really feeling that our right to enjoy our (urban!) property is currently being infringed upon.

Than you for your time,
 Sincerely,
 Graham & Lindsay Davies

1(+)

From: Jim Tovey <Jim.Tovey@mississauga.ca>
Date: Sat, Aug 17, 2013 at 11:23 AM
Subject: Re: Mississauga Chicken By-law
To: Graham Davies

Hi Graham and Lindsay,

You raise several valid points on the issue. I am expecting a petition to be presented to Council in the fall by this group. Council will then debate the petition and we will welcome all sides in the conversation. My office is currently doing background research with other Municipalities to be prepared with accurate data.

Regards,
Councillor Jim Tovey, Ward 1
City of Mississauga
Email: Jim.tovey@mississauga.ca

Excerpts from The Regional Municipality of Peel Waste Collection By-law 91-2007:

“2.1 “Animal Waste” means feces from any household pet including, but not limited to, dogs and cats, and also includes all material that has come into direct contact with the feces and all material contaminated with the feces.”

.....

“7.13 No Occupier/Owner shall Set Out Animal Waste unless:

(a) it is placed in a separate, sealed, leak-proof bag that is placed within a Garbage Receptacle, and;

(b) the Animal Waste represents not more than the lesser of:

i) 10 per cent of the contents of the Garbage Receptacle, or;

ii) 10 litres in volume.”

.....

“Schedule F to By-law 91-2007**Household Organic Waste**

Compostable materials do not include:

(iv) Dead animals

and

Schedule G to By-law 91-2007**Non-Complying Waste**

(x) Dead animals.”

Regulation of Chickens in Other Municipalities

City/Town	Chickens Allowed?	Restrictions on Chickens	How many chicken-related complaints do they receive? What type of complaints?	Comments Re. Experience Enforcing the Chicken-Related By-Law	If chickens not allowed under the by-law, why not?
Hamilton	No	The by-law prohibits chickens to be raised in the urban area of Hamilton or in the settlement area considered as urban.	They receive one to three stray chicken complaints on average per month. Stray chickens are typically never claimed.	Despite being prohibited, chickens remain an issue.	Council was concerned mostly about whether residents would make responsible and committed owners, the mess that chickens can make and the cost of licensing chickens.
Burlington	No	The by-law only permits chickens to be raised on agricultural properties outside of the urban area.	Staff have only received three complaints in the last 12 years. Complaints about chickens generally arise in the context of a neighbour dispute and typically relate to chickens not being cared for and/or noise.	Not applicable	There has been little public demand for changes to the existing by-law.
Oakville	No	The by-law prohibits all chickens to be kept in Oakville.	They receive no more than one or two complaints per year, all of which arise in the context of a neighbour dispute.	Not applicable	There are concerns about odour, noise and health issues. There has also been no community activism for the support of urban chickens.
Brampton	Yes	The by-law was amended on November	There has been an increase in complaints	Brampton requires that the chickens be licensed,	Not applicable

City/Town	Chickens Allowed?	Restrictions on Chickens	How many chicken-related complaints do they receive? What type of complaints?	Comments Re. Experience Enforcing the Chicken-Related By-Law	If chickens not allowed under the by-law, why not?
		28, 2012, to allow chickens, but restricts home owners to two hens on a single lot. Home owners may keep more than two if they obtain a licence.	over the last six months since the amendment to the by-law. They estimate about two to three complaints per month, including some complaints about stray chickens and property standards (mess/odour).	when a single home owner keeps more than two chickens. They do not have an estimate of the number of urban chickens in the community.	
Toronto	No	The by-law prohibits chickens to be kept in Toronto. In January 2012, Toronto's Licensing and Standards Committee voted against a motion to carry out a feasibility study into overturning the ban.	Toronto received 207 chicken-related complaints in 2012; and has received 78 chicken-related complaints up to this point in 2013. Complaints tend to be about noise.		Council had concerns about the capacity of their animal control facilities to handle abandoned chickens. They would have had to build a new facility to house them.
Richmond Hill	No	The by-law prohibits keeping, harbouring or causing to be kept, any chickens on any land zoned for residential, commercial or industrial use.	Not provided	Not provided	Not provided
Markham	No	The by-law prohibits keeping chickens in any area of the town unless	This year they have received about six to eight complaints which is	Not applicable	Noise, mess

City/Town	Chickens Allowed?	Restrictions on Chickens	How many chicken-related complaints do they receive? What type of complaints?	Comments Re. Experience Enforcing the Chicken-Related By-Law	If chickens not allowed under the by-law, why not?
		the area is zoned for that purpose.	more than in past years. Complaints usually focus on noise and mess.		
Halifax	No	After public consultation no change was recommended that would permit the keeping of urban chickens.	Not provided	Not provided	Concerns about proper animal care, diseases, attracting rodents, etc.
Moncton	No	The zoning by-law is currently being updated to permit a maximum of four chickens with guidelines on chicken enclosure size and placement. The By-law is to take effect January 2014.	Not provided	Not provided	Not applicable
Ottawa	No	The by-law prohibits people from keeping chickens in any area of the City unless the area is zoned for that purpose or is lawfully used for that purpose.	They received 23 complaints regarding "livestock at large" in 2013, seven of these were from the urban part of the municipality, and were for chickens.	In Ottawa they do not seize chickens when they are found, but fine the owners.	Not provided
Winnipeg	No	The by-law prohibits chickens except in districts designated	Not provided	Not provided	Not provided

City/Town	Chickens Allowed?	Restrictions on Chickens	How many chicken-related complaints do they receive? What type of complaints?	Comments Re. Experience Enforcing the Chicken-Related By-Law	If chickens not allowed under the by-law, why not?
		agricultural under the zoning by-law.			
Edmonton	No	The by-law prohibits any person from keeping or having any chickens on any premise with a municipal address in the City.	Only three to five complaints per year. The complaints are usually related to noise and odour.	Residents will usually comply after they have been instructed to remove chickens from their property.	There has not been a groundswell of support for urban chickens yet. There has been some local media attention to the issue over the course of the past year.
Calgary	No	The by-law prohibits any person from keeping or having any chickens in the urban area.	Not provided	Not provided	Not provided
Vancouver	Yes	The by-law permits keeping chickens on a registration basis (since 2010). However, there are standards for enclosure size and setback; cleanliness; a maximum number of four chickens can be kept; roosters are prohibited; chicks must be four months and older and, a restriction on selling eggs.	Vancouver receives approximately 20 complaints per year, usually regarding loose chickens or noise. They received more complaints since the by-law was changed in 2010 to allow chickens, particularly complaints about stray chickens.	Not provided	Not applicable



Corporate Report

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DATE: October 15, 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

FROM: Paul A. Mitcham, P. Eng., MBA
Commissioner of Community Services

SUBJECT: Asian Long-horned Beetle

General Committee

NOV 13 2013

- RECOMMENDATION:**
1. That the report dated October 15, 2013 from the Commissioner of Community Services entitled "Asian Long-horned Beetle" be received for information.
 2. That the Commissioner of Community Services and the City Clerk, or a designate for either party be authorized to execute and affix the corporate seal on behalf of The Corporation of the City of Mississauga (the "City") to enter into an agreement at a future date between the City and the Canadian Food Inspection Agency to allow for the implementation of an Asian Long-horned Beetle eradication plan, including reimbursement for City costs, in a form satisfactory to Legal Services and further that all necessary by-laws be approved.

**REPORT
HIGHLIGHTS:**

- The Asian Long-horned Beetle (ALHB) is an invasive alien insect that attacks and kills deciduous tree species, posing a high-risk to the urban and natural forests of Canada and North America.
- The Canadian Food Inspection Agency (CFIA) under the jurisdiction of the *Plant Protection Act (PPA)* aims to prevent the spread of pests injurious to plants and to control and eradicate them where possible.

- The CFIA has identified an ALHB infestation in the City of Mississauga (Ward 5) and the City of Toronto.
- City staff are working with the CFIA to determine the scope of the ALHB infestation in Mississauga.
- The CFIA may develop an ALHB eradication plan once the survey and delineation work determines the scope of the infestation.
- The only control option for ALHB in Canada is to remove host tree species.
- The City will require an Agreement with the CFIA to implement an ALHB eradication program with the City seeking reimbursement of costs.
- The previously completed ALHB eradication plan in the City of Toronto and City of Vaughan regulated area was fully funded by the CFIA.

BACKGROUND:**Asian Long-horned Beetle**

ALHB is an invasive alien insect, native to Asia. The beetle infests and kills a wide range of deciduous tree species but does not impact coniferous species. There are ten (10) tree species identified as host species of the beetle within North America. Four (4) tree species which are prevalent within Southern Ontario are preferred tree species of the beetle: maple, willow, poplar and birch.

The beetle is approximately 35mm (1.5 inches) in length, and has a hard glossy black shell covered with up to twenty white dots. It has two large antennae each with eleven white ringed segments. Its size, colouring and black and white antennae make the beetle very distinctive.

The beetle is believed to have been transported from its native environment in wood packaging used for the shipping of consumer products. Beetle populations have been discovered in several European countries and were identified between 1996 and 2002 in several cities in the United States of America.

ALHB Detection and Controls

Once an infestation of ALHB or any other alien invasive insect has been discovered, a delineation survey is required to be completed promptly to determine the boundaries of the infested area. Once a

pest's population has increased and spread significantly, eradication of the insect is not an option, as is the case presently with Emerald Ash Borer in Mississauga, Ontario and North America.

Currently, some chemical products registered for use in Canada are being examined to determine their efficacy as an ALHB control. Further research with the Canadian Forest Service and the CFIA will be required to determine if chemical controls will be a viable option in the control of ALHB in Canada. At this time there are also no known native predators that could impact the beetles' lifecycle stages.

Control of the beetle currently consists of cutting and chipping all host tree species within a designated regulated area. All material must be chipped to a minimum of 16mm (5/8 of an inch) square to ensure that the insect is destroyed.

Previous Canadian Infestations

In 2003, an established ALHB population was identified by the CFIA in an industrial park on the border of the City of Toronto and the City of Vaughan, the first ALHB infestation within Canada.

An extensive survey and delineation program was completed, resulting in the development and implementation of a significant eradication plan undertaken within a regulated area designated by the CFIA.

The eradication plan developed for the 2003 infestation required that approximately 28,000 trees be removed from both public and privately owned lands within the Toronto/Vaughan regulated area. The removal works were undertaken by contractors retained by the City of Toronto. Each landowner was also entitled to compensation for individual trees removed from their public or private land.

The CFIA fully funded the eradication plan, including tree replacement compensation, with both the City of Toronto and The City Vaughan being compensated for all costs incurred.

PRESENT STATUS:

Survey and Delineation Works

Forestry staff were contacted in August 2013 by the CFIA, informing them that an adult ALHB had been discovered in the parking lot of an industrial property in the vicinity of Airport Road and American Drive (Ward 5).

The CFIA requested assistance from Forestry Operation's staff to implement a survey and delineation program to ascertain if there was evidence of ALHB lifecycles on host tree species adjacent to the initial adult beetle find.

Forestry staff, working under the direction of the CFIA as per the requirements of the *PPA*, commenced inspections of ALHB host tree species on both public and private lands in an area bounded by:

- Airport Road (west)
- Highway 427 (east)
- Highway 409 (south)
- Derry Road (north).

Staff physically climbed individual trees to conduct a thorough inspection within the tree canopy looking for evidence of the following: egg laying sites, adult beetles, exit wounds and frass (sawdust generated by the beetle).

Trees or sections of trees showing any of the above signs were identified to CFIA staff, who then digitally catalogued the finds. The property owner of each identified tree was notified by CFIA staff, allowing for the tree or branches to be removed by City staff as per the *PPA*. The collected materials were then shipped in secure containers to a CFIA laboratory for analysis.

Survey Findings

To date evidence of egg laying sites, adult beetles, infested trees and frass have been found. These findings in conjunction with the accompanying CFIA analysis, led to the issuing of a media release by the CFIA on September 20, 2013 confirming a positive ALHB infestation in Mississauga.

The CFIA, with assistance from Forestry staff, are continuing to survey and inspect host tree species on lands adjacent to the latest positive finds. The CFIA is simultaneously working with the City of Toronto to conduct similar survey works within their lands.

Upon completion of the survey and delineation works in Mississauga and Toronto, the CFIA will review all of the data and may implement a regulated area and if required, develop a plan to eradicate the ALHB infestation within that regulated area.

Insect Eradication

If deemed by the CFIA that an eradication plan is necessary, the City will be required to enter into a yet to be determined agreement with the CFIA and possibly the City of Toronto allowing for the implementation of the eradication plan.

This agreement would identify the roles and responsibilities of each party, including; size and identification of the regulated area, retention of contractors (tree and stump removal), location/s of wood processing sites, a communications strategy, costs incurred by each stakeholder, required funding and the funding source, and tree replacement compensation for each municipality and private land owners.

Survey works would be required for several years within the regulated area to ensure that the beetle was eradicated. These ongoing survey costs would be a component of the agreement.

City staff are currently communicating with City of Toronto Forestry staff to identify opportunities to collectively work with the CFIA as this latest Canadian ALHB find is located within the two adjoining municipalities.

STRATEGIC PLAN: The Green Pillar for Change within the Strategic Plan identifies the need to conserve, enhance and connect natural environments in the City of Mississauga.

FINANCIAL IMPACT: To date six (6) Forestry operations staff have conducted survey and delineation works and limited individual tree removals on behalf of the CFIA, using City vehicles and equipment from August 28th until September 30th at a cost of \$44,800. The cost of services to date has been submitted to the CFIA for reimbursement.

Costs for similar works throughout the month of October will be submitted to the CFIA for reimbursement. Staff forecasts the required works for October to cost an additional \$24,000 for a total of \$68,800. Supplementary works after October may be required based on survey findings.

The overall budget and funding model to cover costs incurred while implementing a CFIA eradication plan are still to be determined. Staff will report back to Council as soon as the full costs of the plan and the funding source are identified.

CONCLUSION:

A positive ALHB infestation has been identified by the CFIA within a small geographic area of Mississauga and Toronto. If this infestation is not eradicated, a significant percentage of both municipalities' deciduous urban forests along with the deciduous tree canopy within Ontario and Canada would be detrimentally impacted.

A regulated area in conjunction with a comprehensive ALHB eradication plan may be developed and implemented by the CFIA in conjunction with the City of Mississauga and the City of Toronto.

The eradication plan for this infestation would focus on eliminating the capability of beetles to spread within the cities of Mississauga, Toronto, Ontario or Canada.

Forestry staff and staff from our Legal Services Division are presently working with the CFIA on the development of an agreement that will identify roles and responsibilities of each stakeholder. The agreement may potentially include the City of Toronto. Overall funding requirements of an ALHB eradication plan, including tree loss compensation, will be addressed in this future agreement.



Paul A. Mitcham, P. Eng., MBA
Commissioner of Community Services

Prepared By: Gavin Longmuir, Forestry Manager



Corporate Report

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DATE: October 30, 2013

General Committee

NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **By-laws to Establish a System of Administrative Penalties for the
City of Mississauga**

- RECOMMENDATION:**
1. That a by-law to establish a system of administrative penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga (Appendix 1) be enacted.
 2. That a by-law to establish the positions of screening officer and hearing officer to adjudicate reviews and appeals of administrative penalties (Appendix 2) be enacted.
 3. That a by-law to amend the Traffic By-law 555-00, as amended, (Appendix 3) be enacted.
 4. That a by-law to amend the Fire Route By-law 1036-81, as amended, (Appendix 4) be enacted.
 5. That By-law 300-04 be repealed and a by-law to appoint municipal law enforcement officers for the purpose of enforcing applicable City by-laws on private properties, be enacted (Appendix 5).
 6. That a by-law to delegate authority to the Commissioner of Transportation and Works, or his/her delegate, on behalf of the Corporation of the City of Mississauga to enter into agreements between the City and private security companies

(Appendix 6), in a form satisfactory to Legal Services, be enacted.

**REPORT
HIGHLIGHTS:**

- A by-law establishing an administrative penalties system (APS) must be enacted by the City of Mississauga before it may exercise its authority to require persons to pay an administrative penalty.
- An APS requires screening and hearing officers to review administrative penalties and these positions and the authority delegated to persons appointed to these positions are established through the enactment of a by-law.
- The Traffic By-law 555-00, as amended, and the Fire Route By-law 1036-81, as amended, will be included in the City's APS and will require amendment to include enforcement of their provisions under the *Municipal Act, 2001* through an APS.
- By-law 300-04, as amended, that appoints designated private security companies and their employees as municipal enforcement officers for the purpose of enforcing the Traffic By-law 555-00, as amended, on private properties must be repealed and replaced by a by-law that includes the authority to enforce the Fire Route By-law 1036-81, as amended, and the Accessible Parking By-law 001-09, as amended, and the authority to issue penalty notices under the *Municipal Act, 2001*.
- As it may be necessary to enter into agreements with private security companies a by-law delegating the authority to execute such agreements to the Commissioner of Transportation and Works, or their designate, on behalf of the City is required.
- By-laws to appoint screening and hearing officers listing the candidates recommended by the City Clerk and City Solicitor will be brought forward for Council consideration at a future meeting of Council.

BACKGROUND:

Sections 102.1, 151(1) (g) and 151(5) of the *Municipal Act, 2001*, authorize municipalities to implement an APS for non-compliance with any by-laws respecting licensing and parking. Ontario Regulation 333/07, under the *Municipal Act, 2001* (APS Regulation), allows municipalities to establish an APS for administering, disputing and resolving most minor parking offences as an alternative to the

current system of parking tickets being processed under Part II of the *Provincial Offences Act (POA)*.

At its meeting of July 3, 2013 Council approved a recommendation by staff to proceed with the implementation of an APS for the enforcement of licensing and parking by-laws in the City of Mississauga (GC # 0411-2013).

COMMENTS:

The APS regulation requires a municipality exercising its power to implement an APS under the *Municipal Act, 2001*, to pass a by-law to establish an APS and to designate the parts of the by-laws respecting parking, standing or stopping of vehicles to which the APS will apply.

Attached to this report as Appendix 1 is the recommended by-law to establish an APS respecting the stopping, standing or parking of vehicles in the City of Mississauga (Parking APS By-law). The recommended by-law contains the following provisions as required under the APS regulation:

- A penalty notice setting out the by-law contravention and the amount of the administrative penalty that shall be served upon the owner of the vehicle.
- No officer may accept payment of an administrative penalty.
- A person who is given a penalty notice may request that the administrative penalty be reviewed by a screening officer who may cancel, affirm or vary the penalty.
- A person who receives notice of the decision of the screening officer may request the decision be reviewed by a hearing officer who may cancel, affirm or vary the decision of the screening officer.
- A person may receive an extension of time to request a review by a screening or hearing officer if the person can demonstrate the existence of extenuating circumstances that warrant an extension.
- The screening or hearing officer may reduce the amount of the administrative penalty or extend the time to pay the administrative penalty if the person can demonstrate the extension is necessary to relieve economic hardship.

Schedules "A" and "B" to the Parking APS By-law designates the parts of the Traffic By-law 555-00, as amended, and Fire Route By-law 1036-81, as amended, to which the APS will apply and sets out

the amount of the administrative penalty.

The APS regulation authorizes a municipality to charge administrative late payment fees when an administrative penalty is not paid within the allotted time frame as well as a fee in respect of amounts paid by the municipality to obtain information about the vehicle or owner of the vehicle. In addition, the APS regulation allows a municipality to charge a fee in respect of the failure of a person to appear at the time and place scheduled for a hearing. The recommended APS fees are as follows and are found in Schedule "C" to the Parking APS By-law:

Late Payment Fee	\$25.00
MTO Search Fee	\$10.00
MTO Plate Denial Fee	\$22.00
NSF Fee	\$35.00
Screening Non-Appearance Fee	\$50.00
Hearing Non-Appearance Fee	\$100.00

Upon final implementation of an APS for parking matters, staff will begin the second phase of APS implementation for licensing matters. Accordingly, a by-law to establish an APS for licensing matters will be brought forward for consideration by Council in 2014.

The APS regulation provides that a municipality shall appoint a screening officer for the purpose of reviewing an administrative penalty and a hearing officer to review the decision of the screening officer.

Attached is the recommended by-law to establish the positions of screening officer and hearing officer to adjudicate reviews and appeals of administrative penalties (Appendix 2). The proposed by-law includes the following provisions:

- That screening and hearing officers be appointed by Council on the recommendation of the City Clerk and the City Solicitor.
- That Council members and their relatives and persons indebted to the City (beyond property taxes) are not eligible for appointment as a screening officer or a hearing officer.
- That employees of the City are not eligible for appointment as a hearing officer.

- That screening officers shall be appointed on terms and conditions as set out in the employment contract between the City and the screening officer.
- That hearing officers shall be appointed for a two-year term at a rate to be established from time to time by Council.
- That no person shall attempt to influence the decision of a screening officer or a hearing officer.

The City currently employs two full-time first attendance administrators who are responsible for conducting reviews of parking tickets issued under the POA. With the transition to an APS these positions will change to that of screening officers with responsibilities that will include both POA review for parking contraventions not eligible for APS and review of all administrative penalties including parking and licensing contraventions. It is intended that staff currently holding the positions of first attendance administrator will be recommended by the City Clerk and City Solicitor for appointment by Council and will continue their employment with the City as screening officers reporting to the Office of the City Clerk.

At its meeting of September 18, 2013 Council adopted staff recommendations relating to the process for recruiting hearing officers (GC-0530-2013).

The recommendations of the City Clerk and City Solicitor for hearing officer appointments will be put forward for Council's consideration in February 2014.

The City of Mississauga Traffic By-law 555-00, as amended, and Fire Route By-law 1036-81, as amended, reference enforcement of its provisions in accordance with the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33. These by-laws must be amended to include enforcement through the *Municipal Act, 2001*, and the City's Parking APS By-law.

Attached is the recommended by-law to amend Traffic By-law 555-00, as amended, (Appendix 3).

Attached is the recommended by-law to amend the Fire Route By-law 1036-81, as amended, (Appendix 4).

Attached is the recommended by-law to appoint municipal enforcement officers for the purpose of enforcing applicable City by-laws (Traffic By-law 555-00, as amended, the Accessible Parking By-law 001-09, as amended, and the Fire Route By-law 1036-81, as amended) on private properties (Appendix 5).

Designated private security companies (PSCs) are authorized under this by-law to enforce the applicable City by-laws on private properties within the City of Mississauga, which provides for enforcement under the *Provincial Offences Act* (POA) as well as the authority to issue penalty notices under the City's APS.

Upon APS implementation it may be necessary for the City to enter into agreements with PSCs to permit them to issue penalty notices electronically and to download the penalty notices and related information to the City's APS computer databases. Attached to this report is the recommended by-law to delegate authority to the Commissioner of Transportation and Works, or their designate, to enter into agreements with PSCs for the issuance of electronic tickets on private property (Appendix 6).

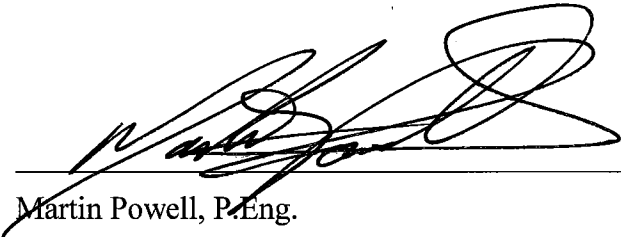
FINANCIAL IMPACT: As previously stated in the report from the Commissioner of Transportation and Works dated May 1, 2013 titled "Administrative Penalty System for Licensing and Parking Offences and Single Source Contract Award to ParkSmart Inc. for Parking Enforcement and Administrative Penalty System Solution", staff are confident that the annual incremental operating costs from the implementation of an APS will be more than offset by the increase in annual incremental operating revenues.

CONCLUSION: The implementation of an APS for parking enforcement requires the enactment of new by-laws to establish the system's procedures and the screening and hearing officer positions required for the system's process of review. A number of existing by-laws, including those parking by-laws to which the APS will apply, must be amended to include reference to this new system of enforcement. It is

recommended that the by-laws attached to this report be enacted substantially as set out and attached to this report.

ATTACHMENTS:

- Appendix 1: A By-law to Establish a System of Administrative Penalties respecting the Stopping, Standing or Parking of Vehicles in the City of Mississauga
- Appendix 2: A By-law to Establish the Positions of Screening Officer and Hearing Officer to Adjudicate Reviews and Appeals of Administrative Penalties
- Appendix 3: A By-law to amend By-law 555-00, as amended, being the Traffic By-law
- Appendix 4: A By-law to amend By-law 1036-81, as amended, being the Fire Route By-law
- Appendix 5: A By-law to appoint municipal law enforcement officers for the purpose of enforcing the City's applicable by-laws, on private properties
- Appendix 6: A By-law to authorize the execution of agreements between the Corporation of the City of Mississauga and Private Security Companies authorized under the City's By-law to appoint municipal law enforcement officers for the purpose of enforcing the City's applicable by-laws, on private properties



Martin Powell, P.Eng.

Commissioner of Transportation and Works

Prepared By: Carla Mariuz, Project Manager, APS

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

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorize The Corporation of the City of Mississauga to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS subsection 102.1(1) of the *Municipal Act, 2001* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-laws respecting the parking, standing or stopping of vehicles.

AND WHEREAS the Province adopted the "Administrative Penalties" regulation, O.Reg. 333/07 pursuant to the *Municipal Act, 2001* which applies to administrative penalties in respect of the parking, standing or stopping of vehicles;

AND WHEREAS pursuant to section 391 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws imposing fees or charges for costs payable by it for services or activities, and services or activities provided or done by or on behalf of the municipality;

AND WHEREAS the City of Mississauga will designate portions of the City's Traffic By-law No. 555-00, as amended, that deal with parking, standing or stopping of vehicles, and the City's Fire Route By-law 1036-81, as amended, to be applicable to the administrative penalty system established through this By-law;

AND WHEREAS the City of Mississauga considers it desirable to have one administrative penalty system for all by-laws to which administrative penalties may apply and may designate other by-laws to be applicable to the administrative penalty system established through this By-law;

AND WHEREAS the City of Mississauga considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the administrative penalty system;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

PART I - SHORT TITLE

1. This By-law may be referred to as the "Administrative Penalty By-law".

PART II - DEFINITIONS

2. For the purposes of this By-law:

"Administrative Fee" means any fee specified in this by-law and listed in Schedule "C";
"Administrative Penalty" means a monetary penalty as set out in Schedules "A" and "B" to this By-law for a contravention of a Designated By-law;

"By-law" means this by-law and any schedule to this by-law as they may be amended from time to time;

"City" means The Corporation of the City of Mississauga;

"Clerk" means the Clerk for the City, or his or her delegate;

"Council" means the elected Council of the City;

"Day" means calendar day;

"Decision of a Hearing Officer" means a notice that contains the decision of a Hearing Officer;

"Designated By-law" means a by-law or provision of a by-law that is designated under this or any other by-law, as a by-law or provision of a by-law to which this By-law applies and is listed in Schedules "A" and "B" attached to this By-law;

"Hearing Non-appearance Fee" means an Administrative Fee from time to time established by Council in respect of a Person's failure to appear at the time and place scheduled for a review before a Hearing Officer and listed in Schedule "C";

"Hearing Officer" means a person from time to time appointed by Council pursuant to the Screening and Hearing Officer By-law;

"Holiday" means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any day the offices for the City are officially closed for business;

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"Late Payment Fee" means an Administrative Fee from time to time established by Council in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this By-law and listed in Schedule "C";

"MTO Plate Denial Fee" means an Administrative fee from time to time established by Council and Her Majesty the Queen in Right of Ontario, as represented by the Ontario Ministry of Transportation, for notifying the Registrar of Motor Vehicles for the purpose of plate permit denial and listed in Schedule "C";

"MTO Search Fee" means an Administrative Fee from time to time established by Council in respect of searching the records of the Ontario Ministry of Transportation and listed in Schedule "C";

"NSF Fee" means an Administrative Fee from time to time established by Council in respect of a demand for payment received by the City from a Person for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn, and listed in Schedule "C";

"Officer" means each of:

- (a) a Municipal Law Enforcement Officer or other person appointed by or under the authority of a City by-law to enforce a Designated By-law, and
- (b) a police officer employed by Peel Regional Police, the Ontario Provincial Police or the Royal Canadian Mounted Police.

"Penalty Notice" means a notice given to a Person pursuant to section 5 of this By-law;

"Penalty Notice Date" means the date of the contravention specified on the Penalty Notice pursuant to subsection 7(b);

"Penalty Notice Number" means the number specified on the Penalty Notice pursuant to subsection 7(c);

"Person" includes a corporation, partnership or limited partnership;

"Regulation" means the Administrative Penalties, Ontario Regulation 333/07;

"Request for Review by Hearing Officer" means the form attached to the Notice of Decision which may be filed by a Person under subsections 21 of this By-law;

"Screening Decision" means a notice which contains the decision of a Screening Officer;

"Screening Non-appearance Fee" means an Administrative Fee from time to time established by Council in respect of a Person's failure to appear at the time and place

scheduled for a review by a Screening Officer and listed in Schedule "C"; and

"Screening Officer" means a person from time to time appointed by Council pursuant to the Screening and Hearing Officer By-law.

PART III - DESIGNATED BY-LAWS

3. City by-laws, or portions of City by-laws, that are listed in Schedules "A" and "B" to this By-law shall be Designated By-laws and are hereby designated for the purposes of section 3(1)(b) of the Regulation and the provisions of this By-law shall apply to any contravention of a Designated By-law. Schedules "A" and "B" shall set out the short form wording to be used for the contraventions of Designated By-laws and also set out the Administrative Penalties imposed for the contraventions.
4. The *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, does not apply to a contravention of a Designated By-law.

PART IV - PENALTY NOTICE

5. Every Person who contravenes a provision of a Designated By-law shall, when given a Penalty Notice, be liable to pay to the City an Administrative Penalty in the amount specified in Schedule "A" or "B".
6. An Officer who has reason to believe that a Person has contravened a provision of a Designated By-law may issue a Penalty Notice to that Person.
7. A Penalty Notice shall include the following information:
 - (a) the vehicle licence plate number or vehicle identification number;
 - (b) the Penalty Notice Date;
 - (c) a number that is unique to the Penalty Notice;
 - (d) the contravention wording listed in Schedule "A" or "B", which describes the particulars of the contravention;
 - (e) the amount of the Administrative Penalty;
 - (f) such information as the Clerk determines is appropriate respecting the process by which the Person may exercise the Person's right to request a review of the Administrative Penalty;
 - (g) a statement advising that an Administrative Penalty, including any Administrative Fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the Person to the City; and

10. A Person who is given a Penalty Notice and who does not pay the amount of the Administrative Penalty within 15 days of the Penalty Notice Date may pay to the City an MTO Search Fee.

PART V - REVIEW BY A SCREENING OFFICER

11. A Person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within 15 days after the Penalty Notice Date.
12. If a Person has not requested a review within the time limit set out in section 11, a Person may request that the Screening Officer extend the time to request a review within 30 days after the Penalty Notice Date. A Person's right to request an extension of time expires if it has not been exercised within 30 days after the Penalty Notice Date at which time:
 - (a) the Person shall be deemed to have waived the right to request a review;
 - (b) the Administrative Penalty shall be deemed to be affirmed on the 16th day after the Penalty Notice Date; and
 - (c) the Administrative Penalty shall not be subject to any further review, including review by any Court.
13. A Person's right to request a review or to request an extension of time to request a review are exercised by:
 - (a) electronically submitting a Request for Screening form available at the City's web page as set out in the Penalty Notice and scheduling the time and place for the review; or
 - (b) attending in person at the location listed in the Penalty Notice to complete a Request for Screening form and scheduling the time and place for review.
14. A review or a request for an extension of time to request a review shall only be scheduled by the City if the Person has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 11 or 12.
15. Where a Person fails to attend at the time and place scheduled for a review:
 - (a) the Person shall be deemed to have abandoned the request for a review of the Administrative Penalty;
 - (b) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be affirmed on the 16th day after the Penalty Notice Date and is not subject to any further review, including by any Court; and

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- (b) attending in person at the location listed in the Penalty Notice to complete a Request for Screening form and scheduling the time and place for review.
14. A review or a request for an extension of time to request a review shall only be scheduled by the City if the Person has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 11 or 12.
15. Where a Person fails to attend at the time and place scheduled for a review:
- (a) the Person shall be deemed to have abandoned the request for a review of the Administrative Penalty;
 - (b) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be affirmed on the 16th day after the Penalty Notice Date and is not subject to any further review, including by any Court; and
 - (c) the Person shall pay to the City a Screening Non-appearance Fee.
16. (1) For the purposes of section 12, the Screening Officer may only extend the time to request a review of an Administrative Penalty where the Person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.
- (2) Where an extension of time is not granted by the Screening Officer the Administrative Penalty is deemed to be affirmed.
17. On a review of the Administrative Penalty, the Screening Officer may affirm the Administrative Penalty, or the Screening Officer may cancel, vary, or extend the time for payment of the Administrative Penalty, including any Administrative Fee, on the following grounds:
- (a) where the Person establishes on a balance of probabilities, that he or she did not contravene the Designated By-law as described in the Penalty Notice; or
 - (b) where the Person establishes on a balance of probabilities that the reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee, is necessary to relieve any undue hardship.
18. After a review has been held, the Screening Officer shall deliver a Screening Decision to the Person.

PART VI - REVIEW BY A HEARING OFFICER

19. A Person may request a review of a Screening Decision by a Hearing Officer and shall do so within 15 days after the Screening Decision has been delivered to the Person.

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20. If a Person has not requested a review within the time limit set out in section 19, a Person may request that the Hearing Officer extend the time to request a review within 30 days of the Screening Decision being delivered to the Person. A Person's right to request an extension of time expires if it has not been exercised within 30 days after the Screening Decision has been delivered at which time:
 - (a) the Person shall be deemed to have waived the right to request a hearing;
 - (b) the Screening Decision and the Administrative Penalty, if applicable as modified in the Screening Decision, shall be deemed to be affirmed; and
 - (c) the Screening Decision and the Administrative Penalty shall not be subject to any further review, including review by any Court.
21. A Person's right to request a review of a Screening Decision or to request an extension of time to request the review are exercised by attending in person or by representative at the place specified in the Request for Review by Hearing Officer form and filing a completed form.
22. A review or a request for an extension of time to request a review shall only be scheduled by the City if the Person has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 19 or 20.
23. Where a Person fails to attend at the time and place scheduled for a review by the Hearing Officer:
 - (a) the Person shall be deemed to have abandoned the request for a review of the Screening Decision;
 - (b) the Screening Decision and the Administrative Penalty, if applicable as modified in the Screening Decision, shall be deemed to be final and are not subject to any further review, including by any Court;
 - (c) the Administrative Penalty, if applicable as modified in the Screening Decision, is deemed to be affirmed on the date the Screening Decision was delivered to the Person; and
 - (d) the Person shall pay to the City a Hearing Non-Appearance Fee.
24. (1) For the purposes of section 20, the Hearing Officer may only extend the time to request a review of a Screening Decision where the Person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.

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- (2) Where an extension of time is not granted by the Hearing Officer the Screening Decision and Administrative Penalty, if applicable as modified in the Screening Decision, are deemed to be affirmed.
25. A Hearing Officer shall not make any decision respecting a review of a Screening Decision unless the Hearing Officer has given the Person and the City an opportunity to be heard at the time and place scheduled for the hearing of the review.
26. On a review of a Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel, vary or extend the time for payment of the Administrative Penalty, including any Administrative Fee, on the following grounds:
 - (a) where the Person establishes a balance of probabilities, that he or she did not contravene the Designated By-law as described in the Penalty Notice; or
 - (b) where the Person establishes on a balance of probabilities, that the reduction or extension of time for payment of the Administrative Penalty including any Administrative Fee, is necessary to relieve any undue hardship.
27. All hearings conducted by the Hearing Officer shall be in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended.
28. After a hearing is complete, the Hearing Officer shall issue to the Person a Decision of a Hearing Officer.
29. Any decision by a Hearing Officer is final.
30. Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

PART VII - ADMINISTRATION OF THE BY-LAW

31. The Clerk shall administer the By-law and establish any practices, policies and procedures necessary to implement the By-law and may amend such practices, policies and procedures from time to time as the Clerk deems necessary.
32. The Clerk shall prescribe all forms and notices, including the Penalty Notice, necessary to implement the By-law and may amend such forms and notices from time to time as the Clerk deems necessary.

PART VIII - SERVICE OF DOCUMENTS

33. (1) Service of any document or notice, including a Penalty Notice, respecting this By-law may be given in writing in any of the following ways and is effective:

- (a) when a copy is delivered to the Person to whom it is addressed;
 - (b) on the fifth after a copy is sent by registered mail or by regular letter mail to the Person's last known address;
 - (c) upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number; or
 - (d) upon the sending a copy by e-mail transmission to the Person's last known e-mail address.
- (2) For the purposes of subsections 33(1)(b), (c) and (d), a Person's last known address, facsimile number and e-mail address may include an address, facsimile number and e-mail provided by the Person to the City as may be required by a form, practice or policy developed under this By-law.

PART IX - GENERAL PROVISIONS

- 34. An Administrative Penalty, including any Administrative Fees, that is affirmed or reduced or in respect of which the time for payment has been extended is due and payable and constitutes a debt to the City owed by the Person to whom the Penalty Notice was given.
- 35. Where an Administrative Penalty is not paid within 15 days after it becomes due and payable, the Person to whom the Penalty Notice was given shall pay to the City a Late Payment Fee.
- 36. Where an Administrative Penalty is not paid within 30 days after it becomes due and payable, the City shall notify the Registrar of Motor Vehicles of the default and the Registrar shall not validate the permit of a person named in the default notice nor issue a new permit to that person until the penalty is paid.
- 37. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within thirty 30 days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a MTO Plate Denial Fee.
- 38. Where a person provides a demand for payment to the City for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn, shall pay to the City a NSF Fee.
- 39. Where an Administrative Penalty is cancelled by a Screening Officer or a Hearing Officer, any Administrative Fee is also cancelled.
- 40. Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.

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41. Any schedule attached to this By-law forms part of this By-law.

PART X - VALIDITY

42. This By-law shall come into force on March 1, 2014.

43. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

ENACTED and PASSED this _____ day of _____, 2013.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2013		

MAYOR

CLERK

SCHEDULE "A"

CITY OF MISSISSAUGA ADMINISTRATIVE PENALTY BY-LAW
DESIGNATED BY-LAW PROVISIONS - TRAFFIC BY-LAW 555-00

1. For the purposes of section 3 of this By-law, Column 1 in the following table lists the provisions in the Traffic By-law 555-00, as amended that are hereby designated for the purposes of 3(1)(b) of the Regulation.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
1	5(1)	Stopping vehicle on untravelled portion of highway	\$30.00
2	5(1)	Parking vehicle on untravelled portion of highway	\$30.00
3	5(1)(a)	Parking vehicle facing wrong direction	\$30.00
4	5(2)	Parking vehicle more than 30 centimetres from a raised curb	\$40.00
5	6(1)	Stopping vehicle on sidewalk	\$30.00
6	6(2)	Stopping vehicle on crosswalk	\$30.00
7	7(2)(a)	Parking vehicle on highway obstructing sidewalk	\$30.00
8	7(2)(b)	Parking vehicle on highway obstructing crosswalk	\$30.00
9	7(2)(c)	Parking vehicle on highway obstructing traffic	\$30.00
10	7(3)	Parking vehicle within 1 metre of private road or lane entrance	\$30.00

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
11	7(4)	Parking vehicle within 3 metres of a fire hydrant	\$50.00
12	7(7)	Parking vehicle within 5 metres of intersection	\$50.00
13	7(10)	Parking vehicle longer than three hours	\$35.00
14	7(11)	Parking vehicle while displaying For Sale sign	\$30.00
15	7(12)	Parking vehicle in permit parking area without displaying permit	\$30.00
16	7(13)	Parking vehicle on highway which is immobile or unlicensed	\$30.00
17	7(17)	Parking vehicle on a highway in City park/municipal cemetery/marina/golf course	\$30.00
18	7(18)	Parking vehicle on a highway between 2:00 a.m. to 6:00 a.m. during prohibited period	\$40.00
19	7(19)	Parking vehicle longer than permitted by authorized signs	\$35.00
20	8(7)	Parking vehicle on signed Public Lane	\$40.00
21	8(9)	Parking vehicle on signed highway shoulder	\$40.00
22	11(1)	Parking vehicle in prohibited area	\$40.00
23	11(2)	Parking vehicle in school zone	\$65.00
24	12(1)	Stopping vehicle in a prohibited area	\$55.00
25	12(2)	Stopping vehicle in a school zone	\$65.00
26	13(2)	Parking commercial motor vehicle on highway which is exempt from three-hour parking	\$30.00
27	14(1)	Parking heavy vehicle in residential zone	\$100.00
28	15(1)	Parking heavy vehicle within 3 metres of a fire hydrant	\$100.00
29	15(2)	Parking heavy vehicle longer than three hours	\$100.00

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ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
30	15(5)	Parking heavy vehicle on highway which is immobile or unlicensed	\$100.00
31	16(9)	Parking heavy vehicle on signed highway shoulder	\$100.00
32	17	Parking heavy vehicle in prohibited area	\$100.00
33	18	Stopping heavy vehicle prohibited area	\$100.00
34	19(1)	Parking vehicle in restricted area contrary to permitted times	\$30.00
35	20(1)	Parking vehicle in off street parking lot in excess of posted time	\$30.00
36	20B(1)(a)	Parking vehicle in a City park/municipal cemetery/marina/golf course other than in the parking lot	\$30.00
37	20B(1)(b)	Fail to park vehicle within the parking space marked by markers or painted lines	\$30.00
38	20B(1)(c)	Parking vehicle in a City park/municipal cemetery/marina/golf course while not using it.	\$30.00
39	20B(2)(a)	Parking vehicle in a City park/marina/municipal cemetery/golf course when it is closed	\$30.00
40	20B(3)	Parking school bus in a City park/marina not for the purpose of pick-up and drop-off	\$30.00
41	20B(3)	Parking school bus in a City park/marina longer than 30 minutes	\$30.00
42	20B(4)(a)	Parking heavy vehicle in a City park/municipal cemetery/marina/golf course	\$100.00
43	20B(4)(b)	Parking a truck/trailer in a City park/municipal cemetery/marina/golf course	\$30.00
44	20B(4)(c)	Parking recreational vehicle in a City park/municipal cemetery/marina/golf course	\$30.00
45	20B(5)(a)	Parking a vehicle where goods and/or services are sold/offered for sale in a golf course	\$30.00
46	20B(7)(a)	Parking in a City park a vehicle where goods and/or services are sold/offered for sale without a valid permit	\$30.00
47	20B(7)(b)	Parking in a City park a vehicle where goods and services are sold/offered for sale without	\$30.00

3(+)

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
		satisfying all licensing requirements	
48	20B(7)(c)	Parking in a City park a vehicle where goods and services are sold/offered for sale without complying with provisions of the permit	\$30.00
49	21(2)	Parking vehicle at expired meter	\$30.00
50	21(3)	Parking vehicle in metered parking space beyond maximum permitted time	\$30.00
51	21A(2)(a)(i)	Parking a vehicle in a parking space governed by a parking machine without clearly displaying receipt	\$30.00
52	21A(2)(a)(ii)	Parking a vehicle in a parking space governed by a parking machine not within the permitted period	\$30.00
53	21A(2)(a)(iii)	Parking a vehicle in a parking space governed by a parking machine beyond the maximum period	\$30.00
54	21A(3)	Fail to park vehicle in a parking space governed by a parking machine with the front of the vehicle aligned as closely as possible with the parking space	\$30.00
55	21A(4)	Fail to park vehicle in a parking space governed by a parking machine wholly within one parking space	\$30.00
56	41(2)	Parking vehicle on private property without owner's consent	\$30.00
57	41(3)	Parking vehicle on property owned or occupied by the City without consent of the City or local board	\$30.00
58	41(4)	Parking heavy vehicle on private property without owner's consent	\$100.00

SCHEDULE "B"

CITY OF MISSISSAUGA ADMINISTRATIVE PENALTY BY-LAW
DESIGNATED BY-LAW PROVISIONS – FIRE ROUTE BY-LAW 1036-81

1. For the purposes of section 3 of this By-law, Column 1 in the following table lists the provisions in the Fire Route By-law 1036-81, as amended that are hereby designated for the purposes of 3(1)(b) of the Regulation.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
1	10(1)	Parking on a designated fire route	\$100.00
2	10(1)	Stopping on a designated fire route	\$100.00

SCHEDULE "C"

CITY OF MISSISSAUGA ADMINISTRATIVE PENALTY BY-LAW
ADMINISTRATIVE FEES

ITEM	FEE
Hearing Non-appearance Fee	\$100.00
Late Payment Fee	\$25.00
MTO Plate Denial Fee	\$22.00
MTO Search Fee	\$10.00
NSF Fee	\$35.00
Screening Non-appearance Fee	\$50.00

Note:

The fees and charges as listed in this Schedule "C" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

3(W)

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

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorize The Corporation of the City of Mississauga to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS subsection 102.1(1) of the *Municipal Act, 2001* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

AND WHEREAS the Province adopted the Administrative Penalties Regulation O. Reg. 333/07 pursuant to the *Municipal Act, 2001* which applies to administrative penalties in respect of the parking, standing or stopping of vehicles;

AND WHEREAS under the Administrative Penalties Regulation a person who receives a Penalty Notice shall have the right to request a review of the administrative penalty by a Screening Officer appointed by the municipality;

AND WHEREAS under the Administrative Penalties Regulation, a person who receives notice of a decision from a Screening Officer shall have the right to a review of the Screening Officer's decision by a Hearing Officer appointed by the municipality;

AND WHEREAS the City of Mississauga considers it desirable and necessary to establish the position of a Screening Officer and a Hearing Officer which are required for the operation of the City's Administrative Penalty By-law;

AND WHEREAS section 425 of the *Municipal Act, 2001* authorizes the Corporation of the City of Mississauga to pass by-laws providing that a person who contravenes a by-law of the City of Mississauga passed under that Act is guilty of an offence;

NOW THEREFORE the Council for The Corporation of the City of Mississauga hereby ENACTS AS FOLLOWS:

PART I – SHORT TITLE

1. This By-law may be referred to as the "Screening and Hearing Officer By-law".

PART II - DEFINITIONS

2. For the purposes of this By-law:

"Administrative Penalty" means a monetary penalty imposed for a contravention of a Designated By-law as set out in the Administrative Penalty By-law;

"Administrative Penalty By-law" means the City's Administrative Penalty By-law, as amended;

"City" means The Corporation of the City of Mississauga;

"Council" means the elected Council of the City of Mississauga;

"Power of Decision" means a power or right, conferred by or under this By-law and the Administrative Penalty By-law, to make a decision deciding or prescribing the legal rights, powers, privileges, immunities, duties or liabilities of any Person:

- (a) in the case of a Screening Officer, in respect of a request to review an Administrative Penalty; and
- (b) in the case of a Hearing Officer, in respect of an appeal from a Screening Decision.

"Hearing Officer" means a person from time to time appointed by Council pursuant to this By-law;

"Parent" means a person who has demonstrated a settled intention to treat a child as a member of her or his family whether or not that person is the natural parent of the child;

"Person" includes a corporation, partnership or limited partnership;

"Regulation" means the Administrative Penalties regulation O. Reg. 333/07, as amended;

"Relative" includes any of the following persons:

- (a) Spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage;
- (b) Parent;
- (c) Child, including a step child and grandchild;
- (d) Siblings and children of siblings;
- (e) Aunt, uncle, niece and nephew;
- (f) In-laws, including mother, father, sister, brother, daughter and son; or
- (g) Any person who lives with the person on a permanent basis.

"Screening Decision" means a notice which contains the decision of a Screening Officer;

"Screening Officer" means a person from time to time appointed by Council pursuant to this By-law;

"Spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage.

PART III - SCREENING OFFICER

3. The position of Screening Officer is established for the purpose of exercising the Power of Decision in the review of an administrative penalty as set out in the City's Administrative Penalty By-law.
4. The Screening Officer shall have all of the powers of review as set out in the City's Administrative Penalty By-law and the Regulation.
5. A Screening Officer shall be appointed by Council on the recommendation of the City Clerk in consultation with the City Solicitor which recommendation shall give preference to an eligible candidate:
 - (a) with knowledge of and experience in administrative law; and
 - (b) of good character.

PART IV - HEARING OFFICER

6. The position of the Hearing Officer is established for the purpose of exercising the Power of Decision in the appeal of a Screening Decision as set out in the City's Administrative Penalty By-law.
7. The Hearing Officer shall have all of the powers of review as set out in the City's Administrative Penalty By-law and the Administrative Penalties Regulation.
8. A Hearing Officer shall be appointed by Council on the recommendation of the City Clerk in consultation with the City Solicitor which recommendation shall give preference to an eligible candidate:
 - (a) with knowledge of and experience in administrative law; and
 - (b) of good character.

PART V - GENERAL PROVISIONS

9. The following persons are not eligible for appointment as a Screening Officer or a Hearing Officer:
 - (a) a member of Council;
 - (b) the Relative of a person referenced in subsection 9(a);
 - (c) in the case of a Hearing Officer, an employee of the City; or
 - (d) a person indebted to the City other than:

3(2)

- (i) in respect of current real property taxes; or
 - (ii) pursuant to an agreement with the City the terms with which the person is in compliance.
10. A Screening Officer shall be appointed for such period and subject to such terms and conditions as may be determined by City staff in accordance with the City's employment or contract policies and guidelines.
 11. A Hearing Officer shall hold office for the term of two years and thereafter until a Hearing Officer is reappointed or a successor is appointed pursuant to this By-law or is no longer required by the City.
 12. A Hearing Officer shall be remunerated at the rate from time to time established by Council.
 13. No Person shall attempt to, directly or indirectly, communicate with or influence a Screening Officer or a Hearing Officer respecting the determination of an issue respecting a Delegated Power of Decision in a proceeding that is or will be pending before the Screening Officer or Hearing Officer except a person who is entitled to be heard in the proceeding or the person's lawyer or licensed representative and only by the person or the person's lawyer or licensed representative during the hearing of the proceeding in which the issue arises.
 14. Section 13 does not prevent a Screening Officer or a Hearing Officer from seeking and receiving legal advice.
 15. Every person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, and the *Municipal Act, 2001*, as both may be amended from time to time.

ENACTED AND PASSED this day of , 2013.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2013		

MAYOR

CLERK

3(a)(a)

A by-law to amend By-law 555-00,
as amended, being the Traffic By-law.

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass By-laws necessary or desirable for municipal purposes, and in particular paragraph 1 of subsection 11(3) authorizes By-laws respecting highways, including parking and traffic on highways;

AND WHEREAS section 102.1 of the *Municipal Act, 2001*, provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

AND WHEREAS Council of The Corporation of the City of Mississauga considers it desirable and necessary to make certain amendments to By-law 555-00, as amended, (the Traffic By-law) to provide for a system of administrative penalties and administrative fees as an additional means of encouraging compliance with the Traffic By-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga **ENACTS** as follows:

1. That By-law 555-00, as amended, is hereby amended by adding the following terms and definitions in alphabetical order:

"Administrative Fees" means any fees specified in the Administrative Penalty By-law and listed in Schedule "C" thereto;

"Administrative Penalty" means a monetary penalty as set out in Schedules "A" and "B" to the Administrative Penalty By-law for a contravention of a Designated By-law;

"Administrative Penalty By-law" means the City of Mississauga By-law to Establish a System of Administrative Penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga;

"Designated By-law" means a by-law or provision of a by-law that is designated under the Administrative Penalty By-law or any other by-law, as a by-law or provision of a by-law to which the Administrative Penalty By-law applies; and

"Penalty Notice" means a notice given to a Person pursuant to section 5 of the Administrative Penalty By-law.

2. That section 3 of By-law 555-00, as amended, is hereby deleted and replaced by the following paragraph:
 3. The Commissioner of Transportation and Works shall be responsible for the administration of this By-law and the enforcement of the stopping and parking provisions of this By-law shall be carried out in accordance with the *Provincial Offences Act*, as amended, and the *Municipal Act, 2001*, as amended, by municipal law enforcement officers who shall be appointed by by-law.
3. That section 45 of By-law 555-00, as amended, is hereby deleted and replaced by the following subsections:
 45. (1) Every person who contravenes any provision of this By-law in respect of stopping, standing or parking a motor vehicle, when given a Penalty Notice, is liable to pay to the City an Administrative Penalty in the amount specified in the City's Administrative Penalty By-law and shall be liable to pay to the City Administrative Fees pursuant to the City's Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the City's Administrative Penalty By-law.
 - (2) The owner of a motor vehicle may be liable to pay to the City an Administrative Penalty for a contravention of any provision of this By-law in respect of stopping, standing or parking a motor vehicle, for which the driver of the motor vehicle is liable unless at the time of the contravention the vehicle was in the possession of some person other than the owner without the owner's consent.
 - (3) Every person who contravenes any other provisions of this By-law is guilty of an offence pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, and upon conviction, a person is liable to a fine of not more than \$5,000, exclusive of costs.

3(c)(c)

ENACTED AND PASSED this day of , 2013.

MAYOR

CLERK

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2013		

APPENDIX 4

3cd)(cd)

A by-law to amend By-law 1036-81,
as amended, being the Fire Route By-law.

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass By-laws necessary or desirable for municipal purposes,

AND WHEREAS section 102.1 of the *Municipal Act, 2001*, provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

AND WHEREAS Council of The Corporation of the City of Mississauga desires to make certain amendments to By-law 1036-81, as amended, being the Traffic By-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga **ENACTS** as follows:

1. That By-law 1036-81, as amended, is hereby amended by adding the following terms and definitions in alphabetical order:

"Administrative Fees" means any fees specified in the Administrative Penalty By-law and listed in Schedule "C" thereto;

"Administrative Penalty" means a monetary penalty as set out in the City's Administrative Penalty By-law for a contravention of a Designated By-law;

"Administrative Penalty By-law" means the City of Mississauga By-law to Establish a System of Administrative Penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga;

"Designated By-law" means a by-law or provision of a by-law that is designated under the Administrative Penalty By-law or any other by-law, as a by-law or provision of a by-law to which the Administrative Penalty By-law applies; and

3(e)(e)

"Penalty Notice" means a notice given to a Person pursuant to the City's Administrative Penalty By-law for a contravention of a Designated By-law

2. That section 12 of By-law 1036-81, as amended, is hereby deleted and replaced by the following subsections:
 - (1) Every person who contravenes the provisions of section 10 of this By-law shall, when given a Penalty Notice, be liable to pay to the City an Administrative Penalty in the amount specified in the City's Administrative Penalty By-law, and shall be liable to pay to the City Administrative Fees pursuant to the City's Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the City's Administrative Penalty By-law.
 - (2) The owner of a motor vehicle may be liable to pay to the City an Administrative Penalty for a contravention of section 10 of this By-law for which the driver of the motor vehicle is liable unless at the time of the contravention the vehicle was in the possession of some person other than the owner without the owner's consent.
 - (3) Every person who contravenes any other provision of this By-law is guilty of an offence pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, and upon conviction, a person is liable to a fine of not more than \$5,000, exclusive of costs.

ENACTED AND PASSED this day of , 2013.

MAYOR

CLERK

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2013		

APPENDIX 5

3C(f)(f)

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

WHEREAS section 15 of the *Police Services Act*, R.S.O. 1990, c. P-15, as amended, authorizes Council of a municipal to appoint persons to enforce its by-laws;

AND WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS the Council of The Corporation of the City of Mississauga ("Council") is desirous to appoint certain persons employed by certain private firms to enforce the Traffic By-law, the Accessible Parking By-law, and the Fire Route By-law, on certain private properties;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. In this By-law,

"Accessible Parking By-law" means the City's Accessible Parking By-law 0001-2009, as amended (or its successor);

"City" means The Corporation of the City of Mississauga;

"Fire Route By-law" means the City's Fire Route By-law 1036-81, as amended (or its successor); and

"Traffic By-law" means the City's Traffic By-law 0555-2000, as amended (or its successor).

2. Any principal, officer or employee of the private firms listed in Schedule "A" which provide parking enforcement services for the private properties listed in Schedule "A" are hereby appointed as municipal law enforcement officers for the purposes of enforcing the Traffic By-law, the Accessible Parking By-law, and the Fire Route By-law, on the private

3(g)(g)

properties as listed in Schedule "A", provided that these persons comply with the conditions as set out in section 4.

3. The persons appointed as municipal law enforcement officers in section 2 are appointed as municipal law enforcement officers for the sole purpose of issuing certificates of parking infraction and parking infraction notices under Part II of the *Provincial Offences Act*, R.S.O. 1990, c.P-33, as amended, for contraventions of the Accessible Parking By-law, and also for issuing administrative penalty notices for contraventions of the Traffic By-law, and the Fire Route By-law, under the City's By-law to Establish Administrative Penalties in Respect of the Parking, Standing and Stopping of Vehicles.
4. The conditions applicable to every municipal law enforcement officer as appointed in section 2 are:
 - (1) The person is entitled to work in Canada;
 - (2) The person is at least 18 years of age;
 - (3) The person completes the certificate program as provided by the City's Parking Enforcement Certification Program and complies with all requirements and obligations as set out in the said Program;
 - (4) The person authorizes and agrees to personal background checks as are necessary to confirm that he or she is of good character; and
 - (5) The person executes an indemnity agreement with the City in a form satisfactory to the City.
5.
 - (1) The City's Parking Enforcement Section may issue a Certificate of Completion to any principal, officer, or employee of a private firm as provided in Schedule "A", if the principal, officer or employee fulfills all the requirements of section 4.
 - (2) The Certificate of Completion ("Certificate") as issued in subsection (1) shall constitute proof that the person to whom the Certificate is issued is appointed as a municipal law enforcement officer for the purpose of enforcing the Traffic By-law, the Accessible Parking By-law, and the Fire Route By-law, on the private properties as listed in Schedule "A".
 - (3) A person to whom a Certificate of Completion has been issued shall have the Certificate readily available for inspection by any person requesting proof of his or her appointment as a municipal law enforcement officer under this By-law.
6.
 - (1) Every three months, specifically by the last day of March, June, September, and December, the firms that are listed in Schedule "A" shall provide the Manager of Parking Enforcement Section with an up-to-date list of all municipal addresses where the firms provide parking enforcement services and an up-to-date list of all

3(h)(h)

principals, officers, or employees to whom a Certificate of Completion has been issued.

- (2) Should a private security firm fail to comply with the requirement of subsection 6(1), the principals, officers, and employees of the private security firm shall no longer be appointed as municipal law enforcement officers, notwithstanding any other provisions of this By-law.
7. No person shall enforce the City's Traffic By-law, the Accessible Parking By-law, or the Fire Route By-law, unless that person is appointed under the provisions of this and any other appointment by-laws of the City.
8. Every person who contravenes any provision of this by-law is guilty of an offence and will be liable to a fine and such other penalties as provided for in the *Provincial Offences Act* and the *Municipal Act, 2001*, as each may be amended from time to time.
9. Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

ENACTED AND PASSED this day of , 2013.

MAYOR

CLERK

34(i)

SCHEDULE "A"

PRIVATE FIRM	PRIVATE PROPERTY MUNICIPAL ADDRESS	
Authorized Parking Only Ltd.	43 Agnes St. 1168 Arena Rd. 720 Avonwick Ave. 2670 Battleford Rd. 2700 Battleford Rd. 7284 Bellshire Gate 6050 Bidwell Trail 7100-7105 Branigan Gate 45-85 Bristol Rd. E. 1285 Bristol Rd. E. 1050 Bristol Rd. W. 1400 Bristol Rd. W. 2340 Bromsgrove Rd. 2251-2301 Burnhamthorpe Rd. W. 1060 Caven Street 1039 Cedarglen Gate 3057-3073 Cook St. 3533 Derry Rd. E. 5031 East Mill Rd. 5223 Fairford Cr. 5275 Fairford Cr. 5420 Fallingbrook Dr. 3450 Fieldgate Dr. 4230 Fieldgate Dr. 211 Forum Dr. 689 Four Winds Way 1970 Fowler Dr. 1980 Fowler Dr. 6719 Glen Erin Dr. 5958 Greensboro Dr.	5255 Guildwood Way 3350 Hornbeam Cr. 3351 Hornbeam Cr. 2247 Hurontario Street 4600 Kimbermount Ave 150 Lakeshore Rd. West 600 Lolita Gdns 620 Lolita Gdns 2735 Matheson Blvd. 6810-6830 Meadowvale Town Centre Cir 6860 Meadowvale Town Centre Cir. 1070 Midway Blvd. 1100 Midway Blvd. 6500 Montevideo Rd 2575 Parmeer Dr 3023 Parkerhill Rd. 1764 Rathburn Rd. E. 3655 Redmond Rd 7035 Rexwood Dr. 2900 Rio Ct. 2133 Royal Windsor Dr. 830 Stainton Dr. 550 Steddick Ct. 50 Strathaven Dr. 3420 The Collegeway 7099 Torbram Rd 1185 Vanrose St.
Barber-Collins Security Services Ltd.	45 Kingsbridge Garden Cir.	
Cadillac Fairview Corporation Ltd.	5100 Erin Mills Pkwy.	
Canadian Corps of Commissionaires	55 Kingsbridge Garden Circle	
Canmils Consultants Ltd.	60 Dundas Street E.	1865 Lakeshore Rd. West
D.C. Security Inc.	1185 Van Rose Street	
Eminent Security Services	1425 Bodmin Rd. 2360 Bonner Rd. 1100 Central Pkwy. W. 1135 Central Pkwy. W. 1177 Central Pkwy. W. 3536 Erindale Station Rd. 3558 Erindale Station Rd.	4553 Hurontario St. 4555 Hurontario St. 4557 Hurontario St. 4559 Hurontario St. 4561 Hurontario St. 2333 Truscott Dr. 2345 Truscott Dr.

34)G)

	3560 Erindale Station Rd. 3636 Erindale Station Rd. 3638 Erindale Station Rd.	
Epic Parking Control Services	85 Acorn Place 121 Acorn Place 1475 Bristol Rd. 2251 Burnhamthorpe Rd. W. 2301 Burnhamthorpe Rd. W. 3570 Colonial Dr. 3590 Colonial Dr. 7170 Darcel Ave 7230 Darcel Ave 7280 Darcel Ave 1219 Dundas St. E. 7555 Goreway Dr. 30 Hanson Rd.	549 North Service Rd. 573 North Service Rd. 20 Paisley Blvd. W. 52 Park St. 3015 Parkerhill Rd. 1290 Rathburn Rd. W. 385 Rathburn Rd. E. 395 Rathburn Rd. E. 405 Rathburn Rd. E. 1051 Seneca Ave. 1061 Seneca Ave. 4100 Westminister Pl. 4110 Westminister Pl.
Erindale College Security	3359 Mississauga Rd. (Erindale College)	
Garda Security Group Inc.	2570 Britannia Rd. E.	3359 Mississauga Rd.
Group 4 Falck Canada	3115 Argentia Rd. 3155 Argentia Rd. 1300 Bloor St. E. 1111 Bough Beeches Blvd. 2150 Burnhamthorpe Rd. W. 1001 Cedar Glen Gate 30 Central Pkwy. W. 2300 Confederation Pkwy. 700 Constellation Blvd. 3221 Derry Rd. W. 50 Eglinton Ave. W. 50 Elm Dr. W. 55 Elm Dr. W. 265 Enfield Pl. 285 Enfield Pl. 25 Fairview Rd. 5955 Glen Erin Dr. 6040 Glen Erin Dr. 115 Hillcrest Ave. 10 Kingsbridge Garden Cir. 20 Kingsbridge Garden Cir. 35 Kingsbridge Garden Cir. 50 Kingsbridge Garden Cir. 425 Meadows Blvd. 485 Meadows Blvd.	1250 Mississauga Valley Blvd. 1183-1205 Parkwest Pl. 1211-1241 Parkwest Pl. 1172-1244 Parkwest Pl. 3355 Ponytrail Dr. 3025 Queen Frederica Dr. 1360 Rathburn Rd. E. 4950 Rathkeale Rd. 2170 Sherobee Rd. 4185 Shipp Dr. 4205 Shipp Dr. 385 Southdown Rd. 1800 The Collegeway 1484 Torrington Dr. 1485 Torrington Dr. 4460 Tucana Ct. 4470 Tucana Ct. 731-761 Village Green 779-903 Village Green 1110 Walden Cir. 250 Webb Dr. 325 Webb Dr. 335 Webb Dr. 4101 Westminister Pl.
Intertec Security and Investigations Ltd.	1 Robert Speck Pkwy. 2 Robert Speck Pkwy.	3 Robert Speck Pkwy. 4 Robert Speck Pkwy.
Initial Security	155 Hillcrest Ave 330 Rathburn Rd. W.	176 Robert Speck Pkwy. 186 Robert Speck Pkwy.

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	350 Rathburn Rd. W. 170 Robert Speck Pkwy.	190 Robert Speck Pkwy. 400 Webb Dr.
Intelligarde International Inc.	111 Agnes St. 2660 Aquitaine Ave 1110 Caven St. 1048 Cawthra Rd. 20 Ceremonial Rd. 2470 Colonial Dr. 3480 Colonial Dr. 3533 Derry Rd. E. 3555 Derry Rd. E. 3577 Derry Rd. E. 4141 Dixie Rd. 169 Dundas St. W. 1749 Dundas St. W. 15 Fairview Rd. 1025 Fergus Ave. 1035 Fergus Ave. 3058 Fifth Line W. 3477 Glen Erin Dr. 6025 Glen Erin Dr.	3045 Glen Erin Dr. 25 Glen Hawthorne Blvd. 7340 Goreway Dr. 7350 Goreway Dr. 7435 Goreway Dr. 1022 Greaves Ave. 1030 Greaves Ave. 2330 Hammond Rd. 99 Lakeshore Rd. E. 7095 Rexwood Rd. 880 Riley Ct. 2584 Rugby Rd. 2590 Rugby Rd. 2250 South Millway 3280 South Millway 3330 South Millway 2401 The Collegeway 2433 The Collegeway 2440 Truscott Dr.
Intercon Security Limited	325 Central Pkwy. W. 100 City Centre Dr. 3100 Dixie Rd. 3615 Dixie Rd. 3621 Dixie Rd. 5170 Dixie Rd. 30 Eglinton Ave. W. 2225 Erin Mills Parkway (Sheridan Mall)	6719 Glen Erin Dr. 347 Lakeshore Rd. E. 50 Matheson Blvd. W. 109 Rathburn Rd. W. 189 Rathburn Rd. W. 199 Rathburn Rd. W. 219 Rathburn Rd. W. 309 Rathburn Rd. W.
Mobile Support Services	100 Acorn Place 110 Acorn Place 120 Acorn Place 2929 Aquitaine Ave. 4100 Arbour Green Dr. 50 Barondale Dr. 55-60 Barondale Dr. 2869 Battleford Rd. 2001 Bonnymede Dr. 45-85 Bristol Rd. E. 1480 Britannia Rd. W. 1905 Broad Hollow Gate 2315 & 2380 Bromsgrove Rd. 3100 Caravelle Dr. 11 Caven St. 1020 & 1021 Cedarglen Gate 3395 Cliff Rd. 3040 Constitution Blvd.	1015 Johnson Lane 1856-1915 Kirkwall Cres. 1257 Lakeshore Rd. E. 530 Lolita Gardens 7385 Magistrate Terr. 525 Meadows Blvd. 2300 Meadowvale Blvd. 1365 Midway Blvd. 1580 Mississauga Valley Blvd. 6240 Montevideo Rd. 1900 North Sheridan Way 1015 Orchard Rd. 49 Queen St. E. 189 Queen St. S. 3105 Queen Frederica Dr. 3150 Queen Frederica Dr. 924 Rathburn Rd. E. 2121 Rathburn Rd. E.

	3050 Constitution Blvd. 3060 Constitution Blvd. 7080 Copenhagen Rd. 3360 Council Ring Rd. 2275 Credit Valley Dr. 5985 Creditview Rd. 5865 Dalebrook Cr. 7110 Darcel Ave 5020 Delaware Ave. 2301 Derry Rd. W. 55 Dundas St. E. 93 Dundas St. E. 888 Dundas St. E. 900 Dundas St. W. 2181 Dunwin Dr. 295 Eglinton Ave. E. 15 Elizabeth St. N. 3255-3297 Fieldgate Dr. 4156 Fieldgate Dr. 2355 Fifth Line W. 3140 Fifth Line W. 2676 Folkway Dr. 2766 Folkway Dr. 1055 Forestwood Dr. 1180 Forestwood Dr. 1190 Forestwood Dr. 6777 Formentera Ave. 6797 Formentera Ave. 180 Forum Dr. 190 Forum Dr. 235 Forum Dr. 4171 Glen Erin Dr. 5205 Glen Erin Dr. 5230 Glen Erin Dr. 5305 Glen Erin Dr. 5659 Glen Erin Dr. 5940 Glen Erin Dr. 5975 Glen Erin Dr. 5985 Glen Erin Dr. 5995 Glen Erin Dr. 6449 Glen Erin Dr. 6599 Glen Erin Dr. 7500 Goreway Dr. 3350 Hornbeam Cres. 3351 Hornbeam Cres. 2325 Hurontario Street (Queentario Plaza)	2351 Royal Windsor Dr. 2355 Royal Windsor Dr. 2359 Royal Windsor Dr. 5980 Shawson Dr. 2145 Sherobee Rd. 4255-4265 Sherwood Towne Blvd. 2550 South Gateway 2035 South Millway 2205 South Millway 2300 South Millway 2305 South Millway 3420 South Millway 3500 South Millway 3510 South Millway 1575 South Parade Ct. 1050 Stainton dr. 39 Stavebank Rd. N. 20 Strathaven Drive 75 Strathaven Drive 80 Strathaven Drive 1675 The Chase 1725 The Chase 2079 The Collegeway 2288 The Collegeway 2550 Thomas St. 2555 Thomas St. 2665 Thomas St. 2669 Thomas St. 2945-2975 Thomas St. 5127-5171 Tomken Rd. 65-95 Trailwood Dr. 7015 Tranmere Dr. 1255 Vanrose St. 28-57 Village Centre Place 1020, 1060, 1080 Walden Circle 350 Webb Dr. 830 Westlock Rd. 2617 Windwood Dr. 2665 Windwood Dr. 2881 Windwood Dr. 2605 Woodchester Dr.
Nemesis Security Services Inc.	1474 Bristol Rd. W.	145 Hillcrest Ave.

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	5869 Chedworth Way 135 Hillcrest Ave.	700 Mavis Rd. 1900 North Sheridan Way
Ontario Parking Control Bureau	2075 Asta Dr. 400 Bloor Street E. 3233 Brandongate Dr. 200 Burnhamthorpe Rd. E. 3351 Cawthra Rd. 7030 Copenhagen Rd. 7251 Copenhagen Rd. 7406 Darcel Ave. 2779 Gananoque Dr. 1500 Grazia Ct. 915 Inverhouse Dr. 1855 Maple Ridge Dr. 30 Mississauga Valley Blvd. 41 Mississauga Valley Blvd.	50 Mississauga Valley Blvd. 215 Mississauga Valley Blvd. 5536 Montevideo Rd. 3050 Orleans Rd. 168 Queen St. S. 425 Rathburn Rd. E. 640 Rathburn Rd. E. 1755 Rathburn Rd. E. 2120 Rathburn Rd. E. 3400 Rhonda Valley 7633 Rockhill Rd. 600 Silver Creek Blvd. 2020 South Millway 3380 South Millway
Ontario Security Guard Services Inc.	33 City Centre Dr. 55 City Centre Dr. 77 City Centre Dr.	201 City Centre Dr. 25 Kingsbridge Garden Cir. 35 Kingsbridge Garden Cir.
Orlando Corporation	590 Abilene Dr. 6205 Airport Rd. 6299 Airport Rd. 6303 Airport Rd. 6425 Airport Rd. 6485 Airport Rd. 6509 Airport Rd. 6585 Airport Rd. 6655 Airport Rd. 6695 Airport Rd. 6715 Airport Rd. 6725 Airport Rd. 3175 Airway Dr. 3070 American Dr. 3090 American Dr. 3110 American Dr. 3230 American Dr. 3245 American Dr. 3269 American Dr. 5800 Avebury Rd. 5995 Avebury Rd. 155 Britannia Rd. E. 175 Britannia Rd. E. 6060 Burnside Crt. 6071 Burnside Crt. 5705 Cancross Ct. 6205 Cantay Rd. 3250 Caravelle Dr. 5875 Chedworth Way	5665 McLaughlin Rd. 5675 McLaughlin Rd. 5685 McLaughlin Rd. 5725 McLaughlin Rd. 5775 McLaughlin Rd. 5865 McLaughlin Rd. 5980 McLaughlin Rd. 1200 Meyerside Dr. 1305 Meyerside Dr. 1329 Meyerside Dr. 1400 Meyerside Dr. 1401 Meyerside Dr. 25 Milverton Dr. 6415-6499 Northam Dr. 6470 Northam Dr. 6520 Northam Dr. 6350 Northwest Dr. 6390 Northwest Dr. 6525 Northwest Dr. 6700 Northwest Dr. 6291 Ordan Dr. 6400 Ordan Dr. 6605 Ordan Dr. 6615 Ordan Dr. 6625 Ordan Dr. 6659 Ordan Dr. 7075 Ordan Dr. 7095 Ordan Dr. 3030 Orlando Dr.

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	5970 Chedworth Way 5600 Concross Crt. 1030 Courtneypark Dr. 1050 Courtneypark Dr. 1055 Courtneypark Dr. 1180-1200 Courtneypark Dr. 1401 Courtneypark Dr. 1411 Courtneypark Dr. 1445 Courtneypark Dr. 1455 Courtneypark Dr. 6115 Danville Rd. 6155 Danville Rd. 6300 Dixie Rd. 1695 Drew Rd. 5875 Falbourne St. 5880 Falbourne St. 5975 Falbourne St. 5990 Falbourne St. 88 Foster Cr. 200 Foster Cr. 330 Foster Cr. 5770 Hurontario St. 5800 Hurontario St. 5650 Keaton Cres. 5700 Keaton Cres. 5800 Keaton Cres. 5850 Keaton Cres. 5900 Keaton Cres. 6135 Kennedy Rd. 90 Matheson Blvd. W. 110 Matheson Blvd. W. 115 Matheson Blvd. W. 135 Matheson Blvd. W. 155 Matheson Blvd. W. 700 Matheson Blvd. W. 730 Matheson Blvd. W. 5895-5995 Mavis Rd. 5935 Mavis Rd.	3035 Orlando Dr. 3130 Orlando Dr. 3135 Orlando Dr. 3160 Orlando Dr. 3170 Orlando Dr. 3182 Orlando Dr. 3190 Orlando Dr. 3198 Orlando Dr. 3206 Orlando Dr. 3220 Orlando Dr. 3325 Orlando Dr. 5930 Rodeo Dr. 5950 Rodeo Dr. 5985 Rodeo Dr. 6335-6385 Shawson Dr. 55 Standish Ct. 7680 Tranmere Rd. 6080 Vipond Dr. 6099 Vipond Dr. 6141 Vipond Dr. 6301 Vipond Dr. 6300 Viscount Rd. 6330 Viscount Rd. 6334 Viscount Rd. 6338 Viscount Rd. 6342 Viscount Rd. 6346 Viscount Rd. 6350 Viscount Rd. 6354 Viscount Rd. 6358 Viscount Rd. 6420 Viscount Rd. 6470 Viscount Rd. 6480 Viscount Rd. 6486 Viscount Rd. 6490 Viscount Rd. 6500 Viscount Rd.
Paragon Protection Ltd.	50-90 Burnhamthorpe Rd. W. 2200 Eglinton Ave. W. 5100 Erin Mills Pkwy.	
Parkchek	770 Dundas St. W.	
Peel Condominium Corporation 389	265 Enfield Place 285 Enfield Place	
Pen York Properties	2630 Skymark Ave. 2680 Skymark Ave.	
Primary Response	165 Dundas St. W. 2580 Shepard Ave.	

3(0)(0)

Private Parking Control	800 Dundas St. W. 12 Helene St.	
Reilly's Security Services	6880 Financial Dr.	
Security Management Services	3339 Council Ring Road 3355 The Collegeway	4050 Dixie Rd. 3695 Kaneff Cres. 75 King St. E.
The Security Advisors Group Inc.	7190 Atwood Lane 1660 Bloor St. E. 3525 Brandon Gate Dr. 450 Bristol Rd. E. 3020 Cedarglen Gate 2323 Confederation Pkwy. 3533 Derry Rd. E. 3555 Derry Rd. E. 3577 Derry Rd. E. 3895 Doug Leavens Blvd. 255 Dundas St. W. 1221 Dundix Rd. 265 Enfield Place 285 Enfield Place 295 Enfield Place 1550 Enterprise Rd. 55 Falconer Dr.	6650 Falconer Dr. 6780 Formentera Dr. 55 Glenn Hawthorne Blvd. 7475 Goreway Dr. 1616 Haig Blvd. 5055 Heatherleigh Rd. 3120 Kirwin Ave. 3170 Kirwin Ave. 3175 Kirwin Ave. 425 Rathburn Rd. E. 4983 Rathkeale Rd. 7115 Rexwood Dr. 833 Scollard Ct. 601 Shoreline High Park Village 6060 Snowy Owl Cir. 6950 Tenth Line W. 3025 The Credit Woodlands
Total Parking Services	25 Agnes St. 455 Apache Crt. 2651 Aquitaine Ave. 2701 Aquitaine Ave. 1615 Bloor Street West 1625 Bloor Street West 7050 Bramlea Rd. 3430 Brandongate Dr. 460 Bristol Rd. W. 1050 Britannia Rd. E. 1060 Britannia Rd. E. 1300 Britannia Rd. E. 1320 Britannia Rd. E. 2350 Britannia Rd. W. 2398 Britannia Rd. W. 1051 Cedarglen Gate 3025 Cedarglen Gate 35 Ceremonial Dr. 6433 Charing Dr. 3600 Colonial Dr. 666 Constellation Dr. 800 Constellation Dr. 7251 Copenhagen Rd. 7340 Copenhagen Rd. 7430 Copenhagen Rd.	5662 Glen Erin Dr. 5664 Glen Erin Dr. 5666 Glen Erin Dr. 5668 Glen Erin Dr. 6779 Glen Erin Dr. 6855 Glen Erin Dr. 6860 Glen Erin Dr. 1180 Gripsholm Rd. 1200 Gripsholm Rd. 1230 Gripsholm Rd. 1415 Gulleden Dr. 1485 Gulleden Dr. 60 Hanson Rd. 2445 Homelands Dr. 405 Hyacinthe Blvd. 1515 Lakeshore Rd. E. 1535 Lakeshore Rd. E. 2065 Leanne Dr. 20 Mineola Rd. East 180 Mississauga Valley Blvd. 400 Mississauga Valley Blvd. 1180 Mississauga Valley Blvd. 1330 Mississauga Valley Blvd. 5730 Montevideo Rd. 6040 Montevideo Rd.

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	6520 Corfu Rd. 1275 Cornerbrook Place 7077 Estoril Rd. 98 Falconer Dr. 6540 Falconer Dr. 6699 Falconer Dr. 4165 Fieldgate Dr. 3079 Fifth Line West 3100 Fifth Line West 3125 Fifth Line West 155 Forum Dr. 175 Forum Dr. 195 Forum Dr. 2655 Gananoque Dr. 3500 Glen Erin Dr. 5480 Glen Erin Dr. 5490 Glen Erin Dr. 5658 Glen Erin Dr.	6100 Montevideo Rd. 3860 Montevideo Rd. 928 Queen St. W. 1064 Queen St. W. 1084 Queen St. W. 4635 Regents Terrace 2095 Roche Court 2121 Roche Court 6679 Shelter Bay Rd. 1292 Sherwood Mills 2020 South Millway 150 South Service Rd. 806 Stainton Dr. 1724 The Chase 7050 Torbram Rd. 7171 Torbram Rd. 1010 Walden Cir. 1200 Walden Cir.
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3(q)(q)

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

WHEREAS section 15 of the Police Services Act, R.S.O. 1990, c. P-15, as amended, authorizes Council of a municipality to appoint persons to enforce its by-laws;

AND WHEREAS the Council of The Corporation of the City of Mississauga ("Council") has enacted By-law _____ to appoint certain persons by certain private firms ("private security companies") to enforce the Traffic By-law 0555-2000, as amended, and the Fire Route By-law 1036-81, as amended, and the Accessible Parking By-law 001-09, as amended, on certain private properties;

AND WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS the City wishes to enter into an agreement for the use of third party electronic devices for the purpose of processing parking and fire route penalty notices under the City's Administrative Penalty System;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. That The Corporation of the City of Mississauga enter into an agreement ("Agreement") with Private Security Companies authorized under By-law _____, which Agreement permits the Private Security Companies to issue administrative penalty notices ("APNs") electronically and to provide the ability to download the APNs and related information to the City's Administrative Penalty System computer databases containing information

3(r)(r)

pertaining to Driver and Vehicle Records and any other documentation necessary to give effect thereto, which Agreements must be in a form satisfactory to the City Solicitor.

2. That the Commissioner of Transportation and Works is hereby directed and authorized to execute the Agreements on behalf of The Corporation of the City of Mississauga and to affix the corporate seal thereto.

ENACTED AND PASSED THIS **DAY OF** , 2013.

MAYOR

CLERK



Corporate Report

Clerk's Files

Originator's
Files

PO.10.ARG
MG.23.REP

4

DATE: October 24, 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **Mullet Creek Engineered Drainage Channel**
Land Acquisition of Block A, M-30 between Argentia Road and
Erin Mills Parkway (Ward 9)

General Committee

NOV 13 2013

RECOMMENDATION:

1. That the Realty Services Section of the Corporate Services Department be authorized to negotiate and execute an agreement for the conveyance of Block A, M-30 from Markborough Properties to the City of Mississauga in accordance with City of Mississauga By-law 0375-2008.
2. That funds of \$50,000 be transferred from the Contributions - Drainage Reserve (#35203) to PN 13-144 Land Acquisition of Block A on Mullet Creek for undertaking Phase 1 and Phase 2 Environmental Site Assessments to confirm site conditions and closing costs associated with the acquisition of Block A, M-30.
3. That the necessary by-law(s) be enacted.

BACKGROUND:

In 1973, the City entered into an engineering agreement with Markborough Properties Ltd. for the development of the Meadowvale South Extension Subdivision (the "Engineering Agreement"). A plan of subdivision, which includes Block A, M-30, is attached as Appendix 1.

The Engineering Agreement, Schedule B, included six one foot reserves to be deeded to the City and two easements to be granted to the City. However, there were no requirements directing the City to acquire Block A, M-30 at that time and it remained under the ownership of Markborough Properties.

Block A, M-30 includes an engineered drainage channel and adjacent, undeveloped green space with an area of 19,875 square metres (213,940 square feet) situated along Mullet Creek. This block is designated as Greenbelt in the Mississauga Official Plan and is also identified as Natural Hazard Lands, which are generally associated with valley and watercourse corridors.

The City owns the lands associated with this watercourse north of Argentia Road and east of Erin Mills Parkway. The City also owns the lands associated with the Lake Aquitaine tributary that flows into Block A from the southwest.

A figure showing Block A, M-30 and the adjacent City-owned lands associated with Mullet Creek is attached as Appendix 2.

COMMENTS:

In March 2013, the City was contacted by Ivanhoe Cambridge (a company affiliated with Markborough Properties). Ivanhoe Cambridge had reviewed its files, and identified that Block A, M-30, which included a channelized creek, should be under City ownership.

Subsequently, Realty Services circulated a request for the acquisition of Block A, M-30. The Transportation and Work Department indicated an interest in acquiring the lands through gratuitous conveyance from Markborough Properties, as the City currently owns lands along Mullet Creek to its north and east.

Block A, M-30 was assessed in June 2013 as part of the Watercourse Evaluation Program managed by the Environmental Services Section. A June 11, 2013 Reach Assessment Report indicated that the reach, between Argentia Road and Erin Mills Parkway, is in good condition with no major erosion concerns. Further, no watercourse/storm drainage capital or maintenance works were recommended for this

reach at the time of the evaluation.

A Phase 1 Environmental Site Assessment and a Phase 2 Environmental Site Assessment are required to confirm the environmental condition of the subject lands prior to acquisition, in accordance with City Policy 05-04-01 (Acquisition and Disposal of Real Property).

FINANCIAL IMPACT: Funds in the amount of \$50,000 will be required for the land acquisition related to the environmental site assessments and for the closing costs. These funds will be withdrawn from the Contributions - Drainage Reserve (#35203) in which sufficient funds are available.

CONCLUSION: It is reasonable to negotiate the conveyance of Block A, M-30 to the City given that the City owns the adjacent land along Mullet Creek and this will allow the City to maintain the full stretch of this watercourse.

ATTACHMENTS:

Appendix 1: A plan of subdivision showing Block A, M-30 between Argentia Road and Erin Mills Parkway.

Appendix 2: A figure showing Block A, M-30 and adjacent City-owned lands associated with Mullet Creek.

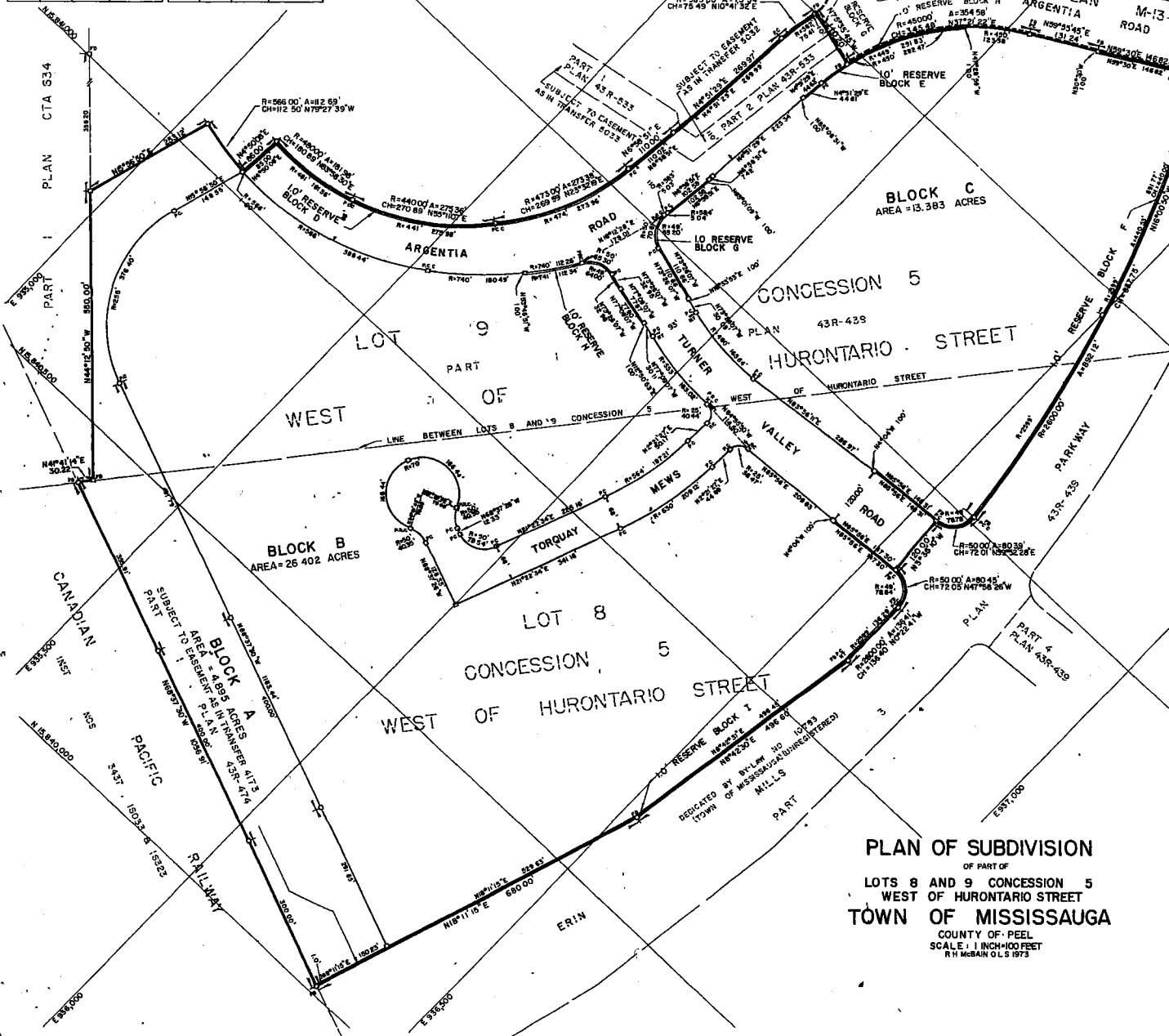


Martin Powell, P.Eng.

Commissioner of Transportation and Works

*Prepared By: Emma Calvert, Project Manager, Environmental
Transportation and Infrastructure Planning*

CURVE DATA				ARC DIMENSIONS ARE SHOWN ON CURVED BOUNDARIES			
BLOCK	RADIUS	CHORD	BEARING	BLOCK	RADIUS	CHORD	BEARING
A B B	235	343.91	N44°04'00"E	B	25	35.32	N44°04'00"E
B	166	391.20	N47°27'00"E	B	49	70.61	N47°27'00"E
B	740	180.04	N47°24'50"E	B	259	136.28	N07°22'43"W
B	741	112.23	N34°04'41"E	C	49	65.60	N34°04'41"E
B	49	89.54	N08°09'00"E	C	584	3.04	N7°13'41"E
B	555	182.43	N07°52'30"W	C	441	384.72	N07°52'30"W
B	13	36.17	N42°20'00"W	C	430	123.00	N52°10'42"E
B	584	106.35	N11°52'00"E	C	49	72.05	N73°10'19"W
B	50	70.71	N06°22'34"E	C	259	187.41	N16°00'30"W
B	50	39.28	N45°30'30"W	C	49	70.57	N34°04'30"E
B	70	129.91	N07°29'42"E	C	485	164.75	N07°45'03"W
B	70	174.91	N44°14'25"E	RES D	481	180.25	N07°54'04"E
B	50	39.28	N08°15'35"E	RES D	441	271.50	N55°11'07"E
B	830	208.18	N11°52'00"E	RES D	474	270.18	N23°32'19"E



C-9482

M-30

Approved for Registration
 3 Dec 1973 *H. Roeser*
 Date *1973*
 Plan M-30 registered *1973*
 and entered on parcel *1973*
 Section *A-30*
Tara Roeser
 Land Registrar
 Certificates, consents and dedications
 are filed under No *1973*

Approved with the Section 5 of
 the Planning Act
 28th Nov 1973
5.0.4
 S. P. L.
 City of Mississauga and
 the Town of Peel
 and the County of Peel
 and the County of Peel

Meadowdale
 a new town in the county

OWNER'S CERTIFICATE

This is to certify that,
 1. Blocks A to C both inclusive, the streets namely Argentina Road, Torquay Road, Turner Valley Road, 10' Reserve Blocks, D, E, F, G, H and I, as designated within the area of survey outlined, have been laid out in accordance with our instructions.
 2. The streets are hereby dedicated to public highways.
 Dated the 5th day of July, 1973.

MARKBOROUGH PROPERTIES LIMITED

Markborough
 Secretary
Markborough
 Executive Vice-President

SURVEYOR'S CERTIFICATE

I hereby certify:
 1. That this survey and plan are correct and in accordance with the Survey Act and The Land Titles Act and the regulations made thereunder;
 2. That I was present at and did personally supervise the survey represented by this plan;
 3. That this plan contains a true copy of the field notes of survey;
 4. That the survey was completed on the 5th day of July, 1973.

July 13, 1973
 Date
R. H. McBain
 R. H. McBain
 ONTARIO LAND SURVEYOR

Bearings are Astronomic, derived from the Ontario Co-ordinate system, Zone 18, Central Meridian 79°30' West Longitude

Standard Iron Bars (1' x 1' x 4'-0" long) shown thus:

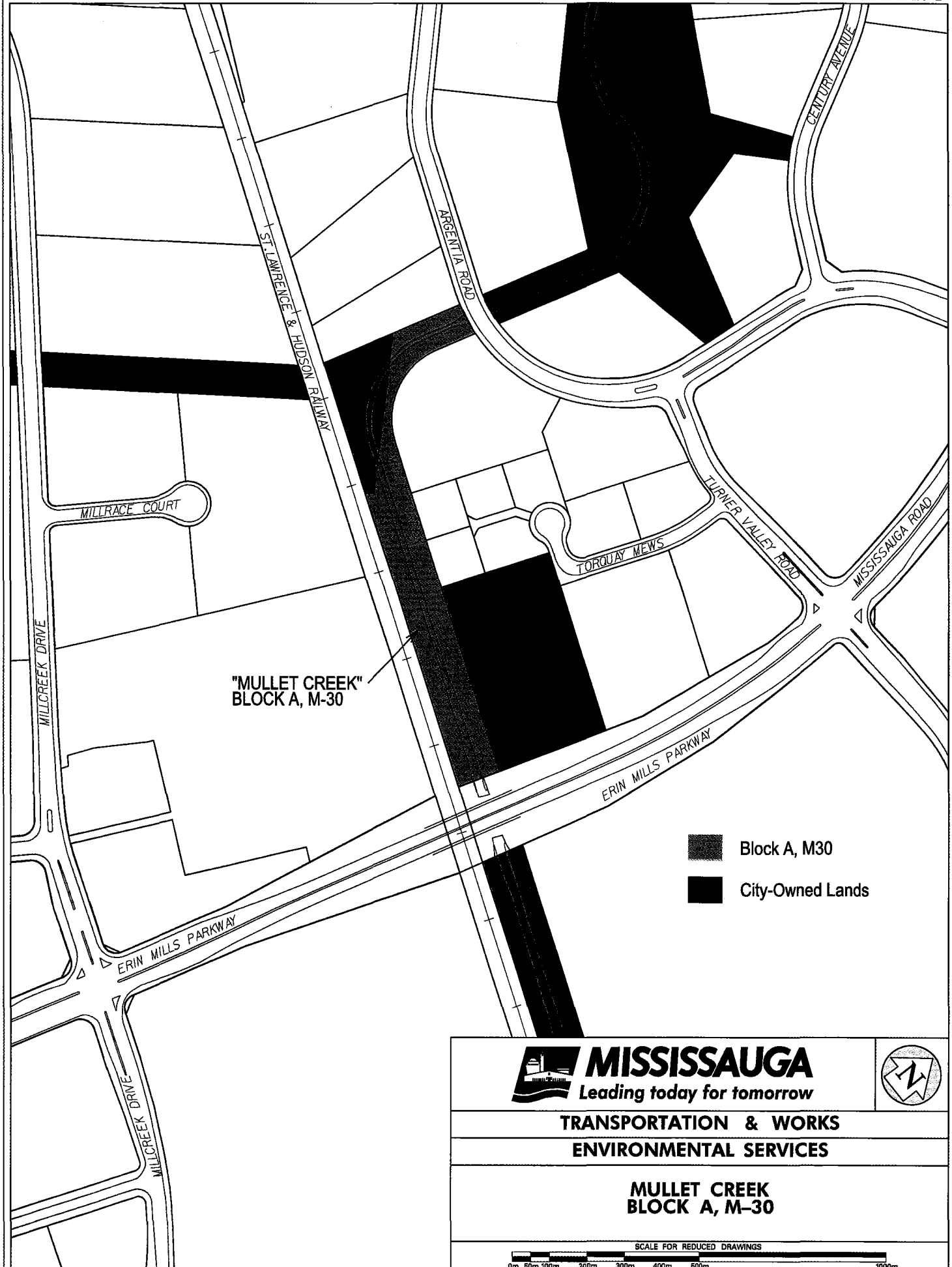
All Monuments are planted unless otherwise noted
 NT Denotes non Tangential curve

MARKBOROUGH PROPERTIES LIMITED
 P.O. BOX 70 MEADOWDALE ONTARIO

PLAN OF SUBDIVISION
 OF PART OF
 LOTS 8 AND 9 CONCESSION 5
 WEST OF HURONTARIO STREET
 TOWN OF MISSISSAUGA
 COUNTY OF PEELE
 SCALE: 1 INCH=100 FEET
 R. H. McBain O.L.S. 1973

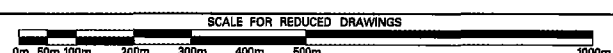
McBAIN & HULME
 ONTARIO LAND SURVEYORS
 68 SHEPPARD AVE. WEST WILLOWDALE
 228-2536

4601



TRANSPORTATION & WORKS
ENVIRONMENTAL SERVICES

MULLET CREEK
BLOCK A, M-30





Corporate Report

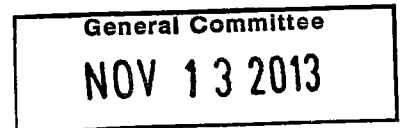
Clerk's
Files

Originator's 43M-1796
Files CD.06.SOH

5

DATE: October 28, 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013



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

SUBJECT: Assumption of Municipal Works (Ward 4 and Ward 7)

RECOMMENDATION: That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for 43M-1796, (lands located north of Rathburn Road East, south of Meadows Boulevard, west of Cawthra Road and east of Wilcox Road, in Z- 28, known as Kozel Court Extension Subdivision and that the Letter of Credit in the amount of \$95,997.06 be returned to the developer.

43M-1796 Ward 4

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Municipal Works Agreement for CD.06.SOH (Herpreet S. Sohi and Ravinder K. Sohi), lands located south of Queensway West, east of Stavebank Road and west of Hurontario Street in Z-15, known as 2160 Gordon Drive, and that the Letter of Credit in the amount of \$43,070.00 be returned to the developer.

CD.06.SOH Ward 7

BACKGROUND: The developers identified on the attached Table of Assumptions (Appendix 1) have complied with all the requirements of the Servicing Agreement and Municipal Works Agreement for the installation of the municipal services.

FINANCIAL IMPACT:

With the assumption of the Kozel Court Extension Subdivision, (43M-1796) the City will now be required to provide maintenance of the newly constructed storm sewer and 0.047 lane kilometres (154 feet) of roadway.

With the assumption of the sanitary sewer extension for 2160 Gordon Drive, (CD.06.SOH), there will be no financial impact to the City.

CONCLUSION:

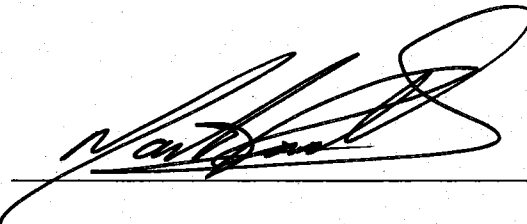
It is in order for the City to assume the municipal works within the sites identified on the attached Table of Assumptions (Appendix 1).

ATTACHMENTS:

Appendix 1: Table of Assumptions

Appendix 2: Approximate location of Kozel Court Extension

Appendix 3: Approximate location of 2160 Gordon Drive



Martin Powell, P. Eng.

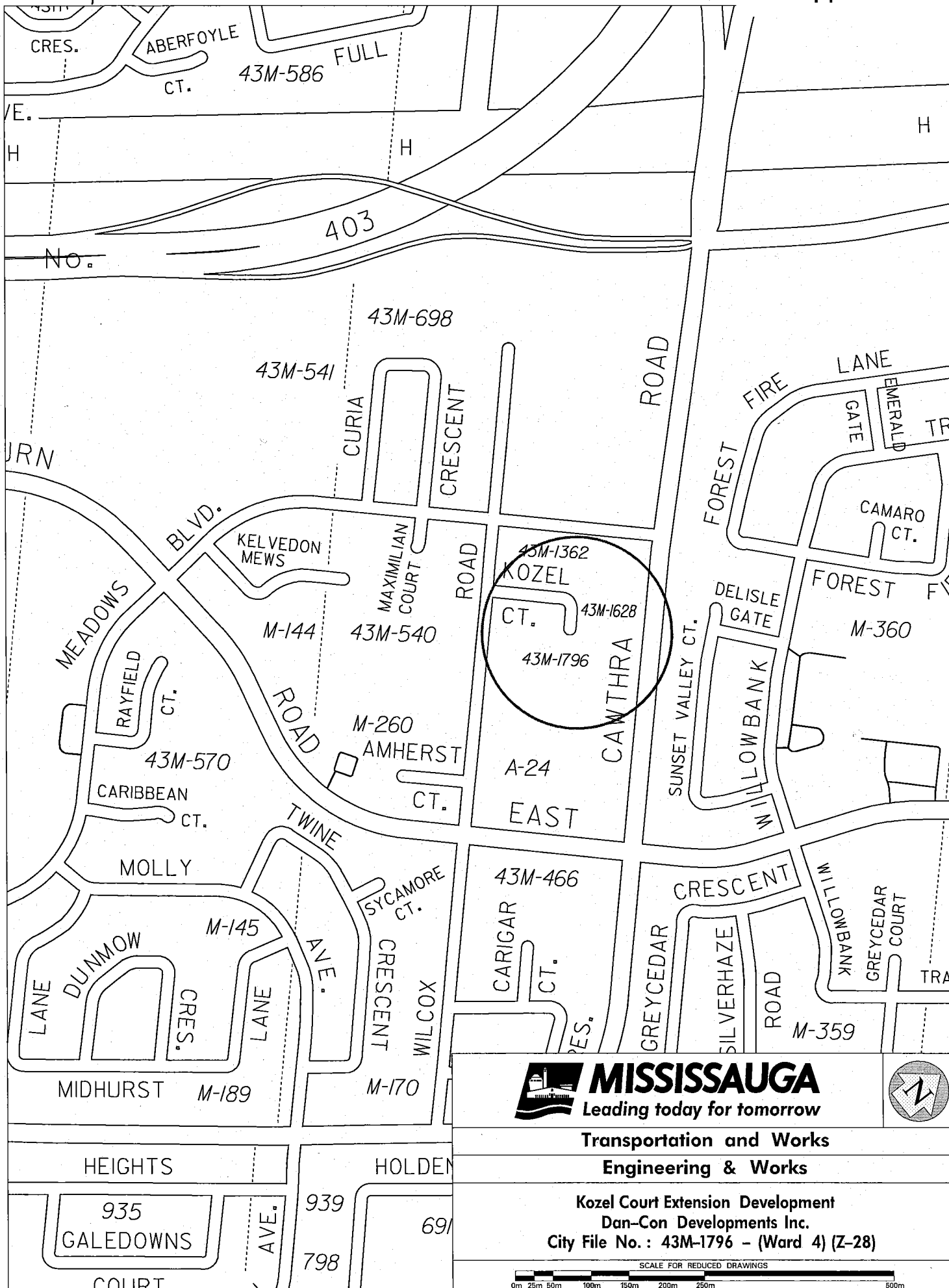
Commissioner of Transportation and Works

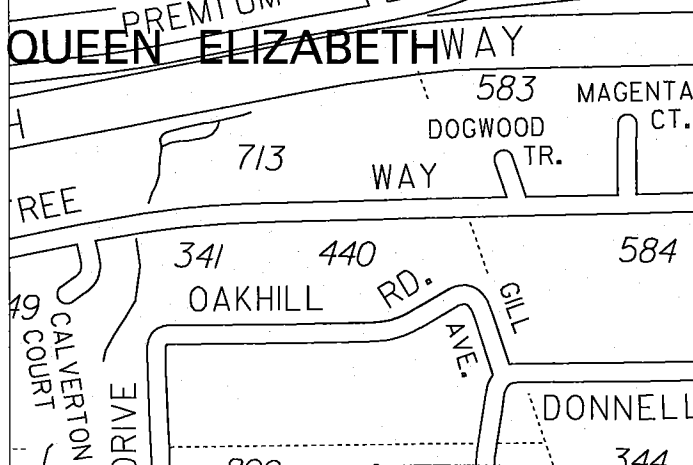
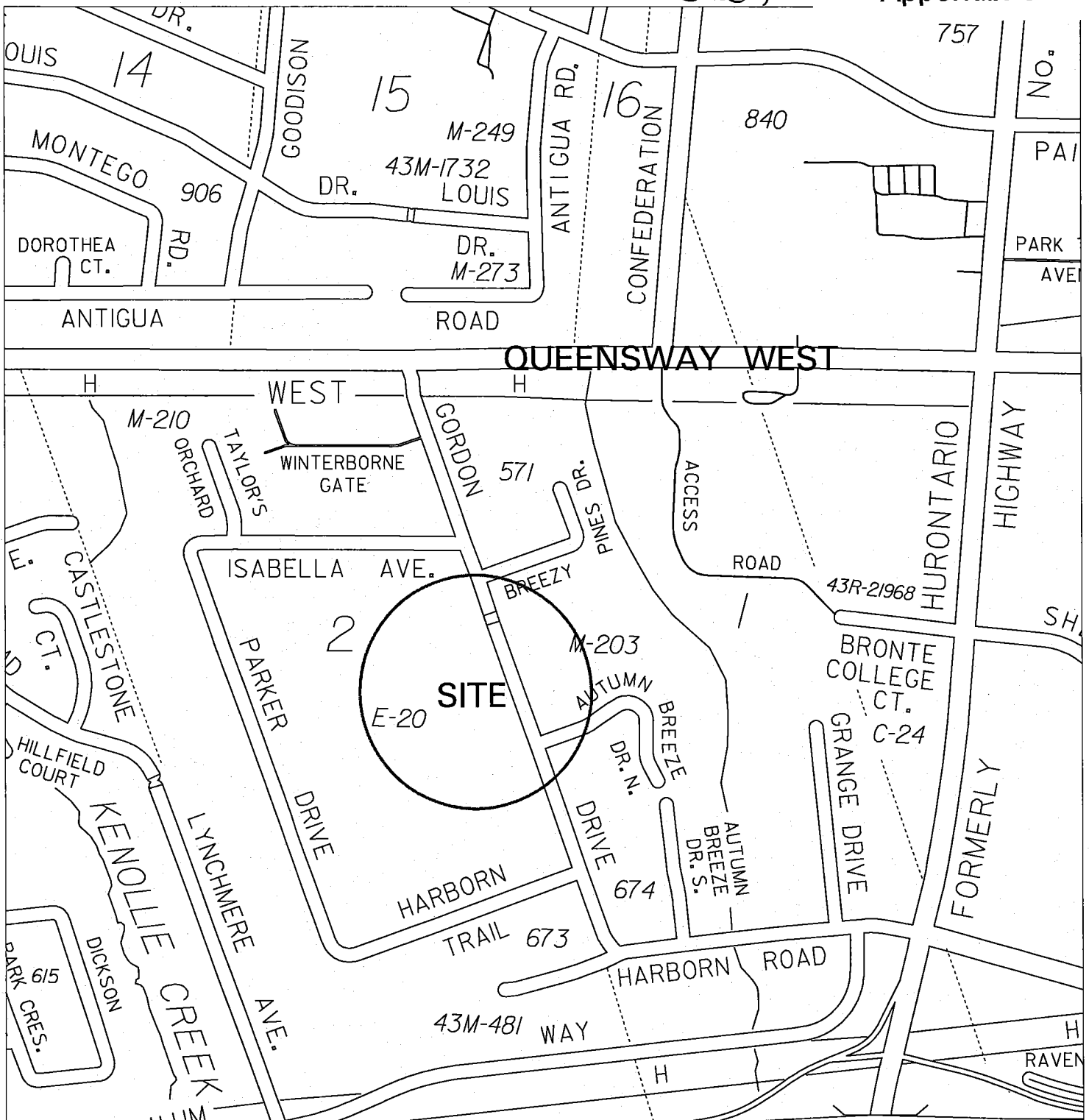
Prepared by: Silvio Cesario, P.Eng.,

Acting Manager, Development Construction

TABLE OF ASSUMPTIONS

PLAN/FILE REFERENCE #	LOCATION	DEVELOPER ADDRESS	SERVICING AGREEMENT DATE	SECURITIES TO BE RELEASED
43M-1796	North of Rathburn Road East, south of Meadows Boulevard, west of Cawthra Road and east of Wilcox Road (Z-28)	Dan-Con Development Inc. 8-51 Rayson Road Woodbridge, , ON L4L 8P9 Attention: Mr. Danny Dimeo	October 28, 2009	\$95,997.06 (Cancel Insurance)
CD.06.SOH	South of Queensway, east of Stavebank Road and west of Huronario Street (Z-15)	Herpreet S. Sohi and Ravinder K. Sohi 2160 Gordon Drive Mississauga, Ontario, L5B 1S7 Attention: Mr. Jack Sohi	August 4, 2010	\$43,070.00 (Cancel Insurance)





MISSISSAUGA
Leading today for tomorrow



**Transportation and Works
Engineering & Works**

2160 Gordon Drive - Municipal Works (Sanitary Sewer Ext)
Herpreet S. Sohi and Ravinder K. Sohi
City File No. : CD.06.SOH - (Ward 7) (Z-15)





Corporate Report

Clerk's Files

Originator's
Files

6

DATE: October 30, 2013

General Committee

NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

FROM: Paul A. Mitcham P.Eng., MBA
Commissioner of Community Services

SUBJECT: Services Agreement for Mississauga Toronto West Tourism

RECOMMENDATION: That the Commissioner of Community Services be authorized to enter into a Services Agreement with Toronto Convention and Visitors Association ("Tourism Toronto"), for the purpose of providing tourism management services to the City of Mississauga, attached as Appendix 1, and in a form satisfactory to Legal Services as outlined in the report dated October 30, 2013, and further that all necessary by-laws be approved.

BACKGROUND: Since 2008, Council has approved funding to implement an agreement between Tourism Toronto and the City of Mississauga. An amending agreement was carried by Council in 2012 to reduce to a total of \$145,400 in 2013.

The original and amended agreements provided for a sales office within the City of Mississauga under the Mississauga Toronto West Tourism (MTWT) structure and the publication of the Mississauga Visitor's Guide. The Agreement also establishes an Advisory Panel to guide tourism development strategy and programs within the City of Mississauga.

In early 2013, the Tourism Advisory Panel and City Council endorsed the Mississauga Sport Tourism Strategy as a roadmap for attracting large, annual sporting events to Mississauga. The quality and

availability of Mississauga's infrastructure for hosting large sport events well positioned in the GTA – a key factor in MTWT's ability to attract sport event organizers to Mississauga over other destinations. Moreover, such events bring significant economic benefit to small businesses, restaurants and accommodation providers in Mississauga.

The Strategy calls for the creation of a new Sport Tourism Coordinator position within the Recreation Division to coordinate City responsibilities and logistics in conjunction with MTWT staff. Accordingly, the Recreation Division's 2014 Business Plan and Budget requests a new permanent compliment for this position; for which additional budget is not required as a result of a re-negotiated Service Agreement with Toronto Tourism.

COMMENTS:**Proposed Services Agreement**

The City and Tourism Toronto has reached agreement in principle on the attached proposed Services Agreement (see Appendix 1).

The Agreement no longer requires an annual payment for services (\$145,000) in recognition that the budget will be redirected to funding a permanent Sport Tourism Coordinator position. Financial information related to this reallocation is provided in the Financial Impact section of this report.

Key elements of the Service Agreement include:

- Continued operation of an office in Mississauga on 2560 Matheson Blvd. East, as the base for Mississauga Toronto West Tourism efforts.
- Dedicated MTWT staff to support tourism development and promotion efforts in Mississauga.
- Marketing and attraction support for the following major tourism sectors (related to visitors).
 - Hotel and Motels
 - Sport events, meetings and conventions
 - Festivals and Events
 - Shopping and attractions

- Marketing, promotion, and media
- Investment in Events and Festivals in Mississauga.
- Production of print material promoting Mississauga now consistently produced and located within Mississauga hotels. The key publication is the annual Official Mississauga Visitor Guide.
- Continue operating an Advisory Panel between City Staff, SMG staff and LAC staff. The groups work to coordinate City event schedules, Hershey and major sport tournaments and potential new activity including potential partnering on events or festivals.

Legal Notices

If by the end of the Initial Term, this Agreement has not been terminated in accordance with its termination provisions, then this Agreement will be automatically renewed for a subsequent term of one year. If this Agreement is automatically renewed, the terms of each such renewal shall be identified as a "Renewal Term" and the Agreement, as renewed, shall be subject to all the terms and provisions of this Agreement, including, without limitation, the rights of termination and further renewal. The term of the proposed Services Agreement is set to end on December 31, 2014 and therefore, the renewed Services Agreement will be effective from January 1, 2015 to December 31, 2015.

Mississauga Tourism Panel

The proposed Services Agreement retains the existing format and function of the Mississauga Tourism Panel. Confirmed Mississauga Toronto West Tourism Advisory Committee for 2014 term:

- City of Mississauga - Councillor Pat Saito - Advisory Chair; Community Services, Paul Mitcham, Howie Dayton, Susan Amring
- Sport Venue – Mike Hamilton - Hershey Sport Zone
- Mississauga Sports Council – Lisa Alexander

- Retail Industry – Nance MacDonald – Erin Mills Town Centre, Janet Rosenthal – Dixie Outlet Center
- Food and Beverage Industry – Roy Clifton – SNUG Harbour
- Hotel Representatives – Toni Frankfurter - Waterside Inn, Wendy Turner - Novotel Mississauga, Robert Housez - Delta Meadowvale, Kevin Schmidt – Delta Meadowvale
- Convention Centre – Michael Prescott - International Centre
- Media and Event Promotions – Jake Dheer – Rogers; Elliot Kerr – Landmark Productions
- Board of Trade – Sheldon Leiba
- Mississauga Arts – Jayme Gaspar – Heritage Mississauga
- Tourism Toronto Representatives – Robert Kawamoto
- Other City Staff as required, will provide information and logistical support

One of the key responsibilities of the Advisory Panel will be to guide the implementation of the Sports Tourism Strategy in partnership with MTWT. An Event Pursuit Plan has been drafted which incorporates the following confirmed and anticipated sport events:

- The PANAM / PARAPAN Games
- The 2016 Ontario Summer Games
- 2014, 2015 and 2016 Little Native Hockey League Tournament
- International Skating Championship Finale

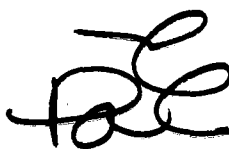
FINANCIAL IMPACT: There is no budget impact associated with the recommendations in this report. The new Agreement eliminates direct funding to MTWT and redirects funds to support the Grade F Sport Coordinator and Sport Tourism initiatives.

CONCLUSION:

The proposed Services Agreement between the City of Mississauga and the Toronto Visitor and Convention Association helps advance the City's Sport Tourism Strategy while maintaining service levels provided by MTWT to the tourism sector in Mississauga. The proposed agreement is in a form satisfactory to Legal Services and has been prepared to renew annually.

ATTACHMENTS:

Appendix 1: Draft 2014 Services Agreement



Paul A. Mitcham P.Eng., MBA
Commissioner of Community Services

Prepared By: Michael Cleland, Manager, Recreation Services

(de)

AGREEMENT

THIS AGREEMENT is made in quadruplicate and is effective this ____ day of _____, 2013 (the "Effective Date")

BETWEEN:

THE CORPORATION OF THE CITY OF MISSISSAUGA

(hereinafter the "City")

- and -

TORONTO CONVENTION AND VISITORS ASSOCIATION

(hereinafter "Tourism Toronto")

1. Background

WHEREAS:

- (a) Tourism Toronto is the official destination marketing organization for Toronto's tourism industry. Tourism Toronto focuses on promoting and selling the greater Toronto region as a remarkable destination for tourists, convention delegates and business travellers.
- (b) Tourism Toronto officially operates as a not-for-profit agency and has over 1,200 members and is a partnership of public and private sectors.
- (c) Tourism Toronto works closely with meeting planners and tour operators to ensure that area municipalities are presented in a favourable light and exceed the expectations of hosts, delegates and clients.
- (d) Tourism Toronto and the City of Mississauga (the "City") understand and agree upon the terms and conditions in which Tourism Toronto will provide sales and marketing support to its membership located in the city of Mississauga through the Mississauga Toronto West Tourism office ("MTWT") as follows:

IN CONSIDERATION of the foregoing background, the covenants in this Agreement, and other good and valuable consideration (the receipt and adequacy of which are hereby acknowledged), the Parties agree as follows:

2. Responsibilities of the Parties:

A. Tourism Toronto will:

- (i) Maintain a branch office within the municipal borders of the city of Mississauga ("Mississauga");
- (ii) Provide membership services to Mississauga-based organizations that choose to purchase a membership directly with Tourism Toronto;

- (iii) Produce and distribute an annual Mississauga Visitor's Guide with 100,000 minimum copies for distribution to establishments across Mississauga including the hotel industry;
- (iv) Provide incentives to event producers and organizers willing to host large events, that create a significant and positive impact to the Mississauga hotel industry and local economy;
- (v) Provide sales and marketing activities for Mississauga and venues located in and around Pearson International Airport ("Pearson") utilized for meetings, conferences, sport tourism events, festivals, trade shows, attractions, restaurants and entertainment;
- (vi) Identify and apply for independent funding to support bid, sales and promotion activities to host events in the Pearson area with a significant positive impact on area hotel room rentals;
- (vii) Maintain a seat on the MTWT Advisory Board;
- (viii) Provide sales and marketing advice and consultation to the the City's Recreation Division Sports Tourism Coordinator related to booking City facilities;
- (ix) Obtain input from the City's Corporate Communications, Recreation and Parks, Arts and Culture, and Economic Development areas for joint sales and marketing events and bids;
- (x) Provide Letters of endorsement from the City for particular events, bids and initiatives; and
- (xi) Provide annual sales and performance reports to the City as per section 3 below.

B. The City will:

- (i) Coordinate and prepare content, including photography, to provide to Tourism Toronto for inclusion in the annual Mississauga Visitor Guide;
- (ii) Own and operate an official "Tourism Mississauga" website and various social media tools used for Mississauga-based Tourism Toronto membership information;
- (iii) Bring an annual report to Mississauga's City Council to provide an update on the relationship between the parties;

C. Tourism Toronto and the City agree to the following:

- (i) To form an advisory panel (the "Panel") that will be administered by the City's Community Services Department. The Panel shall review the activities of MTWT and provide strategic advice to MTWT for the purpose of realizing the goals of promoting and selling the City as a destination for tourists, sport and culture tourism events and festivals and convention delegates.
- (ii) The Panel shall meet at least four (4) times per year.
- (iii) The Panel shall be limited to members drawn from the following categories:
 - a) a minimum of three (3) members from the Greater Toronto Hotels Association;

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- b) a minimum of one (1) staff representatives from Mississauga Toronto West Tourism;
 - c) a minimum of one (1) representative of the City, being a member of City Council;
 - d) a minimum of one (1) representative from SMG staff at the Hershey Centre;
 - e) a minimum of one (1) representative from the food services industry in Mississauga;
 - f) a minimum of one (1) representative from the retail industry in Mississauga; and
 - g) a minimum of one (1) representative from the City's Community Services Department.
- (iv) The Panel shall consist of a minimum of 10 members. The Panel may be expanded and/or new categories may be created based on recommendations to the Commissioner of Community Services.

3. Reporting Requirements

Tourism Toronto shall provide an annual report (the "Report") to the Panel during one of the four (4) meetings, or at the request of the Commissioner of Community Services.

The Report shall be in the form which sets out the sales and marketing deliverables as per in room nights, the market segment allocated, consumer marketing exposure, media distribution and audience reach by website hits and media value in Canadian dollars.

4. Term and Termination

This Agreement is effective as of the Effective Date and expires December 31, 2014 (the "Term"). This Agreement shall automatically renew at the end of the Term for a subsequent one (1) year term up to an additional five (5) years unless terminated by either party by giving ninety (90) days written notice prior to the expiry date of the current term.

Either party may terminate this Agreement at any time without cause upon providing at least ninety (90) days written notice to the other party of such termination.

5. Indemnification

Tourism Toronto shall indemnify and save harmless the City and its selected officials, officers, employees, agents, representatives, successors and assigns (the "Indemnified Persons") from and against all costs, actions, suits, claims, losses, expenses, damages (both direct and indirect) and demands which may be brought against the City and/or any of the Indemnified Persons as a result of:

- (i) the negligent performance by Tourism Toronto under this Agreement and/or
- (ii) any breach, violation, non-observance or non-performance by Tourism Toronto or any of its employees, agents or others for whom it is in law responsible of any provision of this Agreement (save and except as a result of the negligence, wilful misconduct and/or recklessness of the City and/or the Indemnified Persons)

The provisions of this section shall survive and remain in full force and effect following the expiration or termination of this Agreement.

6. Notice

Any notices or other communications and deliveries required by this Agreement or desired to be given to or made by any party shall be in writing and may be delivered personally, by facsimile transmission or made by mailing the same in a sealed envelope, by registered mail, addressed to the respective parties at the addresses set out below:

To the City:

Address: 201 City Centre Drive, Mississauga Ontario L5B 2T4

Attention: Director, Recreation

Fax: 905-615-3554

Email: Howie.dayton@mississauga.ca

To Tourism Toronto:

Address:

Attention:

Fax:

Email:

7. Governing Law

This Agreement shall be governed by the laws of the Province of Ontario and the laws of Canada applicable to the Province and shall be treated in all aspects as an Ontario contract.

8. Assignment

Neither this Agreement nor any part thereof shall be assigned by Tourism Toronto without the prior written approval of the City, which may be unreasonably withheld.

9. Waiver

No action or failure to act by the City or Tourism Toronto shall constitute a waiver of any right afforded to either the City or Tourism Toronto, as the case may be, under this Agreement, nor shall any such action or failure to act constitute an approval of or acquiescence to any breach thereunder, except as may be specifically agreed in writing.

10. Confidential Information

This Agreement is subject to the *Municipal Freedom of Information and Protection of Privacy Act, (MFIPPA)* as amended, and all information pertaining to this Agreement is public information and may be disclosed to third parties under *MFIPPA*. However, the parties agree

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that no confidential information shall be disclosed in any manner whatsoever without the prior written approval from the other party.

11. Not Agents

Nothing in this Agreement shall either render, or be interpreted or construed to mean, the City and Tourism Toronto are partners and/or joint venturers of the other. Nothing in this Agreement shall constitute Tourism Toronto as a local board of the City. Neither party shall have any authority whatsoever to obligate or commit the other party, contractually or otherwise, except as provided in this Agreement.

12. Severability

Should any of the terms of this Agreement be found to be illegal, unenforceable or ultra vires by a court of competent jurisdiction, then those terms so found shall be severable from this Agreement and the remaining terms herein shall continue in full force and effect.

13. No Authority to Bind

Tourism Toronto shall have no authority to bind the City.

IN WITNESS WHEREOF the City and Tourism Toronto have executed this Agreement.

**THE CORPORATION OF THE CITY
OF MISSISSAUGA**

Name: Paul Mitcham

Title: Commissioner of Community Services

Name: Crystal Greer

Title: City Clerk

We have authority to bind the City
pursuant to the City of Mississauga
By-law No. _____

TOURISM TORONTO

Name:

Title:

Name:

Title:

I/We have the authority to bind Tourism
Toronto



Corporate Report

Clerk's Files

Originator's
Files

7

DATE: October 15, 2013

General Committee

NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

FROM: Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

SUBJECT: Single Source Contract Award for "City Standard" Parks Utility
Tractors/Loaders
File Ref: FA.49.201-13

- RECOMMENDATION:**
1. That utility tractors/loaders, related attachments and Original Manufacturer Parts (OEM) manufactured by Kubota Tractor Corporation be approved as a City Standard for Parks Operations;
 2. That Kooy Brothers Lawn Equipment Ltd. be approved as a single source vendor for the supply and delivery of Kubota brand utility tractors/loaders, related attachments and OEM parts for which they are the exclusive distributor;
 3. That the Purchasing Agent be authorized to execute the appropriate form of commitment to Kooy Brothers Lawn Equipment Ltd. for the immediate supply and delivery of fifteen (15) Kubota brand utility tractors/loaders with existing approved funding;
 4. That the Purchasing Agent be authorized to execute the appropriate forms of commitment to Kooy Brothers Lawn Equipment Ltd. for the supply and delivery of Kubota brand utility tractors/loaders, related attachments and OEM parts, as required, and for which funding is approved in the budget, for the period of 2014 through to 2018.

REPORT**HIGHLIGHTS:**

- Recommends establishing utility tractors/loaders, related attachments and OEM parts manufactured by Kubota Tractor Corporation as a City Standard for Parks Operations due to safety, overall performance, reliability and versatility.
- Establishing Kooy Brothers Lawn Equipment Ltd. who are the exclusive GTA distributor for Kubota utility tractor/loaders, related attachments and OEM parts as a single source vendor for the period 2013 through to 2018 is also recommended.
- The Purchasing By-law #374-2006 requires that City Standards and single source contract awards with a value of \$100,000 or more be approved by Council.
- Funding in approved capital budget for 2013 purchases.

BACKGROUND:

There are various manufacturers and suppliers of utility tractors/loaders equipment and attachments available in Ontario. Parks Operations currently carries an inventory of 19 utility tractors and 16 utility tractor loaders worth an estimated \$1,512,000.00.

In the past, the City has purchased and tested a multitude of tractors and tractor/loaders from various supplier; some of these units experienced performance and reliability issues. In 1998 the Kubota brand was introduced into the City of Mississauga's Parks and Fleet Services Sections. Since that time staff have found major performance and functionality benefits with Kubota when compared to units from other manufacturers.

COMMENTS:

The Transportation and Works Fleet Manager has worked with Parks Operations staff to review the performance of various tractor and tractor/loader units. In the course of the review three key issues were identified: safety, overall performance and reliability, and versatility.

1. Safety

Braking is superior in the Kubota utility tractors/loaders as they are fitted with a continuously variable hydrostatic transmission (full hydro-dynamic braking). This refers to the implementation of automatic brake mode once an operator releases the accelerator. This feature is unique to Kubota. All other comparable non-Kubota units available have automatic transmissions which require the operator to use a separate brake pedal for stopping.

All available attachments for the City's units are exclusively manufactured for Kubota and therefore offer superior fit and safety. Parks Staff and the Parks and Forestry Health and Safety Committee have both indicated that Kubota products are superior on this criterion. In addition, by operating one type of equipment as opposed to numerous types of equipment, staff training and operating become less complicated and make operation safer overall.

2. Overall Performance and Reliability

The City's experience shows that the rate of breakdowns for non-Kubota equipment is significantly higher than Kubota equipment, resulting in increased costs for labour and parts. Non-Kubota equipment has not generally achieved a working life of 10 -12 years, resulting in premature replacements, or grounding of equipment. In addition, Kubota offers a two year warranty where most other manufacturers only offer a one year warranty.

Overall the quality and performance of the Kubota units allows Parks Operations to better meet maintenance standards and required service levels at less cost.

3. Versatility

Kubota equipment is more versatile than other brands on the market. Quick-connecting interchangeable attachments are a real time-saving benefit as one can easily transform a utility tractor/loader from a summer working vehicle into a winter plow and sanding unit. Design of equipment is user friendly, safe and durable, as proven through vigorous usage by Parks Operations.

The City currently owns many Kubota attachments which are interchangeable with new Kubota tractors. By standardizing on Kubota utility tractors the City will experience major savings by eliminating the requirement to purchase additional new attachments required for other brands.

4. Field Test of Comparable Equipment

In the summer of 2012, Parks Staff field tested a comparable utility tractor/loader from another major manufacturer for a period of one week. Parks staff tested this unit against all applicable maintenance disciplines - sports, horticulture, and turf maintenance.

Staff found that the comparable alternate brand test unit offered good visibility, horse power and torque, comfortable cab, three point hitch accessibility with easy adjustments. Unfortunately, the tractor's lifting capacity at the three point hitch could not accommodate the heaviest attachment tested (Redexim Veri Seeder) without causing the rear tires to flatten by four inches, rendering the unit driveable.

As a result of the lifting capacity issue, the City would be required to purchase an additional larger, heavier and more expensive unit of the alternate brand, in order to operate this attachment and all other comparable attachments safely and effectively.

5. Value for Money

Based on a single source, long term acquisitions strategy, Materiel Management staff requested an offer from Kubota to include 2013 approved requirements and forecasted requirements for the period 2014 to 2018. Kooy Brothers Lawn Equipment Ltd. have offered a 21% discount off list pricing which represents lower prices than bid in previous years and a firm discount for estimated future requirements. Staff consider that this favourable pricing, combined with the 2 year warranty, efficiency in use, long service life and residual value for resale resulting from Kubota's reputation for quality represent excellent value to the City.

6. Single Source Contract Award

Kooy Brothers Lawn Equipment Ltd. are the exclusive distributor of Kubota equipment in the GTA. The Purchasing By-law # 374-2006, provides for single source awards under these circumstances, wherein it states, in Schedule A (a) *The Goods and/or Services are only available from one supplier by reason of: (iii) the existence of exclusive rights such as patent, copyright or licence.*

FINANCIAL IMPACT: Funds for 2013 requirements are available in account # 2-715367-12160.

Future purchases are subject to annual Capital budget approval.

Estimated Requirements	Estimated Contract Value
2013: Fifteen (15) utility tractors/loaders at \$52,291.20 each	\$784,368
2014-2018: Fourteen (14) utility tractors/loaders at \$55,149.79	\$772,097

Additional attachments and OEM parts to support operations will also be requested in annual budgets, as required.

CONCLUSION:

Parks Operations staff consider that the utility tractors /loaders and related attachments manufactured by Kubota represent a safe, efficient and economical solution and as such, should be established as a City Standard. Kubota equipment is distributed exclusively through Kooy Brothers Lawn Equipment Ltd. who have offered favourable pricing for the period 2013 through to 2018.

This report recommends that utility tractors/loaders, related attachments and OEM parts manufactured by Kubota be established as a City Standard for Parks Operations. This report also recommends that Kooy Brothers Lawn Equipment Ltd. be established as a single source vendor for the supply and delivery of Kubota utility tractors/loaders, related attachments and OEM parts.

ATTACHMENT:

Appendix 1 – Scope of Work



Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

Prepared By: Andy Wickens, Manager, Parks

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Appendix 1

Scope of Work – Sole Source – “City Standard” Parks Utility Tractors/Loaders

- 1) Kooy Brothers Lawn Equipment Limited will supply and deliver to the City of Mississauga fifteen (15) Kubota brand utility tractors/loaders on an immediate basis.
- 2) Kooy Brothers Lawn Equipment Limited will supply and deliver to the City of Mississauga, Kubota brand utility tractors/loaders, related attachments and OEM parts, as required, and for which funding is approved in the City's Budget, for the period of 2014 through to the end of 2018.



Corporate Report

Clerk's Files

Originator's
Files

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DATE: October 15, 2013

General Committee

NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

FROM: Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

SUBJECT: **Authorization to enter into a Sublease Extension and Amending Agreement with Centre City Capital Limited (Ward 1)**

- RECOMMENDATION:**
1. That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute and affix the Corporate Seal to a Sub-lease Extension and Amending Agreement, including all ancillary documents and subsequent amending agreements, between Centre City Capital Limited ("CCCL") and the City, for the use of a parcel of land, south of J.J. Plaus Park, known as the "Pier" comprising an area of approximately 1,022 square metres (11,000 square feet) terminating on April 29, 2023.
 2. That paid parking at JJ Plaus Park be approved in principle and referred to the Transportation and Works Department for evaluation and implementation as outlined in the draft Mississauga Parking Strategy-Phase II- Port Credit and Lakeview Report.

REPORT

HIGHLIGHTS:

- Renew sublease to continue public access to Pier abutting JJ Plaus Park at the mouth of the Credit River
- Previous conditions of sublease restricted Credit Village Marina boat slips for transient use (10 days or less)
- Sublease amendment to allow 15 boat slips to be leased on a seasonal basis commencing May 2014
- Paid Parking at JJ Plaus Park approved in principle
- Two Credit Village Marina assigned parking spaces for each seasonal lease

BACKGROUND:

Since 1996, the City has been subleasing the pier lands which form part of the lands currently owned by Canada Lands Company ("CLC") and leased to their tenant CCCL ("CCCL Lands"). The pier is approximately 1,022 square metres (11,000 square feet) in area and is operated by the City as part of J.J. Plaas Park, located south of Port Street East.

As authorized by City Council under By-Law No.283-96, the City entered into a Sub-Lease Agreement with CCCL for a term of five (5) years commencing June 1, 1996, with an option to renew for an additional five (5) years. The agreement was subsequently renewed, by the enactment of By-law 0520-2003, for a five-year term commencing June 1, 2003 at an annual rent of \$12,600.00, plus GST, with an option to renew for a further term of five (5) years. In addition, the Sub-Lease contained a provision restricting the City to operating the Credit Village Marina as a marina for transient boaters only. For the purpose of the agreement, transient boating activity consists of stays of ten (10) days or less.

The annual rent for the pier was set at \$12,600, plus GST, which was inclusive of property taxes, and an allowance to amortize City improvements undertaken in 1996, and was calculated as follows:

Base Rent (11,000 sq. ft. x \$1.50 per sq. ft.)	-	\$16,500
Plus: Estimated Property Taxes	-	1,600
Less: Amortization of City's Improvements	-	<u>(5,500)</u>
(\$66,000/12 years, 1996 – 2008)		<u>\$12,600</u>

Upon expiry of the initial term, Realty Services had conducted extensive negotiations with CCCL and an agreement was reached to extend the term for another five (5) years, commencing retroactively on June 1, 2008, for an annual rent of \$18,000.00, plus HST. CCCL also requested that the City pay its proportionate share of the property taxes. The proportionate share of the property taxes attributable to the pier is approximately 1.19% of the total value of the assessment of CCCL lands and the property taxes for the pier were \$4,377.51 for year 2011. An attempt was made to negotiate the removal of the restriction on Credit Village Marina as contained in the original Sub-Lease, but was not acceptable to CCCL. A Sub-Lease Extension and Amending Agreement was subsequently executed pursuant to Real

Estate Delegation of Authority By-law 0375-2008. The City has no further options to extend the Sub-Lease pursuant to the terms of the Sub-Lease or the Sub-Lease Extension and Amending Agreement.

COMMENTS:

CCCL has agreed to the enter into a Sub-lease Extension and Amending Agreement for the "Pier" lands on the same terms as the existing Sub-Lease and agreeing to allow the City to operate 15 seasonal boat slips at Credit Village Marina, subject to the following terms and conditions:

- Term: terminating on April 29, 2023;
- Rent: \$18,000 per annum, net, for the first year and thereafter the annual rent shall be increased by the CPI for Toronto;
- Property Taxes: The City shall be responsible for its proportionate share of property taxes which is confirmed at 1.19% of the total assessed value of the CCCL Lands;
- The Sub-Lease Agreement dated June 1, 2003 shall be amended to permit the City to operate 15 seasonal slips in Credit Village Marina, with seasonal slips defined as slips leased for the equivalent of a full boating season, being May 1 to October 30;
- The City shall lease the seasonal slips at a lease rate no less than lease rates charged for equivalents slips at the marina located on the CCCL lands;
- For each of the seasonal slips, two (2) non-reserved parking spaces are to be assigned either on City controlled or occupied property or within the gated CCCL lands, for use of the lessee of the slip (total being 30 spaces). Should the City choose to have CCCL provide the spaces, the City shall pay CCCL \$200.00 plus HST per parking space for the initial season and shall be increased by CPI annually;
- The Sub-Lease Agreement is conditional on (i) CCCL securing the consent and approval from the Landlord CLC and (ii) on CCCL securing consent and approval from the CCCL board of directors on or before March 1, 2014; and
- City to reimburse CCCL, the \$100.00 plus HST processing fee charged by CLC.

Parking

Transportation and Works is currently developing the business plan for existing and future parking development and operation for Port Credit, in accordance with the Mississauga Parking Strategy-Phase II: Port Credit and Lakeview report recommendations. In particular, Community Services supports paid parking at JJ Plaus Park to assist in the management of boater visitors and Snug Harbour Restaurant

customers parking demand. Implementing paid parking in Port Credit, along with the City requiring two assigned parking spaces per seasonal boat lease, will mitigate parking concerns in the immediate area raised by Snug Harbour Restaurant.

FINANCIAL IMPACT: The annual rent for the pier will be \$18,000 per annum for the first year and thereafter the annual rent will be increased by the CPI for Toronto, plus the City will also be responsible for its proportionate share of property taxes which is established to be 1.19% of the total of the total assessed value of the CCCL Lands. The 2011 property taxes payment by the City was \$4,377.51. This agreement would also allow the City to convert 15 transient boat slips to operate 15 seasonal boat slips in the Credit Village Marina, allowing the City to generate an additional \$200,758.00 the remaining term of the pier lease.

CONCLUSION: The Sub-Lease Extension and Amending Agreement will allow the City to continue occupying the Pier lands abutting J.J. Plaus Park allowing public access until April 29, 2023. This agreement would also allow the City to operate 15 seasonal boat slips in the Credit Village Marina.

ATTACHMENTS: Appendix 1: Location of Subleased Property, Pier at JJ Plaus Park



Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

Prepared By: Laura Piette, Director, Parks and Forestry



Subleased Property



MISSISSAUGA

Leading today for tomorrow

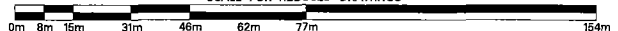


Corporate Services

Realty Services

Location of Subleased Property
 Pier at JJ Plaus Park, Port Street E.
 File No. PO.13.POR (Ward 1)

SCALE FOR REDUCED DRAWINGS





Corporate Report

Clerk's Files

Originator's
Files

PO.11.LAK

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DATE: October 23, 2013

General Committee

NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **Surplus Land Declaration and Sale of City-Owned Lands adjacent to 31 Lakeshore Road East to Centre City Capital Limited (Ward 1)**

- RECOMMENDATION:**
1. That the irregular-shaped parcel of land west of the property municipally identified as 31 Lakeshore Road East, containing an area of approximately 121 square metres (1,302.4 square feet), be declared surplus to the City's requirements for the purpose of a sale to the owner of 31 Lakeshore Road East, being Centre City Capital Limited ("CCCL"), subject to protection for existing utilities, if any. The subject lands are legally described as part of the Harbour Company Plot Plan PC2 being designated as Part 1 on a draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, City of Mississauga, Regional Municipality of Peel, in Ward 1.
 2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land.

3. That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute and affix the Corporate Seal to an Agreement of Purchase and Sale (the "Agreement"), including ancillary documents and subsequent amending agreements, between The Corporation of the City of Mississauga (the "City") as Vendor and CCCL as Purchaser, for 121 square metres (1,302.4 square feet) of land identified as Part 1 on the draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, together with an access easement along 43 square metres (462.8 square feet) of land identified as Part 2 on a draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, to be merged with the adjoining CCCL property municipally identified as 31 Lakeshore Road East on terms detailed herein. The purchase price is Seventy-Two Thousand, Four Hundred Dollars (\$72,400.00). The subject lands are located on the south side of Lakeshore Road East, west of Stavebank Road and are legally described as part of the Harbour Company Plot Plan PC2 and designated as Parts 1 and 2 on draft Reference Plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013, City of Mississauga, Regional Municipality of Peel, in Ward 1.
4. That a by-law be enacted authorizing the Commissioner of Community Services to execute an Appointment and Authorization of Agent form, including all ancillary documents required in regard to CCCL's proposed minor variance application(s) on behalf of the City for the lands to be sold.

**REPORT
HIGHLIGHTS:**

- Report requests authorization to declare a 121 square metre (1,302.4 square foot) parcel of City-owned land overlooking the Credit Village Marina surplus to City requirements.
- Report requests authorization to sell parcel to adjoining owner of 31 Lakeshore Road East, CCCL, for restaurant outdoor patio use.

BACKGROUND:

Late in 2010, CCCL acquired the former Port Credit Post Office building, located at 31 Lakeshore Road East, for the purposes of incorporating a portion of the existing building into a new low rise

office building with ground floor retail commercial uses. Also proposed is a restaurant use, with an elevated, outdoor patio on the west side of the building, to be constructed on a sliver of City-owned land overlooking the Credit Village Marina. On April 10, 2013, Council passed By-law 0067-2013, which designated the former Port Credit Post Office site as being of cultural heritage value or interest under the *Ontario Heritage Act*.

CCCL approached the City with a view to purchasing the City-owned sliver of land. At its meeting on July 4, 2012, City Council received an "In Camera" report entitled, "Authority to Negotiate the Disposal of a Portion of J. J. Plaus Park (P-109) dated June 21, 2012 from the Commissioner of Community Services.

COMMENTS:

Realty Services has completed its circulation and received confirmation that the Transportation and Works Department has no concerns with the lands being declared surplus and sold. Community Services advised that, from a placemaking and park programming perspective, the proposal represents an opportunity to animate the public park, improve urban design and interest, open vistas to the harbour, and support additional activities along the marina forming part of J.J. Plaus Park. Furthermore, Community Services indicated that various conditions included in this Agreement and, in the site plan approval process, adequately address any concerns that they may have with the proposed sale of the lands to CCCL for incorporation into its proposed development, which includes an outdoor restaurant patio. The Planning and Building Department has also indicated its support for the proposed restaurant patio.

CCCL and the City have reached agreement to enter into an Agreement of Purchase and Sale (Offer to Purchase) on the following terms:

- Purchase price of \$72,400;
- Lands to be sold to CCCL are identified as Part 1 on a draft reference plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013 and contains a total area of 121 square metres (1,302.4 square feet);
- Access Maintenance Easement to be conveyed to CCCL over

lands identified as Part 2 on a draft reference plan prepared by David B. Searles Surveying Ltd. and plotted August 29, 2013 and containing a total area of 43 square metres (462.8 square feet) for the purpose of carrying out maintenance and repair activities to the Patio structure;

- Closing of the transaction is subject to:
 - (a) CCCL and the City entering into a Restrictive Covenant Agreement limiting the use of the lands to a patio and walkway open to the public solely in connection with the abutting restaurant operation; and
 - (b) The sold lands would be remain in their current state as parkland, and not be structurally changed during adjacent building construction until the variance for patio use is achieved
 - (c) CCCL and the City entering into an Option to Re-Convey Agreement providing that the City and CCCL may, unilaterally, at any time after December 31, 2015 exercise an option to obligate CCCL to reconvey the lands, including the access maintenance easement, if CCCL has not completed the construction of the patio. The reconveyance would be at the same purchase price of \$72,400 less closing costs; and
- Subject to the registration of any easements that may be required by public utilities.

The current zoning of the City-owned lands does not permit their use as a patio and, as such, a minor variance from the Zoning By-Law will be required from the Committee of Adjustment. The Committee of Adjustment procedures require the signature of the owner or authorized agent prior to acceptance of an application. To assist in ensuring the variance is secured in a timely manner, this report requests authorization be provided to the Commissioner of Community Services, to sign an Appointment and Authorization of Agent form to permit CCCL to make application to the Committee of Adjustment for a minor variance from the current zoning by-law in advance of the conveyance of the lands to CCCL.

FINANCIAL IMPACT: The sale of the subject lands to CCCL is based on a “value in contribution” estimate and, on the basis that the lands are being sold subject to a restrictive covenant limiting their use to an ancillary patio use. Realty Services estimated the market value of the lands on the

basis of these terms to be \$72,400. Proceeds from the sale of the lands would be deposited in the Cash-in-Lieu of Parkland Dedication Reserve Fund (Account 32121).

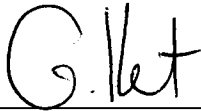
CONCLUSION:

The City proposes to enter into an Agreement of Purchase and Sale whereby the City would sell a small parcel of City-owned land overlooking the Credit Village Marina to CCCL for the purposes of a restaurant patio.

ATTACHMENTS:

Appendix 1: Approximate location of lands to be declared surplus and sold (PO.11.LAK)

Appendix 2: Draft Reference Plan identifying lands to be declared surplus and sold as Part 1 and the lands subject to the access maintenance easement as Part 2.

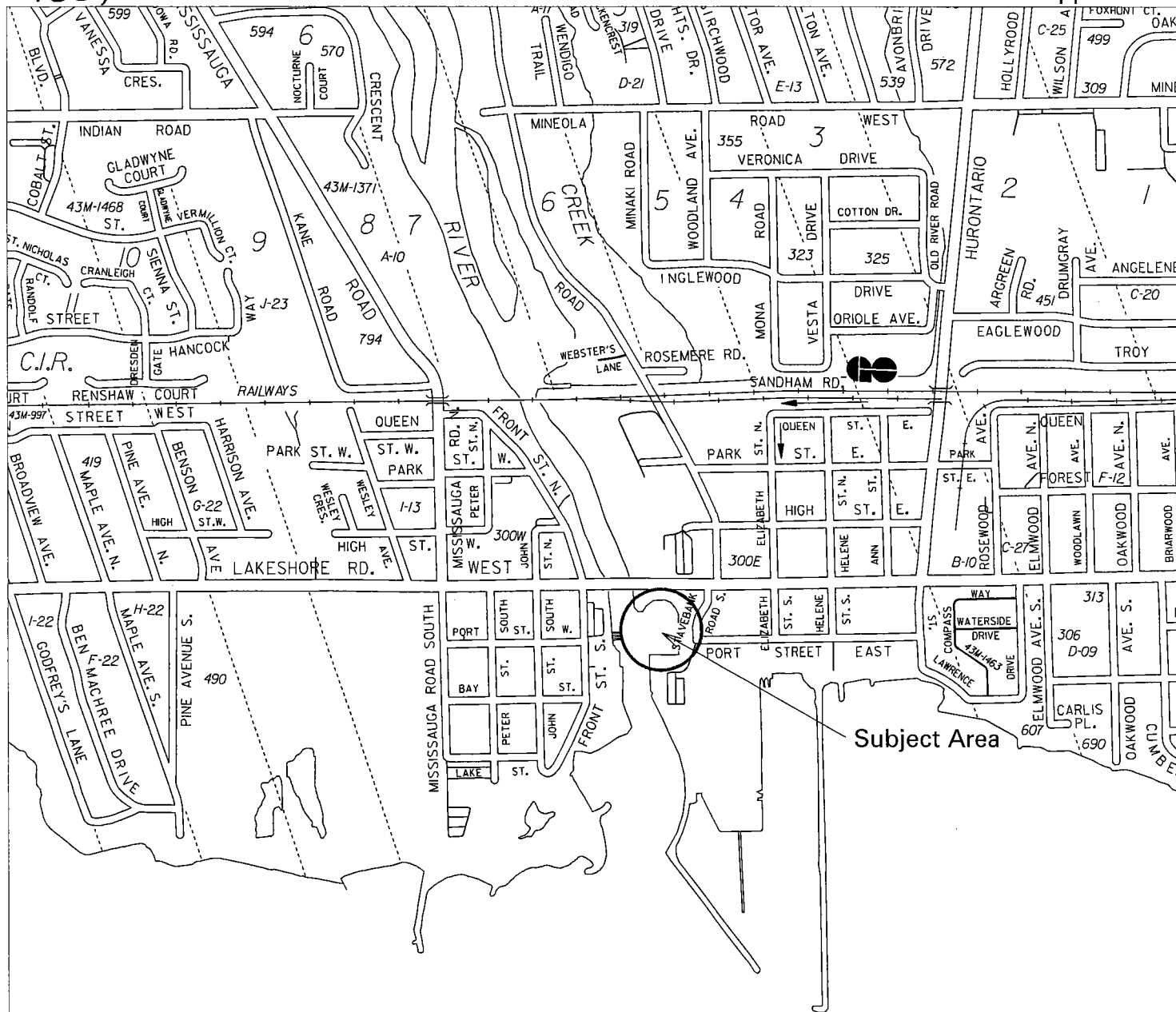


Gary Kent

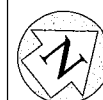
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Sheryl Badin, Supervisor, Capital Acquisitions

9(c)



E O N T A R I O



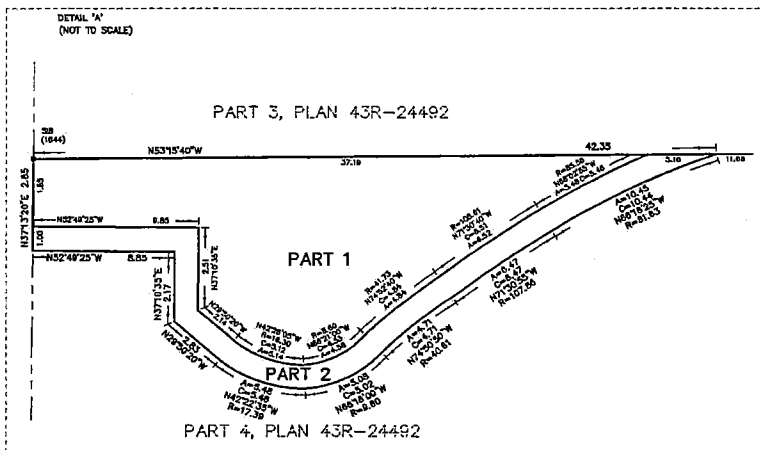
Corporate Services

Realty Services

Approximate location of the lands to be declared surplus and sold - 31 Lakeshore Road East.
File: PO.11.LAK (Ward 1)

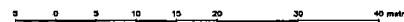


965



PLAN OF SURVEY OF
PART OF THE HARBOUR COMPANY PLOT
PLAN PC 2
(GEOGRAPHIC TOWNSHIP OF TORONTO, COUNTY OF PEEL)
CITY OF MISSISSAUGA
REGIONAL MUNICIPALITY OF PEEL

SCALE 1: 400



David B. Scarles Surveying Ltd.
ONTARIO LAND SURVEYORS

METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

I require this plan to be deposited
under the Land Titles Act

Date _____

PLAN 43R--

Received and deposited

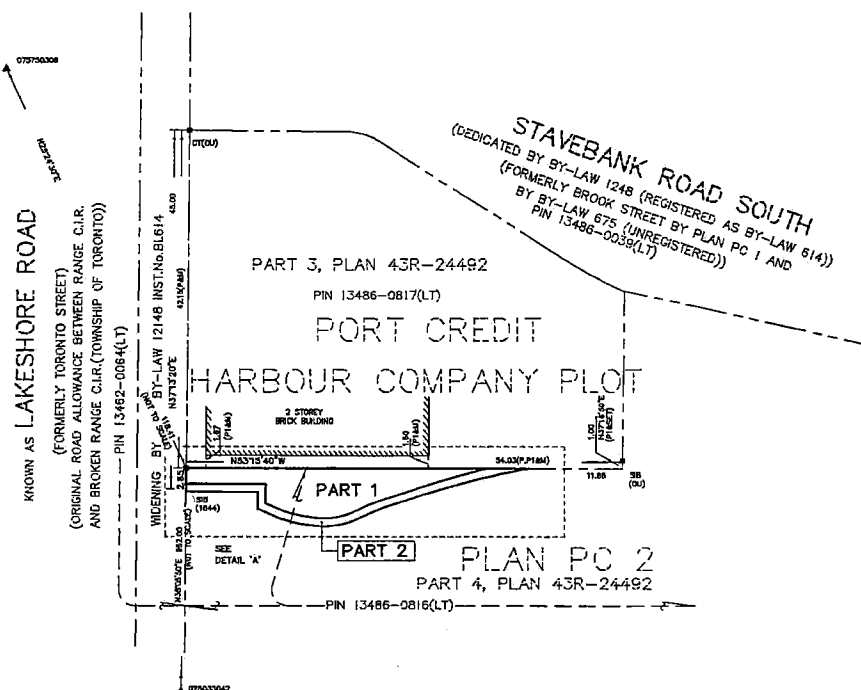
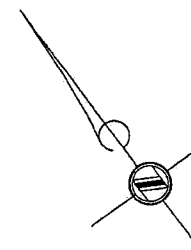
Date _____

ALISTER SANKEY
ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF
PEEL (No. 43)

SCHEDULE

PART	DESCRIPTION	PIN	AREA
1	PART OF THE HARBOUR COMPANY PLOT	PART OF	121 sq m
2	PLAN PC2	13486-0816(LT)	43 sq m



LEGEND

- ▲ DENOTES SPECIFIED CONTROL POINT
- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- IB DENOTES IRON BAR
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- CT DENOTES CUT T
- CU DENOTES CROWN UNKOWN
- WT DENOTES WITNESS
- 16-44 DENOTES GALATI PASQUALE D.L.S.
- M DENOTES MEASURED
- P DENOTES PLAN 43R-24492
- P1 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY STANTEC GEOMATICS LTD O.L.S. DATED OCTOBER 14, 2009

INTEGRATION DATA

SPECIFIED CONTROL POINTS (SCPP): UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES ARE TO AN URBAN ACCURACY AS PER O. REG. 218/10, s. 14 (2).		
SPECIFIED CONTROL POINT No.	NORTHING	EASTING
075033042	4822293.143	613875.156
075750306	4822608.83	614208.81
075750307	4822365.48	613890.83
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

BEARING NOTE

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM SPECIFIED CONTROL POINTS 075750306 AND 0745033042 (SEE INTEGRATION DATA TABLE FOR COORDINATES), AND ARE REFERRED TO UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCE NOTE

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99976602

NOTE

PROPERTY LIMITS ARE NOT FENCED UNLESS OTHERWISE NOTED ON THE FACE OF THE PLAN.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
 - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____

PRELIMINARY

DATE _____ ALISTER SANKEY
ONTARIO LAND SURVEYOR

David B. Scarles Surveying Ltd. ONTARIO LAND SURVEYORS 4235 Sherwood Avenue, Suite 200, Mississauga, Ontario L4Z 1Y5 Tel: (905) 273-8840 Fax: (905) 895-4410 Email: info@scarles.com		Calculator AS	Draftsperson JP
Editor J 14	Plan Index No.	107-0-12	
Calculation File 107-12CAL.DWG	Drawing File 107-0-12.DWG	107-0-12	

PLOTTED AUGUST 28, 2013



Corporate Report

Clerk's Files

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DATE: October 25, 2013

General Committee

NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **2014 Interim Tax Levy For Properties Enrolled in the
Pre-Authorized Tax Payment Plan**

- RECOMMENDATION:**
1. That a by-law be enacted to provide for a 2014 interim tax levy based on 50 per cent of the previous year's annualized taxes on those properties subject to an agreement under the City of Mississauga Pre-authorized Tax Payment Plan.
 2. That the 2014 interim levy for residential properties enrolled in the due date plan be payable in three (3) instalments on March 6th, April 3rd, and May 1st, 2014.
 3. That the 2014 interim levy for properties in the commercial, industrial and multi-residential property classes enrolled in the due date plan be payable in one (1) instalment on March 6th, 2014.
 4. That the 2014 interim levy for properties enrolled in the monthly plan be payable in six (6) instalments based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd of the months of January, February, March, April, May and June, 2014.

BACKGROUND:

The *Municipal Act, 2001, S.O. 2001, c. 25* provides municipalities with the ability to levy interim taxes in order to meet financial obligations.

The City of Mississauga enacts annually, two interim levy by-laws. The first is for taxpayers making payment through one of the City's Pre-authorized Tax Payment (PTP) Plans. The second is for those paying by an alternate method where payment is due in three (3) instalments for residential properties and one (1) instalment for commercial, industrial and multi-residential properties.

This report deals with the levy for properties enrolled in the PTP plan. 27.6 per cent of residential properties and 27.2 per cent of non-residential properties are enrolled in one of the City's PTP plans. The deadline for property owners to enroll in PTP for the 2014 interim billing was November 1, 2013. Property owners have until May 1, 2014 to enroll in the plan for 2014 final billing.

The report on the interim levy for all other properties will be presented to Council in January 2014.

COMMENTS:

Section 317 of the *Municipal Act, 2001, S.O. 2001, c. 25* allows municipalities to levy interim taxes. The amount levied on a property may not exceed 50 per cent of the total amount of taxes levied on the property for the previous year adjusted for any supplementaries or cancellations that applied to only part of the previous year as if the supplementary or cancellation had applied for the entire year. Any impact resulting from reassessment and phase-in along with budgetary increases are applied on the final bill.

An interim levy would allow the municipality to meet its financial obligations including payment of Region of Peel and school board requirements.

In order to adhere to the legislated notification period, the 2014 interim tax bills must be issued by December 11, 2013 and a by-law enacted prior to this date.

It is proposed that the 2014 interim levy for residential properties enrolled in the pre-authorized due date plan be payable in three (3) instalments on March 6th, April 3rd and May 1st, 2014 and that the 2014 interim levy for commercial, industrial and multi-residential

properties enrolled in the pre-authorized due date plan be payable in a single instalment on March 6th, 2014. Alternatively, for properties enrolled in the pre-authorized monthly plan, six (6) instalments are proposed based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd of the months of January, February, March, April, May and June, 2014.

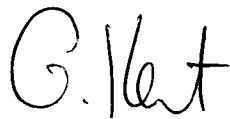
For taxpayers not on one of the pre-authorized payment plans, March 6th, April 3rd and May 1st, 2014 will be the due dates recommended for residential properties and March 6th, 2014 will be the due date recommended for commercial, industrial and multi-residential properties. The second interim report and by-law with this recommendation will be brought forward to Council in January 2014.

FINANCIAL IMPACT: Not applicable.

CONCLUSION:

A 2014 interim levy is required so that the City of Mississauga can meet its financial obligations. The 2014 interim levy for those properties subject to an agreement under the City of Mississauga Pre-authorized Tax Payment Plan will be calculated pursuant to Section 317 of the *Municipal Act, 2001, S.O. 2001, c. 25* to be 50 per cent of the annualized taxes levied on a property in the previous year.

Instalment due dates for residential properties enrolled in the due date plan will be March 6th, April 3rd, and May 1st, 2014. The instalment due date for commercial, industrial or multi-residential properties enrolled in the due date plan will be March 6th, 2014. All properties enrolled in the monthly due date plan will have instalments due on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd of the months of January, February, March, April, May and June, 2014.



Gary Kent

Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue and Taxation



Corporate Report

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DATE: October 28, 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **Strike-Off of Taxes Deemed Uncollectable**

General Committee

NOV 13 2013

RECOMMENDATION: That unpaid taxes, penalties and interest totalling \$91,822.15 as outlined in the corporate report dated October 28, 2013 from the Commissioner of Corporate Services and Chief Financial Officer be written off as uncollectable and removed from the tax roll.

REPORT HIGHLIGHTS:	<ul style="list-style-type: none">• \$91,822.15 of uncollectable property taxes on eleven properties is being recommended for write off.
-------------------------------	--

BACKGROUND: Section 354(2)(a) of the *Municipal Act* allows for the removal of unpaid taxes from the tax roll if the Council of the local municipality, on the recommendation of the Treasurer, writes off the taxes as uncollectable.

COMMENTS: Staff have determined that taxes billed on a number of properties are uncollectable and should be written off. Details of the properties including the reason the amounts are being recommended for write off are provided below.

Roll No / Address	Tax Year(s)	Amount
05-04-0-096-19192 0 Blackheath Ridge	2008-2010	\$ 695.62

Land registry error. Property was transferred to the Crown. Sale was not registered in the Land Registry Office. 2011-2013 taxes being adjusted through tax appeals. The Crown is exempt from taxation.

Roll No / Address	Tax Year(s)	Amount
05-5-0-113-16368 0 Airport Rd	2008	\$ 1,985.37

This is a property located at Pearson International Airport owned by the Federal Government. When federal property is leased to, or occupied by a tenant, the land is assessed as if the tenant was the owner and the tenant is then responsible for the payment of property taxes. The tenant declared bankruptcy in 2012. The City was an unsecured creditor. The bankruptcy has been discharged and there were no proceeds available to the creditors. Consequently, the tax arrears should be written off.

Roll No / Address	Tax Year(s)	Amount
05-15-0-085-04214 0 Margarita Cres	2005-2006	\$ 37.99

MPAC erred by duplicating the assessment on this property. The property was assessed under two roll numbers. As a result there was a duplicate billing of the taxes. It would be inappropriate to pursue collection as the taxes have been collected under another roll number.

Roll No / Address	Tax Year(s)	Amount
05-04-0-142-04401 0 Agnes St E/S	2010	\$ 1,686.04

MPAC erred by duplicating the assessment on this property. The property was assessed under two roll numbers. As a result there was a duplicate billing of the taxes. It would be inappropriate to pursue collection as the taxes have been collected under another roll number.

Roll No / Address	Tax Year(s)	Amount
05-03-0-092-14100		
3700 Dixie Rd E	2008-2009	\$ 9,181.91

Property was severed 2008. MPAC erred in the tax classification when preparing the apportionment. This is a cemetery that should have continued to be exempt following the apportionment. The 2010 to 2013 years have been corrected through tax appeals and Post-Roll Amended Notices issued by MPAC. Since the limitation period to file a tax appeal to have the tax class corrected for 2008 and 2009 has expired, taxes should be written off.

Roll No / Address	Tax Year(s)	Amount
05-40-0-143-08038		
225 Webb Dr	2010	\$ 3,961.94

MPAC erred by duplicating the assessment on this property. This roll number should have been deleted. The assessment was split among twenty other roll numbers. As a result there was a duplicate billing of the taxes. It would be inappropriate to pursue collection as the taxes have been collected under other roll numbers.

Roll No / Address	Tax Year(s)	Amount
05-04-0-143-08039		
225 Webb Dr	2010	\$ 21.22

MPAC erred by duplicating the assessment on this property. This roll number should have been deleted. The assessment was split among eighteen other roll numbers. As a result there was a duplicate billing of the taxes. It would be inappropriate to pursue collection as the taxes have been collected under other roll numbers.

Roll No / Address	Tax Year(s)	Amount
05-04-0-158-86908		
4850 Glen Erin Dr	2010	\$ 4,144.62

MPAC erred by duplicating the assessment on this property. This roll number should have been deleted. The assessment was split among nine other roll numbers. As a result there was a duplicate billing of the taxes. It would be inappropriate to pursue collection as the taxes have been collected under other roll numbers.

Roll No / Address	Tax Year(s)	Amount
05-07-0-052-12605 0 Greenhurst Ave	2009-2013	\$ 24,701.65

The property was offered for tax sale by the City pursuant to the provisions of Part XI of the *Municipal Act*. There was no successful purchaser. As a result, the property has been vested to the City and the tax arrears should be written off. The property will be used as parkland.

Roll No / Address	Tax Year(s)	Amount
05-07-0-052-09201 0 Sherway Dr	2009-2013	\$ 34,035.38

The property was offered for tax sale by the City pursuant to the provisions of Part XI of the *Municipal Act*. There was no successful purchaser. As a result, the property has been vested to the City and the tax arrears should be written off. The property will be used as parkland.

Roll No / Address	Tax Year(s)	Amount
05-04-0-098-15600 0 Britannia Rd W	2002	\$ 11,370.41

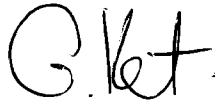
Property was severed in 2002 and a corresponding apportionment was received from MPAC. Deadline for completing the 2002 apportionment has passed. Tax certificates were issued on the new properties advising that all outstanding taxes had been paid. In accordance with the *Municipal Act*, tax certificates are legally binding on the municipality. Consequently, the tax arrears should be written off.

FINANCIAL IMPACT: The write-off when approved will be charged back as follows:

City	\$ 25,679.71
Region	\$ 41,092.92
Education – English Public	\$ 24,185.58
Education – English Separate	\$ 853.79
Education – French Public	\$ 3.51
Education – French Separate	\$ 6.64

CONCLUSION:

Taxes totalling \$91,822.15 been deemed uncollectable and should be removed from the tax roll pursuant to section 354(2)(a) of the *Municipal Act*.



Gary Kent

Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue & Taxation



Corporate Report

Clerk's Files

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DATE: October 25, 2013

General Committee
NOV 13 2013

TO: Chair and Members of General Committee
Meeting Date: November 13, 2013

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

SUBJECT: **Municipal Property Exemption**
Royal Canadian Legion and the Army, Navy and Air Force
Veterans Club

RECOMMENDATION: That Council enact a by-law to provide for the exemption and/or grant of/equivalent to City and Regional taxes until the year 2023 for all properties that qualify pursuant to Section 6.1 of the *Assessment Act*, R.S.O. 1990, c. A.31 and Section 107(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25.

BACKGROUND: Section 6.1(2) of the *Assessment Act* permits Council to pass a by-law to exempt from municipal taxation any real property used and occupied as a memorial home, clubhouse or athletic grounds by persons who served in the armed forces of Her Majesty or an ally of Her Majesty in any war.

By-law 0459-2003 provided this exemption for the maximum allowed 10 year period from 2004 to 2013. The purpose of this report is to recommend a new by-law for 2014 until 2023.

COMMENTS: The City of Mississauga has provided an exemption to qualified properties since 1974.

The Region of Peel provides a similar exemption to qualified properties. This exempts these properties from taxation for municipal purposes only. The properties must continue to pay their share of the education taxes.

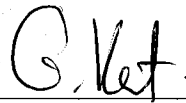
The City presently has five (5) qualified properties. They are:

- Army, Navy & Air Force Veterans Club
765 Third Street, Port Credit
- Royal Canadian Legion, Branch 82
35 Front Street N., Port Credit
- Royal Canadian Legion, Branch 139
101 Church Street, Streetsville
- Royal Canadian Legion, Branch 582
456 Hensall Circle, Cooksville
- Royal Canadian Legion, Branch 528
4025 Brandon Gate, Malton

It is proposed that the by-law be renewed for the next ten (10) year period commencing January 1, 2014.

FINANCIAL IMPACT: The total benefit of the exemption to the Legions and Army, Navy & Air Force Veterans Club is approximately \$50,000 annually.

CONCLUSION: The City has provided an exemption from municipal taxes to its Legions and Army, Navy and Air Force Veterans Club since 1974. It has been proposed to renew this exemption for the ten (10) year period commencing January 1, 2014.



Gary Kent
Commissioner of Corporate Services and Chief Financial Officer

Prepared By: Connie Mesih, Manager, Revenue & Taxation

REPORT 4-2013

General Committee

NOV 13 2013

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Public Vehicle Advisory Committee presents its fourth report for 2013 and recommends:

PVAC-0020-2013

That the deputation made by Hillary Calavitta, Region of Peel, Transportation Principal Planner with respect to Accessible Transportation Master Plan update be received.

PVAC-0020-2013

PVAC-0021-2013

1. That staff report back to the Public Vehicle Advisory Committee with amendments to the Public Vehicle Licensing By-law 420-04, as amended, to include the licensing of shuttle service vehicles, owners, and drivers; and,
2. That staff consult with representatives of the shuttle service industry on the proposed amendments.

(PVAC-0021-2013)

PVAC-0022-2013

1. That staff report back to the Public Vehicle Advisory Committee with amendments to the Public Vehicle Licensing By-law 420-04, as amended, to include the licensing of medical transfer service vehicles, owners, and drivers; and,
2. That staff consult with representatives of the medical transfer service industry on the proposed amendments.

(PVAC-0022-2013)

PVAC-0023-2013

That the email dated October 3, 2013, from Harsimar Sethi, with respect to the need for new taxi stands be received and referred to Enforcement staff.

(PVAC-0023-2013)

(PVAC-0024-2013)

That the email dated October 3, 2013, from Harsimar Sethi, with respect to taxi cab drivers being summons to court be received.

(PVAC-0024-2013)

PVAC-0025-2013

E-mail dated October 4, 2013 from Stephanie Smith, Legislative Coordinator with respect to the proposed 2014 Public Vehicle Advisory Committee meeting dates be received.

(PVAC-0025-2013)

(PVAC-0026-2013)

That the 2013 Action List provided to the Committee to update on the status of initiatives raised at prior meetings be received

(PVAC-0026-2013)

REPORT 8-2013

General Committee

NOV 13 2013

TO: MAYOR AND MEMBERS OF GENERAL COMMITTEE

The Heritage Advisory Committee presents its eighth report for 2013 and recommends:

HAC-0082-2013

1. That the request to make an alteration to the property at 863 Sangster Avenue, as described in the Corporate Report dated October 4, 2013 from the Commissioner of Community Services, be approved as the property owner has agreed to the following conditions:
 - a. Replacing the existing wood siding with wood fish scale shingles on the south and west facades of the house's upper floor;
 - b. Adding muntin bars to each of the windows located on the west façade of the house; and
 - c. Providing a Letter of Credit in an amount determined by the Director of Culture prior to issuance of the heritage permit and commencement of any work.
2. That the correspondence dated October 9, 2013 from Candice Chilton, the property owner of 863 Sangster Avenue, with respect to a request to alter a heritage designated property located at 863 Sangster Avenue, be received.

Ward 2

(HAC-0082-2013)

HAC-0083-2013

That the request to make alterations to the Derry House on the Adamson Estate, as described in the Corporate Report dated September 20, 2013 from the Commissioner of Community Services, be approved and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ward 1

(HAC-0083-2013)

HAC-0084-2013

That the request to alter the Bradley House Museum located at 1620 Orr Road, as described in the Corporate Report dated September 23, 2013 from the Commissioner of Community Services, be approved and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ward 2

(HAC-0084-2013)

HAC-0085-2013

That the request to make alterations to the Benares Main House, Dairy House, Barn and Potting Shed, as described in the Corporate Report dated September 23, 2013 from the Commissioner of Community Services, be approved and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ward 2

(HAC-0085-2013)

HAC-0086-2013

That the Outdoor Firing Range located at 1300 Lakeshore Road East be designated under Section 29. (1) of the *Ontario Heritage Act* for its historical/associative, contextual, and physical value and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ward 1

(HAC-0086-2013)

HAC-0087-2013

That the request to demolish the heritage listed property located at 3650 Eglinton Avenue West be deferred until the property owners and/or his agents submit a detailed Site Plan to Heritage staff for consideration at a future Heritage Advisory Committee meeting.

Ward 8

(HAC-0087-2013)

HAC-0088-2013

That the property at 7181 Lancaster Avenue, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process.

Ward 5

(HAC-0088-2013)

HAC-0089-2013

That the property at 930 Whittier Crescent, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process.

Ward 2

(HAC-0089-2013)

HAC-0090-2013

That the Memorandum dated September 11, 2013 from Laura Waldie, Heritage Coordinator, entitled "Heritage Impact Statement, 40 Veronica Drive (Ward 1)," be received.

Ward 1

(HAC-0090-2013)

HAC-0091-2013

That the Memorandum dated September 11, 2013 from Laura Waldie, Heritage Coordinator, entitled "Internal Renovations and Addition of Dormers (Ward 2)," with respect to the property located at 869 Whittier Crescent, be received.

Ward 2

(HAC-0091-2013)

HAC-0092-2013

That the Memorandum dated September 24, 2013 from Laura Waldie, Heritage Coordinator, entitled "Window Replacement at Rear of Property (Ward 7)," with respect to the property located at 1496 Adamson Street, be received.

Ward 7

(HAC-0092-2013)

HAC-0093-2013

That the Memorandum dated October 1, 2013 from Laura Waldie, Heritage Coordinator, entitled "Addition of Rear Yard Gazebo (Ward 2)," with respect to the property located at 2300 Speakman Drive, be received.

Ward 2

(HAC-0093-2013)

HAC-0094-2013

That the Memorandum dated October 1, 2013 from Elaine Eigl, Heritage Coordinator, entitled "Demolition of a Listed Property (Ward 11)," with respect to the property located at 275/277 Queen Street South, be received.

Ward 11

(HAC-0094-2013)

HAC-0095-2013

That the Memorandum dated October 1, 2013 from Elaine Eigl, Heritage Coordinator, entitled "Proposed Exterior Restoration and Replication Work (Ward 11)," with respect to the property located at 296 Queen Street South, be received.

Ward 11

(HAC-0095-2013)

HAC-0096-2013

That the correspondence from Heritage Toronto with respect to the Heritage Toronto Awards & William Kilbourn Memorial Lecture entitled "Building Heritage with Innovation" on Tuesday, October 15, 2013 at Koerner Hall in the Royal Conservatory of Music in Toronto, Ontario, be received.

(HAC-0096-2013)

HAC-0097-2013

1. That the correspondence dated October 3, 2013 from Jayme Gaspar, Executive Director, Heritage Mississauga, with respect to "The Credits": Heritage Mississauga Awards on Thursday, November 21, 2013 at the Mississauga Grand Banquet and Convention Centre in Mississauga, Ontario, be received; and
2. That up to nine Heritage Advisory Committee Citizen Members be authorized to attend "The Credits": Heritage Mississauga Awards on Thursday, November 21, 2013 at the Mississauga Grand Banquet and Convention Centre in Mississauga, Ontario and that funds be allocated in the Heritage Advisory Committee's 2013 budget (Account #28609) to cover approximately \$585 for tickets.

(HAC-0097-2013)

HAC-0098-2013

That the chart dated October 22, 2013 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, with respect to the status of outstanding issues from the Heritage Advisory Committee, be received.

(HAC-0098-2013)

HAC-0099-2013

That the correspondence dated September 20, 2013 from James P. Holmes, Chairman, Meadowvale Village Heritage Conservation District Review Committee, entitled "1125 Willow Lane, Meadowvale Village – Gamisz-McMenemy Residence," be received.

Ward 11

(HAC-0099-2013)

HAC-0100-2013

That the correspondence dated July 29, 2013 from Justin A. Malfara, Land Development Coordinator, Dunsire Developments Inc., with respect to a notice of objection to the proposed heritage designation of the Gooderham Farmhouse located at 7235 Second Line West, be received.

Ward 11

(HAC-0100-2013)

HAC-0101-2013

That the correspondence dated October 2013 from the Honourable Michael Coteau, Minister of Citizenship and Immigration, with respect to the June Callwood Outstanding Achievement Award for Voluntarism in Ontario, be received.

(HAC-0101-2013)

HAC-0102-2013

That the correspondence from Farhad Shahla, Project Manager, City of Mississauga, and Laurie M. Bruce, Consultant Project Manager, Arup Canada Inc., with respect to the City of Mississauga Notice of Public Information Centre #2, Municipal Class Environmental Assessment Study for Ninth Line, be received.

Wards 9 and 10

(HAC-0102-2013)

HAC-0103-2013

That Heritage staff prepare a Cultural Heritage Assessment to designate the Clarkson General Store and William Clarkson House properties located at 1130-1132 and 1140 Clarkson Road North, respectively, for consideration at a future Heritage Advisory Committee meeting once the ownership of the properties has been determined by the judicial system.

Ward 2

(HAC-0103-2013)

HAC-0104-2013

That the correspondence dated October 8, 2013 from Michael Chiu, Consultant Project Manager, McCormick Rankin, with respect to the Notice of Public Information Centre #2, Queen Elizabeth Way Improvements from Evans Avenue to Cawthra Road, Preliminary Design and Class Environmental Assessment Study, be received.

Wards 1 and 7

(HAC-0104-2013)

**MISSISSAUGA CELEBRATION SQUARE
EVENTS COMMITTEE**

November 4, 2013

REPORT 7-2013

General Committee

NOV 13 2013

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Mississauga Celebration Square Events Committee presents its seventh report for 2013 and recommends:

MCSEC-0024-2013

That the Corporate Report dated October 25, 2013 from the Commissioner of Community Services entitled, "Approval of Festival Applications for Mississauga Celebration Square (MCS) Summer 2014" be received for information.

(MCSEC-0024-2013)

MCSEC-0025-2013

That the Corporate Report dated October 23, 2013 from the Commissioner of Community Services entitled, "Mississauga Celebration Square 2013/2014 Winter Programming Update" be received for information.

(MCSEC-0025-2013)

MCSEC-0026-2013

That the memorandum dated October 30, 2013 from the Legislative Coordinator advising of the 2014 Committee dates be received.

(MCSEC-0026-2013)

MCSEC-0027-2013

That the email dated October 30, 2013 from Margaret Jedlewska resigning from her position as Citizen Member on the Mississauga Celebration Square Events Committee be received.

(MCSEC-0027-2013)

REPORT 7-2013

General Committee

NOV 13 2013

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Environmental Advisory Committee presents its seventh report for 2013 and recommends:

EAC-0045-2013

That the PowerPoint and Video update from Stephanie Crocker, Executive Director, and Carolyn Bailey, Associate Director, Ecosource, with respect to the 2013 Community Garden Program, to the Environmental Advisory Committee on November 5, 2013, be received.

(EAC-0045-2013)

EAC-0046-2013

That the Memorandum dated October 23, 2013 from John Calvert, Director, Policy Planning Division, Planning and Building Department, with respect to Drive-Through Facilities – Appeals to Mississauga Official Plan, be received.

(EAC-0046-2013)

EAC-0046-2013

That the Draft Public Environment Online Survey from Brenda Osborne, Director, Environment Division, Community Services Department, and the feedback from the Environmental Advisory Committee dated November 5, 2013, be received.

(EAC-0046-2013)

EAC-0047-2013

That the chart from Environment staff with respect to upcoming agenda items and Environmental Advisory Committee (EA) role, be received.

(EAC-0047-2013)

EAC-0048-2013

That the chart dated November 5, 2013 from Mumtaz Alikhan, Legislative Coordinator, Environmental Advisory Committee, with respect to the status of outstanding issues from the Environmental Advisory Committee, be received.

(EAC-0048-2013)