
REVISED Council

Date: August 5, 2020
Time: 9:30 AM
Location: Online Video Conference

Members

Mayor Bonnie Crombie	
Councillor Stephen Dasko	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Dipika Damerla	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Council and Committee meetings until further notice.

Public Comments: Any member of the public interested in speaking to an item listed on the agenda may register at krystal.christopher@mississauga.ca by Tuesday, August 4, 2020 before 12:00 PM. Comments submitted will be considered as public information and entered into public record.

Contact

Krystal Christopher, Legislative Coordinator, Legislative Services
905-615-3200 ext. 5411
Email krystal.christopher@mississauga.ca

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

Meetings of Council streamed live and archived at [Mississauga.ca/videos](https://www.mississauga.ca/videos)

1. **CALL TO ORDER**

2. **INDIGENOUS LAND STATEMENT**

"Welcome to the City of Mississauga Council meeting. We would like to acknowledge that we are gathering here today on the Treaty Lands and Territory of the Mississaugas of the Credit, and the traditional territories of the Anishinaabe, Haudenosaunee, Wyndot and Huron people. We also acknowledge the many First Nations, Inuit, Metis and other global Indigenous peoples who call Mississauga home. We welcome everyone."

3. **APPROVAL OF AGENDA**

4. **DECLARATION OF CONFLICT OF INTEREST**

5. **MINUTES OF PREVIOUS COUNCIL MEETING**

5.1 Council Minutes - July 8, 2020

5.2 Council Minutes - July 22, 2020

6. **PRESENTATIONS**

7. **DEPUTATIONS**

7.1 Donald Stewart, President, Gordon Woods Homeowners' Association to speak regarding the above ground valve compound located at Dickson Road and Premium Way

*7.2 Paul Damaso, Director Arts and Culture, to speak regarding the Film and Television Reopening Plan **(REVISED)**

7.3 David Ferreira, Manager, City Marketing and Planning, to speak regarding the United Way 2019 Employee Campaign Wrap-up

*7.4 Dr. Monica Hau, Associate Medical Officer, Region of Peel, to speak regarding the Region of Peels recommendations on COVID-19.

Item 15.1.2.

8. **PUBLIC QUESTION PERIOD - 15 Minute Limit**

You may pre-register to present your question to Council on a matter on the agenda via WebEx during the Public Question Period, at krystal.christopher@mississauga.ca by Tuesday August 4, 2020 before 12:00 PM.

9. **MATTERS PERTAINING TO COVID-19**

9.1 Bill 197 and the Resumption of Council and Committee Meetings

10. **CONSENT AGENDA**

11. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

- 11.1 Request to Alter a Heritage Designated Property: 6671 Ninth Line (Ward 10)
- 11.2 Parks By-law 186-05 Review
- 11.3 City Wide Requirements for Virtualization Technology Software, Maintenance, Technical Support and Services – Adoption of Vendor of Record Province of Ontario Agreement “Tender 6718” (File Ref: PRC002464)
- 11.4 Recommendation of Single Source Procurement for DocuSign Enterprise Electronic Signature Solution (File Ref. PRC002434)
- 11.5 Recommendation of Single Source Procurement with SirsiDynix Corporation for the Integrated Library System (ILS), File Ref. PRC001318
- 11.6 Procurement Authority for a One-Year Period to Obtain COVID-19 Related Personal Protective Equipment (PPE) and Disinfecting Supplies for City-wide Use
- 11.7 Street Name to be assigned to a private road within an approved development site in the City of Mississauga (Ward 1)

12. PRESENTATION OF COMMITTEE REPORTS

- 12.1 Planning and Development Committee Report 7 - 2020 - dated July 27, 2020

13. UNFINISHED BUSINESS

14. PETITIONS

15. CORRESPONDENCE

- *15.1 Information Items
- *15.1.1 Letter dated July 22, 2020 from the Minister of Municipal Affairs and Housing regarding Bill 184. **(REVISED)**
- *15.1.2 Letter dated July 30, 2020 from Dr. Lawrence Loh, Medical Officer of Health, Region of Peel, regarding recommendations on COVID-19
- *15.2 Direction Items
- *15.2.1 Letter dated July 31, 2020 , from Hindu Forum Canada regarding the broadcast of religious hymns and observe religious processions from August 11, 2020 to September 1, 2020

16. NOTICE OF MOTION

- 16.1 To approve the Battleford Road mid-block signalization as recommended in report 12.4 from the July 23, 2020 Council meeting (Councillor Saito, Ward 9)
- 16.2 To relocate the unused portion of funding from the Distracted Driving Campaign to the Road Safety Committee to include the development and delivery of the Pedestrian Safety Campaign (Councillor Saito, Ward 9)
- 16.3 To call on the Province to request that s.75.1 of the Highway Traffic Act be proclaimed and brought into force immediately (Councillor Ras, Ward 2)

- 16.4 To amend the Face Covering By-law to help contain the spread of COVID-19 by requiring face coverings in the enclosed common areas of residential apartment buildings and condominiums (Councillor Dasko, Ward 1)

17. **MOTIONS**

- 17.1 To close to the public a portion of the Council meeting to be held on August 5, 2020 to deal with various matters. (See Item 22 Closed Session)

18. **INTRODUCTION AND CONSIDERATION OF BY-LAWS**

- 18.1 A by-law to authorize the execution of a Development Agreement between Medhat Elias and Samia Elias and the City of Mississauga, 9 Benson Avenue East side of Benson Avenue, north of Lakeshore Road West (OZ 17/022 W1)

PDC-0038-2019 / April 29, 2019

- 18.2 A by-law to amend Zoning By-law 0225 2007, regarding East side of Benson Avenue, north of Lakeshore Road West

PDC-0038-2019 / April 29, 2019

- 18.3 A by-law to amend By-law 0025-2015, being a by-law to appoint City Employees as Municipal Law Enforcement Officers for the purpose of enforcing Municipal by-laws

- 18.4 A by-law to amend Traffic By-law 555-2000, regarding Parking Prohibition Lorimar Drive

GC-0133-2020 / March 25, 2020

- 18.5 A by-law to amend Traffic By-law 555-2000, regarding No Parking Lapad Court

GC-0133-2020 / March 25, 2020

- 18.6 A bylaw to Adopt Mississauga Official Plan Amendment, regarding, 86-90 Dundas Street East, South side of Dundas Street East, east of Hurontario Street

PDC-0021-2020 / July 13, 2020

- *18.7 A by-law to amend Zoning By-law 0225-2007, located South side of Dundas Street East, East of Hurontario Street **(REVISED)**

PDC-0021-2020 / July 13, 2020

- *18.8 A by-law to authorize the execution of a Development Agreement between 5081 Hurontario Ltd. Partnership, by its General Partner, 1997937 ONTARIO INC., the City of Mississauga and the Region of Peel, Northeast corner of Armdale Road at Hurontario Street **(REVISED)**

PDC-0012-2020 / February 24, 2020

- 18.9 A by-law to amend Zoning By-law 0225-2007, regarding the removal of the "H" provision, Northeast corner of Hurontario Street and Armdale Road

PDC-0012-2020 / February 24, 2020

- 18.10 A by-law to amend the Noise Control By-law 360-79, as amended, regarding vehicle noise
Resolution 0239-2020 / July 8, 2020
- 18.11 A by-law to authorize the Commissioner of Transportation and Works to execute a cost sharing agreement between the the City of Mississauga and the Peel for the Rhonda Valley and Acala Crescent Storm Sewer Replacement works
Resolution 0253-2020 / July 22, 2020
- *18.12 A by-law to amend the Council Procedure By-law 139-13 to allow for meetings to be conducted virtually and for members to participate electronically until August 1, 2021
Item 9.1.
- *18.13 A by-law to amend the Committee of Adjustment Procedure By-law 350-07, as amended, to allow for meetings to be conducted virtually and for members to participate electronically until August 1, 2021
Item 9.1.
19. **MATTERS PERTAINING TO REGION OF PEEL COUNCIL**
20. **COUNCILLORS' ENQUIRIES**
21. **OTHER BUSINESS/ANNOUNCEMENTS**
22. **CLOSED SESSION**
(Pursuant to Subsection 239(2) of the Municipal Act, 2001)
- 22.1 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: 1654 Birchwood Drive – LPAT Decision on Appeals of Decisions of the Committee of Adjustment – Ward 2
- 22.2 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose: Mandatory Masks in Private Condominiums
- 22.3 The security of the property of the municipality or local board: Living Arts Centre transition (Verbal Update)
- 22.4 A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board: Paramount Fine Foods Centre Naming and Food Service Operations Agreement
- *22.5 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose: Measures to Control the Spread of the COVID-19 Virus in Bars and Restaurants
23. **CONFIRMATORY BILL**
A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on August 5, 2020
24. **ADJOURNMENT**

City of Mississauga
Corporate Report



9.1.

Date: July 24, 2020

To: Mayor and Members of Council

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of
Corporate Services and Chief Financial Officer

Originator's files:

Meeting date:
August 5, 2020

Subject

Bill 197 and the Resumption of Council and Committee Meetings

Recommendation

1. That the report from the Commissioner of Corporate Services dated July 24, 2020 entitled "Bill 197 and the Resumption of Council and Committee Meetings" be received.
2. That Council and Committee meetings resume with their regular schedule effective September 8, 2020.
3. That the Council Procedure By-law 193-2013 be amended to allow for electronic participation at all Council and Committee meetings until August 1st 2021.
4. That the Committee of Adjustment Procedure By-law 0350-2007 be amended to allow for electronic participation until August 1st 2021.
5. That the Rules of Practice and Procedure for Property Standards and Mississauga Appeal Tribunal be amended to allow for electronic participation until August 1st 2021.
6. That prior to the August 1st 2021 expiry date of the extension of electronic participation at Council and Committee meetings, that staff report back to Governance Committee on the option of continuing with the provision of electronic participation at Council and/or Committee meetings and Quasi-Judicial Hearings.
7. That Council provide direction related to implementing proxy voting for Council meetings.

Report Highlights

- Bill 197 has introduced legislation that would allow Council to amend their Procedure By-law to allow for electronic participation in Council, local boards and committee meetings on a permanent basis.
- Bill 197 also introduces the option of allowing proxy voting during Council meetings.
- Electronic participation at Council and Committee meetings during the post-COVID transition period provides flexibility in the resumption of Council, Standing and Advisory Committee meetings and the Committee of Adjustment.
- By extending the electronic participation provisions in the Procedure By-laws until August 1, 2021, it allows Council and staff to review the desire and appropriateness of making these provisions permanent.

Background

The *Municipal Emergency Act, 2020*, allowed municipalities to allow for electronic participation in open and closed meetings and for those participating electronically to be counted for purposes of quorum. Council adopted By-law 50-2020, which amended the Council Procedure By-law to implement these changes during a declared emergency for Council and its Standing Committees (Audit, Budget, General Committee and Planning and Development Committee).

Since the declaration of the Provincial Emergency, all meetings have been held virtually, including Council, which has met on a weekly basis, Audit and Budget Committees. Planning and Development Committee and the Committee of Adjustment have resumed with virtual participation of Committee members, applicants and the public. All other Committees and Quasi-judicial tribunals were cancelled during this period.

Bill 197, *the COVID-19 Economic Recovery Act, 2020*, which received Royal Assent on July 21, 2020, amends among other Acts, the Municipal Act, 2001 by allowing municipal councils, committees and boards to determine whether they choose to amend their procedure bylaws to:

- allow the use of electronic participation at meetings on a permanent basis;
- state whether members can participate electronically in both open meeting and closed meetings;
- state whether members participating electronically count towards quorum;
- allow the use of proxy voting

Appendix 1 and 2 are the Ministry of Municipal Affairs and Housing Information Guides related to the legislative changes.

Comments

Resumption of Council and Committees and Electronic Participation

As we move towards recovery, the resumption of the regularly scheduled Council, Standing and Advisory Committees and Quasi-Judicial Tribunals is appropriate.

Bill 197, *the COVID-19 Economic Recovery Act*, 2020, amends the Municipal Act, 2001 to allow municipalities to amend their procedure by-laws to allow for electronic participation in open and closed meetings and allows those members of Council participating electronically be counted towards quorum outside of an emergency declaration period. Currently, the Procedure By-law 139-2013 only permits electronic participation during a declared emergency period; however it is recommended that the Procedure By-law be amended to allow for an extension of this provision until August 1, 2021 to provide greater flexibility during this transition period. Staff should report back prior to the extension period expires to determine whether to allow electronic participation a permanent provision in the By-law and where it should be subject to certain conditions such as medical leave, parental leave or business travel purposes. The flexibility of electronic participation allows for the resumption of Council and all committee meetings as originally scheduled from September 8th onward.

Council, General Committee, Budget, Audit, Planning and Development Committee and the Committee of Adjustment meetings are held in the Council Chambers. The Chambers are being modified to address physical distancing requirements, including the installation of plexi-glass dividers, seating decals and directional signage. The Chambers will be ready for in-person meetings effective September 8th, 2020 subject to delivery of materials. Should Council support the continuation of electronic participation in meetings, a member could chose to participate in these meetings electronically, a hybrid model could be used to allow for in-person and electronic participation in the meeting. Given the physical distancing requirements, the capacity of the Chambers is significantly reduced; however overflow for the public could be accommodated in the Great Hall. It is also recommended that the Committee of Adjustment Procedure By-law 350-2007 be amended to allow for an electronic or hybrid model. Electronic or hybrid meetings require additional staff resources and are more costly to run.

Legislative Services staff will work with committee members of all the advisory and quasi-judicial committees on a resumption plan. Most advisory committees meet in various committee rooms in the Civic Centre, given the need for physical distancing and space constraints of the meeting rooms, it may be difficult to accommodate the advisory committees. It is most appropriate to meet electronically for the foreseeable future. Over the past few months, it has been demonstrated that electronic meetings can be effective and have allowed for participation by all interested parties.

It is recommended that the current electronic meeting provisions be extended until August 1, 2021. This would give Council and Committees more experience with these types of meetings to determine whether this should be allowable on a permanent basis. Staff would report to Governance Committee prior to July 2021.

Proxy Voting

The COVID-19 Economic Recovery Act, 2002 amendments to the Municipal Act, 2001, allows a member of Council to appoint another member of Council as a proxy to act in their place when they are absent subject to certain rules:

1. A member shall not appoint a proxy unless the proxyholder is a member of the same council as the appointing member.
2. A member shall not act as a proxy for more than one member of council at any one time.
3. The member appointing the proxy shall notify the clerk of the appointment in accordance with the process established by the Clerk
4. For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both appointing member and the proxyholder
5. A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the Clerk
6. Where a recorded vote is requested, under section 246, the Clerk shall record the name of each proxyholder, the name of the member of Council for whom the proxyholder is voting and the vote cast on behalf of that member
7. A member who appoints a proxy for a meeting shall be considered absent from the meeting for purposes of determining whether the office of the member is vacant under clause 259(1)(c).

Proxy voting allows Members of Council the ability to participate in votes when absent from meetings subject to the provisions of Municipal Act. Should Council wish to investigate proxy voting for Council meeting purposes, staff should be requested to report back to Governance Committee in the fall on options for proxy voting such as general or specific proxies, rules and processes for its implementation.

Financial Impact

N/A

Conclusion

The ability for Council and Committee members to participate in meetings electronically and be counted towards quorum will ensure the continuity and/or resumption of meetings and the business of the City. This will allow for greater flexibility for advisory committees where physical distancing may not be feasible. By extending the electronic provisions in the Council and Committee and Committee of Adjustment Procedure By-laws flexibility is granted through the post COVID transition period and allows a review of the appropriateness and conditions by which this provision could be used on a more permanent basis.

The ability to have a proxy vote when unable to attend a meeting allows Council members to participate in votes however requires further review to determine the appropriate processes and implementation options.

Attachments

Appendix 1 - Information Sheet Electronic Participation in Municipal Meetings

Appendix 2 - Information Sheet Proxy Voting for Municipal Council Members

A handwritten signature in black ink that reads "G. Kent." The signature is written in a cursive, flowing style.

Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Diana Rusnov, Director, Legislative Services & City Clerk

Electronic Participation in Municipal Meetings

July 2020

This document is intended to give a summary of complex matters. It does not include all details and does not take into account local facts and circumstances. This document refers to or reflects laws and practices that are subject to change. Municipalities are responsible for making local decisions that are in compliance with the law such as applicable statutes and regulations. This document applies only to those municipalities whose meeting rules are governed by the Municipal Act, 2001.

This document replaces previous guidance released in March 2020 regarding electronic participation in municipal meetings during emergencies.

This document, as well as any links or information from other sources referred to in it, should not be relied upon, including as a substitute for specialized legal or other professional advice in connection with any particular matter. The user is solely responsible for any use or application of this document.

Overview

The province has made changes to the *Municipal Act* to allow members of councils, committees and certain local boards who participate in open and closed meetings electronically to be counted for purposes of quorum (the minimum number of members needed to conduct business at a meeting).

These provisions are optional. Municipalities continue to have the flexibility to determine if they wish to use these provisions and incorporate them in their individual procedure bylaws.

Municipalities may wish to review their procedure bylaws to determine whether to allow members to participate in meetings electronically, and whether to take advantage of the new provisions based on their local needs and circumstances.

What a municipality can do

A municipality can choose to hold a special meeting to amend their procedure bylaw to allow electronic participation. During this special meeting, members participating electronically can be counted for the purposes of quorum.

Municipal councils, committees and boards can choose to amend their procedure bylaws to:

- allow the use of electronic participation at meetings
- state whether members can participate in both open meeting and closed meetings
- state whether members participating electronically count towards quorum

It is up to municipalities to determine:

- whether to use these provisions
- the method of electronic participation
- the extent to which members can participate electronically (for example, it is up to municipalities to decide whether all council members participate electronically or whether some still participate when physically present in council chambers)

Technology to use for electronic meetings

Municipalities, their boards and committees can choose the technology best suited to their local circumstances so:

- their members can participate electronically in decision-making
- meetings can be open and accessible to the public

Municipalities may want to engage with peers who have electronic participation in place to find out about best practices as they revise their procedure bylaws. Some municipalities may choose to use teleconferences while others may use video conferencing.

Open meeting requirements

If a municipality chooses to amend their procedure bylaw to allow people to participate electronically, meetings would still be required to follow existing meeting rules, including that the municipality:

- provides notice of meetings to the public
- maintains meeting minutes
- continues to hold meetings open to the public ([subject to certain exceptions](#))

The *Municipal Act* [specifies requirements for open meetings](#) to ensure that municipal business is conducted transparently, and with access for and in view of the public. There are limited circumstances under the *Municipal Act* when municipal meetings can be conducted in closed session.

Rules for local boards

Local boards subject to the meeting rules in the *Municipal Act* include:

- municipal service boards
- transportation commissions
- boards of health
- planning boards
- many other local boards and bodies

Some local boards may not be covered. For example, police services, library and school boards have different rules about their meetings, which are found in other legislation.

Municipalities are best positioned to determine whether a local entity is considered a local board. If in doubt whether a local entity is covered under these rules, municipalities can seek independent legal advice regarding the status of local entities and whether these new provisions would apply to them.

Contact

If you have questions regarding how these new provisions might impact your municipality, contact your [local Municipal Services Office](#).

- **Central Municipal Services Office**
Telephone: 416-585-6226 or 1-800-668-0230
- **Eastern Municipal Services Office**
Telephone: 613-545-2100 or 1-800-267-9438
- **Northern Municipal Services Office (Sudbury)**
Telephone: 705-564-0120 or 1-800-461-1193
- **Northern Municipal Services Office (Thunder Bay)**
Telephone: 807-475-1651 or 1-800-465-5027
- **Western Municipal Services Office**
Telephone: 519-873-4020 or 1-800-265-4736

Additional Resources

- Municipal Act, 2001: <https://www.ontario.ca/laws/statute/01m25>
- The Ontario Municipal Councillor's Guide: <https://www.ontario.ca/document/ontario-municipal-councillors-guide-2018>

Proxy Voting for Municipal Council Members

July 2020

This document is intended to give a summary of complex matters. It does not include all details and does not take into account local facts and circumstances. This document refers to or reflects laws and practices that are subject to change. Municipalities are responsible for making local decisions that are in compliance with the law such as applicable statutes and regulations. This document applies only to those municipalities whose meeting rules are governed by the Municipal Act, 2001.

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Overview

The province is providing municipalities with the flexibility to choose to allow proxy votes for municipal council members who are absent. This power helps ensure continuing representation of constituents' interests on municipal councils when a member is unable to attend in person due to, for example, illness, a leave of absence, or the need to practice physical distancing.

Municipalities that wish to allow proxy voting must amend their procedure bylaws to allow a member of council to appoint another member of the same council to act in their place when they are absent.

Optional and Flexible

Allowing proxy voting is optional and it is up to each municipality to determine whether to allow proxies for council and under what circumstances. If a municipal council chooses to allow proxy voting, it is up to each member to decide whether they wish to appoint a member of that council as a proxy or not if they are to be absent.

Municipalities have the flexibility to determine the scope and extent of proxy appointments including, for example, any local rules or limitations, the process for appointing or revoking a proxy, and how proxyholders may participate in meetings. Municipalities may wish to consider:

- how proxies may be established and revoked;
- circumstances where proxies may or may not be used; and
- how a proxyholder may participate in a meeting including voting, speaking, or asking questions on behalf of the appointing member.

If a municipality chooses to allow proxy voting, it would be the role of the municipal clerk to establish a process for appointing and revoking proxies. Municipalities may also wish to consider addressing proxy voting in their code of conduct or other local policies to help ensure that votes are appropriately cast and that the local process is followed.

Once a proxy has been appointed, the appointing member could revoke the proxy using the process established by the municipal clerk.

Limitations

Limits to the proxy appointment process are set out in legislation. These include:

- A proxyholder cannot be appointed unless they are a member of the same council as the appointing member:
 - For upper-tiers, this means that a proxyholder has to be a member of the same upper-tier council as the appointee, regardless of lower-tier membership;

- A member cannot act as a proxyholder for more than one other member of council at a time;
- An appointed proxy is not counted when determining if a quorum is present;
- A member appointing a proxy shall notify the municipal clerk of the appointment in accordance with a local process established by the clerk; and
- When a recorded vote is taken, the clerk shall record the name and vote of every proxyholder and the name of the member of council for whom the proxyholder is acting.

Council member absence rules still apply. This means that a member's seat would become vacant if they are absent from the meetings of council for three successive months without being authorized to do so by a resolution of council.

Accountability and Transparency

Members appointing proxies or acting as proxyholders are required to follow existing accountability and transparency requirements. For example, a member may not appoint a proxy or serve as a proxyholder on a matter in which they have a pecuniary interest under the *Municipal Conflict of Interest Act*. Municipalities may also want to consider transparency measures such as:

- communicating to the public who has appointed a proxy and who is serving as a proxy;
- publishing meeting agendas in advance so that proxies can be appointed, if needed, and potential conflicts of interest can be identified; and
- allowing members to participate electronically when not able to attend meetings in person rather than appointing a proxy.

For more information about existing accountability and transparency requirements, including the Municipal Conflict of Interest Act, codes of conduct and the role of the local integrity commissioner, please see the [Municipal Councillor's Guide](#).

Contact

If you have questions regarding how these new provisions may impact your municipality, contact your local Municipal Services Office with the Ministry of Municipal Affairs and Housing.

- **Central Municipal Services Office**
Telephone: 416-585-6226 or 1-800-668-0230
- **Eastern Municipal Services Office**
Telephone: 613-545-2100 or 1-800-267-9438
- **Northern Municipal Services Office (Sudbury)**
Telephone: 705-564-0120 or 1-800-461-1193
- **Northern Municipal Services Office (Thunder Bay)**
Telephone: 807-475-1651 or 1-800-465-5027
- **Western Municipal Services Office**
Telephone: 519-873-4020 or 1-800-265-4736

Additional Resources

- Municipal Act, 2001: <https://www.ontario.ca/laws/statute/01m25>
- The Ontario Municipal Councillor's Guide: <https://www.ontario.ca/document/ontario-municipal-councillors-guide-2018>

The COVID-19 Economic Recovery Act, 2020 – Proxy Voting

Process to Appoint a Member of Council as a Proxy for Council Meetings

1. A Member of Council appointing a proxy shall by email simultaneously notify the City Clerk and the proxyholder of their absence as soon as possible before the scheduled Council meeting.
 - a. The email appointing the proxy shall detail whether the Proxyholder is given the proxy to vote on all matters or only on specific agenda items;
 - b. If the proxy is only for specific agenda items, these are to be listed in the email.
2. The Proxyholder shall by email response, acknowledge their ability to fulfill their responsibility as a proxyholder for the matters outlined.
3. The City Clerk shall by email notify all members of Council of the designation of the proxy member for the Council meeting.

Revoking a Proxy

1. If the Member of Council who was to be absent wishes to revoke the proxy, the Member of Council shall by email notify the City Clerk and proxyholder of this change as soon as possible prior to the meeting.
2. The City Clerk shall by email notify all Members of Council notice of the revocation prior to the commencement of the meeting.

Conflict of Interest

1. If after appointing a proxy, a Member of Council discovers that they have a pecuniary interest described in subsection 5 (1) of the Municipal Conflict of Interest Act in a matter to be considered at a meeting that is to be attended by the proxyholder; the Member of Council shall:
 - a. as soon as possible, notify the proxyholder of the Conflict of Interest in the matter;
 - b. indicate that the proxy will be revoked in respect of the matter; and
 - c. request that the City Clerk revoke the proxy with respect to the matter in accordance with the proxy revocation process established by the City Clerk.
2. If, after appointing a proxy, a Member of Council discovers that they have a pecuniary interest described in subsection 5 (1) of the Municipal Conflict of Interest Act in a matter that was considered at a meeting attended by the proxyholder, the appointing member shall comply with subsection 5 (3) of the Municipal Conflict of Interest Act with respect to the interest at the next meeting attended by the appointing member after they discover the interest.

3. If the Proxyholder discovers that they have a Conflict of Interest in a matter to be considered at the meeting where they have proxy

City of Mississauga

Corporate Report



<p>Date: July 9, 2020</p> <p>To: Chair and Members of Council</p> <p>From: Shari Lichterman, CPA, Commissioner of Community Services</p>	<p>Originator's files:</p> <hr/> <p>Meeting date: August 5, 2020</p>
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Subject

Request to Alter a Heritage Designated Property: 6671 Ninth Line (Ward 10)

Recommendation

That the request to alter the heritage designated property at 6671 Ninth Line, as per the Corporate Report from Community Services, dated July 9, 2020, be approved with the condition that prior to site plan approval, the applicant enter into a heritage agreement with the City to ensure that the alterations and conservation of the property are completed to the satisfaction of the Director of the Culture Division or designate, including securities totalling half the cost of estimated costs of moving the house to the date that the securities are actually received, until the building is safely moved on its new foundation.

Background

The property located at 6671 Ninth Line, commonly known as the Cordingley House, features a one and a half storey frame heritage house and brick dairy shed. The original portion of the house was built in the 1840s with an expansion in the 1880s. A later single storey sunroom was added to the southern portion of the house.

The City designated the subject property under the *Ontario Heritage Act* in 2015. Section 33 of the Act requires Council permission for alterations likely to affect the property's heritage attributes.

The City is in receipt of an application to shift the house, rehabilitate it, including a change to the built form at the rear, and adaptively re-use the rear brick dairy. The supporting Heritage Impact Assessment and Addendum, Conservation Plan including cost of moving the house and landscapes plan are attached as Appendices 1 thru 4 respectively.

Comments

The proposed alterations for the property include the following:

Cordingely House:

- Demolition of a single storey sun room addition on the south-east corner of the house;

- Cross-bracing and reinforcement of the heritage house;
- Shifting of the house 1.6 m east; and a new foundation;
- Addition of a one and a half storey 600 sq. ft. addition on the east side of the house;
- Conservation and re-location of the bell cote;

Dairy Shed:

- Repair and re-pointing of exterior brick wall;
- Partial new foundation under the garage door;
- Pouring of new internal concrete slab floor;
- Creation of new garage entrance;
- Replacement of existing roof and doors;
- Filling in of windows.

The proposed alterations to the designated property generally conform to the conservation heritage principles as noted in the attached Heritage Impact Assessment and Conservation Plan. The proposed addition to the Cordingley House is located at the rear of the property and is the same height as the house itself, resulting in minimal impacts to views of the house from Ninth Line.

The Heritage Impact Assessment notes the need for a new foundation for the house, as the original is in poor condition and presents a risk to the longevity of the house. The shifting of the house is being carried out to make space for a new driveway and to move the house away from the proposed widening of Ninth Line.

The demolition of the single storey sunroom has minimal impact on the overall heritage value of the property. It is a later addition to the house and has no heritage value itself.

The proposed work plan for the dairy shed consists of slightly more impacts to the heritage of the property with a new garage door aperture being proposed. However, the design does minimize the overall impacts and is sympathetic to the structure.

Overall, the proposed alterations strike a balance between sympathetically modernizing the property while minimizing the impacts to the heritage attributes of the property.

Given the overall scope of the proposed alterations, Staff recommend that the City of Mississauga enter into a heritage agreement with the applicant to ensure that all alterations are carried out as outlined in the approved Conservation Plan (Appendix 3).

Furthermore, as the proposal includes shifting the house, securities are being recommended to ensure that if any damage were to occur as a result of the lifting and moving of the house can be repaired. Typically, securities are tied to the overall costs of restoration and construction. Staff are recommending reduced securities equal to half the amount of the moving costs of the house itself (Appendix 3). This amount of securities is recommended as the overall distance of move is minimal (1.6 m) and the move will place the house on a new and more secure

foundation. Securities would be returned upon a successful inspection by Heritage Planning Staff confirming that the house has been securely placed on its new foundation.

Financial Impact

There is no financial impact resulting from the recommendation in this report.

Conclusion

The owner of the subject property proposes to significantly alter the designated heritage property at 6671 Ninth Line. Staff recommend approval of the proposed alterations, along with a heritage agreement to carry out all alterations in keeping with the approved Conservation Plan and the submission of securities equal to half the amount of the overall moving cost of the house.

Attachments

Appendix 1: Heritage Impact Assessment

Appendix 2: Heritage Impact Assessment Addendum

Appendix 3: Conservation Plan

Appendix 4: Landscape Plan



Shari Lichterman, CPA, Commissioner of Community Services

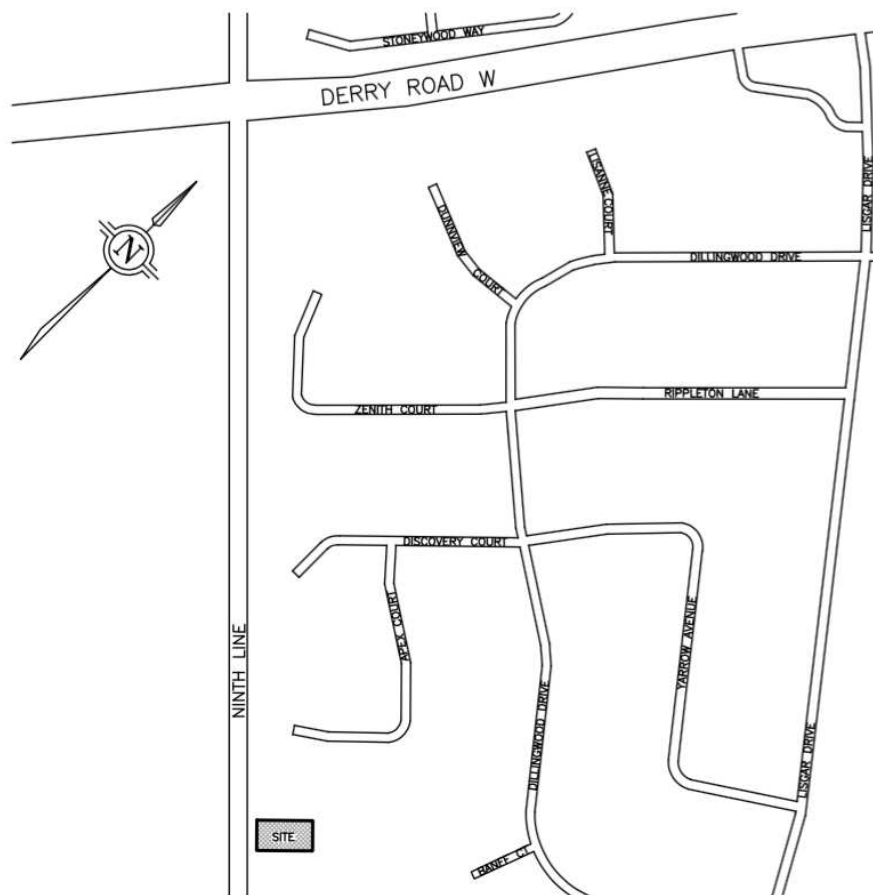
Prepared by: John Dunlop, Manager, Heritage Planning and Indigenous Relations

Overview:

This report is prepared to address the proposed re-development of the property at 6671 Ninth Line, Mississauga, ON.

Rick Mateljan of Strickland Mateljan Design Associates Ltd. was engaged by the property owner to carry out a sympathetic addition to this presently un-inhabited property and to complete a Heritage Impact Study to assess the impact of this intervention.

The property consists of a 1 ½ storey wood clad single family dwelling and a 1 storey brick dairy building with sheet metal roof. Both are proposed to be renovated under this application.

Key map:

Background

This property has been the subject of much study and several previous applications to the City of Mississauga Heritage Advisory Committee. This Heritage Impact Statement relies upon much of this previously submitted information, including:

- *Heritage Impact Statement, Cordingley House, 6671 Ninth Line, Mississauga* by The Landplan Collaborative Ltd. November 17, 2010 addendum October 04, 2011 (relevant excerpt appended below as Appendix 1)
- *Heritage Impact Statement, Cordingley House Restoration & Renovation, 6671 Ninth Line, Mississauga* by CHC Limited, April 23, 2015 (relevant excerpt appended below as Appendix 2)
- *Structural Engineering Report, Foundation of Existing House at 6671 9th Line, Mississauga* by World Engineering Ltd. and Halton Hills Design Build, Sept 28 2014 (*included in above report*)
- *Structural Review and Recommendations for the Cordingley House, 6671 Ninth Line, Mississauga* by Shoalts Engineering, March 29, 2015 (*appended below as Appendix 3*)

The purpose of the 2010/2011 application was to permit the subdivision of the property into residential lots (the present Banff Crt.) and the creation of two multi-family buildings to the north and south of the subject property fronting onto Ninth Line. The applications involved the demolition of an older barn on the property but no changes to the house or dairy building on the site. This applications were successful and the construction of these residences is complete.

The purpose of the 2015 application was to permit renovations to the existing building consisting of demolition of the existing rear-most parts of the building, raising of the remaining building on a new foundation and the creation of a new 1 ½ storey addition with attached garage and the rear of the dwelling. The dairy building was not proposed to be altered as part of this proposal. This proposal was not successful and did not go forward.

The Structural Engineering Report by World Engineering (commissioned by the property owner) opined that the foundation was beyond repair and rearmost structure of the building would need to be removed to facilitate replacement. The Shoalts Engineering report (commissioned by the City of Mississauga) also advocated replacement of the foundation by believed that the frame structure above was worthy and capable of repair and reuse.

This author supports the conclusions of the 2010/2011 and 2015 Heritage Impact Statements and the 2015 Shoalts Engineering Report. Where possible, this Heritage Impact Statement refers to the information and conclusions in these reports rather than re-examining these issues.

Terms of Reference

The City required terms of reference are as follows:

1. *A detailed site history to include a listing of owners from the Land Registry Office, and a history of the site use(s). However, please note that due to the Freedom of Information and Protection of Privacy Act, current property owner information must not be included. As such, Heritage Planning will request that current property owner personal information be redacted to ensure the reports comply with the Act.*

- This information is included in the 2010/2011 and 2015 Heritage Impact Statements

2. *A complete listing and full written description of all existing structures, natural or man-made, on the property. Specific mention must be made of all the heritage resources on the subject property which include, but are not limited to: structures, buildings, building elements (like fences and gates), building materials, architectural and interior finishes, natural heritage elements, landscaping, and archaeological resources. The description will also include a chronological history of the structure(s) developments, such as additions, removals, conversions, alterations etc.*

The report will include a clear statement of the conclusions regarding the significance and heritage attributes of the cultural heritage resource.

A location map must be provided, with indications of existing land use, zoning, as well as the zoning and land use of adjacent properties.

- This information is included in the 2010/2011 and 2015 Heritage Impact Statements and in the Shoalts Engineering Report. The reports are in general accordance as to the heritage attributes of the building but differ in that the Heritage Impact Statements indicate that the front part of the existing house was constructed first and the rear part constructed second whereas the Shoalts report believes that the rear part was the first constructed. This author believes that the Shoalts report is the correct interpretation.

3. *Documentation of the existing conditions related to the heritage resource will include:*

-Current legible internal photographs, external photographs from each elevation.

Please note that due to the Freedom of Information and Protection of Privacy Act, photographs should not contain people or highlight personal possessions. The purpose of the photographs is to capture architectural features and building materials.

- Some photographs are included here. The various Heritage Impact Statements and Engineering reports include a great number of photographs of the existing condition

-Measured drawings, including elevations, floor plans, and a site plan or survey, at an appropriate scale for the given application, indicating the context in which the heritage resource is situated.

-Historical photos, drawings, or other archival material that may be available or relevant.

The applicant must provide a description of all relevant municipal or agency requirements which will be applied to the subject property, and when implemented may supplement, supersede and/or affect the conservation of heritage resources (i.e. Building Code requirements, Zoning requirements, Transportation and Works requirements.)

- This information is included here and also covered in the earlier reports.

4. *An outline of the proposed development, its context and how it will impact the heritage resource and neighbouring properties will be provided. This may include such issues as the pattern of lots, roadways, setbacks, massing, relationship to natural and built heritage features, recommended building materials, etc. The outline should address the influence of the development on the setting, character and use of lands*

on the subject property and adjacent lands. If the property forms part of a Heritage Conservation District, the proposal must be analysed in terms of its compliance with the Heritage Conservation District Plan.

Note: An architectural drawing indicating the subject property streetscape with properties to either side of the subject lands must be provided. The purpose of this drawing is to provide a schematic view of how the new construction is oriented and integrates with the adjacent properties from a streetscape perspective. The drawing must therefore show, within the limits of defined property lines, an outline of the building mass of the subject property and the existing neighbouring properties, along with significant trees or any other landscape or landform features. A composite photograph may accomplish the same purpose with a schematic of the proposed building drawn in.

- [This is included here and also covered in the 2015 HIS. The required streetscape drawing is in the 2015 HIS.](#)

5. Full architectural drawings, by a licensed architect or accredited architectural designer, showing all four elevations of the proposed development must be included for major alterations and new construction.

- [These are included here.](#)

6. An assessment of alternative development options and mitigation measures that should be considered in order to avoid or limit the negative impact on the cultural heritage resources. Methods of minimizing or avoiding negative impact on a cultural heritage resource as stated in the Ontario Heritage Tool Kit (InfoSheet #5, Ministry of Culture) include, but are not limited to:

- Alternative development approaches
- Isolating development and site alteration from the significant built and natural heritage features and vistas
- Design guidelines that harmonize mass, setback, setting and materials
- Limiting height and density
- Allowing only compatible infill and additions
- Reversible alterations

These alternate forms of development options presented in the Heritage Impact Assessment must be evaluated and assessed by the heritage consultant writing the report as to the best option to proceed with and the reasons why that particular option has been chosen.

- [The proposal described here follows from an earlier unsuccessful proposal and has been widely discussed with heritage staff. No alternative design options are presented.](#)

7. A summary of conservation principles and how they will be used must be included. The conservation principles may be found in publications such as: Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada; Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Culture. (Both publications are available online.)

- [These are included here and also discussed in the earlier Heritage Impact Statements](#)

8. Proposed demolition/alterations must be explained as to the loss of cultural heritage value interests in the site and the impact on the streetscape and sense of place.

- [This is discussed here](#)

9. When a property cannot be conserved, alternatives will be considered for salvage mitigation. Only when other options can be demonstrated not to be viable will options such as relocation, ruinification, or symbolic conservation be considered.

Relocation of a heritage resource may indicate a move within or beyond the subject property. The appropriate context of the resource must be considered in relocation. Ruinification allows for the exterior only of a structure to be maintained on a site. Symbolic conservation refers to the recovery of unique heritage resources and incorporating those components into new development, or using a symbolic design method to depict a theme or remembrance of the past.

All recommendations shall be as specific as possible indicating the exact location of the preferred option, site plan, building elevations, materials, landscaping, and any impact on neighbouring properties, if relevant.

- No such mitigation measures are proposed

Summary Statement and Conservation Recommendations:

The summary should provide a full description of:

- The significance and heritage attributes of the cultural heritage resource, including the reference to a listing on the Heritage Register, or designation by-law if it is applicable*
- The identification of any impact that the proposed development will have on the cultural heritage resource*
- An explanation of what conservation or mitigative measures, or alternative development, or site alteration approaches are recommended*
- Clarification as to why conservation or mitigative measures, or alternative development or site alteration approaches are not appropriate*

Mandatory Recommendation:

The consultant must write a recommendation as to whether the subject property is worthy of heritage designation in accordance with the heritage designation criteria per Regulation 9/06, Ontario Heritage Act. Should the consultant not support heritage designation then it must be clearly stated as to why the subject property does not meet the criteria as stated in Regulation 9/06.

The following questions must be answered in the final recommendation of the report:

- Does the property meet the criteria for heritage designation under the Ontario Regulation 9/06, Ontario Heritage Act?*
- If the subject property does not meet the criteria for heritage designation then it must be clearly stated as to why it does not*
- Regardless of the failure to meet criteria for heritage designation, does the property warrant conservation as per the definition in the Provincial Policy Statement:*

Conserved: means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

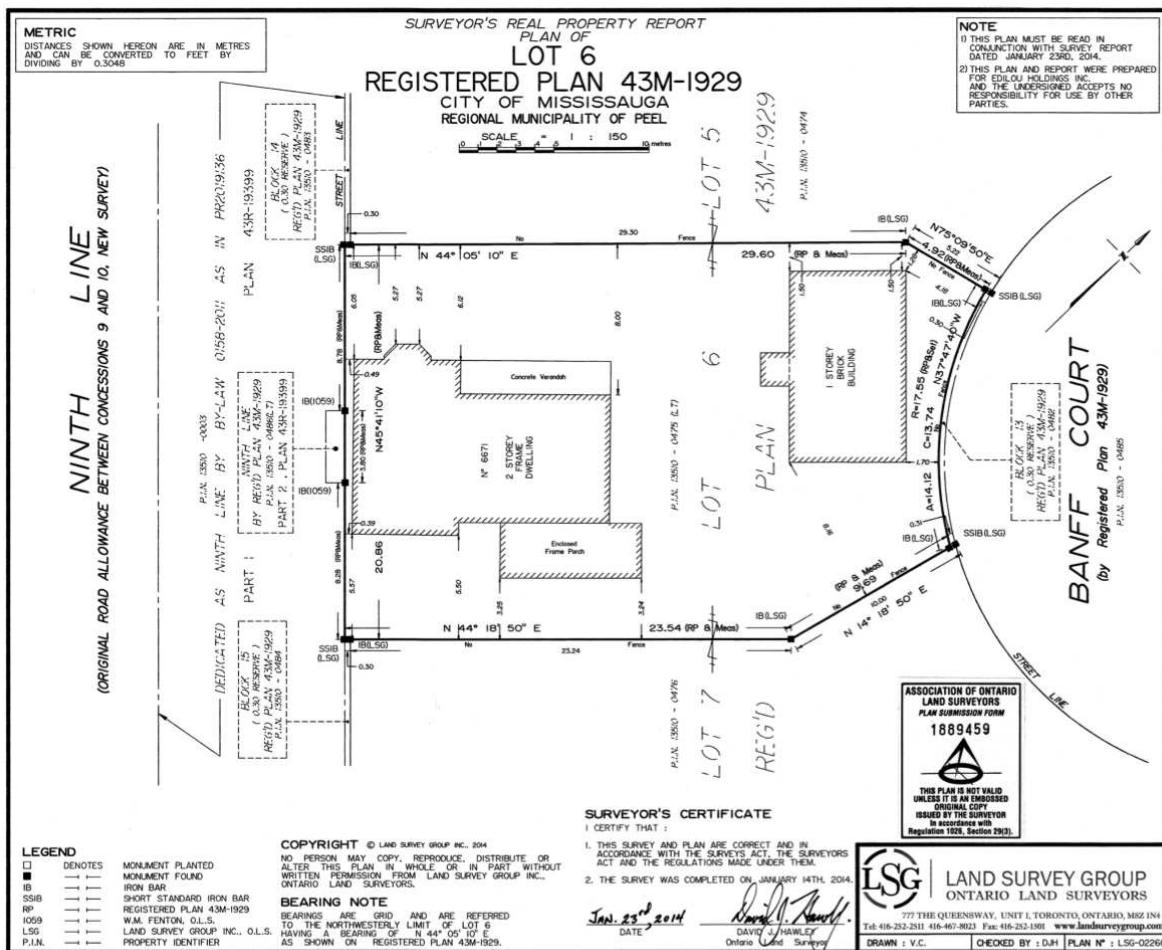
Please note that failure to provide a clear recommendation as per the significance and direction of the identified cultural heritage resource will result in the rejection of the Heritage Impact Assessment.

Site History:

This is examined in detail in the 2010/2011 and 2015 Heritage Impact Statements.

Existing conditions on-sight

This is examined in detail in the 2010/2011 and 2015 Heritage Impact Statements and the Shoalts Engineering report.



EXISTING PROPERTY SURVEY



FRONT ELEVATION



PARTIAL FRONT & SOUTH ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



BASEMENT



SECOND FLOOR



MAIN FLOOR FRONT



MAIN FLOOR REAR



MAIN FLOOR SUNROOM



WEST ELEVATION DAIRY BUILDING



SOUTH ELEVATION DAIRY BUILDING



EAST ELEVATION DAIRY BUILDING

Building Condition Assessment and Conservation Recommendations:

The 1880's and 1840's elements of the house are generally in good condition and the later sunroom addition is in fair condition. The dairy building in poor/fair condition.

See detailed assessments in the 2011/2015 Heritage Impact Statements and the 2015 Shoalts Engineering Report.

Architectural style and assessment:

The house is a classic Ontario Gothic Farmhouse style. This is consistent with it's reported 1840's to 1880's construction period. The dairy building is a vernacular agriculture building.

See detailed assessments in the 2011/2015 Heritage Impact Statements (Appendix 1 & 2).

Context:

The property is located on the east side of Ninth Line, south of Derry Rd.

To the east is the newer development of Banff Court. To the north and south are newer low-rise multi-residential buildings built in faux-heritage style. To the west is a dense forested green-space and beyond that Highway 407.

See detailed description and assessment in the 2015 Heritage Impact Statement (Appendix 2)



CONTEXT PLAN SHOWING HOMES OF BANFF CRT. UNDER CONSTRUCTION

Analysis:

The 2010/2011 Heritage Impact Statements and 2015 Shoalts Engineering Report concluded that these buildings are of significant cultural heritage value and meet the criteria for designation under the Ontario Heritage Act. This writer supports these conclusions.

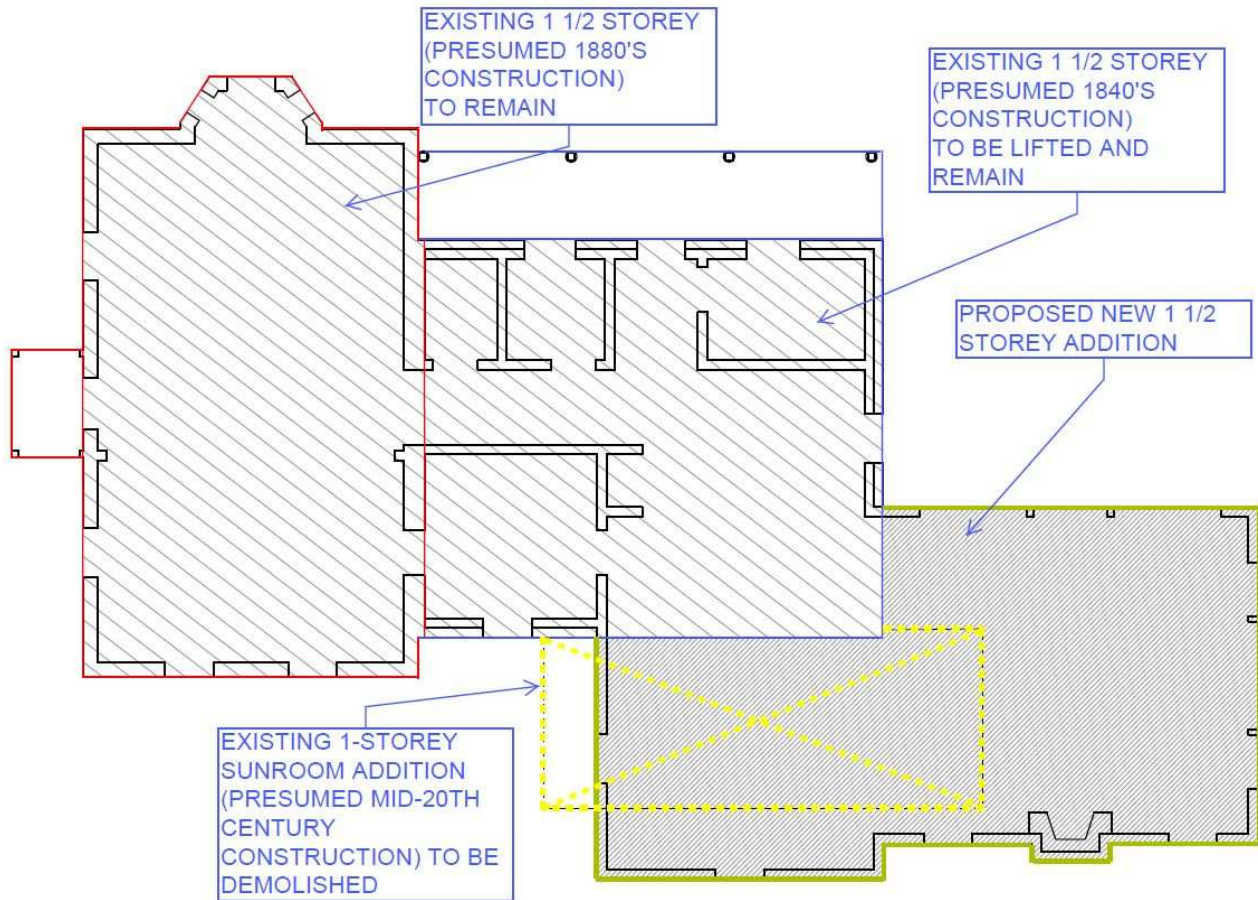
Proposal:

House: The proposal calls for the demolition of the existing one-storey sunroom addition at the south-east corner of the house, relocation of the existing house 1.6m deeper into the lot on a new foundation and for a 1 ½ storey addition with 600 sq. ft. footprint to be constructed behind and to the south of the existing home.



1-STOREY SUNROOM ADDITION TO BE DEMOLISHED

The addition is not original to the home and not important to its heritage value. It's appearance and detailing is suggestive of mid-20th century construction



PROPOSED CONSTRUCTION KEY PLAN

The 1 ½ storey element of the building nearest the street (presumed 1880's construction) will be conserved under this proposal. The 1 ½ storey element behind this (presumed 1840's construction) will be lifted approx. 12" to bring the floor levels of these parts of the building into alignment and this part of the building will be conserved. A new concrete foundation will be constructed under these parts of the existing building. A new 1 ½ storey addition also with new basement will be constructed at the south-east corner of the building.

The overall appearance of the building from Ninth Line will be little changed by this proposal. The new 1 ½ storey addition to the south-east is set far back from the front face of building and while larger than the existing 1-storey element that it replaces will not visually dominate the existing. The raising of the 1840's element of the building will not be significant to the heritage character of the building. It will remain a visually secondary element to the 1880's construction. The raising of the floor level has significant practical considerations as regards the ability to conserve the building because the present grading situation is such that the floor level of this part of the building is virtually flush with the exterior grade. This makes it very difficult to prevent water entry into the building and deterioration of structural and finishing elements. Raising the building will help this significantly.

As part of this renovation the existing bell cote on the 1840's building will be re-located to make it symmetrical with the north facing gable. The bell cote is believed to have been re-located at some point in the past and its present location at the extreme east side of the structure is unusual and awkward. Locating it centrally above the gable would likely have been the original intent.

The existing windows, siding materials and architectural detailing on the 1880's and 1840's elements of the building show evidence of incremental repair and replacement as would be expected on a building of this age but are generally in good condition and expected to be conserved where possible.

The proposed siding on the new addition is board & batten. This was chosen intentionally to contrast with the horizontal siding of the existing building (board & batten is also an authentic material for this building – the sunroom proposed to be demolished is clad in board & batten). The proposed fenestration on the new addition is complimentary in character to the existing fenestration but intentionally more contemporary in character. The intention of the addition is to be sympathetic to the existing building but to be distinct from it.

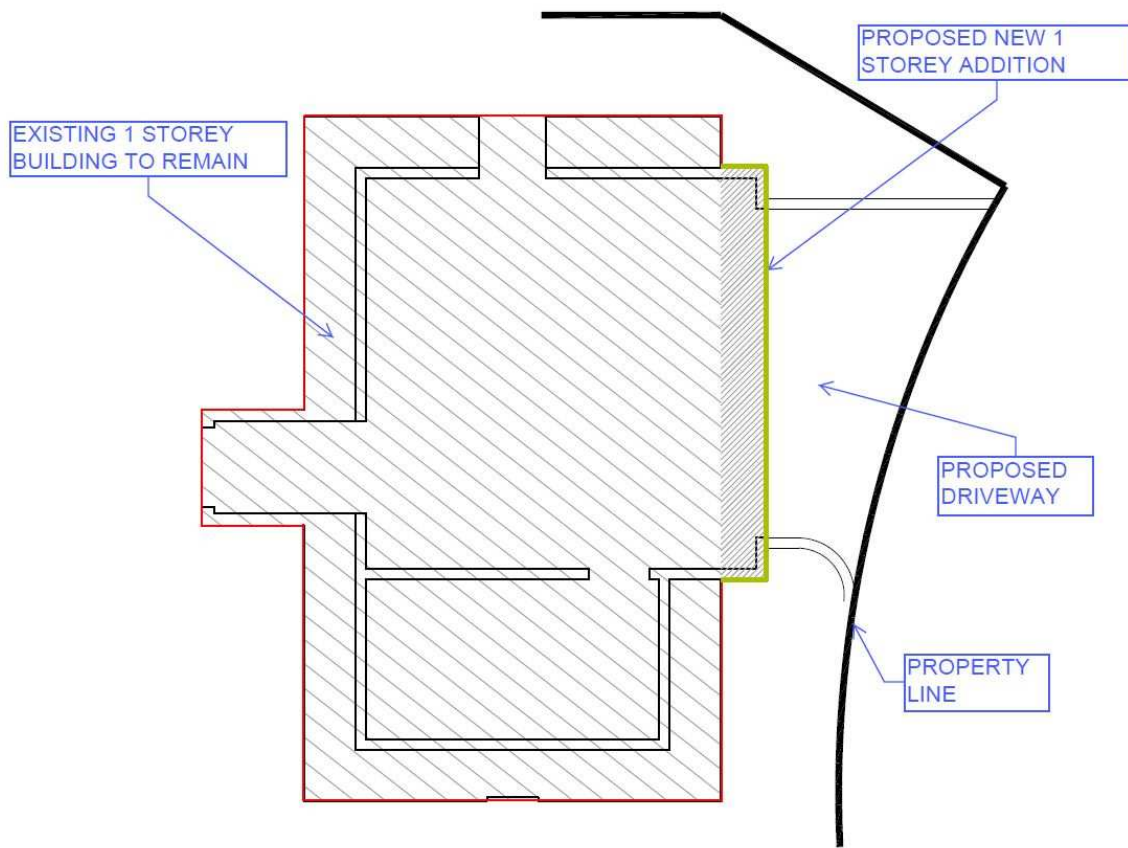
The proposed addition is lower in height than the 1880's element of the building. It is the same height as the 1840's element of the building (once this is raised) however these roofs remain distinct and are minimally connected. This helps to maintain the distinctiveness of the various elements of the building and not to allow the addition to dominate or to detract from the heritage character of the existing.

Dairy shed: The existing dairy shed is proposed to be converted to a two car garage. To effect this a small addition approx. 2'4" x 20' is proposed to be constructed on the east elevation of the building.

Above the addition a shed roof will be constructed with detailing similar to a traditional dormer. The purpose of this addition and roof is to permit the ceiling height to be raised to permit garage doors and the entry of vehicles. The existing building has very low soffit heights and limited interior height and vehicles could not be accommodated in its present condition.

The proposed renovations to this building will not affect its appearance from Ninth Line. The appearance from the east (Banff Court) will change but the proposed addition and roof are designed to be as minimal as possible and visually secondary to the character of the building.

The brick walls of the dairy shed are proposed to be retained and conserved as part of this proposal. The existing metal roof is in very poor condition, no longer serviceable and will be replaced with asphalt shingle.



PROPOSED CONSTRUCTION KEY PLAN - DAIRY SHED (GARAGE)

Zoning By-Law and other Municipal approvals:

The subject property is zoned R1-47 under the City Zoning By-law 0225-2007. This is a restrictive site-specific by-law that was put in place at the time of the Part IV designation. The zoning permits the existing heritage building and existing heritage outbuilding as permitted uses only.

The proposed addition to the home meets all required setbacks and height requirements. The existing building is non-compliant as regards lot coverage and the proposed additional will further increase this situation. A Committee of Adjustment variance will be necessary to allow this.

The proposed dairy shed/garage addition meets all required setback and height requirements except that the setback to the new garage doors will require a variance. The garage addition will also slightly increase the lot coverage and contribute to the variance required above. The change of use of the dairy shed to garage will also likely require a variance because of the restrictive use provisions of the site-specific by-law.

The property is under Site Plan Control and will be required to go through that process.

No other Municipal approvals will be required.

Conservation Principles¹:

Respect for documentary evidence: little original material is proposed to be replaced and the proposal does not rely upon documentary evidence as part of the building conservation.

Respect for the original location: no re-location of the heritage resource is proposed. The 1840's element is proposed to be slightly lifted but this will bring it into a traditional relationship with the existing grade and align the floor levels of the building. This lifting is not significant to the heritage character of the building.

Respect for historic material: Minimal loss of significant historic material is proposed. This loss is restricted to some minimal loss of original framing and trim materials to effect the additions. There will also be some window re-locations and removals at the rear of the existing building. There will be some loss of original brick materials to effect the garage door addition to the dairy shed.

Respect for original fabric: Existing materials to remain will be conserved.

Respect for the building's history: The building's history as a single family residence will be continued.

Reversibility: Original bricks removed during the renovation are recommended for retention on site for future repairs. It is highly unlikely that these additions would be reversed.

Legibility: The proposed additions are demonstrably different from the original heritage buildings.

Maintenance: Ongoing periodic maintenance is expected to take place.

Alternative Design Options:

The project requirements were to increase the functionality and interior space of the home, to provide a more attractive and functional rear yard condition and to find an adaptive re-use for the dairy shed. Other options for re-development of this site were previously proposed to the City of Mississauga Heritage Advisory Committee and were not supported. This design reflects comments that were given at that time, later consultation with Heritage Staff and elected representatives and was chosen as the least intrusive way of accomplishing the design requirements.

The location of the proposed additions to the house and dairy shed were chosen to be minimally visible from the street and to not significantly alter the appearance of the buildings.

¹ Ontario Heritage Trust: "Eight Guiding Principles in the Conservation of Heritage Properties"

Summary Statement and Conservation and Mitigation Recommendations:

The City of Mississauga Heritage Register identifies the following elements to be of significance regarding this building:

The Cordingley House has physical/design value because it displays a high degree of craftsmanship and artistic merit. Additionally, it is a rare example of the Gothic Revival style in the Meadowvale/Lisgar area. The property is also a rare example of one owned by the same family since the Crown patent.

The Cordingley House has historical/associative value because it yields information about McCurdy's Corners.

The Cordingley House has contextual value because it is historically linked to its surroundings.

Description of Heritage Attributes

Key attributes that reflect Cordingley House's physical/design value:

- o its Gothic Revival farmhouse shape and form*
- o the three bay facades on both the front and 'tail'*
- o the centre gables*
- o the placement of the central entrances under the centre gables*
- o its Gothic Revival features*
- o the tall narrow proportions of its windows*
- o the steep roof pitch*
- o the seemingly asymmetrical arrangement of the chimneys*
- o the bell cote*
- o the balustrade*
- o the north veranda*
- o the front porch, including doors, windows, transom, brackets and detailing*
- o the original doors*
- o the vergeboard*
- o the shutters*
- o the original windows*
- o the window surrounds*
- o the bay window, including its mansard roof and lower panelling*
- o all trim, brackets, fretwork and detailing*
- o the wooden clapboard and board 'n batten siding*
- o the brick outbuilding, including its shape and form and stone foundation*

Key attributes that reflect Cordingley House's historical/associative value:

- o its location on one of the actual corner lots of McCurdy's Corners (Ninth Line and Derry Road West)*

Key attributes that reflect Cordingley House's contextual value:

- o its location on one of the actual corner lots of McCurdy's Corners (Ninth Line and Derry Road West)*
- o its proximity and visibility to Ninth Line*
- o the physical relationship between the house structure and the brick*

outbuilding within a large open space

The proposed alterations to this building leave these elements intact and largely unchanged. There is no unacceptable impact to the heritage resource. There is no loss of cultural heritage value. There are no negative impacts on the streetscape or loss of sense of place.

Conservation measures during construction should include protection of the existing heritage fabric and conservation of any removed materials, including the brick structure of the dairy shed and any removed windows that are serviceable. Some of these bricks will have to be removed from the east side of the building and these should be carefully handled and kept for possible repair to the remaining parts of the building or saved for potential re-use on the site.

Given the minimal impact of the proposal on the existing buildings and significant retention of original features, no mitigation is required.

There is no requirement for further investigation of alternative development or site alteration approaches.

Mandatory Recommendation:

The property must be evaluated under the criteria for designation under Ontario Regulation 9/06, *Ontario Heritage Act*. This is the part of the Act that allows designation of individual designations (Part IV designations). The criteria area:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method.
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.

Analysis: As discussed in the 2010/2011 and 2015 Heritage Impact Statements, 2015 Shoalts Engineering report and the various City of Mississauga staff reports that have described these buildings, the buildings do have clear design and physical value and are properly designated under Part IV of the Ontario Heritage Act.

2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to the community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or

- iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

Analysis: As discussed in the 2010/2011 and 2015 Heritage Impact Statements, 2015 Shoalts Engineering report and the various City of Mississauga staff reports that have described these buildings, the buildings do have clear historical and associative value and are properly designated under Part IV of the Ontario Heritage Act.

- 3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark.

Analysis: As discussed in the 2010/2011 and 2015 Heritage Impact Statements, 2015 Shoalts Engineering report and the various City of Mississauga staff reports that have described these buildings, the buildings do have clear contextual value and are properly designated under Part IV of the Ontario Heritage Act.

Conclusion:

The Cordingley house and dairy shed at 6671 Ninth Line do have historical, architectural and contextual value and are properly designated under Part IV of the Act.

Provincial Policy Statement:

Under the Provincial Policy Statement,

“Conserved: means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained.”

Analysis:

Under this definition, 6671 Ninth Line does warrant conservation. The proposed alterations do conserve these attributes.

Appendices:

- 1. *Heritage Impact Statement, Cordingley House, 6671 Ninth Line, Mississauga* by The Landplan Collaborative Ltd. November 17, 2010 addendum October 04, 2011
- 2. *Heritage Impact Statement, Cordingley House Restoration & Renovation, 6671 Ninth Line, Mississauga* by CHC Limited, April 23, 2015
- 3. *Structural Engineering Report, Foundation of Existing House at 6671 9th Line, Mississauga* by World Engineering Ltd. and Halton Hills Design Build
- 4. Elevations and floor plans of existing building
- 5. Site plan of proposed development
- 6. Elevations and floor plans of proposed development
- 7. CV of Rick Mateljan Lic Tech OAA

Heritage Advisory Committee
OCT 25 2011

Heritage Impact Statement

**Cordingly House
6671 Ninth Line,
Mississauga**



prepared by

The Landplan Collaborative Ltd.

landscape architects, environmental planners, heritage planners

319 Woolwich Street, Guelph, ON N1H 3W4

(519) 824-8664 fax (519) 824-6776

email landplan@thelandplan.com Website www.thelandplan.com

November 17, 2010
addendum October 04, 2011

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all photographs by Owen R. Scott of Landplan, October 07, 2010 and October 03 & 04, 2011 unless otherwise noted.

1.0 BACKGROUND - HERITAGE IMPACT STATEMENT (HIS)

This Heritage Impact Statement (HIS) follows the *City of Mississauga Heritage Impact Statement Terms of Reference* July 2009 (Appendix 1) and was prepared in response to a request from Mr. Jim Levac of Korsiak & Company (now with Weston Consulting Group Inc.) and Mr. Carmine Cesta of Cesta Developments.

The property at 6671 Ninth Line in Mississauga is listed, but not designated under the *Ontario Heritage Act*¹.

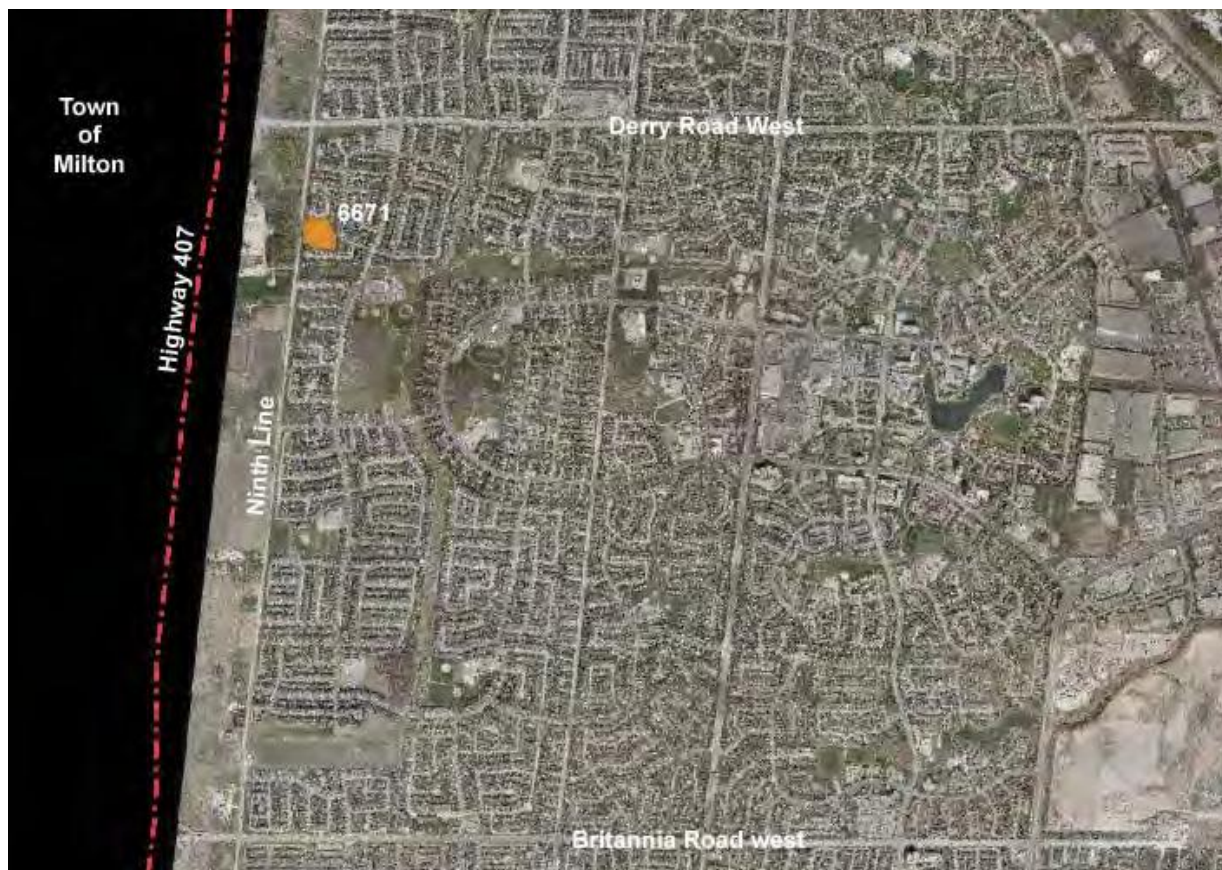


Figure 1

Site Context - <http://www.mississauga.ca/portal/services/maps>

Figure 1 illustrates the location of the property on the far western fringe of the City, a few blocks south of Derry Road West on the east side of Ninth Line.

2.0 THE HERITAGE IMPACT STATEMENT

2.1 Present owner contact information

Cesta Developments

536 Queens Drive, Toronto, Ontario M6L 1M8

Tel: 905-873-3335 Fax: 905-873-0325 email: info@cestadevelopments.com

Mr. Carmine Cesta

¹ City of Mississauga heritage files - <http://www.mississauga.ca/portal/services/property>, accessed September 10, 2010

2.2 Site history

The villages of Toronto Township amalgamated to become the Town of Mississauga in 1968, excluding the Towns of Port Credit and Streetsville. In 1974, Mississauga incorporated as a City, this time including Port Credit and Streetsville.²

The subject site is located amidst the modern subdivisions of Meadowvale West. A small pioneer cemetery at the corner of Derry Road and Shelter Bay Road, Switzer's Cemetery (also known as Eden Cemetery) is the last visible reminder of a nearby pioneer settlement called Lisgar. (Figure 2)

Beginning around 1819, a number of families began to settle along the Meadowvale Sideroad on either side of the Town Line – today this is marked by the modern intersection of Derry Road and Winston Churchill Boulevard. In 1823, the burgeoning pioneer crossroads added a small log schoolhouse on what was Samuel Switzer's farm. This schoolhouse also served as the local meeting place and church hall. Soon it became apparent that the small school could not hold the congregation, so meetings were held outdoors by torchlight.

In 1824, John Switzer sold a portion of his land to the new congregation for the establishment of a church and graveyard. The congregation proceeded to build a small frame church just to the rear of the surviving cemetery. This small church was replaced by a larger structure on the same site. Edgerton Ryerson officially opened this second frame church on December 13th, 1840. The church was unofficially dubbed "Switzer's Church" because it was on John Switzer's farm and five Switzer families attended the church. The growing community was also dubbed "Switzer's Corners".

The community soon added an inn on the southeast side of Derry Road and Winston Churchill Boulevard. This inn, operated by David Mason, was called "The Black Horse Tavern". The Marshall family later purchased the building and they changed the name of the tavern to "The Dewdrop Inn". Samuel Alexander operated a small store on the southwest corner of the modern intersection of Winston Churchill and Derry. When the store added a post office on August 1, 1871, the community became officially named "Lisgar" in honour of Sir John Young Lisgar, the Governor General of Canada in 1869. The post office later moved across the road to the Dewdrop Inn and was run by Mary Marshall. Also nearby was a blacksmith shop, and in 1878, a train station was located on the C.P.R. line, just to the north on the Town Line.

In 1868, Isaac Waite donated a parcel of land on the north side of Derry Road, directly opposite from the cemetery for the construction of new church – the site is marked by a fenced yard on the Northeast corner of Derry and Copenhagen Roads. The congregation voted to officially name the new church "Eden". This church was ravaged by fire in 1908 and the upper portions of the church were razed. The contents were saved, moved to the nearby blacksmith shop until the church could be repaired and reopened in 1910. The church was rebuilt until it was damaged again when a cyclone struck it in 1923. Eden United Church was again repaired and celebrated its 100th anniversary in 1968. The Lisgar community also added a new school, replacing the original log schoolhouse, in 1887. The new red brick school was constructed on the north side of Derry Road, near where Highway 401 crosses Derry Road today. The school served the community for 73 years, holding its last class in 1960.

² <http://www.heritagemississauga.com/history.htm>, accessed September 10, 2010

But, as with many pioneer communities, the prominence of Lisgar soon began to decline, and one by one, signs of the village began to disappear. The post office closed on August 31, 1915. The C.P.R. station closed shortly afterwards, its exact location lost. The old Dewdrop Inn burned in 1961 and was not replaced. The dwindling congregation moved to a new home and the old church was demolished in 1980. For many years, the old Eden School sat vacant and neglected until time and vandalism caught up with it. It was demolished in 1992. The only reminders of the pioneer community are two cemeteries, a new church, and a modern road named Lisgar. Switzer's (Eden) Cemetery and the Kindree Family Cemetery (where the Sixteen Mile Creek crosses Derry Road) remain historic markers for the small village, while the new Eden United Church, at Winston Churchill Boulevard and Battleford Road was opened in 1987 and houses one of the oldest congregations in our area.³

Lisgar is fields of pre-fabricated homes now. The post office closed generations ago. The Credit Valley Railway never had more than a flagstop here – a wooden shed, barely the size of outhouse, from which passengers could wave down the engineer to request a stop. The only history that survives in Lisgar today is a cemetery.⁴

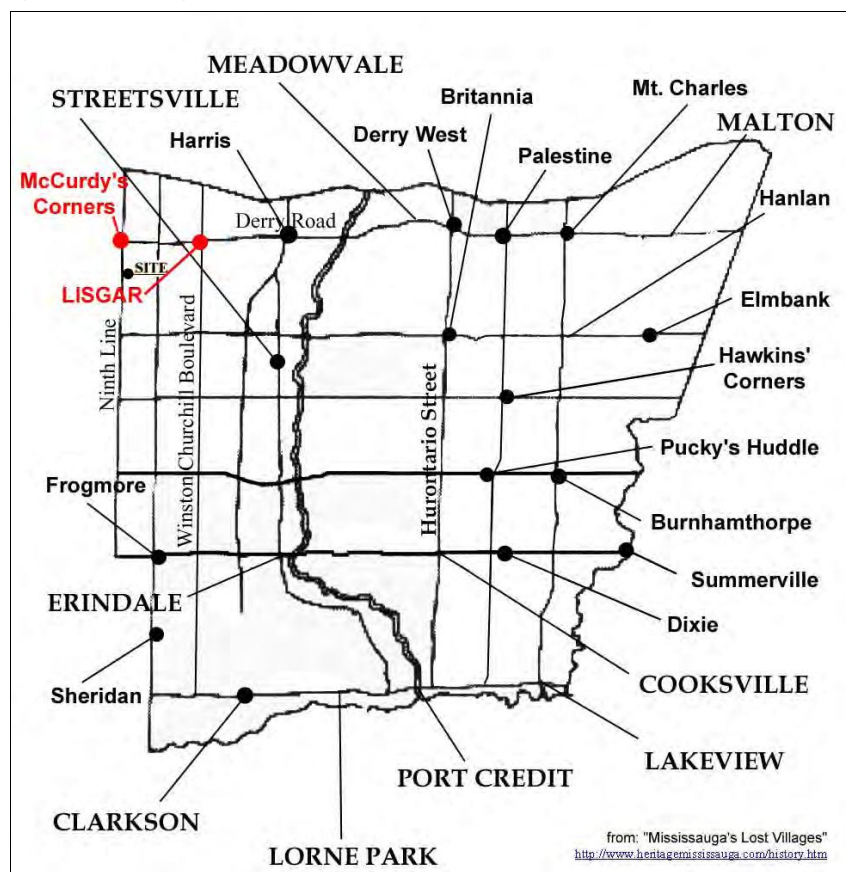


Figure 2

Site Location

³ Wilkinson, Matthew *The Lost Village of Lisgar (Switzer's Corners)*, Mississauga Heritage Foundation <http://www.heritagemississauga.com/page/Lisgar>, accessed September 10, 2010

⁴ Collins, Richard *A Plot that Offers More Questions than Answers* <http://www5.mississauga.ca/library/SRC/PlotthatOffers.pdf> accessed September 15, 2010

Just to the north of the property at the intersection of Ninth Line and Derry Road was the Hamlet of McCurdy's Corners ...originally part of Trafalgar Township in Halton County, until 1974 when the Mississauga border was extended to Ninth Line, placing the east half within the borders of Mississauga.

At McCurdy's Corners there was a Methodist Church and a school. The school was officially called S.S. #8 Trafalgar, also known as McCurdy's Corners School.

One prominent family at McCurdy's Corners were the Cordingleys. Before travelling to Canada, David Cordingley was a dyer, living with his wife and first two children in York, England. David and Mary Cordingley first came to Canada, by way of Pennsylvania, likely in the early 1820s. In 1836, the Crown officially granted 100 acres of land to David Cordingley on lot 10, concession 10 in Trafalgar Township. In 1848, this land was sold to David and Mary's eighth of ten children, John Cordingley. David Cordingley died in 1867 at 85 years of age.

Also living at McCurdy's Corners from the Cordingley family was Solomon Cordingley, the fifth child of David Cordingley. Like his brother John, Solomon obtained his land from his father in 1852. He married Martha Bell, in 1853. Solomon and Martha took in two children in addition to their own five children. They were John Cordingley's daughter Rachel Hannah, following the passing of her mother Rachel Delilia, as well as John Jr. Bell, the son of Martha's brother, John Bell, following the passing of his wife Amelia. In 1891, Solomon held an auction for one of his farm plots due to failing health. The auction was advertised in the Streetsville Review. In addition to the farm itself, which included orchards of plums, grapes and pears and three wells, he also sold off all the farm stock, livestock and farming implements. Another of Solomon Cordingley's farm plots was sold to his son, David Cordingley.

Solomon Cordingley's granddaughter, Ruby Cordingley, had a near death experience when a cyclone struck down in Trafalgar Township in June of 1923, while on her way home from her sister Abigail's house:

"The sky was dark and ugly, and she hurried to the house to close the windows after the evening milking. Their hired man turned the last cow out after it was milked and it was killed. Their new barn roof was blown off in pieces and a large section just missed Ruby as she clung to their lane fence near the house. Suddenly she dropped face down in their ditch and that saved her life. She later appeared soaking wet and scared at the May's back door. Ruby always took a short cut through their farm to the Tenth Line farm. Ruby went every day to get milk from the May's as her brother Sam didn't have milk cows. Kathleen and Ruby had good visits."

Charles Cordingley, the eldest son of David Cordingley Sr., also had land at McCurdy's Corners, which he purchased from his father. Charles Cordingley was born in 1815, in England, and most likely travelled to Trafalgar Township along with his parents. He married Rebecca Petch in 1844, and they had eight children. Charles Cordingley also owned land south of Dundas Street in Toronto Township. Charles was a Methodist, and worked as a "road boss" or road overseer for approximately ten years. According to Harold Scholefield, Charles Cordingley was a devoted Methodist, and it was due to his efforts that the church at Clarkson was built. He also donated stones for the construction of the Carman Methodist East Church, where he later became a trustee.⁵

⁵ <http://www.heritagemississauga.com/page/McCurdys-Corners>, accessed October 03, 2011



Figure 3 - 1966 airphoto - original farm & subject property <http://www.mississauga.ca/portal/services/maps>



Figure 4 - 1985 airphoto - original farm & subject property <http://www.mississauga.ca/portal/services/maps>

Until the 1990s, the site and the area surrounding it was rural. The 1966 and 1985 airphotos (Figures 3 & 4) show an agricultural landscape with fields, farmsteads, and woodlots. The original 150 acre farm is the larger outline, with the current property shown in the smaller outline. The Derry Road and Ninth Line rural intersection is just northwest of the property.

The farm was sold to a land developer in 1988 and the subject property with the house, barn and dairy were transferred back to the Cordingley family in 1992. Residential development of the farmlands began in the late 1980s, early 1990s as evidenced by the 1995 airphoto (Figure 5).



Figure 5 - 1995 airphoto - original farm & subject property <http://www.mississauga.ca/portal/services/maps>

During the late 1980s and early 1990s, the landscape was transformed totally from farmland to urban development. Highway 407 just to the west followed in the 2000s. Urban development east of Ninth Line is virtually complete today (Figure 7).

Immediately across Ninth Line is the Union Gas / Trans Canada Pipeline / Enbridge 'Joint Operating Facility', screened from the road by a dense deciduous woodlot (Figure 6).



Figure 6
entrance from Ninth Line

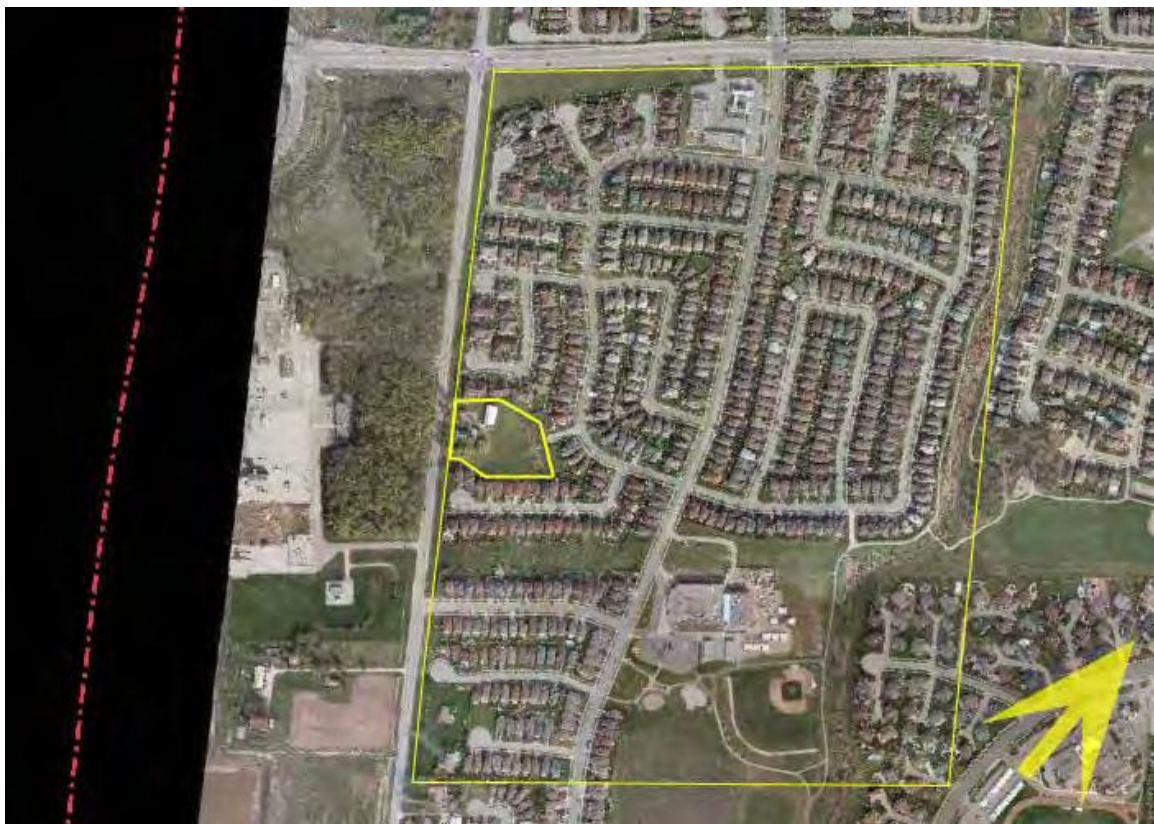


Figure 7 - 2006 airphoto - original farm & subject property <http://www.mississauga.ca/portal/services/maps>

The remarkable changes to the immediate environs of the subject property are captured in these 1954, 1985, and 2006 airphotos. (Figure 8)



Figure 8 1954, 1985, 2006 airphotos of subject property <http://www.mississauga.ca/portal/services/maps>

The property was in the ownership of the same family for 174 years, from 1836 to 2010. A listing of owners from the Land Registry Office can be found in Appendix 2. From 1836, when the property was purchased from the Crown, until the early 1990s, the property was farmed. Most of the farm was developed for housing in the early 1990s, with the exception of the subject of this HIS, a 0.81 ha (2 acre) parcel which includes the Cordingley house, a brick dairy, and a metal clad barn.

2.3 Listing and written description of existing structures, significance and heritage attributes

The City of Mississauga's 'Property Heritage Detail' provides a description of the property - see Appendix 3. The following historic photographs are from the City of Mississauga's web page, accessed September 10, 2010.



Figure 9 house bell tower - 1976



Figure 10 Brick dairy building with barn⁵ in background - 1976



Figure 11 1978



Figure 12 1978



Figure 13 1978



Figure 14 1990

⁶ The barn in this 1976 photograph (Figure 10) is not the current barn. This barn was partially demolished and some of it enveloped by the current structure

There are three structures on the property (Figure 15), the Cordingly house, a one and a half storey Gothic Revival, T-shaped structure with an enclosed porch to the south rear (Figures 9, and 11-14); a brick dairy (Figure 10); and a small gable-roofed barn. A mature landscape of shade trees, conifers, and flowering shrubs surrounds the house.

The front portion of the house was built first, probably in 1843, with the two storey summer kitchen tail being added *circa* 1860s⁷. The date of construction of the brick dairy building is unknown, but is likely the 1860s. The existing late 20th century barn encloses a much older structure, again likely built in the 1860s.



Figure 15

Heritage structures - <http://www.mississauga.ca/portal/services/maps>

Section 2 of the *Planning Act* indicates that City of Mississauga Council shall have regard to matters of Provincial interest such as the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest. In addition, Section 3 of the *Planning Act* requires that decisions of Council shall be consistent with the *Provincial Policy Statement* (PPS). Policy 2.6.1 of the PPS requires that significant built heritage resources and significant cultural heritage landscapes shall be conserved.⁸

The PPS defines “built heritage resource” as one or more significant buildings, structures, monuments,

⁷ Pers. Comm. 6671 Ninth Line Tenant, October 7, 2010

⁸ *Provincial Policy Statement (PPS, 2005)* Cultural Heritage and Archaeology Policies 2.6, InfoSheet #5, Heritage Impact Assessments and Conservation Plans, Winter 2006

installations or remains associated with architectural, cultural, social, political economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local provincial or federal Jurisdictions. The term “significant” means resources **valued for the important contribution they make to our understanding of the history of a place, an event, or a people.** “Conserved” means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

The property contains built heritage resources that are significant and have cultural value and interest. They have *design / physical value*, *historical / associative value*, and *contextual value* per the criteria for heritage designation under the Ontario Regulation 9/06 of the *Ontario Heritage Act* (see ‘4.0 Mandatory Recommendation’ for supporting detail).

Heritage attributes of the property include elements related to the architecture and architectural details of the house and the dairy building, and the property’s 174 year association with the Cordingly family.

2.4 Documentation of the heritage resource

The Cordingly House



Figure 16



west elevation Figure 17

west elevation



Figure 18

east elevation



Figure 19

east elevation



Figure 20



south elevation Figure 21

south elevation - porch



Figure 22

north elevation - 1860s wing



Figure 23

north elevation - 1840s

The house is a one and a half storey wood frame structure, T-shaped in plan. The front portion of the house is believed to be the older ⁹ c. 1843) and is shiplap-sided with 1 x 6 pine boards. The one and one half storey summer kitchen wing is plain bevel (clapboard) sided with 1 x 6 pine boards. A small covered porch sided with board and batten is situated on the southeast corner (Figure 21). According to the City's 'property heritage details' (see appendix 3), this ... *accretion to the south rear (is) believed by the owners to be the original building of board and batten* ¹⁰. The author believes this to be unlikely, especially if the front portion was the first built. The foundation is of Credit Valley stone and the gabled roof has a medium pitch, currently covered with painted, corrugated metal. There are two brick chimneys, one internally bracketed and the other external. Windows in the front portion are 2/2 double hung sash with arched heads and shuttered. In the centre, front, west gable there is a round headed window which opens out onto a small balcony with turned balusters. The centre gable is trimmed with vergeboard on apex. A single storey bowed window appears on the north side of the main block, capped with a shallow mansard roof supported by paired brackets (Figure 23). The front entrance has a double-leafed wooden door with textured glazing in the top half and is trimmed with gingerbread (Figure 26). The rear extension (summer kitchen wing) has an open verandah along the north side with heavy pierced treillage with brackets. The porch is roofed with asphalt shingles (Figure 22). A bell tower is centrally located on top of the roof of the rear wing. A bell is evident in a 1976

⁹ Pers. Comm. 6671 Ninth Line Tenant, October 7, 2010

¹⁰ City of Mississauga heritage files - <http://www.mississauga.ca/portal/services/property>, accessed September 10, 2010

photograph (Figure 9) but is no longer extant, having been removed at some point since (Figures 24 & 25). Upper storey windows are round-headed; however all the sash has been replaced and the round heads filled in with plywood sheeting (Figure 27).



Figure 24

bell tower w/satellite dish



Figure 25

bell tower with bell rope pull hole



Figure 26

double-leaved front door detail



Figure 27

window head blocked-in with plywood

The Cordingly House is a significant heritage resource. Its heritage / character-defining attributes include the following:

- c. 1843, shiplap-sided front portion with: Credit Valley stone foundation, medium pitch gabled roof, 2/2 double hung shuttered sash with arched heads, centre gable trimmed with vergeboard and with round headed window opening onto a small balcony with turned balusters, a single storey bowed

window capped with a shallow mansard roof supported by paired brackets, and a front entrance with double-leafed wooden door with textured glazing in the top half trimmed with gingerbread;

- c. 1860s one and one half storey plain bevel (clapboard) sided summer kitchen wing with: a centrally-located bell tower on the roof (no bell), an open verandah with heavy pierced treillage with brackets, and round-headed window openings on the upper floor.

The Cordingly House was in one family ownership for 174 years, from 1836 to 2010.

The Dairy

A six metre by ten metre, one storey, red brick building is located east of the Cordingly house (Figures 28 - 31). It was purpose-built to store raw milk from the farm and from neighbouring farms, being partially buried to maintain a relatively constant temperature. Its walls are approximately 0.75 metres thick, adding to its insulating properties. It has a Credit Valley stone foundation, corrugated metal roof, and deep set windows.



Figure 28

west elevation - dairy



Figure 29

east elevation - dairy

Windows have brick headers and stone sills set in the running bond brick pattern. The deep set windows and entrance door with vestibule are illustrated in figures 32 and 33. There is a loft above with an outside door entrance on the south elevation (Figure 30).



Figure 30 south elevation - dairy



Figure 31 north elevation - dairy



Figure 32 deep set window - dairy



Figure 33
entrance door - dairy

The dairy building is a significant heritage resource. Its heritage / character-defining attributes include the following:

- running bond, red brick one storey building, partially buried to maintain a relatively constant temperature with 0,75 m thick walls, deep set windows and door, brick headers and stone sills, and a Credit Valley stone foundation;
- it is a rare building type.

The Barn

The 13.5 metre x 24 metre, metal-sided and roofed barn encloses an earlier 8 x 10 metre, gable-roofed remnant structure (Figures 34, 35, 37 and 39). Siding (with the exception of the north gable end and east wall) of a remnant of the original barn has been removed and replaced with the steel sheeting now evident. A request from the City of Mississauga¹¹ prompts this addendum to the November 2010 HIS.



Figure 34

west elevation - barn



Figure 35

south elevation - barn



Figure 36 pre-1977 barn in background

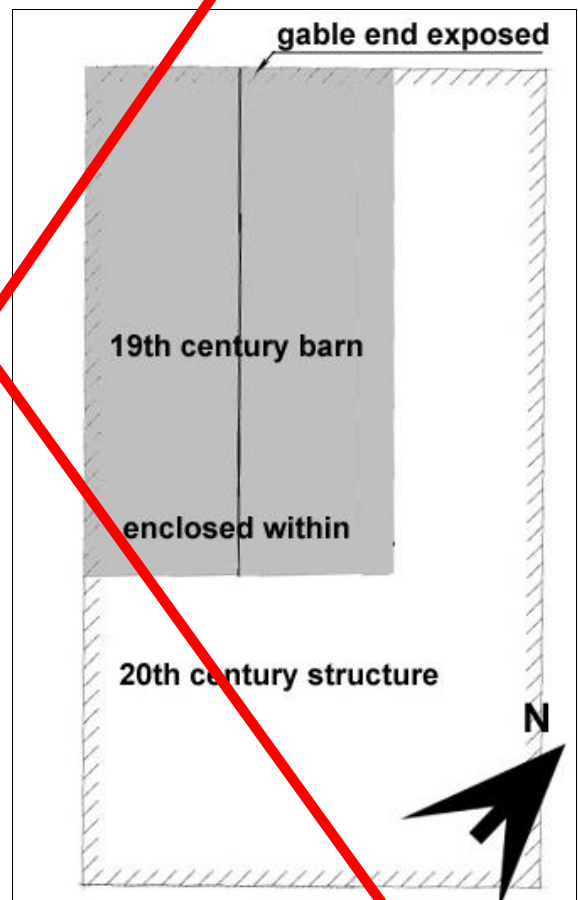
Figure 37 barn - north end (October 2011)
19th century gable end showing

Figure 38

barn

¹¹ Email from Paula Wubbenhorst to Jim Levac, September 29, 2011 *The City is in receipt of your Heritage Impact Statement, dated November 17, 2010, from Landplan Collaborative. The report looks good. However, we need a little more documentation on the barn. Specifically we require:*
(1) *more photos of the barn, including the interior, especially the 1860s barn on the inside; and*
(2) *a brief history of the barn, i.e. what it was used for and the date when the newer portion was built.*

The construction date of the current structure is unknown; however, it dates from post 1976 as the barn in the 1976 photo (Figures 10 & 36) is clearly not the current structure and appears to be larger than the remnant 19th century piece enclosed within the current barn. The roof rafters of the current building are dressed '2 x 4s' and the interior framing and cladding is dimensional lumber and plywood, suggesting a mid to later 20th century date. The steel siding and sliding door tracks are also mid to late 20th century materials.



Figure 39

barn - east elevation (October 2011)

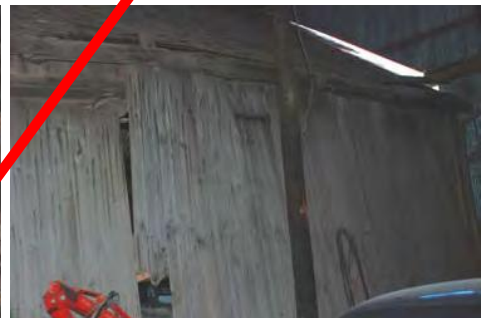
Figure 40 remnant portion of 19th century barn, north wall

Figure 42

east wall & roof



Figure 43

joinery detail

Figure 41 remnant portion of 19th century barn, southeast corner

As is noted above, the frame, two sided walls and partial roof of the remnant portion of the 19th century barn remain within the newer structure, most of the siding having been replaced and the roof line altered. It is expected that the original barn was a typical 19th century English barn that housed livestock (and presumably dairy cattle) and livestock feed. Today it is devoted to equipment storage and a machine shop.

The barn is not a significant heritage resource.

The Landscape

The farmstead is well-endowed with mature and semi-mature trees, so much so that the house is difficult to see from Ninth Line when the deciduous trees are in leaf. Some of these trees were obviously planted as part of the farmstead landscape (Sugar Maple, Mountain Ash, *etc.*), while numerous others, especially Norway Maple, are volunteers (Figures 42 & 43). There was a very large willow tree south of the house that was badly damaged in a windstorm and has now been removed (Figure 44).

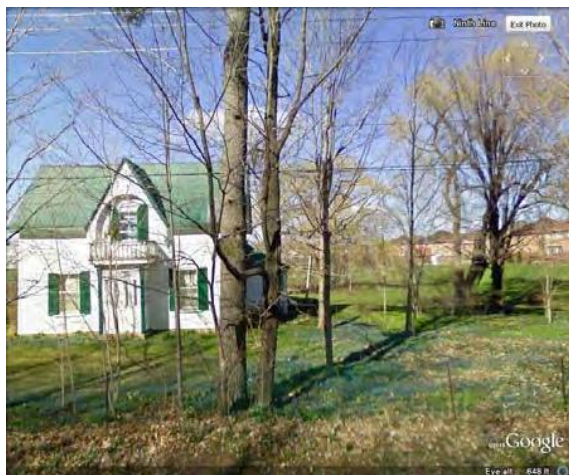


Figure 42 numerous volunteer trees - Google photo

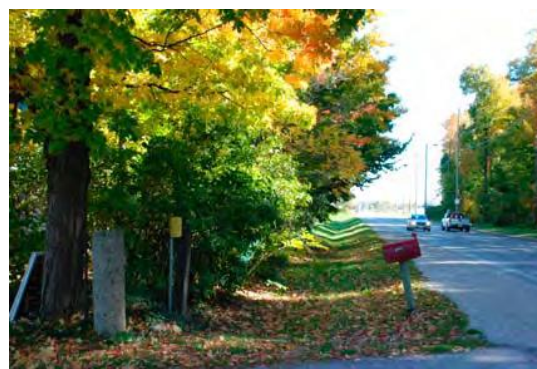


Figure 43 trees on Ninth Line



Figure 44 logs from damaged willow tree



Figure 45 woodlot, west side of Ninth Line

The landscape of the farmstead is picturesque, especially in the autumn. The presence of Norway Maples is unfortunate in that this invasive species will likely, if it hasn't already, invade the native deciduous woodlot across the road (Figure 45). Figure 46 shows the house surrounded by trees.

The landscape of the farmstead is not a significant heritage resource.



Fig. 46 (<http://www.mississauga.ca/portal/services/maps>)

2.5 The proposed development

The development proposal consists of a residential development on the property while retaining the Cordingly house and the brick dairy on a 0.07 ha (0.17 acre) lot with a 21 metre (69 feet) frontage and a depth of 32 metres (105 feet). The barn would be demolished (Figure 47).

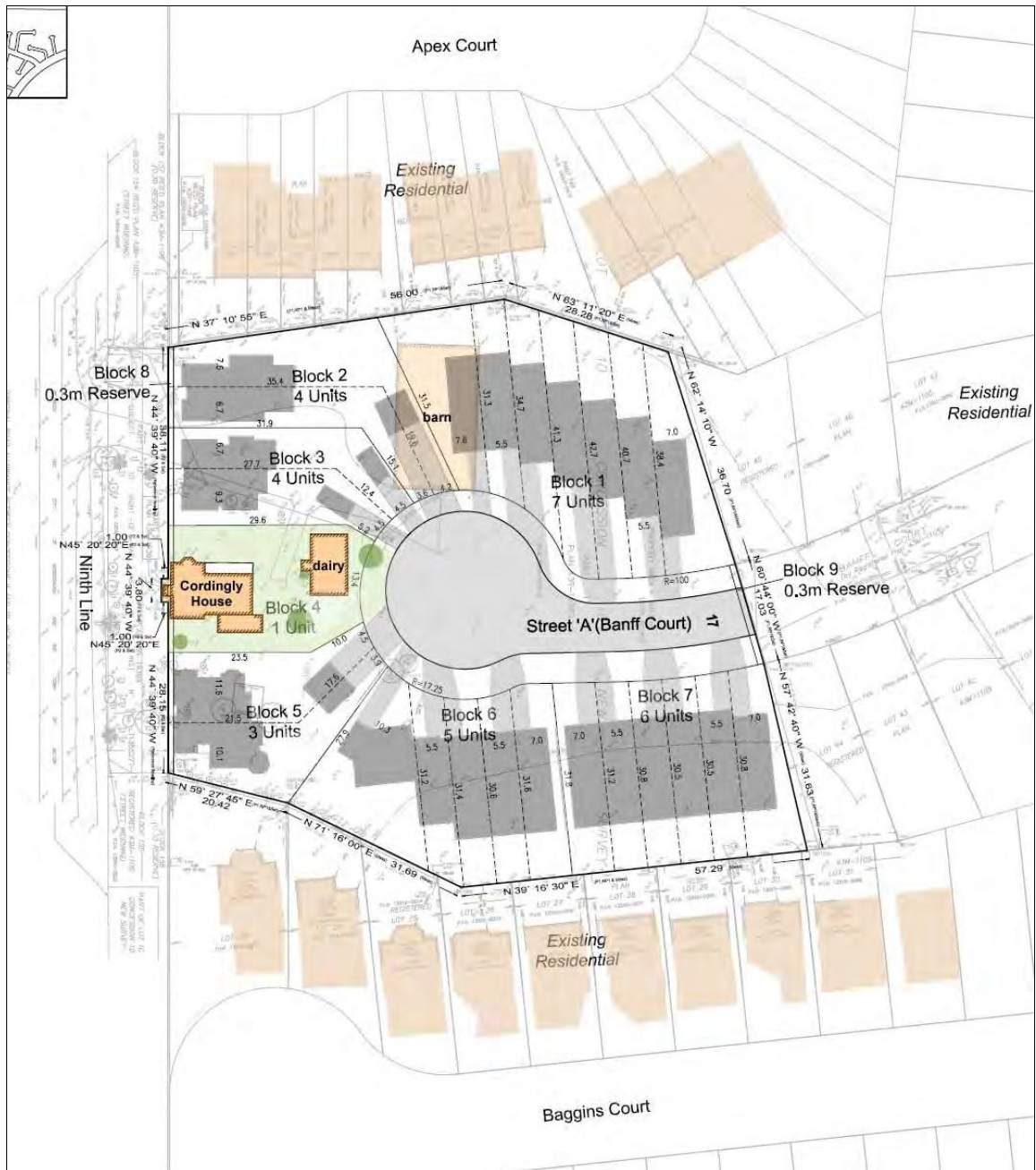


Figure 47 Proposed development (from Draft Plan of Subdivision, July 21, 2010, Korsiak & Company)

Proposed houses flanking the Cordingly house on Ninth Line are to be set back in line with the front of the Cordingly house, with side yards that afford a separation from the house ranging from 7 to 9 metres (23 - 30 feet). Houses on Ninth Line are to be accessed from the rear (extension of Banff Court). The architectural character of these houses is illustrated in figures 48 and 49.



Figure 48

Proposed houses flanking Cordingley house on Ninth Line, north side

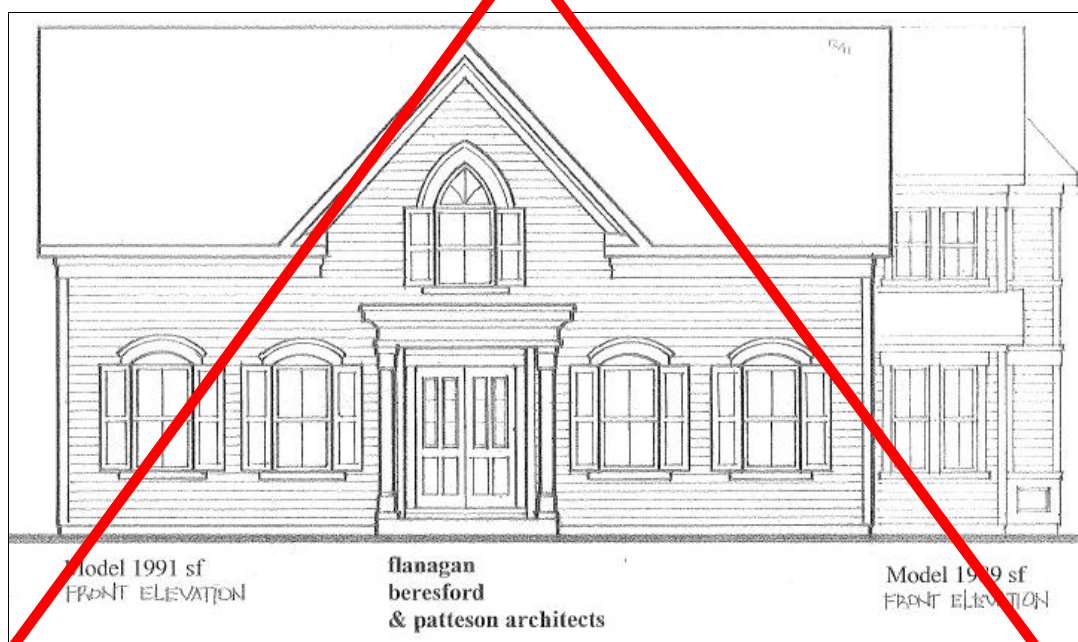


Figure 49

Proposed houses flanking Cordingley house on Ninth Line, south side

To the east of the house and dairy, an extension of Banff Court is proposed in the current lawn area. The new street will be flanked by street townhouses (Figure 50). The rear yard setback from the Cordingly house to the proposed Banff Court right-of-way is approximately 16 - 16.5 metres, and from the rear of the dairy building, approximately 1.5 - 3.5 metres.

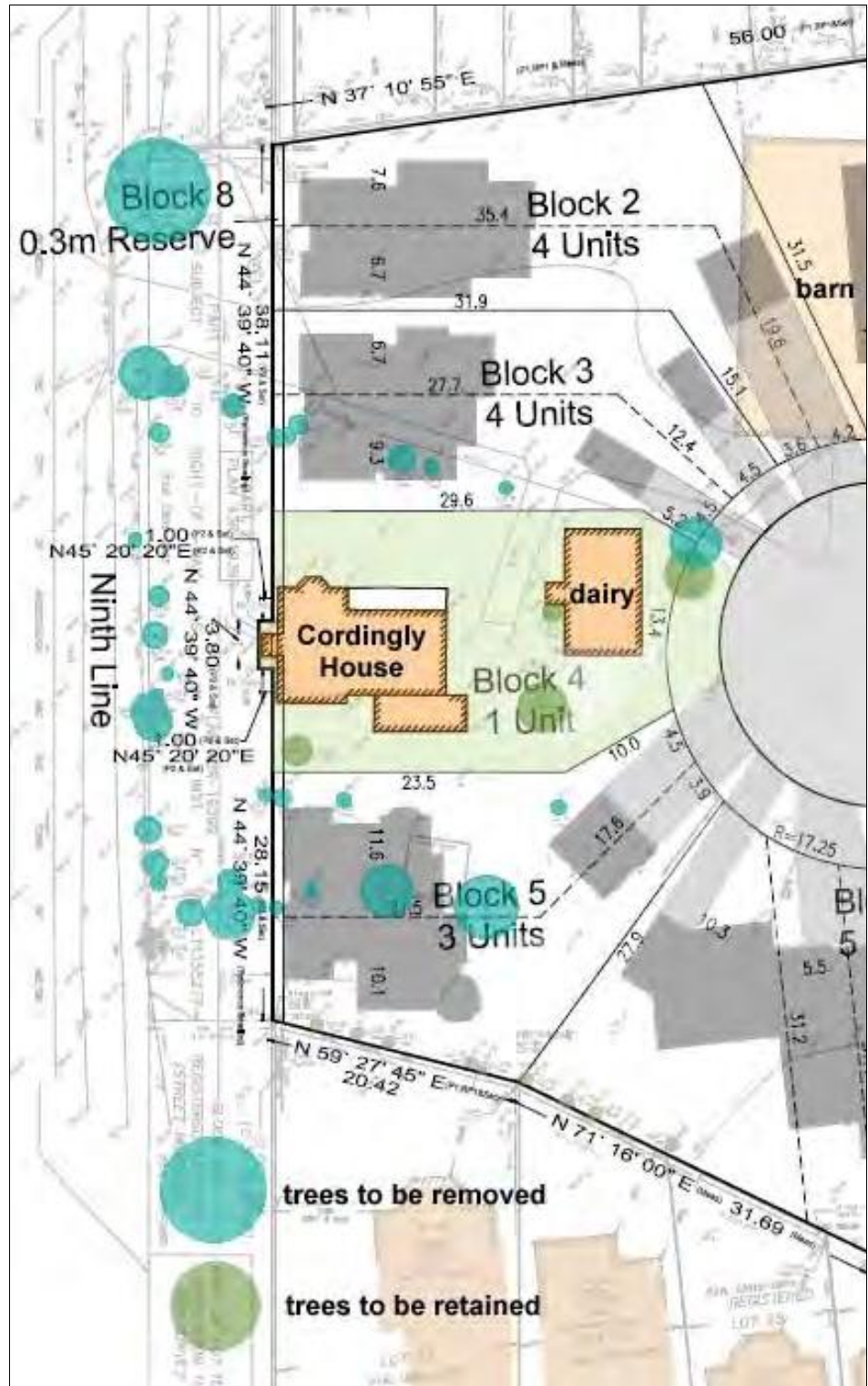


Figure 50

Proposed development, landscape impact - Korsiak & Co.

Figure 50 illustrates the tree removals and retentions that would be the result of both the municipal road widening and the proposed development. Most of the trees will be removed as a result of road widening. All of the trees in front of the house will be in the road right-of-way and will presumably be removed by the City for that purpose.

The large, damaged willow and numerous volunteer saplings will be removed to accommodate the new residential units.

With respect to impacts on the heritage features, the house and dairy building will be retained. The farmstead lot will be diminished in size from approximately 0.81 ha (2 acres) to 0.07 ha (0.17 acres). Most of the larger area is currently an open field of mowed turf to the rear of the property. While the setting of the house and outbuilding will be substantially altered, a negative impact on the heritage features and their attributes is not expected.

The character of the existing scene is one of suburban residences on three sides, the Ninth Line at the front, and a deciduous woodlot across the street. The proposal will bring more residential units closer to the heritage structures. The Victorian design details, massing and proportions, as well as the materials of the proposed houses are intended to be complementary to the Cordingley House, mitigating to some extent the proximity of the new construction. The larger impact will come from the widening of Ninth Line, removing the trees from the front of the house and changing the once rural road to a major paved arterial.

Regarding relevant municipal or agency requirements which will be applied to the subject property, the only apparent action that is likely to supplement, supersede and/or affect the conservation of the heritage resource is that of Transportation and Works requirements (the road widening).

2.6 Conservation - principles and mitigation

The City's HIS terms of reference state ... *A Heritage Impact Statement is a study to determine the impacts to known and potential heritage resources within a defined area proposed for future development. The study would include an inventory of all heritage resources within the planning application area. The study results in a report which identifies all known heritage resources, an evaluation of the significance of the resources, and makes recommendations toward mitigative measures that would minimize negative impacts to those resources. A Heritage Impact Statement may be required on a property which is listed on the City's Heritage Register, a property designated under the terms and conditions of the Ontario Heritage Act, or where development is proposed adjacent to a known heritage resource.*¹² (emphasis added) The heritage features on the subject property are not directly affected by the proposal. They are adjacent; thus, the development proposal's potential impact upon them is to be addressed by the HIS.

Conservation principles that apply in this HIS are therefore related to the potential impact of proposed adjacent development. As illustrated in Figures 50 and 51, the proposed development on Ninth Line is in scale with the Cordingley House and its immediate surroundings and should blend harmoniously with its neighbours.

¹² City of Mississauga Heritage Impact Statement Terms of Reference, July 2009



Figure 51

Cordingly house flanked by proposed development

Views of the Cordingly House from Ninth Line will be maintained and there is no expected impact on the heritage feature. Driveways to the new residences will be from Banff Court, providing opportunity for landscape development along Ninth Line which could eventually replace the trees that will be removed due to road widening.

Proposed development to the rear (Banff Court extension and town houses) will occupy the current grass field. Although the property line (Banff Court right-of-way) will be within 1.5 metres of the dairy building, the street curb will be some 4.5 - 7 metres distant. A preliminary grading plan prepared by Skira & Associates (Figure 52) indicates that low retaining walls on the north and south property lines will ensure that there is no need for grade changes on the future heritage property lot. The proposed walls range from 0.25m to 0.85m (10" to 2½') in height.

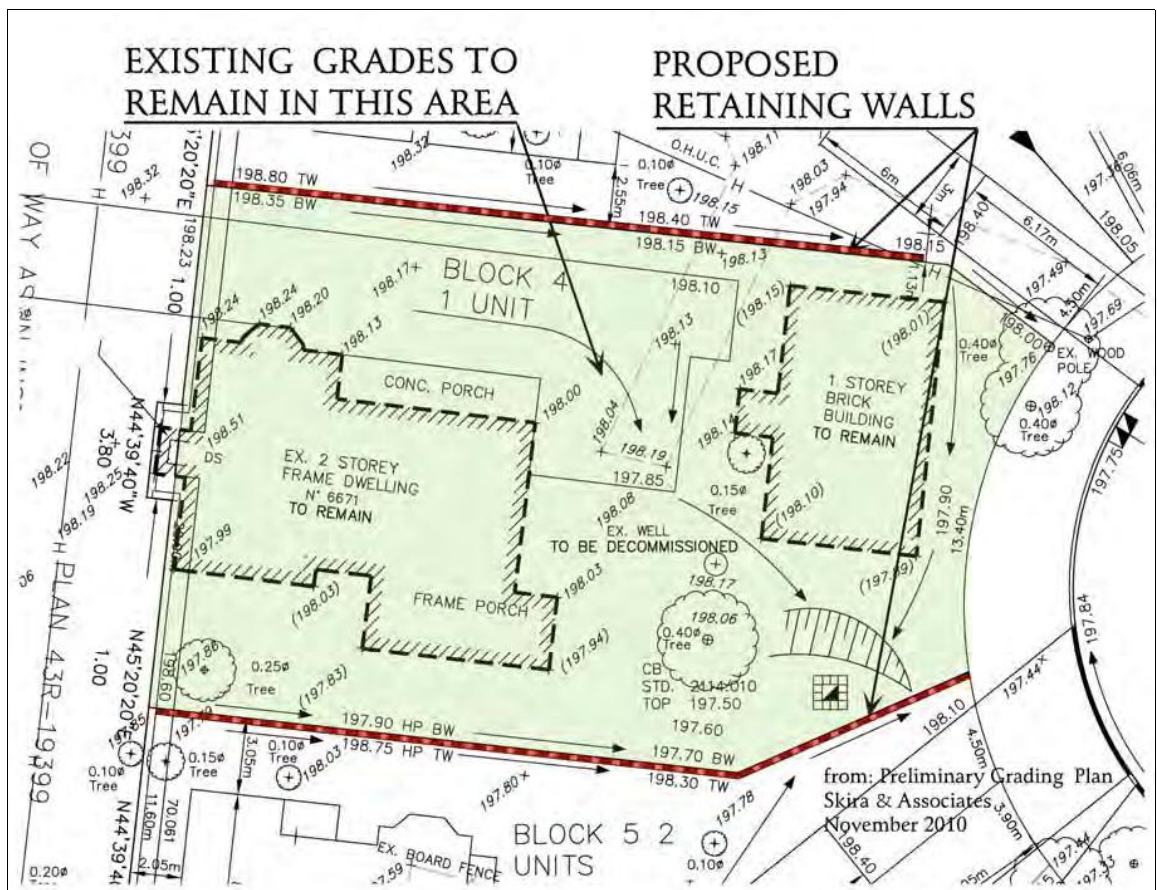


Figure 52

Preliminary Grading Plan

2.7 Summary of conservation principles and how they will be used

The City's terms of reference for an HIS require the following with respect to this summary: *A summary of conservation principles and how they will be used must be included. The conservation principles may be found in publications such as: Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada; Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Culture. (Both publications are available online.)*¹³

*Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada.*¹⁴
General Standards (all projects)

1 Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.

The character-defining elements are components of the two heritage buildings. The proposal does not affect the character-defining elements.

2 Conserve changes to a historic place which, over time, have become character-defining elements in their own right.

Not applicable

3 Conserve heritage value by adopting an approach calling for minimal intervention.

Not applicable

4 Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.

Not applicable

5 Find a use for a historic place that requires minimal or no change to its character-defining elements.

The house is currently tenanted and is likely to either remain so or be purchased as a residence. The current tenant has invested considerable time to restore aspects of the house and is interested in purchasing the property as a home.¹⁵

6 Protect and, if necessary, stabilize a historic place until any subsequent intervention is under-taken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.

Not applicable

7 Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value

¹³ *ibid*

¹⁴ www.parkscanada.gc.ca

¹⁵ Pers. Comm. 6671 Ninth Line Tenant, October 7, 2010

when undertaking an intervention.

Not applicable

8 Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

Not applicable

9 Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention for future reference.

Not applicable

Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Culture:
(now called *Eight Guiding Principles in the Conservation of Built Heritage Properties*)¹⁶

1. RESPECT FOR DOCUMENTARY EVIDENCE:

Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.

Not applicable

2. RESPECT FOR THE ORIGINAL LOCATION:

Do not move buildings unless there is no other means to save them. Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.

Buildings will remain in-situ.

3. RESPECT FOR HISTORIC MATERIAL:

Repair/conserve - rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the heritage content of the built resource.

Not applicable

4. RESPECT FOR ORIGINAL FABRIC:

Repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.

Not applicable

5. RESPECT FOR THE BUILDING'S HISTORY:

Do not restore to one period at the expense of another period. Do not destroy later additions to a building or structure solely to restore to a single time period.

Not applicable

6. REVERSIBILITY:

Alterations should be able to be returned to original conditions. This conserves earlier building design and technique. e.g. When a new door opening is put into a stone wall, the original stones are

¹⁶ http://www.culture.gov.on.ca/english/heritage/info_sheets/info_sheet_8principles.htm

numbered, removed and stored, allowing for future restoration.

Not applicable

7. LEGIBILITY:

New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new

Not applicable

8. MAINTENANCE:

With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.

Not applicable

Because these guidelines and standards are intended for the conservation of historic features, they have limited applicability for this project. Standards or guidelines more appropriate to this proposal were, we understood, being drafted by the City for adoption in January 2010. (pers. comm. Mark Warrack, Senior Heritage Coordinator, Culture Division, Community Services, City of Mississauga, October 26, 2009)

2.8 Proposed demolition / alterations explained

The twentieth century barn (enclosing an earlier structure) is to be demolished to provide opportunity to develop the adjacent lands for housing. The barn has been much modified over time. It is not a heritage attribute to the 19th century landscape of the Cordingly house and dairy.

2.9 Alternatives for salvage mitigation

Not applicable

2.10 Qualifications of the author completing the Heritage Impact Statement

See appendix 4.

3.0 SUMMARY STATEMENT and CONSERVATION RECOMMENDATIONS

There are two significant heritage structures on the property. It is intended that both heritage structures be retained. The barn and landscape are not significant features. The conservation of the heritage / character-defining attributes of the house and dairy building is not the subject of this HIS and those attributes are not potentially impacted by the proposed development. There are no apparent impacts of the proposed development on the heritage structures and it is not expected that their setting will be compromised to the extent that there is a negative impact.

Mitigating measures proposed include:

- addressing Ninth Line with street front facades at a setback consistent with the Cordingly House;
- addressing the Cordingly House lot with generous sideyard and adequate rear yard setbacks;
- ensuring that no grade changes are required on the proposed heritage property lot;
- proposing buildings adjacent that are in scale with the Cordingly House;
- providing a high degree of building articulation, architectural detail, and utilizing sympathetic building materials to provide interest and compatibility with the Cordingly House;
- affording opportunity for significant landscape development on Ninth Line to compensate for the

taking of existing trees for a municipal road widening.

4.0 MANDATORY RECOMMENDATION

The HIS terms of reference require the consultant to write a recommendation as to whether the subject property is worthy of heritage designation in accordance with the heritage designation criteria per Regulation 9/06, *Ontario Heritage Act*. The following questions must be answered in the final recommendation of the report:

1. *Does the property meet the criteria for heritage designation under the Ontario Regulation 9/06, Ontario Heritage Act?*

Ontario Regulation 9/06 states: A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. *The property has design value or physical value because it,*
 - i. *is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
 - ii. *displays a high degree of craftsmanship or artistic merit, or*
 - iii. *demonstrates a high degree of technical or scientific achievement.*
2. *The property has historical value or associative value because it,*
 - i. *has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
 - ii. *yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
 - iii. *demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
3. *The property has contextual value because it,*
 - i. *is important in defining, maintaining or supporting the character of an area,*
 - ii. *is physically, functionally, visually or historically linked to its surroundings, or*
 - iii. *is a landmark.*

The property meets the criteria for Part IV heritage designation. It is a representative, early example of a style, type, expression, material and construction method, displaying a high degree of craftsmanship. It remained from its inception, in the same family for 174 years and it is historically linked to its surroundings; however, those surroundings have changed quite dramatically over time.

2. *If the subject property does not meet the criteria for heritage designation then it must be clearly stated as to why it does not.*

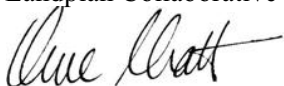
Not applicable

3. *Regardless of the failure to meet criteria for heritage designation, does the property warrant conservation as per the definition in the Provincial Policy Statement.*
Conserved: means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

The property warrants conservation and is a worthy candidate for Part IV designation under the *Ontario Heritage Act*. Some of the heritage / character-defining attributes of the buildings are in need of restoration, including soffits, eaves, verge boards, siding, *etc.* It is recommended that windows be replaced with period correct treatments. The dairy building might be adaptively re-used for some purpose. However, great care needs to be taken to ensure that the character-defining features of this rare example are preserved. While implementation of these recommendations is beyond the scope of this HIS, it is suggested this message and any assistance available be communicated to the owners and future owners of the severed property.

This heritage impact statement and addendum is respectfully submitted by:

The Landplan Collaborative Ltd.



per: Owen R. Scott, OALA, FCSLA, CAHP

**CITY OF MISSISSAUGA
HERITAGE IMPACT STATEMENT
TERMS OF REFERENCE**

1. Background: The City Plan

The City's Official Plan introduces heritage in the following manner:

The protection of heritage resources contributes to a sense of community by providing continuity between the past and the present. Through identifying, understanding, and protecting its heritage, the city can incorporate the past into planning for the future. The City will demonstrate a leadership role in the conservation of its own properties in a responsible way and provide heritage assessments of prospective acquisitions.

In compliance with the City's policy 4.9.2.3, as stated below, the City of Mississauga is seeking to conserve, record, and protect its heritage resources:

Applications for development of a heritage resource will be required to include a Heritage Impact Statement which will be prepared to the satisfaction of the City and other appropriate authorities having jurisdiction.

A Heritage Impact Statement is a study to determine the impacts to known and potential heritage resources within a defined area proposed for future development. The study would include an inventory of all heritage resources within the planning application area. The study results in a report which identifies all known heritage resources, an evaluation of the significance of the resources, and makes recommendations toward mitigative measures that would minimize negative impacts to those resources. A Heritage Impact Statement may be required on a property which is listed on the City's Heritage Register, a property designated under the terms and conditions of the Ontario Heritage Act, or where development is proposed adjacent to a known heritage resource. The requirement may also apply to unknown or recorded heritage resources which are discovered during the development application stage or construction.¹

The City's Heritage Register includes properties that comprise cultural landscapes. Cultural landscapes include neighbourhoods, roadways and waterways. Individual properties within these landscapes may or may not have cultural heritage value independent of the landscape. Heritage Impact Statements are required to ascertain the property's cultural heritage value and to ensure that any development maintains the cultural landscape criteria, available at http://www5.mississauga.ca/pdfs/Cultural_Landscape_Inventory_Jan05.pdf.

To determine the specific heritage status of a particular property visit <http://www.mississauga.ca/portal/services/property>. Submit the desired address and click on the "Heritage" tab. Further information is available by clicking the underlined "INV#." This last tab explains the reason why the property is listed or designated.

¹ For the definition of "development," please refer to the Mississauga City Plan.

Mississauga Heritage Impact Statement Terms of Reference**2. Heritage Impact Statement Requirements**

It is important to recognize the need for Heritage Impact Statements in the earliest possible stage of development or alteration. Notice will be given to the property owner and/or his representative as early as possible. When the subject property is a Plan of Subdivision, or Site Plan application, notice of a Heritage Impact Statement requirement will be given at the pre-application meeting, followed by a written notification. The notice will inform the property owner of any known heritage resources specific to the subject property and provide a guideline to completing the study.

3. The following minimum requirements will be requested in a Heritage Impact Statement:

- 3.1 Present owner contact information for property proposed for development and/or site alteration.
- 3.2 A detailed site history to include a listing of owners from the Land Registry Office, and a history of the site use(s).
- 3.3 A complete listing and full written description of all existing structures, with specific mention of all heritage resources on the subject property to include: structures, buildings, building elements, building materials, architectural and interior finishes, natural heritage elements, landscaping, and archaeological resources. Description will also include a chronological history of the structure(s) developments, such as additions, deletions, conversions, etc.

The report will include a clear statement of the conclusions regarding the significance and heritage attributes of the cultural heritage resource.

A location map will be provided, with indications of existing land use, zoning, as well as the zoning and land use of adjacent properties.

- 3.4 Documentation of the heritage resource will include current photographs, from each elevation, and/or measured drawings, floor plans, and a site map, at an appropriate scale for the given application (i.e. site plan as opposed to subdivision), indicating the context in which the heritage resource is situated. Also to include historical photos, drawings, or other archival material that may be available or relevant.

The applicant must provide a description of all relevant municipal or agency requirements which will be applied to the subject property, and when implemented may supplement, supersede and/or affect the conservation of heritage resources (i.e. Building Code requirements, Zoning requirements, Transportation and Works requirements.)

- 3.5 An outline of the proposed development, its context and how it will impact the heritage resource and neighbouring properties will be provided. This may include Mississauga Heritage Impact Statement Terms of Reference such issues as the pattern of lots, roadways, setbacks, massing, relationship to natural and built heritage features, recommended building materials, etc. The outline should address the influence of the development on the setting, character and use of lands on the subject property and adjacent lands.

Mississauga Heritage Impact Statement Terms of Reference

Note: A drawing indicating the subject property streetscape and properties to either side of the subject lands will be provided. The purpose of this drawing is to provide a schematic view of how the new construction is oriented and integrates with the adjacent properties from a streetscape perspective. The drawing must therefore show, within the limits of defined property lines, an outline of the building mass of the subject property and the existing neighbouring properties, along with significant trees or any other landscape or landform features. A composite photograph may accomplish the same purpose with a schematic of the proposed building drawn in.

- 3.6 An assessment of alternative development options and mitigation measures that should be considered in order to avoid or limit the negative impact on the cultural heritage resources. Methods of minimizing or avoiding negative impact on a cultural heritage resource as stated in the Ontario Heritage Tool Kit (InfoSheet #5, Ministry of Culture) include, but are not limited to:
 - Alternative development approaches
 - Isolating development and site alteration from the significant built and natural heritage features and vistas
 - Design guidelines that harmonize mass, setback, setting and materials
 - Limiting height and density
 - Allowing only compatible infill and additions
 - Reversible alterations
- 3.7 A summary of conservation principles and how they will be used must be included. The conservation principles may be found in publications such as: Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada; Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Culture. (Both publications are available online.)
- 3.8 Proposed demolition/alterations must be explained as to the loss of cultural heritage value interests in the site and the impact on the streetscape and sense of place.
- 3.9 When a property can not be conserved, alternatives will be considered for salvage mitigation. Only when other options can be demonstrated not to be viable will options such as relocation, ruinification, or symbolic conservation be considered. Relocation of a heritage resource may indicate a move within or beyond the subject property. The appropriate context of the resource must be considered in relocation. Ruinification allows for the exterior only of a structure to be maintained on a site. Symbolic conservation refers to the recovery of unique heritage resources and incorporating those components into new development, or Mississauga Heritage Impact Statement Terms of Reference using a symbolic design method to depict a theme or remembrance of the past.

All recommendations shall be as specific as possible indicating the exact location of the preferred option, site plan, building elevations, materials, landscaping, and any impact on neighbouring properties, if relevant.

- 3.10 The qualifications and background of the person(s) completing the Heritage Impact Statement will be included in the report. The author(s) must demonstrate a level of professional understanding and competence in the heritage conservation field of study. The Statement will

Mississauga Heritage Impact Statement Terms of Reference

also include a reference for any literature cited, and a list of people contacted during the study and referenced in the report.

4. Summary Statement and Conservation Recommendations

The summary should provide a full description of:

- The significance and heritage attributes of the cultural heritage resource, including the reference to a listing on the Heritage Register, or designation by-law if it is applicable
- The identification of any impact that the proposed development will have on the cultural heritage resource
- An explanation of what conservation or mitigative measures, or alternative development, or site alteration approaches are recommended
- Clarification as to why conservation or mitigative measures, or alternative development or site alteration approaches are not appropriate

5. Mandatory Recommendation

The consultant must write a recommendation as to whether the subject property is worthy of heritage designation in accordance with the heritage designation criteria per Regulation 9/06, Ontario Heritage Act. Should the consultant not support heritage designation then it must be clearly stated as to why the subject property does not meet the criteria as stated in Regulation 9/06.

The following questions must be answered in the final recommendation of the report:

- Does the property meet the criteria for heritage designation under the Ontario Regulation 9/06, Ontario Heritage Act?
- If the subject property does not meet the criteria for heritage designation then it must be clearly stated as to why it does not
- Regardless of the failure to meet criteria for heritage designation, does the property warrant conservation as per the definition in the Provincial Policy Statement:

Conserved:

means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

Please note that failure to provide a clear recommendation as per the significance and direction of the identified cultural heritage resource will result in the rejection of the Heritage Impact Statement.

6. Approval Process

Four copies of the Heritage Impact Statement will be provided to the Heritage Coordinator. Staff will ensure that copies are distributed to the Planning and Building Department and relevant staff and stakeholders within the Corporation. The Heritage Impact Statement will be reviewed by City staff to determine whether all requirements have been met and to evaluate the preferred option(s). The applicant will be notified of Staff's comments and acceptance, or rejection of the report.

All Heritage Impact Statements will be sent to the City Heritage Advisory Committee for information.

Mississauga Heritage Impact Statement Terms of Reference

An accepted Heritage Impact Statement will become part of the further processing of a development application under the direction of the Planning and Building Department.

The recommendations within the final approved version of the Heritage Impact Statement will be incorporated into development related legal agreements between the City and the proponent at the discretion of the municipality.

References:

Applicants looking for professional assistance may wish to refer to the Canadian Association of Heritage Professionals. website: www.caphc.ca.

For more information on Heritage Planning at the City of Mississauga, visit us online at www.mississauga.ca/heritageplanning

Appendix 2

CHAIN of TITLE**PIN 13510-0053 - 6671 Ninth Line, Mississauga, ON**

date	action	from - to	instrument no.
25 June 1836	PATENT	Crown to David Cordingly	
18 Jan. 1843	Mortgage	David Cordingly to John Cawthra	729
11 Nov. 1854	Bargain & Sale	David Cordingly to John Cordingly	785
10 Aug. 1903	Bargain & Sale	David Cordingly to Solomon T. Cordingly	8130
30 Mar. 1906	Probate	John Cordingly to Solomon T. Cordingly	8809
22 Jan. 1965	Oil & Gas Grant	J. D. and M. I. Cordingly to Tony Seychuk	178953
29 Nov. 1966	Quit Claim Deed	Estate of Elizabeth E. J. Cordingly to John Dudley Cordingly	214573
31 Mar. 1969	Quit Claim Deed	Estate of Tony Seychuk to John Cordingly	267533
10 Aug. 1970	Grant	John Dudley Cordingly to Margery Irene Cordingly	298440
10 Aug. 1970	Grant	Margery Irene Cordingly to John Dudley Cordingly	298441
13 Nov. 1970	Quit Claim Deed	Samnat Investments Limited to John Dudley Cordingly	303464
14 Mar. 1972	Grant	John Dudley Cordingly and Margery Irene Cordingly to Margery Irene Cordingly	332325?
Tax Arrears Certificates / Redemption Certificates / Vacating Certificates			515188
08 Feb. 1988	Grant	Margery Irene Cordingly to Venturon Development (Greenmeadow) Inc.	857244
05 Nov. 1992	Transfer	Venturon Development (Greenmeadow) Inc. To John Dudley Cordingly and Margery Irene Cordingly	LT1355284
22 Aug. 2006	Survivorship Application	re: Margery Irene Cordingly	PR1123036
27 May 2010	Transmission	John Dudley Cordingly to Cynthia Anne Masson	PR1827005
01 June 2010	Transfer	Cynthia Anne Masson to Edilou Holdings Inc.	PR1831357

Appendix 3

Property Heritage Detail ¹

Address:	6671 NINTH LINE	Area:	LISGAR
Type:	RESIDENTIAL	Reason:	ARCHITECTURAL
Style:	GOTHIC REVIVAL		

Images



History

David Cordingley (1782-1867) had been a dyer in Wigan, Lancashire, England. He sailed to Canada with his wife and family, via Pennsylvania, sometime between 1815 and 1819. In 1819 he is listed as living in York. The Crown granted David the subject property in 1836; David took out a mortgage in 1843. It is possible that at least a portion of the current house was built at this time. (Family history suggests even earlier.) David sold the property to son John (1828-1905) in 1848 for 800 pounds. John sold it to his son Solomon (1873-1940) in 1903 for \$7500. Solomon left the property to John Dudley Cordingley (b. 1929) who is still listed as an owner.² This one and a half storey structure is T-shaped in plan with an accretion to the south rear believed by the owners to be the original building of board and batten. The gabled roof has a medium pitch and is covered with corrugated metal. The cornice is plain boxed, end gable cornice returns. There are two brick chimneys, one internally bracketed and the other external. A stone foundation supports walls apparently of frame construction, the whole sheathed in clapboard. Along the first floor of the front facade, there are two, two over two paned, double hung sash windows. The sash is segmental. In the centre, front, west gable there is a round headed window which opens out onto a small balcony with turned balusters. The centre gable is trimmed with vergeboard on apex. A single storey bowed window appears on the north side of the main block. It is capped with a shallow mansard roof "supported" by paired brackets. The front entrance has a double leafed wooden door with textured glazing in the top half. The door is trimmed with gingerbread. The rear extension has an open verandah along the north side with heavy pierced treillage with brackets. A bell tower complete with bell is centrally located on top of the roof. The older section to the south is sheathed with board and batten siding and roofed with old cedar shakes. There is external access to the cellar.

¹ City of Mississauga heritage files - <http://www.mississauga.ca/portal/services/property>, accessed September 10, 2010

² As of May 2010, the property is no longer in the Cordingley (Cordingley) family ownership

APPENDIX 2

Heritage Impact Statement

Cordingley House Restoration & Renovation 6671 Ninth Line, Mississauga



prepared by

CHC Limited

87 Liverpool Street, Guelph, ON N1H 2L2
(519) 824-3210 oscott87@rogers.com

April 23, 2015

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photographs by Owen R. Scott, October 07, 2010 unless otherwise noted.

1.0 BACKGROUND - HERITAGE IMPACT STATEMENT (HIS)

This Heritage Impact Statement (HIS) is in response to proposed renovations to Cordingley¹ House at 6671 Ninth Line, Mississauga, designated under Part IV of the *Ontario Heritage Act*. Also designated is the brick dairy building on the property². This HIS follows the *City of Mississauga Heritage Impact Statement Terms of Reference* February 2013 and was prepared in response to a request from the owner, Mr. Carmine Cesta of Cesta Developments.

Cordingley House was the subject of an HIS, dated November 2010 (October 4, 2011 addendum) by the author of this report.³ That HIS dealt with the subdivision of the property for a residential development, which is currently in progress. Information from that HIS is summarized here, and where necessary, updated. The property (Property Roll No. 21-05-150-080-06116-0000) is located on the far western fringe of the City, a few blocks south of Derry Road West on the east side of Ninth Line.

2.0 THE HERITAGE IMPACT STATEMENT

2.1 Site history

The subject site is located amidst the modern subdivisions of Meadowvale West. A small pioneer cemetery at the corner of Derry Road and Shelter Bay Road, Switzer's Cemetery (also known as Eden Cemetery) is the last visible reminder of a nearby pioneer settlement called Lisgar. (Figure 1)

Just to the north of the property at the intersection of Ninth Line and Derry Road was the Hamlet of McCurdy's Corners *...originally part of Trafalgar Township in Halton County, until 1974 when the Mississauga border was extended to Ninth Line, placing the east half within the borders of Mississauga.*

At McCurdy's Corners there was a Methodist Church and a school. The school was officially called S.S. #8 Trafalgar, also known as McCurdy's Corners School.

One prominent family at McCurdy's Corners were the Cordingleys. Before travelling to Canada, David Cordingley was a dyer, living with his wife and first two children in York, England. David and Mary Cordingley first came to Canada, by way of Pennsylvania, likely in the early 1820s. In 1836, the Crown officially granted 100 acres of land to David Cordingley on lot 10, concession 10 in Trafalgar Township. In 1848, this land was sold to David and Mary's eighth of ten children, John Cordingley. David Cordingley died in 1867 at 85 years of age.⁴

Until the 1990s, the site and the area surrounding it was rural. The farm was sold to a land developer in 1988 and the subject property with the house, barn and dairy were transferred back to the Cordingley family in 1992. Residential development of the farmlands began in the late 1980s, early 1990s. During

¹ The family name is recorded as "Cordingly" in the Registry Office records until 1906 and henceforth the name is spelled "Cordingley" (HIS Cordingly House, November 17, 2010, addendum October 04, 2011)

² City of Mississauga heritage files - http://www.mississauga.ca/file/COM/2011hacminutes_april26.pdf, accessed May 20, 2014

³ The Landplan Collaborative Ltd., *Heritage Impact Statement, Cordingly House 6671 Ninth Line, Mississauga*, November 17, 2010, addendum October 04, 2011

⁴ <http://www.heritagemississauga.com/page/McCurdys-Corners>, accessed October 03, 2011

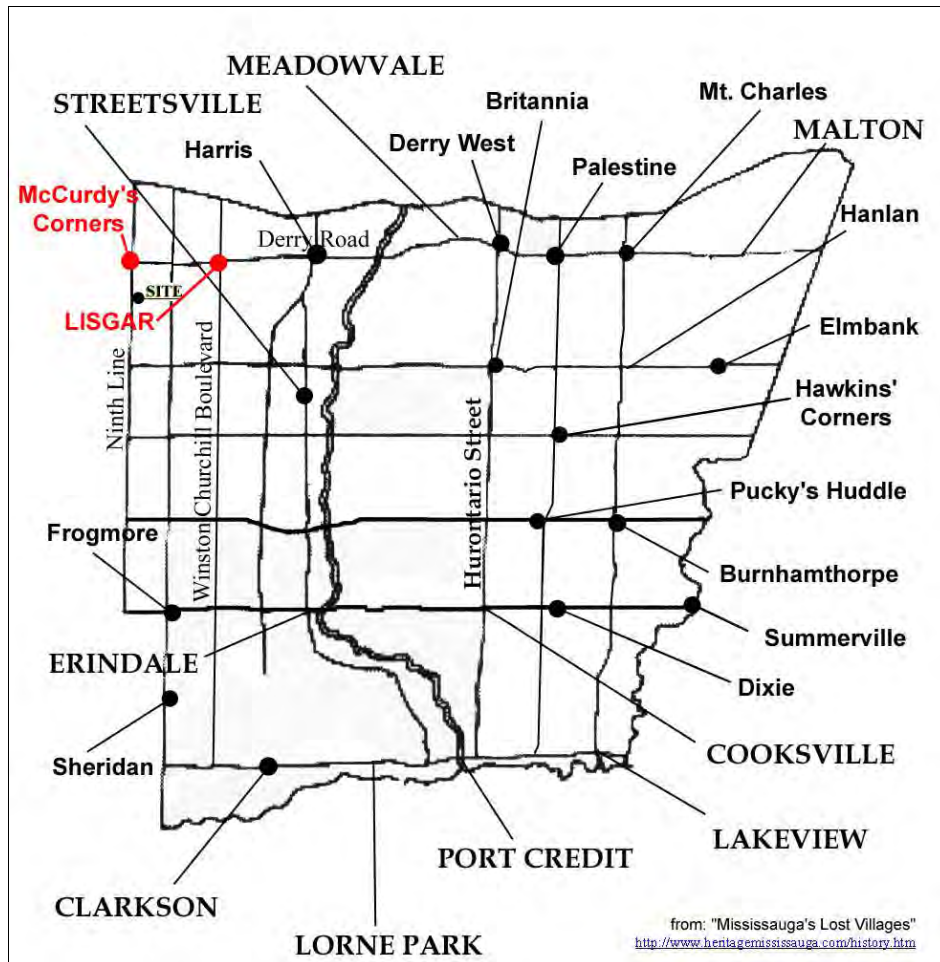


Figure 1

Site Location

the late 1980s and early 1990s, the landscape was transformed totally from farmland to urban development. Highway 407 just to the west followed in the 2000s. Urban development east of Ninth Line is virtually complete today.

The remarkable changes to the immediate environs of the subject property are captured in these 1954, 1985, and 2013 airphotos. (Figure 2)



Figure 2 1954, 1985, 2013 airphotos of subject property

<http://www.mississauga.ca/portal/services/maps>

The property was in the ownership of the same family for 174 years, from 1836 to 2010. A listing of owners from the Land Registry Office can be found in *Heritage Impact Statement, Cordingley House 6671*

Ninth Line, Mississauga, November 17, 2010, addendum October 04, 2011. From 1836, when the property was purchased from the Crown, until the early 1990s, the property was farmed.

Most of the farm was developed for housing in the early 1990s, with the exception of the subject of this HIS, a 656 m² (0.162 acre) lot which includes the Cordingley house and a brick dairy building (see Figure 3). A frame barn on the property was recently removed.⁵

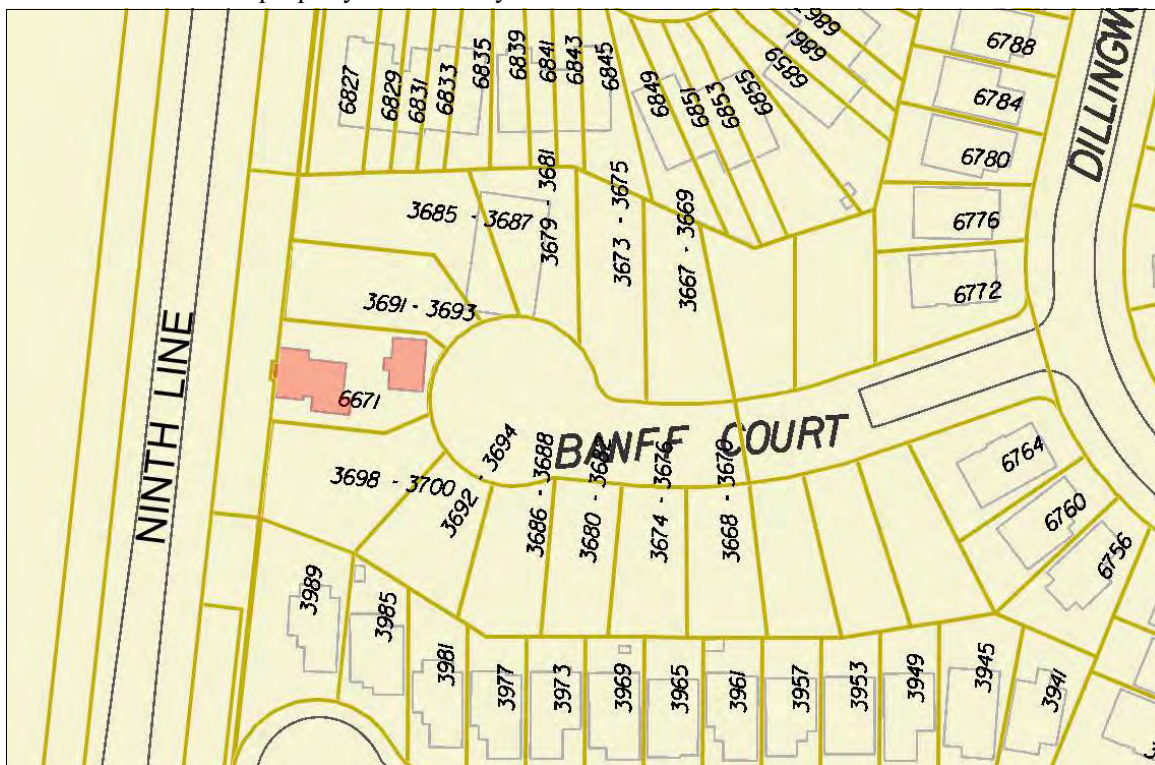


Figure 3 6671 Ninth Line (house & dairy building in red) <http://www.mississauga.ca/portal/services/maps>

2.2 Listing and written description of existing structures, significance and heritage attributes

Cordingley House and the brick former dairy outbuilding have been designated under Part IV of the *Ontario Heritage Act*.⁶ The rear portion of the house was probably built first, *circa* 1843, with the front portion added *circa* 1884.⁷ The date of construction of the brick dairy building is unknown, but is likely the 1860s. Heritage attributes of the property include elements related to the architecture and architectural details of the house and the dairy building, the property's 174 year association with the Cordingley/Cordingley family and the property's context. Attributes are listed in *Schedule B* to the By-

⁵ *Minutes: Heritage Advisory Committee, The Corporation of the City of Mississauga, Tuesday, October 25, 2011 - 9:00 A.M.*

⁶ approved by General Committee on May 4, 2011 and adopted by City Council on May 11, 2011 via Resolution 0134-2011. www.mississauga.ca/file/COM/2012CouncilAgenda_23May.pdf - 2012-05-17

⁷ "The rear wing of the Cordingley House predates the front, main section and was probably built as the original house in the mid-1840s. The front section of the house was built in the mid-1880s, at which time the original house was relegated to kitchen wing status, although its windows and exterior trims were updated at that time to blend with the new building." *Structural Review and Recommendations for The Cordingley House, 6671 Ninth Line, Mississauga*, Shoalts Engineering, March 29, 2015

law⁸; namely:

Key attributes that reflect Cordingley House's physical/design value:

- its Gothic Revival farmhouse shape and form
 - N the three bay façades on both the front and “tail”
 - N the centre gables
 - N the placement of the central entrances under the centre gables
- its Gothic Revival features
 - N the tall narrow proportions of its windows
 - N the steep roof pitch
 - N the seemingly asymmetrical arrangement of the chimneys
- the bell cote
- the balustrade
- the north veranda
- the front porch, including doors, windows, transom, brackets and detailing
- the original doors
- the vergeboard
- the shutters
- the original windows
- the window surrounds
- the bay window, including its mansard roof and lower panelling
- all trim, brackets, fretwork and detailing
- the wooden clapboard and board ‘n batten siding
- the brick outbuilding, including its shape and form and stone foundation

Key attributes that reflect Cordingley House's historical/associative value:

- its location on one of the actual corner lots of McCurdy's Corners (Ninth Line and Derry Road West)

Key attributes that reflect Cordingley House's contextual value:

- its location on one of the actual corner lots of McCurdy's Corners (Ninth Line and Derry Road West)
- its proximity and visibility to Ninth Line
- the physical relationship between the house structure and the brick outbuilding within a large open space

2.3 Documentation of the heritage resource

The Cordingley House

The 2010 HIS⁹ described the house. It is a two and one and a half storey wood frame structure, T-shaped in plan. That HIS surmised that the two storey front portion of the house was believed to be c. 1843 clad with 1 x 6 pine board shiplap-siding and that the one and one half storey “summer kitchen wing” was later,

⁸ Draft Schedule “B” to By-law No. _____ Designation Statement Cordingley House, 6671 Ninth Line, City of Mississauga

⁹ The Landplan Collaborative Ltd., *Heritage Impact Statement, Cordingly House 6671 Ninth Line, Mississauga*, November 17, 2010, addendum October 04, 2011

and clad with plain bevel (clapboard) 1 x 6 pine board siding. A small covered porch sided with board and batten is situated on the southeast corner (Figures 4 & 5). Since that HIS was written, a structural analysis was carried out by Shoalts Engineering that suggests the rear (east) portion is the earlier and the west (front) portion of later construction¹⁰. According to the City's 'property heritage details', this ... *accretion to the south rear (is) believed by the owners to be the original building of board and batten*¹¹. The author believes this to be unlikely, the board and batten covered porch being a later addition. The foundation is of Credit Valley stone and the gabled roof has a medium pitch, currently covered with painted, corrugated metal. There are two brick chimneys, one internally bracketed and the other external. Windows in the front portion are 2/2 double hung sash with arched heads and shuttered. In the centre, front, west gable there is a round headed window which opens out onto a small balcony with turned balusters. The centre gable is trimmed with vergeboard on apex. A single storey bowed window appears on the north side of the main block, capped with a shallow mansard roof supported by paired brackets (Figure 6). The front entrance has a double-leafed wooden door with textured glazing in the top half and is trimmed with gingerbread (Figures 4 & 5). The rear has an open verandah along the north side with heavy pierced treillage with brackets. The porch is roofed with asphalt shingles. A bell tower is centrally located on top of the roof of the rear wing. A bell is evident in a 1976 photograph (Figure 14) but is no longer extant, having been removed at some point since (Figure 12). The bellcote has also been moved to the gable verge. Upper storey windows are round-headed; however all the sash has been replaced and the round heads filled in with plywood sheeting (Figure 13).



Figure 4



west (front) elevation Figure 5

west (front) elevation

¹⁰ "A few items should be noted with respect to the forgoing excerpt, other information in the CHA, and statements in the draft Heritage Impact Statement prepared by CHC (2014). The date of construction of the rear (east) wing given in the CHA of ca. 1843 is reasonable assumption, as is the 1884 date given for the front section. The reverse order of construction and the dates of construction given in the draft HIS are almost certainly incorrect. Numerous elements of style and construction as well as the physical arrangement of specific items establishes that the front section was built subsequent to the rear section, and the CHA presumed dates are supported by substantial evidence.", Shoalts Engineering, March 2015

¹¹ City of Mississauga heritage files - <http://www.mississauga.ca/portal/services/property>, accessed May 22, 2014



Figure 6 north elevation - circa 1843 wing



Figure 7 north elevation - circa 1884 wing



Figure 8 south elevation



Figure 9 south elevation - porch



Figure 10 east elevation



Figure 11 east elevation



Figure 12 bell tower w/satellite dish



Figure 13 window head blocked-in with plywood
circa 1843 tail section



Fig. 14 bell tower & bell w/TV antenna, 1976

The Dairy

A six metre by ten metre, one storey, red brick former dairy building is documented in the 2010 HIS. (Figures 21 & 22). It is not a subject of this HIS.



Figure 15

west elevation - former dairy



Figure 16

east elevation - former dairy

2.4 The proposed alteration

The proposal is to alter the designated Cordingley House by removing the *circa* 1840s rear wing with its later southerly enclosed porch addition and to replace same with a structure of basically the same footprint and architecturally sympathetic to the original. Figures 17 through 21 illustrate the proposal. Gray-shaded areas are the original portions of the house to remain and be restored. Red-shaded areas are to be removed. Areas without shading are new. The view from the front (west) will remain much as the current view with the exception that the view of the later covered porch addition (in red on Figure 17) will be replaced by the 2 storey addition on the right hand (south) side of the house.

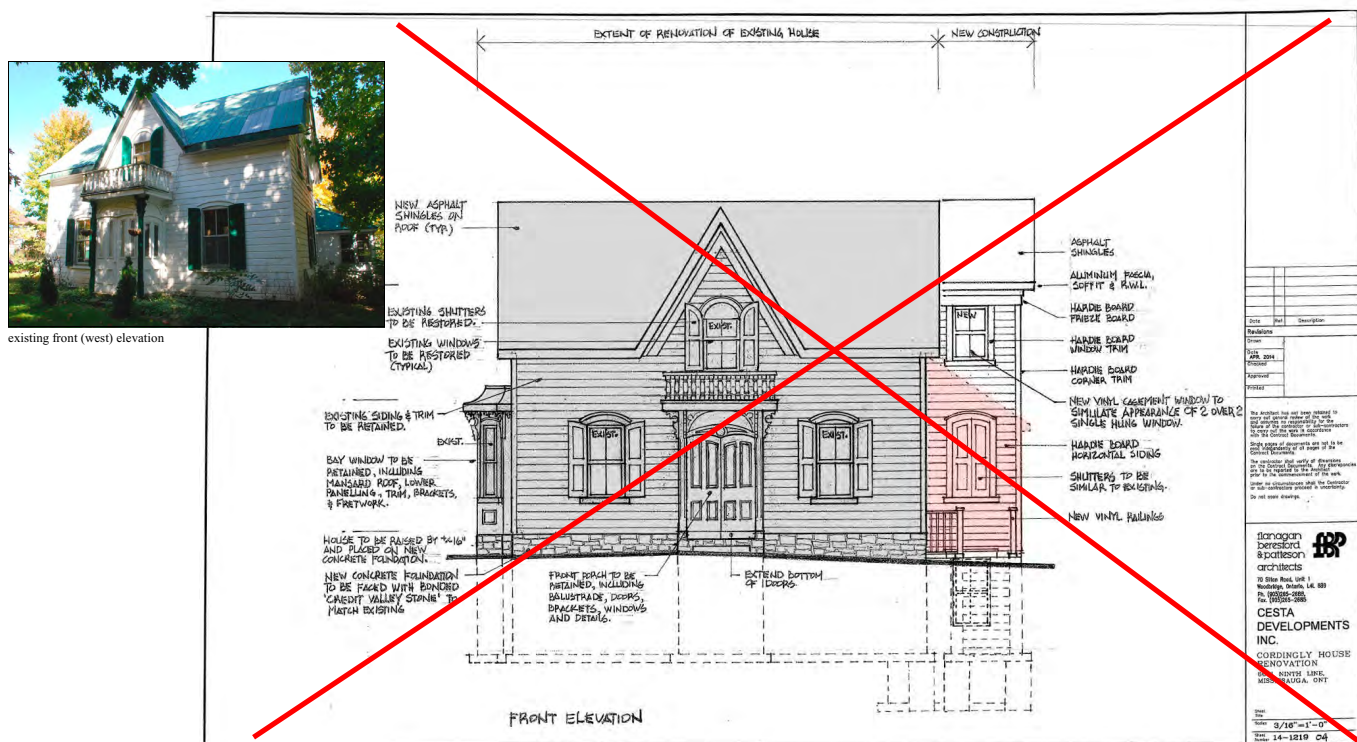
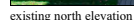


Figure 17

proposed front (west) elevation - flanagan beresford & patterson architects June 26, 2014

proposed north elevation - *flanagan beresford & patteson architects* June 26, 2014

Horizontal "Hardie Board" (fibre cement) siding, will be used on the addition to be reminiscent, but not a copy of the current rear wing. Window styles and shutters will be similar to those of the *circa* 1880s front portion of the house. Figure 18 illustrates the proposed north elevation which is reminiscent of the current *circa* 1840s rear wing. The replacement wing is proposed at 2 storeys rather than the existing 1½ storeys (in red on Figure 18). Windows, shutters, roof and gable pitches, porch design, siding all retain the character of the existing rear wing. A new one storey single car garage is to be attached at the rear.



existing south elevation

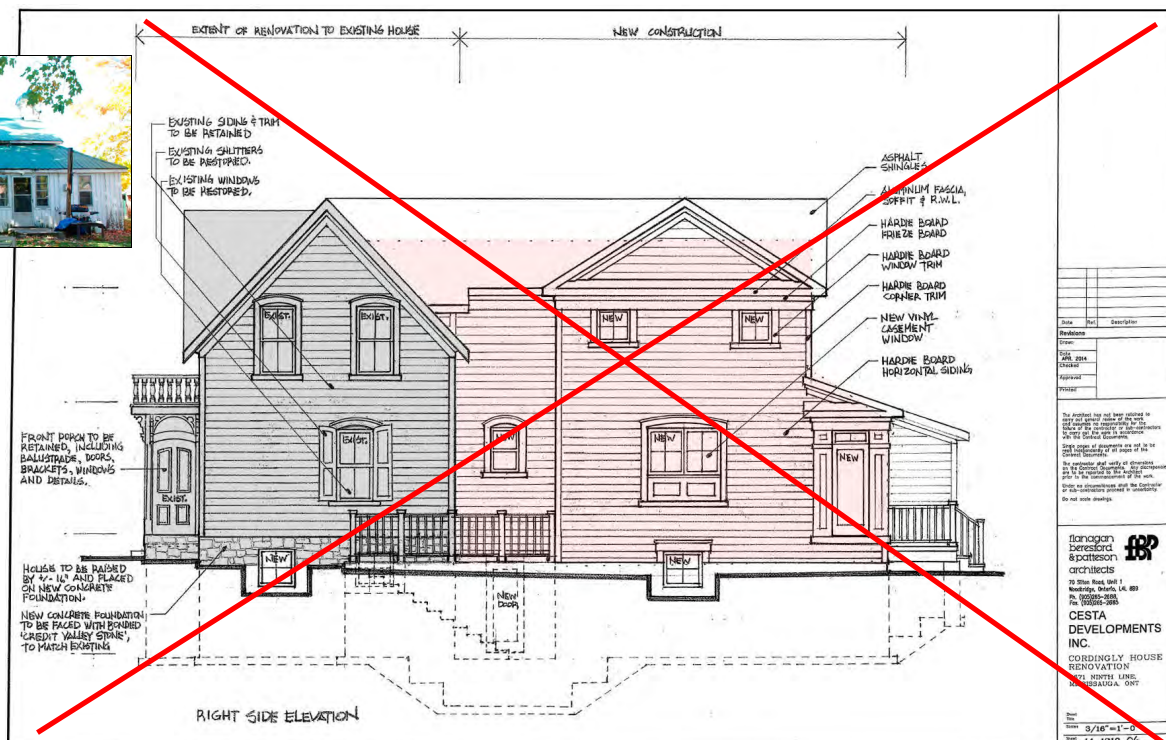


Figure 19

proposed south elevation - flanagan beresford & patterson architects June 26, 2014



Figure 20

proposed rear (east) elevation - flanagan beresford & patteson architects June 26, 2014

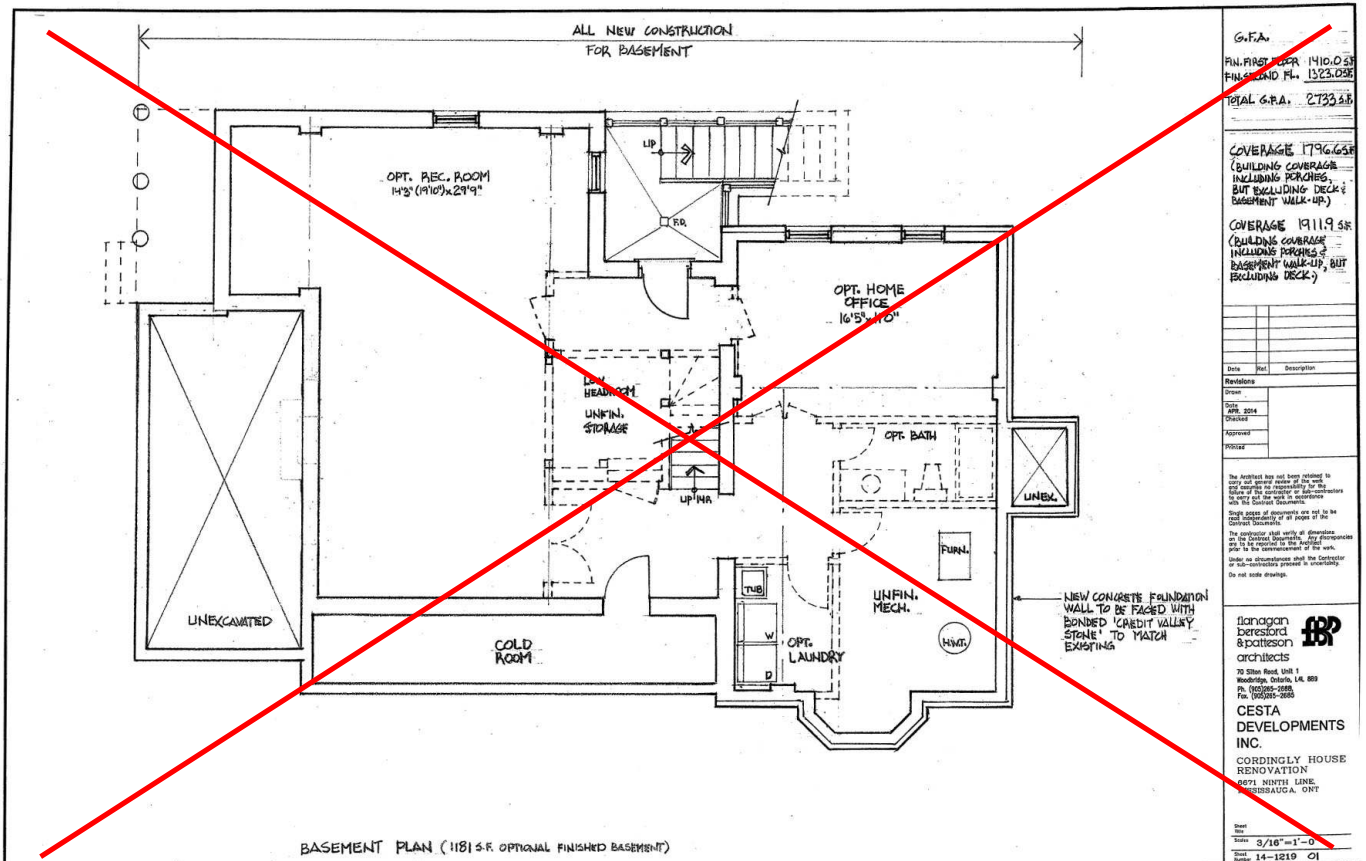
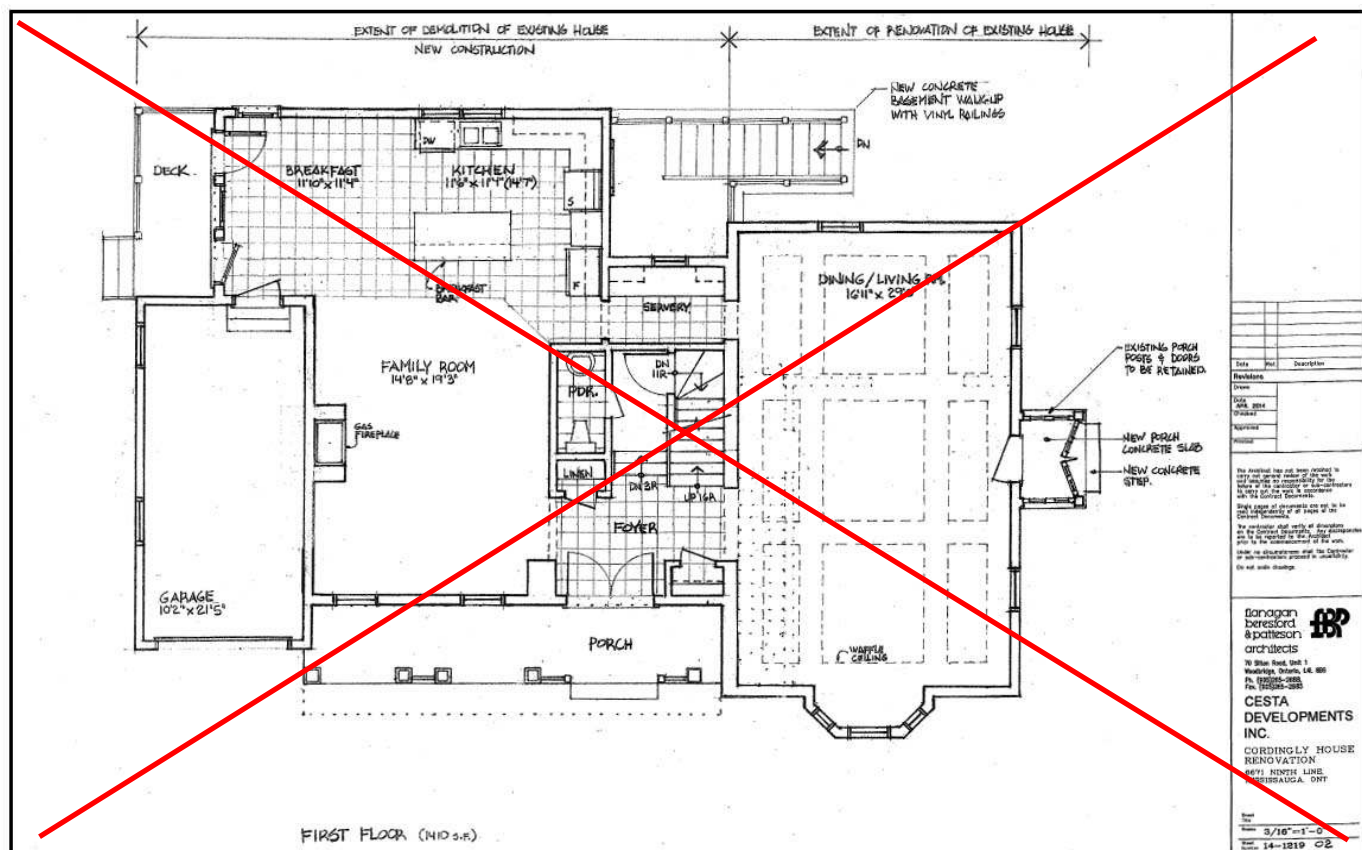
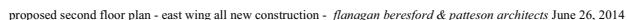


Figure 21
CHC Limited

proposed basement floor plan - all new construction - lanagan beresford & patterson architects June 26, 2014
April 23, 2015





2.5 Conservation - principles and mitigation

The City's HIS terms of reference require that ... *The report will include a clear statement of the conclusions regarding the significance and heritage attributes of the cultural heritage resource.*¹² The previous HIS for this property concluded that ... *The property warrants conservation and is a worthy candidate for Part IV designation under the Ontario Heritage Act. Some of the heritage character-defining attributes of the buildings are in need of restoration, including soffits, eaves, verge boards, siding, etc.*¹³ The house and the former dairy building were designated in 2011. The heritage character defining attributes of the subject property are affected by the proposal and the development proposal's potential impact upon them is addressed by this HIS.

Conservation principles that apply are related to the potential impact of proposed alterations to the *circa* 1840s wing and later closed porch on the south side of the designated house.

The rear wing or tail is structurally unsound. Earlier attempts to raise it to relieve the sagging structure have not been successful. As well, it was poorly constructed originally with inferior and undersized materials. As is illustrated in Figures 17 - 21, the rear wing is to be replaced with an addition that is sympathetic to the original, but is not a replica. Materials for new construction will be low maintenance with an appearance that is similar to the original, but recognized as products of their own time, to make the replacement wing distinct from the old, while remaining in harmony with it.

The entire house is to be raised approximately 16" (405 mm) on a concrete foundation to ensure that the floor timbers are kept dry and away from insect and dry rot (timbers are currently at ground level). A full basement will provide space for upgraded mechanical systems. To retain the look of the foundation, the existing Credit Valley foundation stone will be salvaged and veneered on the concrete foundation wall.

The front part of the house is to be restored utilizing all the original materials except where damage is severe. In those cases, in-kind materials will be used.

2.6 Summary of conservation principles and how they will be used

The City's terms of reference for an HIS require the following with respect to this summary: *A summary of conservation principles and how they will be used must be included. The conservation principles may be found in publications such as: Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada; Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Culture. (Both publications are available online.)*¹⁴

¹² City of Mississauga Heritage Impact Statement Terms of Reference, February 2013

¹³ The Landplan Collaborative Ltd., *Heritage Impact Statement, Cordingley House 6671 Ninth Line, Mississauga*, November 17, 2010, addendum October 04, 2011

¹⁴ *ibid*

*Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada:*¹⁵

General Standards (all projects)

1 Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.

The front part of the house is to be restored, retaining all the character-defining elements. The rear wing is in very poor condition, has no basement, and is to be replaced.

2 Conserve changes to a historic place which, over time, have become character-defining elements in their own right.

The rear wing is in very poor condition and is to be replaced.

3 Conserve heritage value by adopting an approach calling for minimal intervention.

See point 2 above. Minimal intervention is to be employed on the front part of the house.

4 Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.

Not applicable

5 Find a use for a historic place that requires minimal or no change to its character-defining elements.

The house is to remain a residence.

6 Protect and, if necessary, stabilize a historic place until any subsequent intervention is under-taken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.

Not applicable

7 Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

Because of its condition, the rear wing is to be replaced using new materials. Original materials on the front part of the house are to be retained and restored where necessary.

8 Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

See point 7 above.

9 Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention

¹⁵ www.parkscanada.gc.ca

for future reference.

See point 7 above.

Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Culture:
(now called *Eight Guiding Principles in the Conservation of Built Heritage Properties*)¹⁶

1. RESPECT FOR DOCUMENTARY EVIDENCE:

Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.

Not applicable

2. RESPECT FOR THE ORIGINAL LOCATION:

Do not move buildings unless there is no other means to save them. Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.

Building remains in-situ.

3. RESPECT FOR HISTORIC MATERIAL:

Repair/conserve - rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the heritage content of the built resource.

For structural and practical reasons, it is necessary to replace the rear wing.

4. RESPECT FOR ORIGINAL FABRIC:

Repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.

Original materials on the front part of the house are to be retained and restored where necessary. Any required replacements will be with in-kind materials.

5. RESPECT FOR THE BUILDING'S HISTORY:

Do not restore to one period at the expense of another period. Do not destroy later additions to a building or structure solely to restore to a single time period.

Not applicable

6. REVERSIBILITY:

Alterations should be able to be returned to original conditions. This conserves earlier building design and technique. e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.

Not applicable

7. LEGIBILITY:

New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new

New work will be distinguishable from old; the replacement portion, while sympathetic to the original and the remaining house, does not attempt to replicate it.

¹⁶ http://www.culture.gov.on.ca/english/heritage/info_sheets/info_sheet_8principles.htm

8. MAINTENANCE:

With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.

2.7 Proposed demolition / alterations explained

As noted above, the front part of the house is to be restored, retaining all the character-defining elements. The rear wing is in very poor condition and is to be replaced.

2.8 Alternatives for salvage mitigation

Not applicable

2.9 Qualifications of the author completing the Heritage Impact Statement

See appendix 4.

3.0 SUMMARY STATEMENT and CONSERVATION RECOMMENDATIONS

There are two significant heritage structures on the property. It is intended that both heritage structures be retained. Conservation of the heritage / character-defining attributes of the original *circa* 1884 house and the dairy building is intended. Reconstruction of the rear wing will assure continued conservation of the architecturally and historically significant original house.

Mitigating measures proposed include:

- restoration of the original *circa* 1884 house;
- reconstruction of the rear wing to provide a marketable and maintainable heritage resource;
- construction of a replacement wing that is architecturally appropriate to the period and style of the house.

This heritage impact statement is respectfully submitted by:

CHC Limited

per: Owen R. Scott, OALA, FCSLA, CAHP

REFERENCES

City of Mississauga *Heritage Impact Statement Terms of Reference*, February 2013

City of Mississauga heritage files - http://www.mississauga.ca/file/COM/2011hacminutes_april26.pdf, accessed May 20, 2014

City of Mississauga heritage files - <http://www.heritagemississauga.com/page/McCurdys-Corners>, accessed October 03, 2011

City of Mississauga Council Resolution 0134-2011.
www.mississauga.ca/file/COM/2012CouncilAgenda_23May.pdf - 2012-05-17

City of Mississauga Draft *Schedule "B" to By-law No. _____ Designation Statement Cordingley House, 6671 Ninth Line*

Flanagan Beresford & Patteson Architects, Cordingley House Renovation drawings, June 26, 2014

Minutes: Heritage Advisory Committee, The Corporation of the City of Mississauga, Tuesday, October 25, 2011 - 9:00 A.M.

Parks Canada – *Standards and Guidelines for the Conservation of Historic Places in Canada: General Standards (all projects)* www.parkscanada.gc.ca

Ontario Ministry of Culture Info Sheets: *Eight Guiding Principles in the Conservation of Built Heritage Properties* http://www.culture.gov.on.ca/english/heritage/info_sheets/info_sheet_8principles.htm

Shoalts Engineering *Structural Review and Recommendations for The Cordingley House, 6671 Ninth Line, Mississauga*, March 29, 2015

The Archaeologists Inc., *Stage 1 and 2 Archaeological Assessment for 6671 9th Line, Part of Lot 10, Concession 10, Geographic Township of Trafalgar, Now the City of Mississauga, Regional Municipality of Peel, Ontario.* Original Report Filed: May 15, 2012

The Landplan Collaborative Ltd., *Heritage Impact Statement, Cordingley House, 6671 Ninth Line, Mississauga* November 17, 2010, addendum October 04, 2011

World Engineering Ltd. *Structural Engineering Report, Foundation of Existing House at 6671- 9th Line, Mississauga for Cesta Developments*, September 28 2014

DESIGNATION STATEMENT Cordingley House, 6671 Ninth Line

The Cordingley House is a Gothic Revival farmhouse located on the east side of Ninth Line, south of Derry Road West.

Statement of Cultural Heritage Value or Interest

The Cordingley House has physical/design value because it displays a high degree of craftsmanship and artistic merit. Additionally, it is a rare example of the Gothic Revival style in the Meadowvale/Lisgar area.

The property is also a rare example of one owned by the same family since the Crown patent.

The Cordingley House has historical/associative value because it yields information about McCurdy’s Corners.

The Cordingley House has contextual value because it is historically linked to its surroundings.

Description of Heritage Attributes

Key attributes that reflect Cordingley House’s physical/design value:

- its Gothic Revival farmhouse shape and form
 - N the three bay façades on both the front and “tail”
 - N the centre gables
 - N the placement of the central entrances under the centre gables
- its Gothic Revival features
 - N the tall narrow proportions of its windows
 - N the steep roof pitch
 - N the seemingly asymmetrical arrangement of the chimneys
- the bell cote
- the balustrade
- the north veranda
- the front porch, including doors, windows, transom, brackets and detailing
- the original doors
- the vergeboard
- the shutters
- the original windows
- the window surrounds
- the bay window, including its mansard roof and lower panelling
- all trim, brackets, fretwork and detailing
- the wooden clapboard and board ‘n batten siding
- the brick outbuilding, including its shape and form and stone foundation

Key attributes that reflect Cordingley House’s historical/associative value:

- its location on one of the actual corner lots of McCurdy’s Corners (Ninth Line and Derry Road West)

Key attributes that reflect Cordingley House’s contextual value:

- its location on one of the actual corner lots of McCurdy’s Corners (Ninth Line and Derry Road West)
- its proximity and visibility to Ninth Line
- the physical relationship between the house structure and the brick outbuilding within a large open space

Appendix 2
copy of Heritage Property Permit Application

Heritage Property Permit Application



The Corporation of the City of Mississauga
Community Services
Culture Division
201 City Centre Drive, Suite 202
Mississauga, ON L5B 2T4
FAX: 905-615-3828
www.mississauga.ca/heritageplanning

Personal information collected on this form and other required documents is collected under the authority of the Ontario Heritage Act, s.33(1)(2) and s.42 (1.2.1.2.2) and City of Mississauga Heritage By-law 215-0-01 as amended. The information will be used to process the application. Questions about the collection of this personal information should be directed to the Senior Heritage Coordinator, 201 City Centre Drive, Mississauga, ON L5B 2T4, Telephone 905-615-3200 ext. 5366.

LOCATION DETAILS

(Please Print Clearly)

For Office Use Only:

Heritage Property Permit Number:

Will the Heritage Advisory Committee review be required? Yes ☐ No ☐

Municipal Address: 6671 Ninth Line, Mississauga

Legal Address:

Property Owner: Cesta Developments Inc.

Contact Address: 536 Queens Drive, Toronto M6L 1M8

Phone: 905 873-3335

Fax: 905 873-0325

Email address: info@cestadevelopments.com

HERITAGE DESIGNATION BY-LAW NUMBER (if applicable):

What type of Permit is Required?

Alteration or addition ☒ Yes ☐ No

Demolition ☐ Yes ☐ No

New Construction ☐ Yes ☐ No

Repeal of Designation By-law ☐ Yes ☐ No

Is there a corresponding application, such as:

a) Building permit number

b) Site Plan application number

c) Rezoning application number

d) Other

Description of Work to be Completed:

Please attach drawings, site plans, and photographs to better illustrate the project. These may be required depending on the scale of the project.

Heritage Impact Statement attached.

Name: CAROLINE CESTA
Please Print

Date: 2014/06/17
YYYY / MM / DD

Signature (of property owner):

For information or assistance please contact "Heritage Planning, Community Services" at 905-615-3200 ext. 5070 or ext. 5366

Form 2248 (Rev. 2013 08)

WORLD ENGINEERING LTD.
E HALTON HILLS DESIGN BUILD
(416) 829-7004

STRUCTURAL ENGINEERING REPORT
FOUNDATION of EXISTING HOUSE at 6671- 9th LINE, MISSISSAUGA
for CESTA DEVELOPMENTS

September 28 2014

To Whom it May Concern:

The house at 6671 9th Line, Mississauga has no solid foundation, no water proofing, no water membrane, and no weeping tiles, resulting in water damage to floor joists and sub floor.

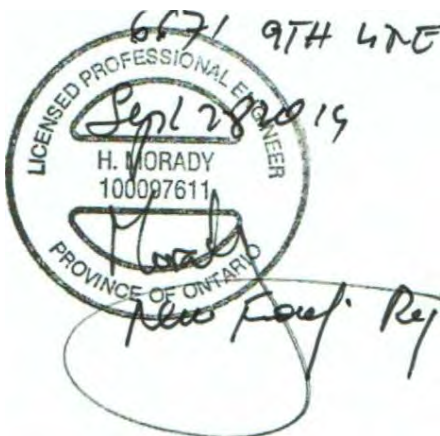
The floor structure has rotted and sagged. Posts are missing. Temporary supports have been installed over time. Lintels are rotten.

We recommend new footings and foundations be built. This will necessitate the dismantling or demolition of the "tail" of the house and a reconstruction of same. The main body of the house could be lifted on beams and a new foundation constructed under it.

Should there be any questions arising from this report, please contact the writer at (416) 829-7004 or (416) 829-2335.

Yours truly

WORLD ENGINEERING LTD.



& HALTON HILLS DESIGN BUILD
CC: FILE

Appendix 3

Structural Engineering Report

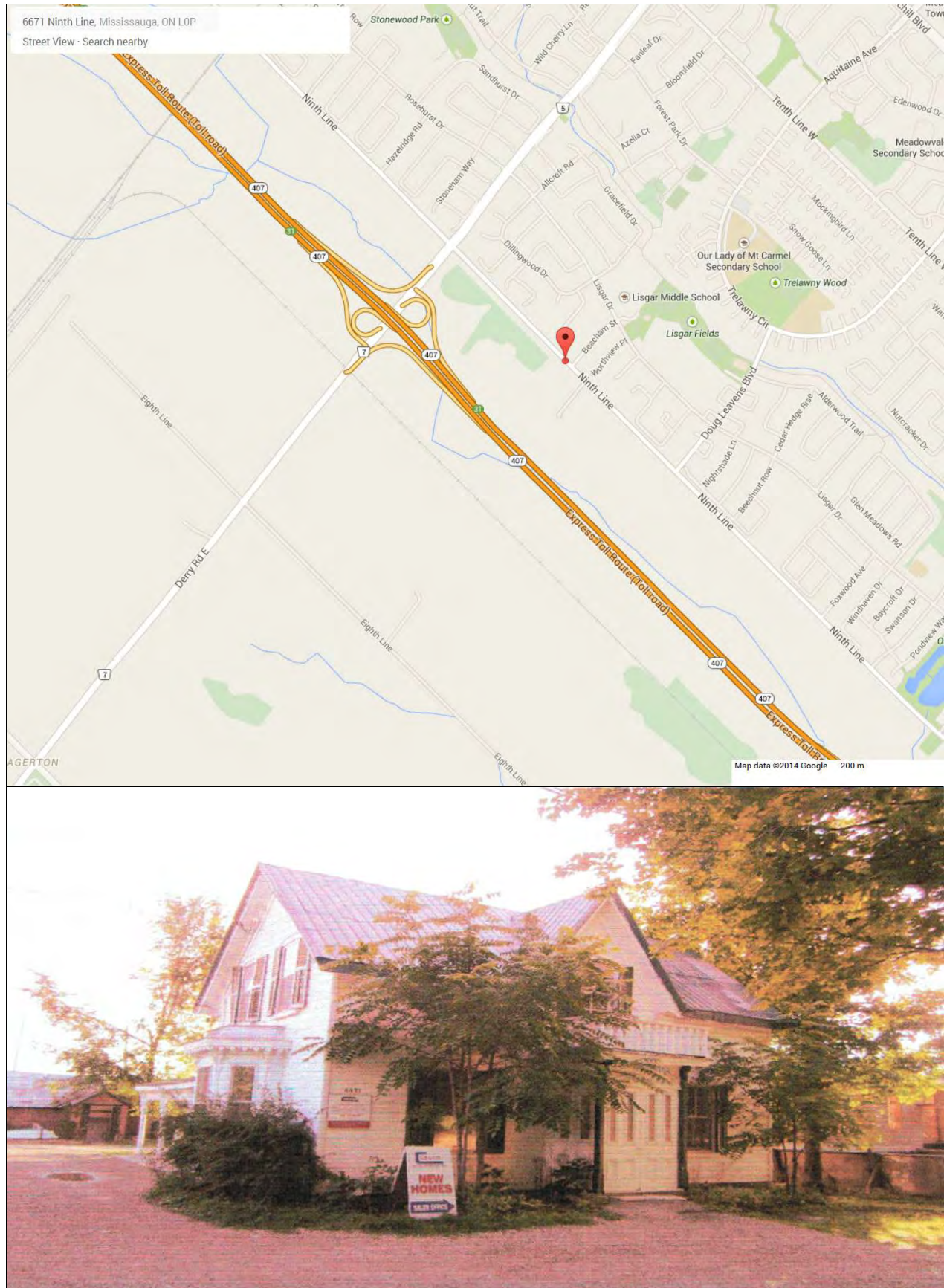


Figure 2

6671 Ninth Line

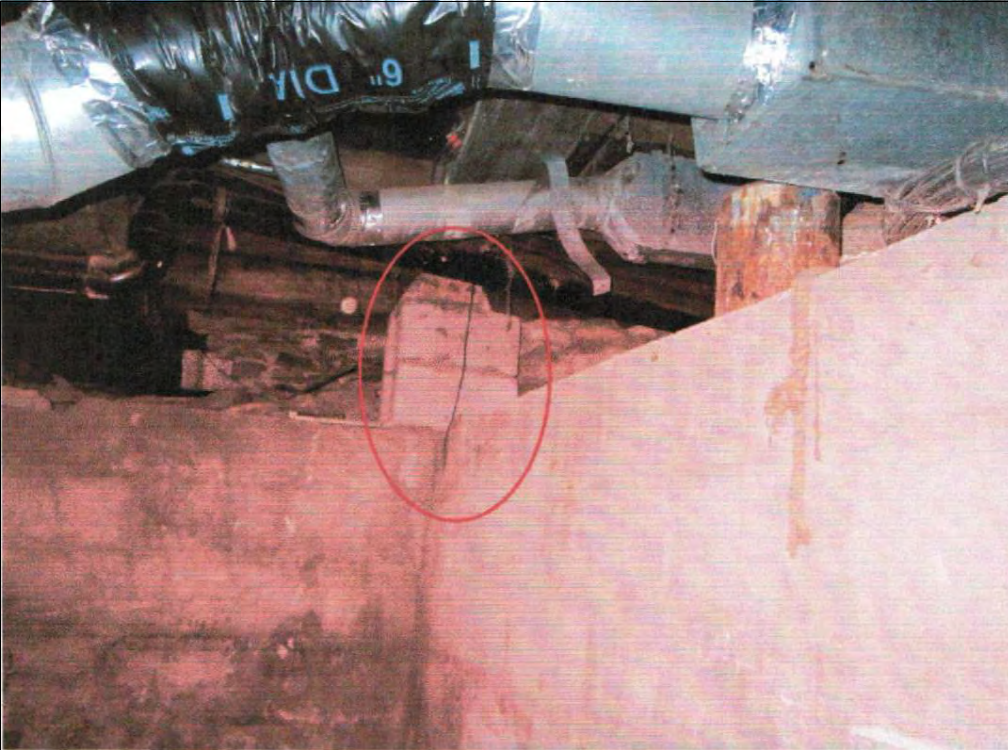


Figure 3 cinder blocks used to hold up unsecured floor joist

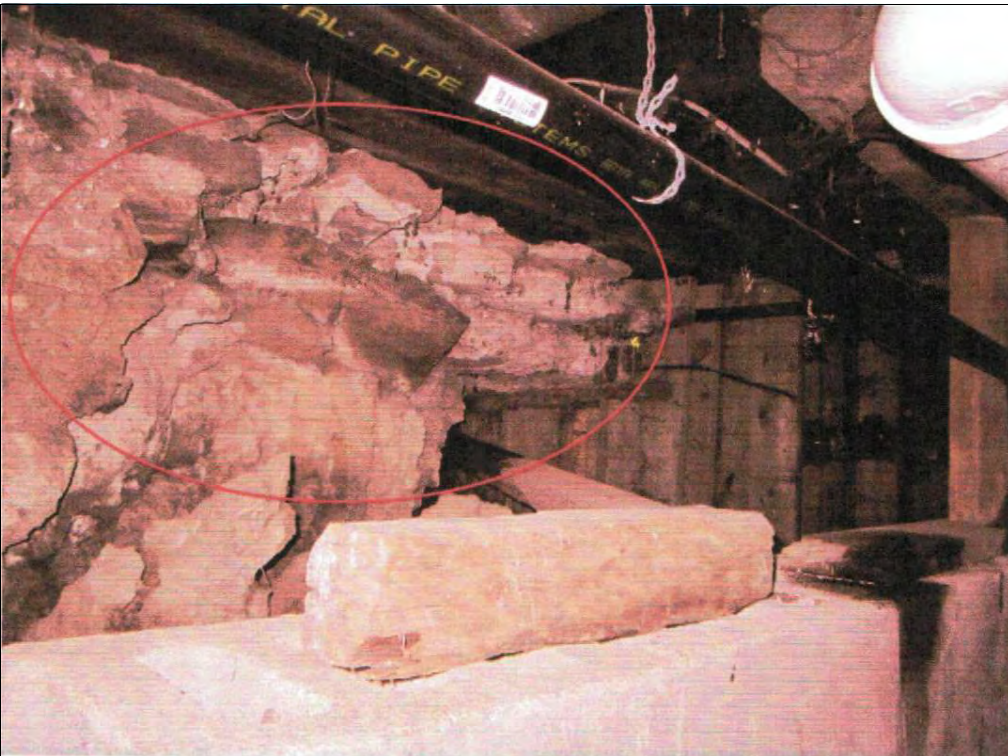


Figure 4 old foundation is in complete ruin and unstable;
temporary foundation has been erected to attempt to provide stability.



Figure 5 external cracking of foundation wall

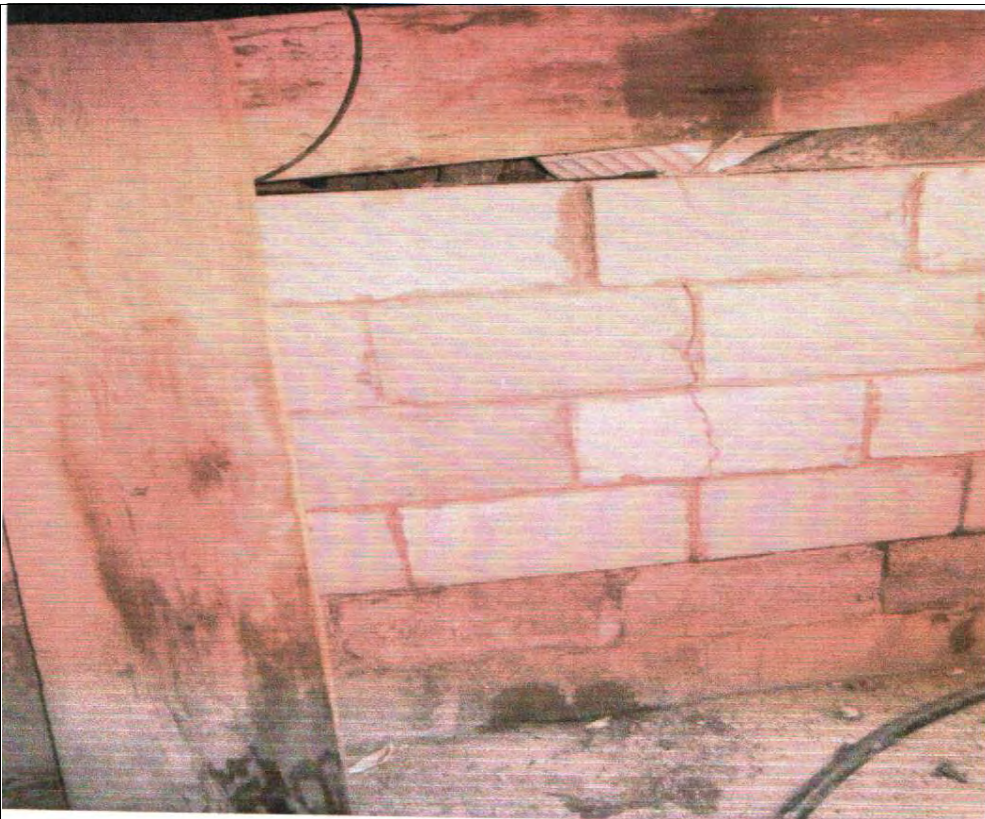


Figure 6 block "remedy" wall cracking

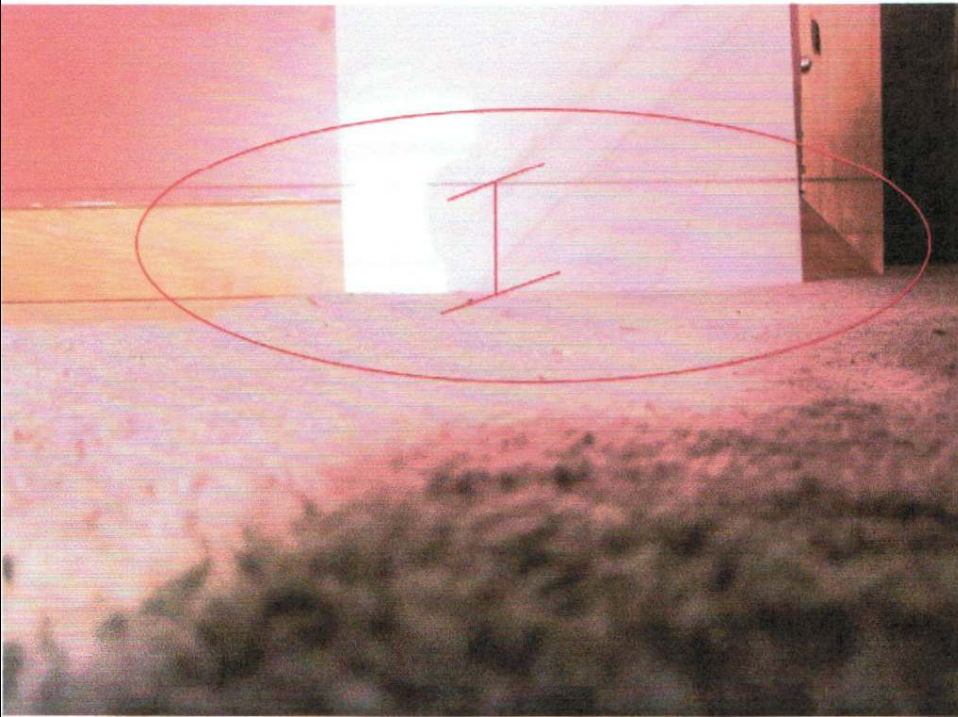


Figure 7

floor sag *versus* plumb line



Figure 8

floor sag *versus* plumb line

peeling on ceiling from stress on floor above
as well as freeze/thaw cycle.



cracking to porch slab & foundation wall

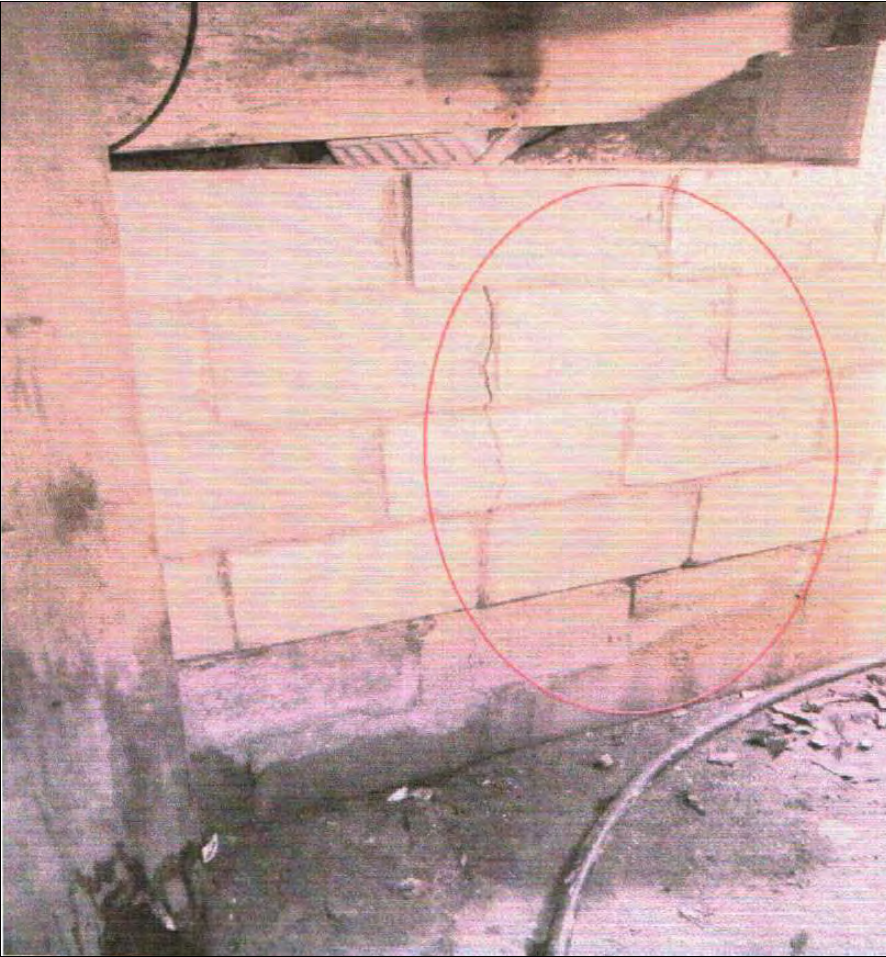


Figure 11 water damage, cracked “remedy” foundation wall

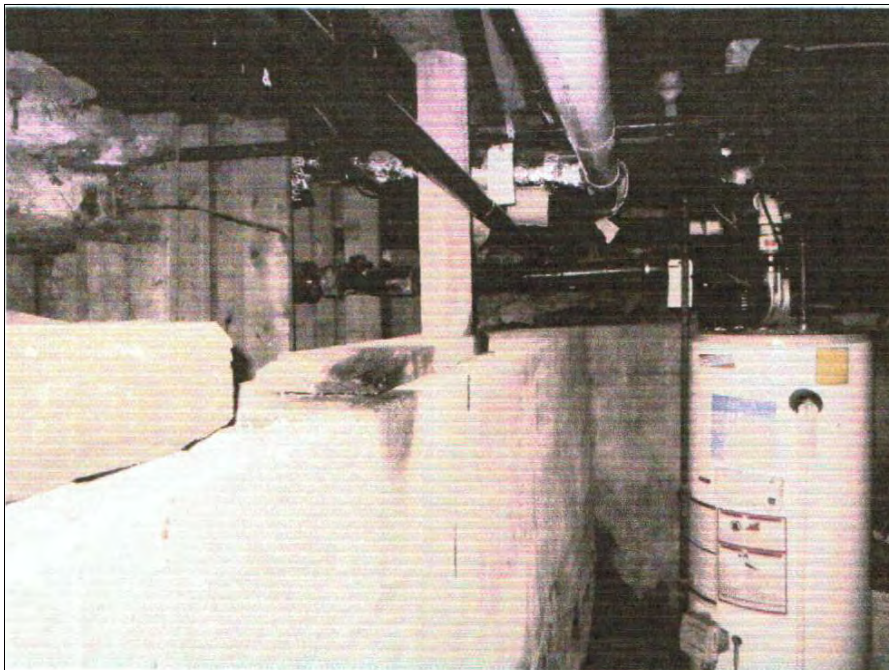


Figure 12 rotted floor joists and temporary support posts

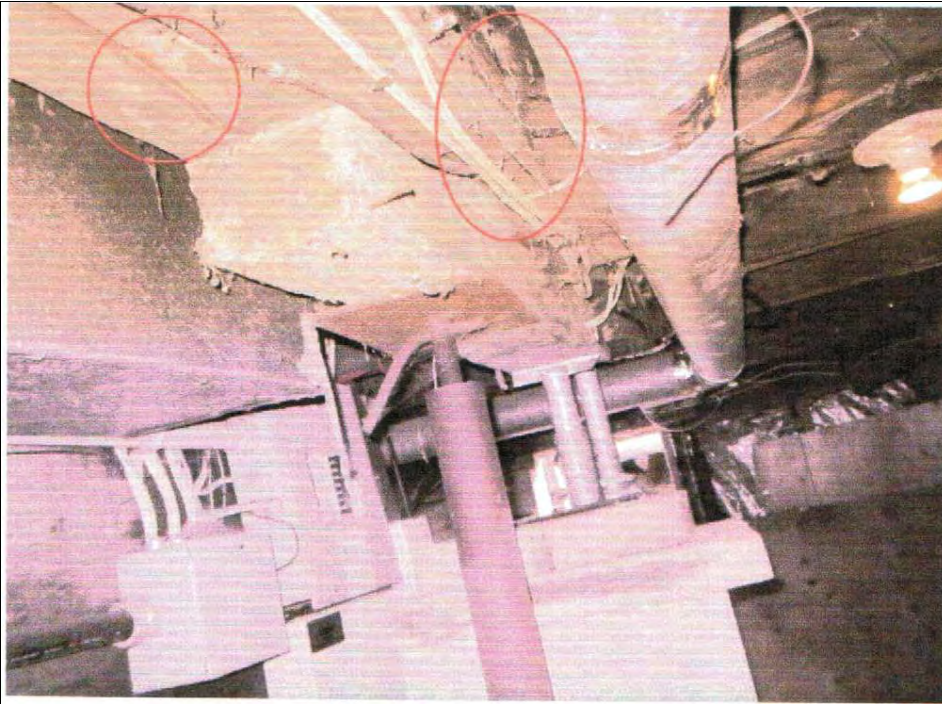


Figure 13 water damage, cracking to beam above, additional post supports



Figure 14 damaged doorway lintel



Figure 15

rotted lintel & floor joist



Figure 16

fractured concrete from freeze/thaw cycle exposing rebar



Figure 17 damaged support beam & post, temporary post missing top plate

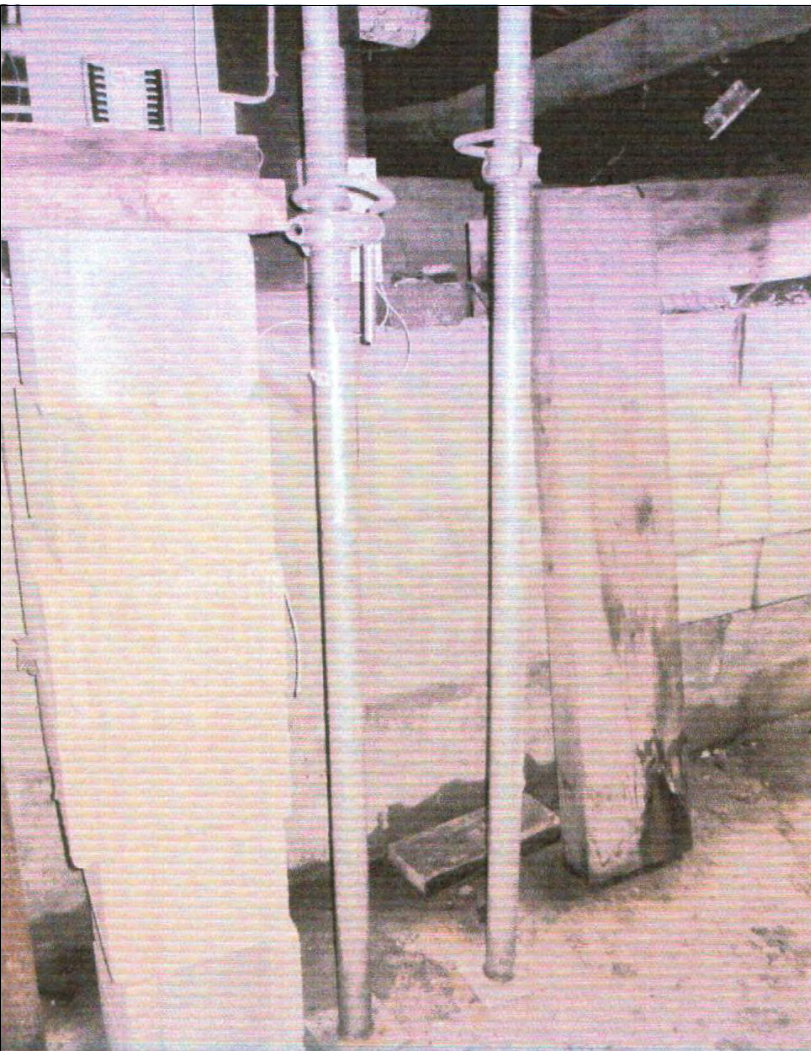


Fig 18 severe cracking in cinder block wall, structural integrity compromised

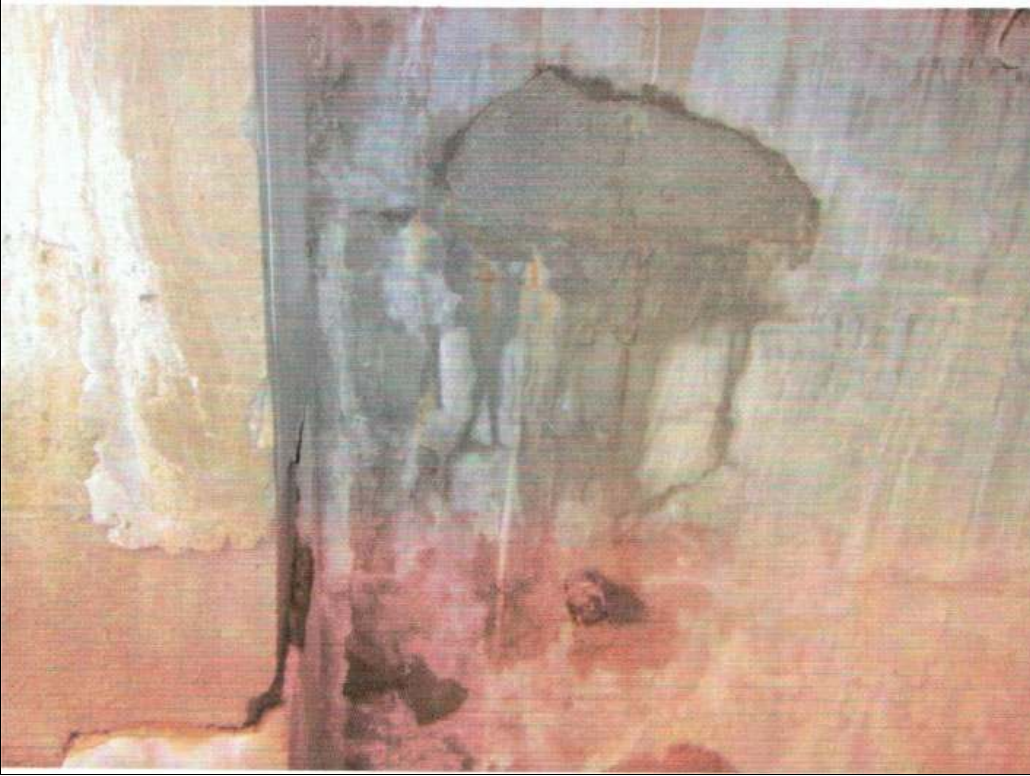


Figure 19

severe water damage to foundation wall

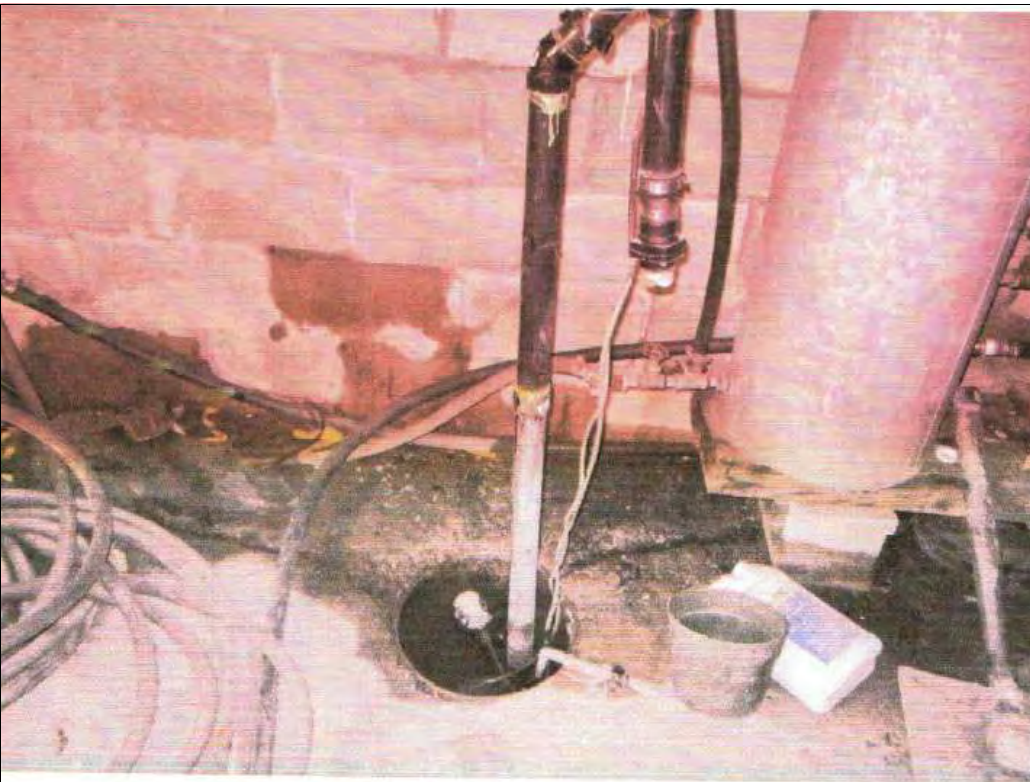


Figure 20

water penetrating cinder block foundation wall

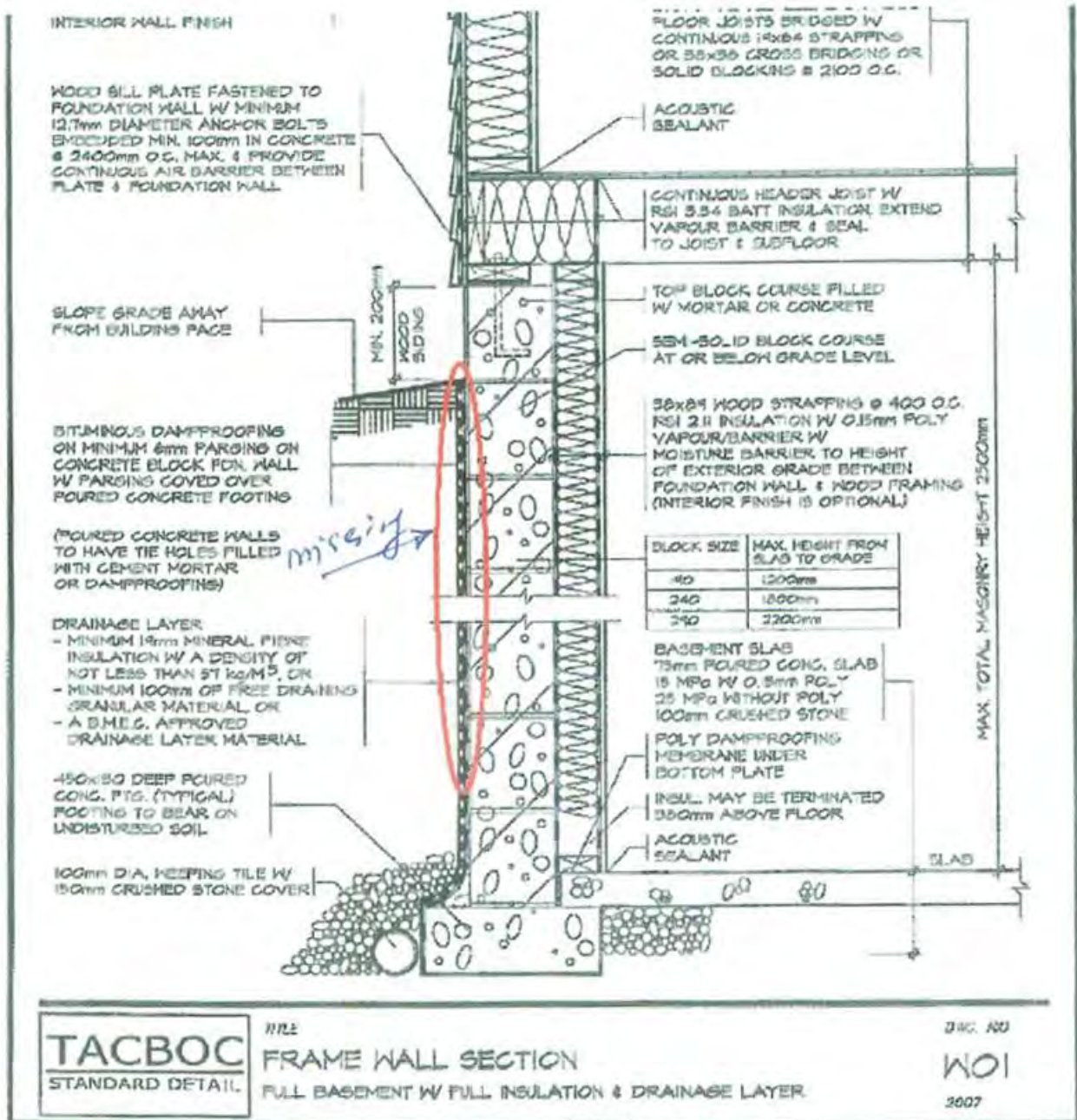


Figure 21

typical foundation wall moisture barrier detail

Structural Review and Recommendations
for The Cordingley House, 6671 Ninth Line, Mississauga

On March 25, Mark Shoalts, P.Eng, CAHP, met Paula Wubbenhorst of the City of Mississauga and Carmine Cesta of Cesta Developments Inc. at 6671 Ninth Line in Mississauga to undertake a review of the rear wing of the house to assess its structural adequacy and condition. This structural report does not attempt to address other than incidentally the heritage value of the property, only the present structural condition and the feasibility of bringing the existing structure up to current, or at least acceptable, standards. Issues of weatherproofing, and the suitability, durability, and condition of finishes are addressed only insofar as they relate to the structural conditions.

Executive Summary

The rear wing of the Cordingley House predates the front, main section and was probably built as the original house in the mid-1840s. The front section of the house was built in the mid-1880s, at which time the original house was relegated to kitchen wing status, although its windows and exterior trims were updated at that time to blend with the new building. The rear wing appears to be constructed of stacked planks, a very unusual construction method that seems to be the work of a local builder or group of builders. Although there are deficiencies in the existing foundation and superstructure, the building is stable and in reasonably good condition. The complete house could be lifted and placed on a new foundation as was proposed for the front section of the house in the draft Heritage Impact Statement prepared by CHC Limited in 2014, and the structural deficiencies could be remediated for continued occupancy as a single family dwelling.



Rear wing, 6671 Ninth Line

Building Description and History (taken from the City of Mississauga Cultural Heritage Assessment)

Two centre gable farmhouses actually form the Cordingley House. This is also typical. The eastern one appears as a "tail." However, as discussed previously, it likely came first. Characteristics suggestive of this timeline include the rectilinear windows and gable returns. These features are characteristic of the Classical Revival, mid nineteenth century, period.

The Cordingley House demonstrates a high degree of craftsmanship and artistic merit. The residence provides a lot of visual interest. Firstly, the "tail" has been fashioned into a centre gable format, rather than left as a basic box.

There are many protrusions that make the house picturesque. These include both the bay window, with its mansard roof, and veranda on the north, and the small enclosed porch on the west. The balustrade that crowns this latter porch adds additional interest. There are also two slender brick chimneys. Perhaps most notably, a bell cote sits atop the rear tail of the house.

All of these features include brackets, intricate carving and aesthetically pleasing shapes. The bell cote has an ogee roof. Lace, perhaps inspired by the emerging Queen Anne style, seems to trim the veranda and bay window. The balustrade is elegant and tops a unique vestibule. A pair of panelled, windowed and segmentally headed doors, with a decorative transom and ornate spandrels, stands at the front. The sides are treated similarly but each only appears as a single wider door, with a plain transom.

The trim, fretwork and vergeboards are well designed and crafted. Simple elegant scrolled bargeboard decorates the peak of the northern gable. The western gable is much more elaborate. It includes the lower portion of a finial and, as mentioned previously, the numbers 1-8-8-4. The somewhat topsy-turvy arrangement of these numbers brings playfulness to the delicate linear fretwork that ornaments the rest of this woodwork. The spandrels of the west porch pick up on this pattern. Figure 20 shows that there was additional trim in the north gable.

The vergeboard drops down below the eave. It provides a nice contrast to the upward thrust of the gable window shutters. Besides the rectilinear fenestration discussed earlier, all of the windows have the tall slender proportions of the Gothic style. The gable windows are round headed while the others are headed with segmental arches. The window sills extend beyond the window width. Such added details are evidence of both artistry and craftsmanship.



Northwest view 1979



Northwest view 2015

A few items should be noted with respect to the forgoing excerpt, other information in the CHA, and statements in the draft Heritage Impact Statement prepared by CHC. The date of construction of the rear (east) wing given in the CHA of ca. 1843 is reasonable assumption, as is the 1884 date given for the front section. The reverse order of construction and the dates of construction given in the draft HIS are almost certainly incorrect. Numerous elements of style and construction as well as the physical arrangement of specific items establishes that the front section was built subsequent to the rear section, and the CHA presumed dates are supported by substantial evidence.

The front gable trim and fretwork typical of the 1880s, shown in earlier photos and described in the CHA, were missing in March 2015. The original balustrade of short, vase-turned balusters and a moulded top rail referred to in the CHA and visible in photographs from the late 1970s has been replaced by a taller balustrade of rather clunky, poorly turned balusters and a thin board railing.



West face, 1979



West face, 2015

The bell, also visible from 1970s photographs, has disappeared from its cote and the bellcote itself has been relocated to the east gable verge from its original and correct alignment with the east wall. It is unlikely to have ever been functional other than with an exterior pull rope since there is no penetration of the roof sheathing visible from the interior.



Bellcote 1976



Bellcote 2015

Building Condition Observations

The original rectangular dwelling with its gable roof, wood framing, original stone foundation, and small newer concrete block basement, and the small porch addition on the south side at the east end are the focus of this report. Preservation of the front (west) section of the house has already been agreed upon.

The original Cordingley house appears to be a typical wood-framed, wood sided structure on a rubble stone foundation. The north facing dormer is probably an 1880s addition to a gable-roofed classical revival farmhouse, giving it the Ontario cottage appearance. The window matches the window in the later front dormer, and the framing of the north dormer is not visible in the attic which indicates that it is not likely original.



Absence of dormer framing in attic

The interior configuration of the dormer also indicates an addition; typically an original ceiling would be finished on the angled valley rafters, not square to the ridge on a pair of regular rafters as this dormer is.



Interior of north dormer

A south-facing dormer is in an entirely different style and is probably a somewhat later yet addition to the house.



South dormer

Although the house appears to be of typical wood frame, the two gable ends visible in the rear wing attic are constructed of stacked planks, a very unusual construction method that seems to be the work of a local builder or group of builders.



East gable interior

The only other example of this technique that the author has seen occurs about 7 km. away at 1125 Willow Lane in Meadowvale Village Heritage Conservation District, in a house of similar size, style, and age. That house has no centre gable dormer and could very well present a very similar appearance to the original Cordingley House.



1125 Willow Lane

Although no wall framing was visible or was reviewed during the site visit to 6671 Ninth Line, it appears likely that all of the exterior walls of the east wing of the house are constructed of stacked planks. The 1880s addition appears to be of balloon frame construction. The stacked plank gable visible in the attic at the common wall between the two sections lends further weight to the assumption that the rear section is original and the west end of it was once an exterior wall. There would have been no purpose to building such a gable within an attic space and framing rafters on both sides of it.



Plank west gable of east wing

The second floor of the Cordingley House east wing has a significant sag to it that is a result of undersized floor joists exacerbated by an unfortunate original circumstance. The house is slightly unusual with its single, centre chimney instead of one in each gable end. The centre chimney is original at least from the roof line down, and it still sits on its original wooden chimney cupboard; the hand-planing of the door is plainly visible.



Original chimney cupboard

The weight of the masonry is carried at approximately the centre of the span of a floor structure that would have been somewhat light in any case. The additional weight of the chimney has produced a very visible slope to the centre. The floor will need straightening and strengthening to remain in service.

The house did not originally have a basement under either the 1840s east wing or the 1880s west addition. Both sections were built on stone foundations and had very low crawlspaces; a double foundation wall at the junction of the two sections also indicates that the east wing predates the west wing. The stone of the east wing is somewhat less regular than the west foundation, and includes numerous rounded stones collected from the surface rather than the squared quarried stone of the west foundation. The portion of the west wing foundation facing east is irregular with untooled joints, indicating that it was never exposed.



1880s foundation beyond 1840s timber sill plate

At some point a concrete block basement with an exterior access stair and door was constructed within the east wing foundation, providing space for mechanical and electrical services and facilitating inspection of the floor framing in the east wing.

The visible portions of the wood floor structure include hewn timber plates on the foundation and hewn beams along with vertically sawn joists, and T&G flooring installed directly on the joists. The species of all visible structural wood and the flooring is eastern white pine, consistent with a mid-nineteenth century construction date.



Floor framing

The presence of hewn timbers is also consistent with an 1840s date. While hewn timbers were still used occasionally in 1860s and later residences, when used they would more typically been of hardwood by this time as the supply of pine had been drastically reduced by logging and by clearing for agriculture.

Recommendations

The east wing has some issues with the floor sagging varying amounts in different areas.

We recommend that the masonry chimney be removed and replaced with a lightweight facsimile, and the second floor joists should be reinforced or provided with intermediate support. This can be done from the underside without disturbing the floor finish; the plaster ceiling is presently concealed by acoustic tile but is unlikely to be salvageable and would require replacement anyway.

The 3"x5" sawn first floor joists are undersized and exhibit deflection that would be unacceptable to modern occupants. There is relatively little deterioration of the wood so they do not require replacement, but reinforcing or intermediate support for the joists would be required to remedy this condition.

The rubble stone foundation has been modified in several locations, the crawlspace is very low, and the newer concrete block foundation is poorly built and of inadequate depth or size for its intended purpose. The best remedy for this is lifting the complete house and constructing a new basement under it. The Credit Valley sandstone foundation should be salvaged and used to face the visible portion of the new foundation as recommended in the HIS. New support for the floors can be introduced at this time.

The floor levels of the two sections of the house are separated by two stair risers on both levels. The recommended interventions required for maintaining and updating the house would entail the removal of some interior finishes, which would also clarify the connection between the original 1840s section and the 1880s addition. It may be possible when lifting the house to separate the two sections and raise the rear wing to much closer alignment with the floor levels of the front section without causing undue damage to original fabric, facilitating better flow and use of the interior space.

The rear porch addition on the southeast corner of the house provides access to the second floor through the original staircase. The door to the stairs, and the flanking doors and trim are almost certainly original with only minor alterations, however the room now surrounding them appears to be a replacement of the original rear kitchen or woodshed wing. The configuration of the addition, the board and batten siding on it, (referred to in various reports and statements), and the doors and windows and their trims all indicate a much later date of construction.



Southeast porch addition

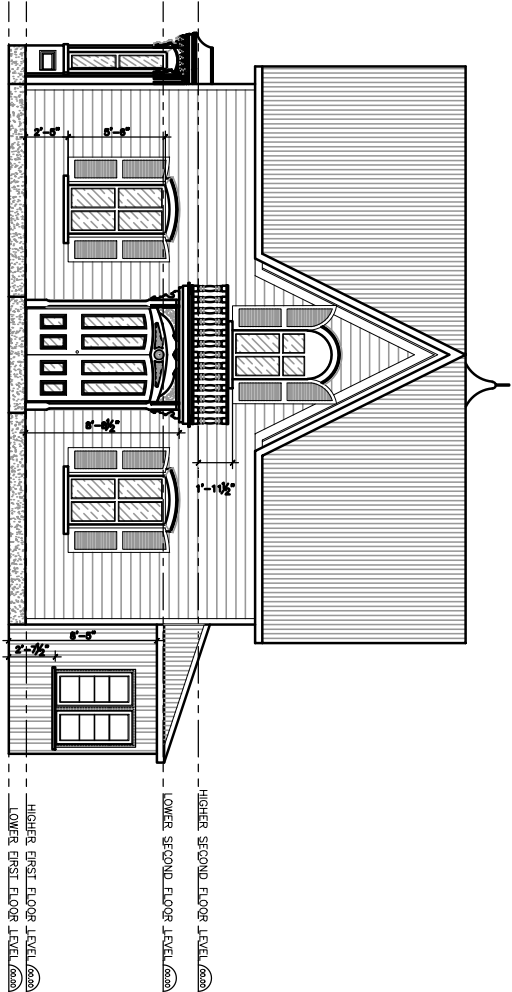
Our recommendation would be to remove and replace this addition with a new one of sympathetic form and better function, while maintaining the original elements in the south wall of the east wing.

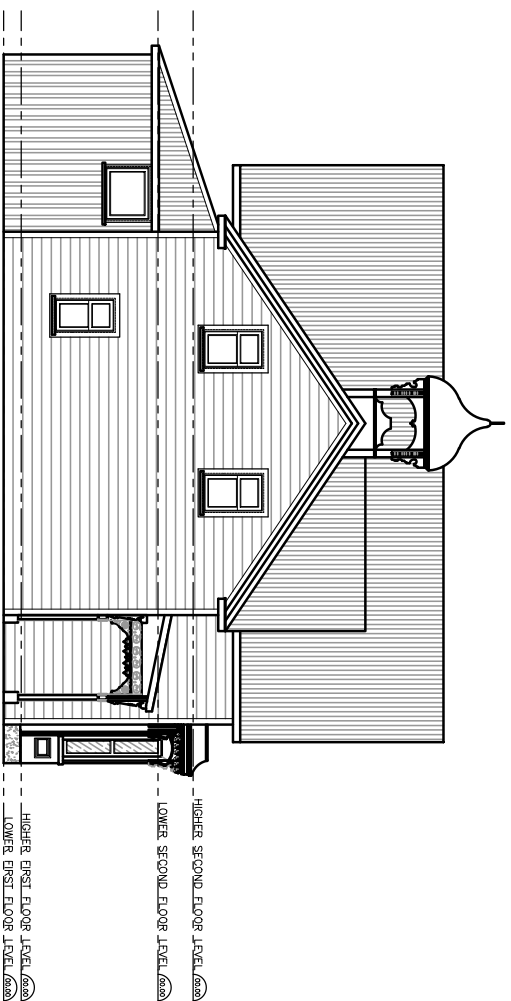
Conclusions

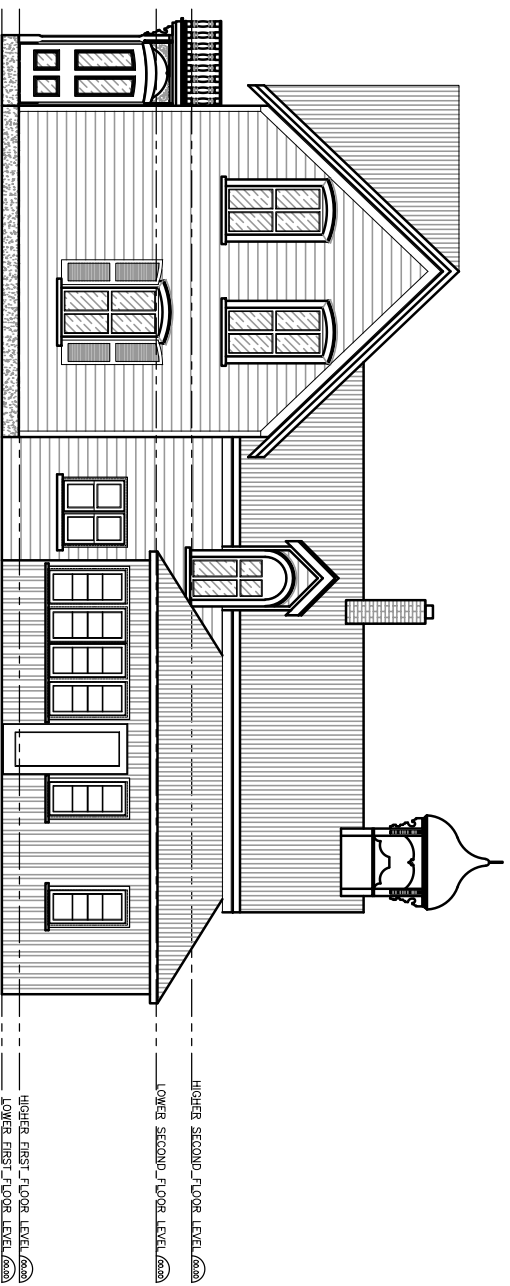
The Cordingley House, 6671 Ninth Line in Mississauga is a significant heritage resource. It is a good example of an evolving residence, held within one family throughout its existence. It illustrates the changing fortunes and tastes of both the family specifically and the community generally. The rear wing of the present house, constructed originally as the main dwelling, is an integral part of this story. The fabric of the original house is largely intact and in relatively good condition. Although there are some structural and environmental separation issues with the east wing, they are not insurmountable obstacles to the preservation and restoration of the house, or to its updating for the expectations of modern residents and the demands of 21st century living. The stacked plank construction method employed for the original house is unusual, with no known examples of documentation in any of the readily available published literature on Upper Canadian building practices and only one other example of the style known to the author. Loss of this example would diminish our success in fulfilling our obligation of caring for our past for the benefit of future generations. At the very least, if this building is to be demolished, it must be done so in a very controlled and carefully documented process.

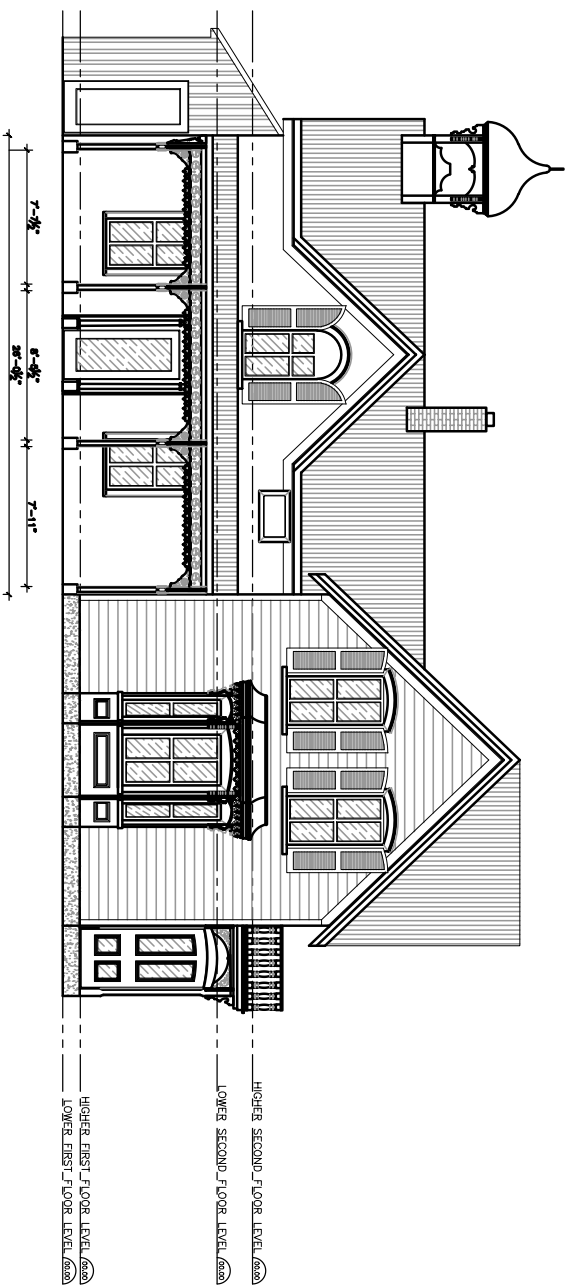


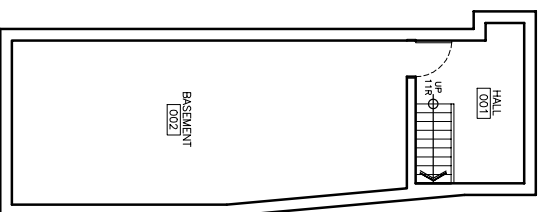
Mark Shoalts, P.Eng., CAHP
Shoalts Engineering
March 29, 2015

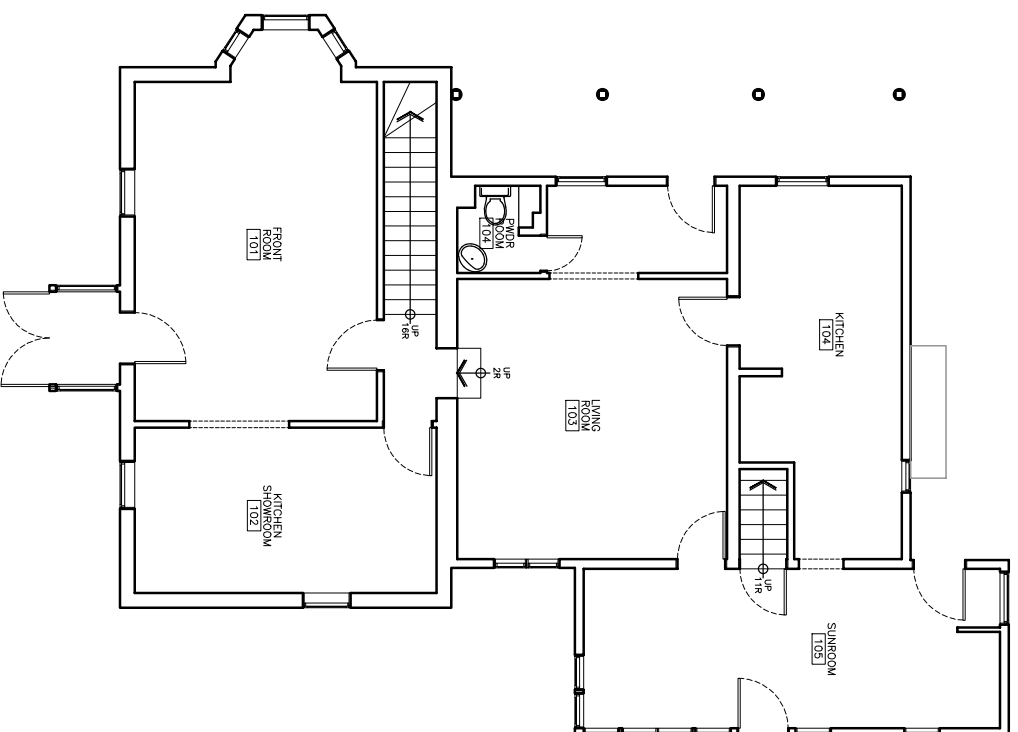


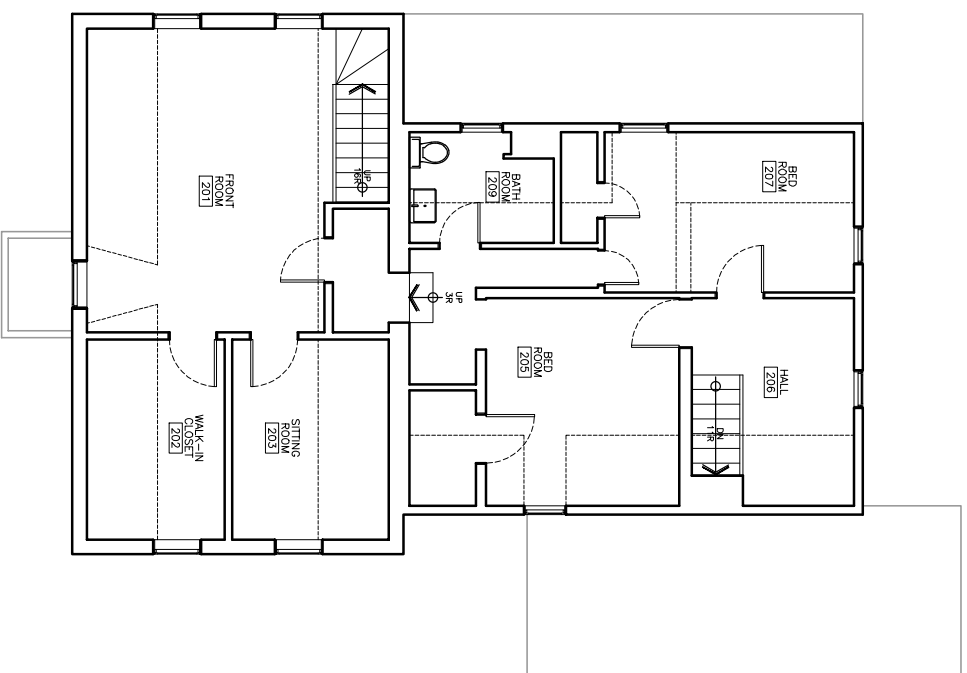




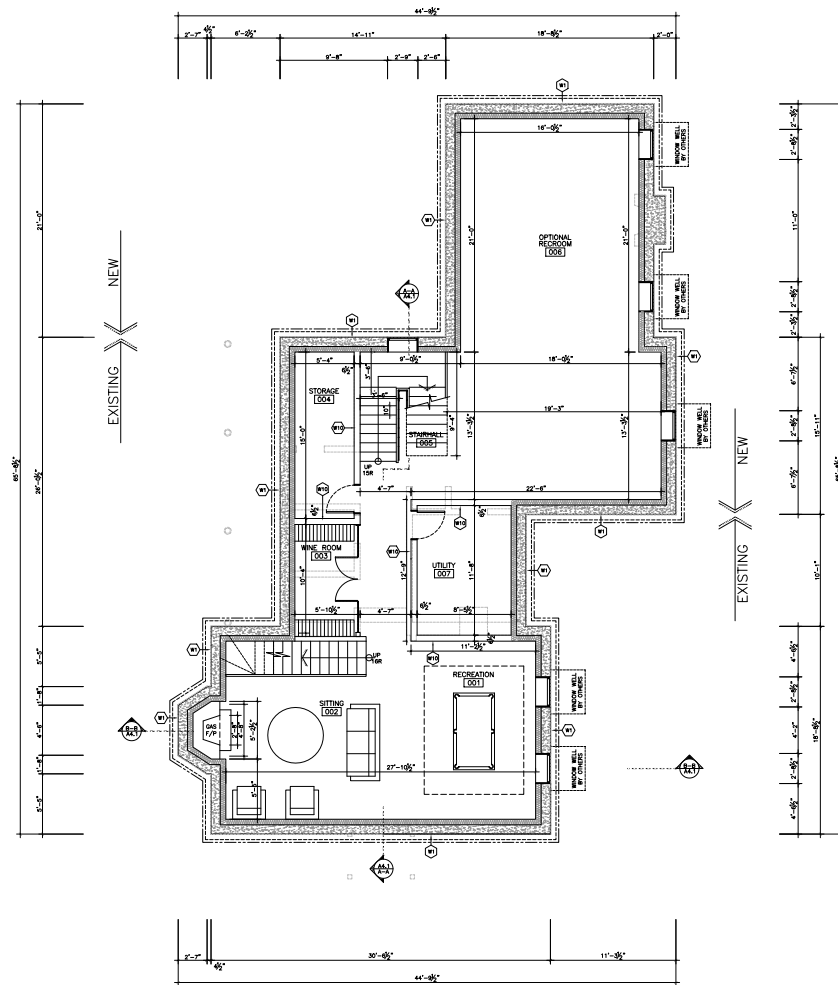
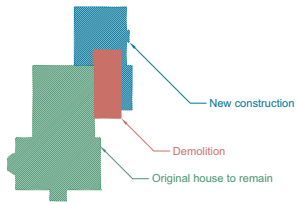








SITE STATISTICS				
DESCRIPTION	BY-LAW	EXISTING	PROPOSED	TOTAL
ZONED	22-01	-	-	-
LOT AREA	89.47	-	-	651.6 m ²
LOT FRONTAGE	31.50	-	-	20.86 m
LOT DEPTH	-	-	-	31.50 m
COVERAGE	-	-	-	-
- Dwelling	-	131.30 m ²	36.89 m ²	168.25 m ²
- Total	-	1406 m ²	-	1406 m ²
- Detached Garage	-	65.00 m ²	4.20 m ²	69.20 m ²
- TOTAL	163.83 m ²	2101.0 m ²	41.09 m ²	2551.9 m ²
COVERAGE RATIO	10.30	32.3%	6.3%	36.6%
ENCLOSURE HEIGHTS	-	-	-	-
- House	2.70 m	6.54 m	-	6.54 m
- Garage	4.60 m	3.05 m	-	3.50 m
HOUSE SLOPES	-	-	-	-
- Front	8.2%	(-5.79)%	2.62%	1.83%
- Side	12.5%	3.34%	(-1.16)%	2.60%
- Rear	4.2%	5.12%	5.12%	5.12%
- Slope	7.3%	18.00%	(-5.45)%	9.31%
DETACHED SLOPES	-	-	-	-
- Side	0.81 m	0.54 m	-	0.54 m
- Rear	0.81 m	1.50 m	-	1.50 m
- Rear	0.81 m	1.70 m	(-0.36) m	1.70 m



9	2016-09-06	For Site Plan redamination	R.M.
8	2016-01-25	For C of A	S.P.
7	2016-12-12	Per City Comments	K.A.
6	2016-04-25	Per City Comments	K.A.
5	2016-04-13	Per Client's Comments	K.A.
4	2016-03-19	Per City Comments	K.A.
3	2017-12-08	Revised adoption	K.A.
2	2017-07-28	Revised main road pitch and garage design	K.A.
1	2016-11-18	First Issue	R.M.



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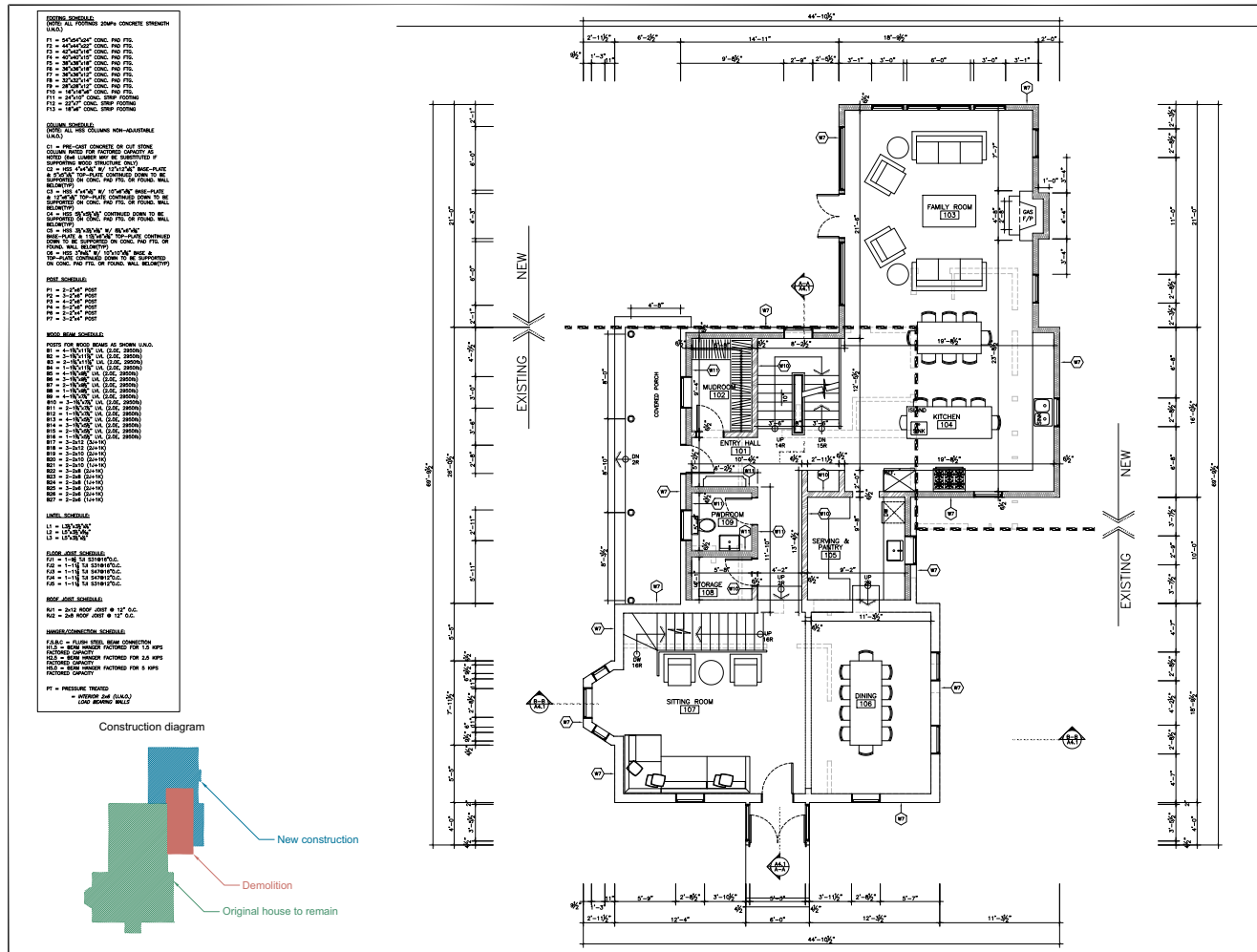
Designer:	Engineer:
 <p>ONTARIO ASSOCIATION OF ARCHITECTS <i>Chartered</i> LICENSED PROFESSIONAL OAA RICH MATHIAS, LICENSED 1984</p>	

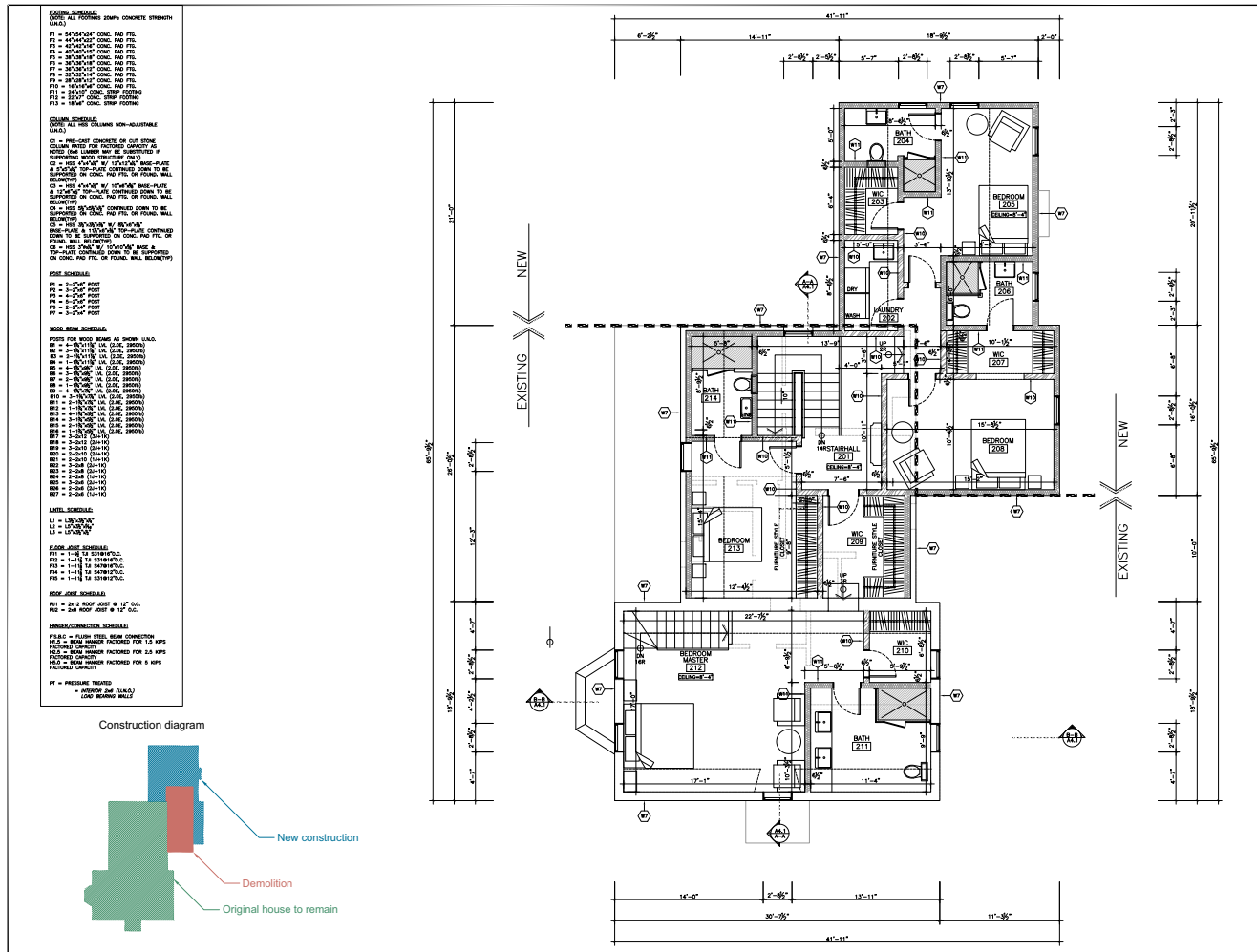
**Cesta Development
Heritage Residence**
6671, Ninth Line, Mississauga, ON
SPM 18/004 W10

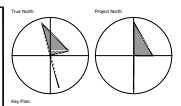
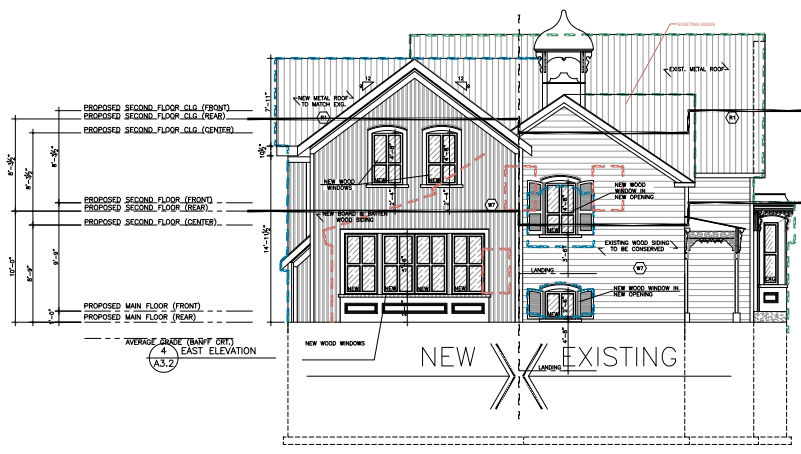
Basement Plan

Design By: R.M.	Drawn By: R.H.M.	Approved By: R.M.
Scale: 1:100	Date: 2019-08-01	Project No: 16.41

Drawing No: **A002.1**







Client: Carmine Cesta
cestacarmine@gmail.com

9	2019-08-08	For Site Plan submission	R.M.
8	2019-01-05	For C of A	S.P.
7	2018-12-12	Per City Comments	K.A.
6	2018-04-25	Per City Comments	K.A.
5	2018-04-13	Per Client's Comments	K.A.
4	2018-03-19	Per City Comments	K.A.
3	2017-12-18	Revised siting	K.A.
2	2017-07-08	Revised main-roof pitch and garage design	K.A.
1	2016-11-18	First Issue	R.M.

SMDA
Design + Architecture
1492 Wallace Rd, Unit 9
Oakville, ON L6L 2T2
Tel: 905 842 2848
smda.ca

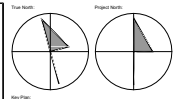
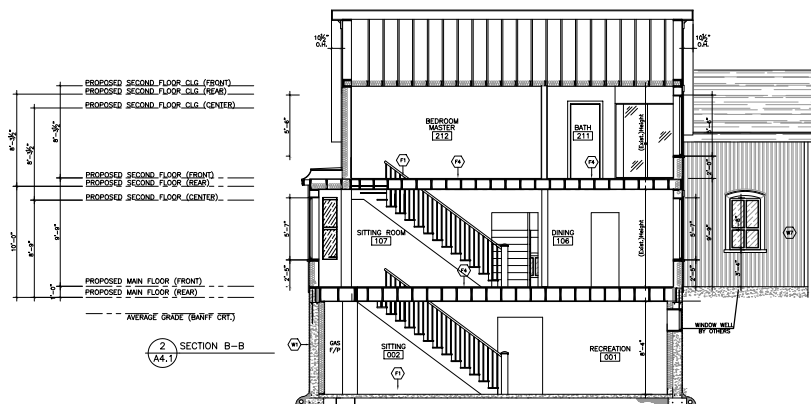
DESIGN: SMDA Design + Architecture, 1492 Wallace Rd, Unit 9, Oakville, ON L6L 2T2. ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM SMDA DESIGN + ARCHITECTURE. THE INFORMATION CONTAINED HEREIN IS FOR THE SOLE USE OF THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE. THE CLIENT AGREES TO HOLD SMDA DESIGN + ARCHITECTURE HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DOCUMENT. THE CLIENT AGREES TO INDEMNIFY AND HOLD SMDA DESIGN + ARCHITECTURE HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DOCUMENT.

Project: Cesta Development
Heritage Residence
6871, Ninth Line
Mississauga, ON

Sheet: South & East Elevations

Design By	Drawn By	Approved By
R.M.	R.H.M.	R.M.
Scale	Date	Project No.
1/4" = 1' 0"	2019-08-01	16.41

Sheet: A003.2

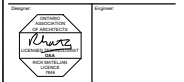


Client: Carmine Cesta
cestacarmine@gmail.com

1	2016-08-08	For Site Plan Submission	R.M.
2	2016-08-08	For C.A.A.	R.M.
3	2016-12-12	Per City Comments	K.A.
4	2016-04-23	Per City Comments	K.A.
5	2016-04-23	Per City Comments	K.A.
6	2016-05-19	Per City Comments	K.A.
7	2017-12-18	Revised Design	K.A.
8	2017-12-18	Revised Design and garage design	K.A.
9	2017-12-18	Final Design	R.M.

SMDA
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1492 Wallace Rd, Unit 9
Oakville, ON L6L 2T2
Tel: 905 842 2848
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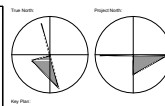


Project: Cesta Development
Heritage Residence
6871, Ninth Line
Mississauga, ON

Drawn: Sections A-A, B-B

Design By	Checked By	Approved By
R.M.	R.H.M.	R.M.
Date	Date	Project No.
1/4" = 1' 0"	2016-11-18	16.41

Sheet: A004.1



Client: Carmine Cesta
cestacarmine@gmail.com

- | Rev | Date | Description | By | App'd |
|-----|------------|--------------------------------------|------|-------|
| 1 | 2019-05-06 | Final Plan Submission | R.M. | |
| 2 | 2019-05-08 | Final P.A. | R.M. | |
| 3 | 2019-05-12 | Per City Comments | K.A. | |
| 4 | 2019-05-20 | Per City Comments | K.A. | |
| 5 | 2019-05-21 | Per City Comments | K.A. | |
| 6 | 2019-05-19 | Per City Comments | K.A. | |
| 7 | 2017-02-05 | Revised Proposal | K.A. | |
| 8 | 2017-02-08 | Revised roof pitch and garage design | K.A. | |
| 9 | 2019-01-16 | Final Plan | R.M. | |

SMDA
Design + Architecture
1492 Wilshire Rd. Unit 9
Columbus, OH 43207
Tel: 603 842 2848
smv@aol.com

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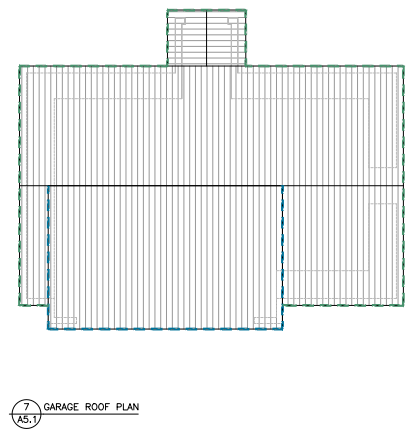
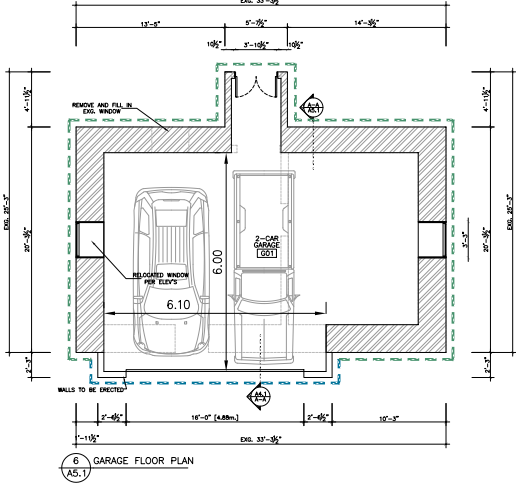
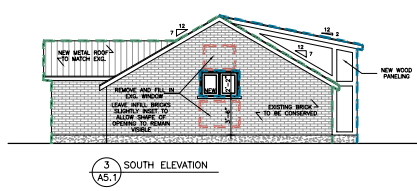
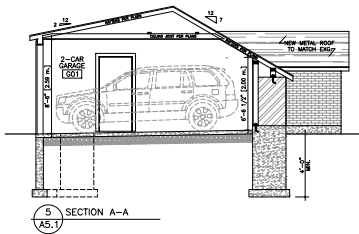
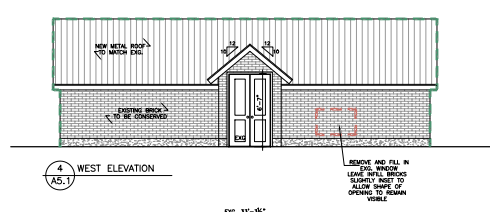
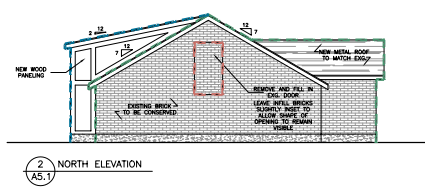


**Cesta Development
Heritage Residence**
6871, Ninth Line
Mississauga, ON

Garage Plans, Elevations
Sections

Design By	Drawn By	Reviewed By
R.M.	S.P.	R.M.
Date	Date	Project No.
1/4" = 1' 0"	2019-05-25	16.41

Drawing No: **A005.1**



APPENDIX 7

RICK MATELJAN B. A. Lic. Tech. OAA
3566 Eglinton Ave. W., Mississauga, ON
(t) 416 315 4567 (e) rick.mateljan@smda.ca

curriculum vitae

Education:

- | | |
|-----------|---|
| 1978-1983 | Trinity College, University of Toronto <ul style="list-style-type: none">B. A. (4 year) (Specialist English, Specialist History) |
| 1994-1995 | Ryerson Polytechnic University <ul style="list-style-type: none">detailing of residential and institutional buildings, OBC, technical and presentation drawing |
| 1997-2006 | Royal Architectural Institute of Canada Syllabus Program <ul style="list-style-type: none">program of study leading to a professional degree in architecture |

Employment:

- | | |
|----------------|--|
| 2010 - Present | Strickland Mateljan Design Associates Ltd. (Partner) <ul style="list-style-type: none">architectural design practice specializing in custom residential and small commercial /institutional projects, land development consultation, residential infill, adaptive re-use, heritage conservationheritage and urban design consulting for complex infill projectsresponsible for management, business development, marketing and project deliveryextensive experience with building technical issues, integration of building systems, barrier-free issues, change of use issues, Ontario Building Codeextensive experience in municipal approvals, heritage approvalsOntario Association of Architects licence with terms, conditions and limitations |
| 2001 - 2010 | Gren Weis Architect and Associates, Designer and Project Manager <ul style="list-style-type: none">design, design development, conceptual, working and presentation drawings, project co-ordination, site review, liaison with authorities having jurisdictionextensive client, consultant and building site involvementextensive experience in multi-disciplinary team environmentsspecialist at Municipal Approvals, Site Plan and Re-zoning approvalsspecialist at renovation and conservation of Heritage buildings, infill developments in Heritage communitiescorporate communication, advertising and photography |

1993-2001

Diversified Design Corporation, Owner

- conceptual design, design development, working drawings, approvals for custom residential, institutional and commercial projects
- construction management and hands-on construction

Recent professional development:

2017	RAIC/OAA Conference, Ottawa ON
2017	Ontario Heritage Association Conference, Ottawa ON
2012	OAA – Admission Course
2011	Ontario Heritage Association Conference, Cobourg ON
2010	Georgian College – “Small Buildings”
2010	Successfully completed Ministry of Municipal Affairs and Housing “Small Buildings” and “Designer Legal” examinations
2010	Successfully completed OACETT professional practice exam
2008	Qualified to give testimony before the Ontario Municipal Board
2007	OAA – Heritage Conservation in Practice
2006	RAIC – Standards and Guidelines for the Conservation of Historic Places in Canada

Activities:

2016-present	Member, OAA Practice Committee
2015-2016	Guest critic, Centennial College Architectural Technology Program
2014-2015	Guest critic, University of Waterloo Architectural Practice Program
2012-present	Member, Board of Directors, OAAAS and member of the Student Award Jury
2011-2016	Member, Editorial Committee, OAA Perspectives magazine
2008-2015	Member, Board of Directors of Oakville Galleries (President 2011-2013)
2007-present	Member, Mississauga Heritage Advisory Committee (vice-chair from 2015), member of the Heritage Award jury and Heritage Property Grant Panel
1995-2001	Member, Oakville Local Architectural Conservation Advisory Committee and Oakville Heritage Review Committee (Chair from 1998)
2001-2004	Alternate Member, Oakville Committee of Adjustment (appointed but never called to serve)

Memberships:

Ontario Association of Architects
Ontario Association of Applied Architectural Sciences

APPENDIX 8

Cordingly House - Proposed Renovations and Additions Construction Budget

General Requirements	50,000.00
includes administrative costs, structural and architectural costs, permits and other fees, security, etc	
Site Preparation	8,000.00
includes shoring, temporary services, garbage disposal, scaffolding	
Heritage Specialties	22,000.00
bracing, lifting, jacking, supporting, moving of heritage building	
On Site Water	
includes management of water on-site	
Utilities	0.00
includes new water service, sanitary and storm connections, hydro connection, gas connection (included as part of the original subdivision)	
Excavation and Earthwork	22,000.00
includes excavation for new foundation, backfill, rough grading	
Foundation	
includes foundation for heritage building and addition	
Rough Framing	30,000.00
includes framing for heritage building and addition	
Roofing	15,000.00
includes roofing for heritage building and addition	
Exterior	25,000.00
includes siding conservation for heritage building, new siding and trims for addition	
Windows, Exterior Doors	16,000.00
includes conservation of existing windows, new wood windows per drawings	
Plumbing, Electrical	22,000.00
Includes plumbing and electrical rough-ins for heritage building and addition, toilets, fixtures, electrical panels	

**Cordingly House - Proposed Renovations and Additions
Construction Budget**

HVAC	14,000.00
includes HVAC systems, ductwork, HRV	
Insulation	
includes all insulation and air barrier systems	14,000.00
Drywall	26,000.00
includes all drywall, taping	
Interior finishes and Trims	30,000.00
includes all interior doors, trims, flooring, stairs, handrails, closet specialties, misc trims	
Painting	14,000.00
includes interior painting, exterior painting	
Kitchen and Bath	22,000.00
includes all cabinets, countertops, ceramic tile, stone	
Dairy Shed	26,000.00
includes all conservation work, rebuilt roof, addition, windows, garage door, trims, misc painting	
Sodding, driveway, final grading	12,000.00
Project Closeout	10,000.00
includes final cleaning, commissioning of building and systems	
Total	411,500.00

APRIL 22, 2022

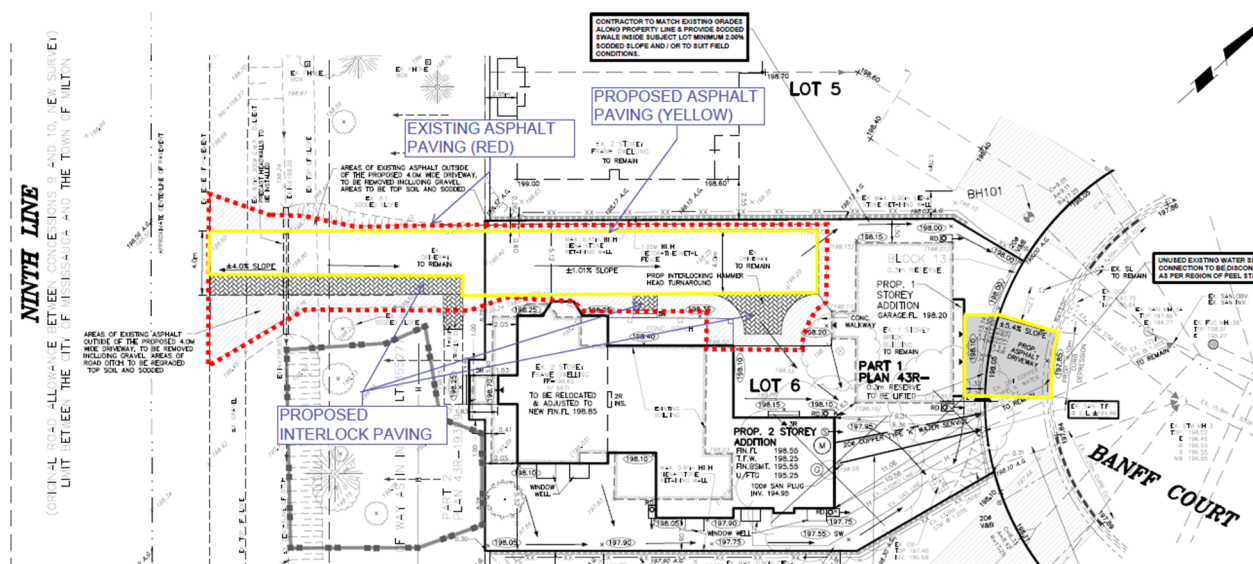
ADDENDUM TO HERITAGE IMPACT STUDY 6671 NINTH LINE DATED AUGUST, 2019

As part of the approval process on this application Heritage Staff asked that we consider the size and character of the westerly driveway. The staff comment was:

Driveway from Ninth Line should be permeable and reduced to a single lane.

The project team considered this request and opted to propose an alternative approach as described below.

The existing condition is that virtually all of the north side yard of the property is paved and impervious. The extent of paving is indicated in the drawing below by a dashed red line.



Detail of proposed Site Plan showing existing asphalt driveway and proposed driveway with mix of asphalt and interlocking brick pattern



North-west elevation showing existing paving coming up to edge of building

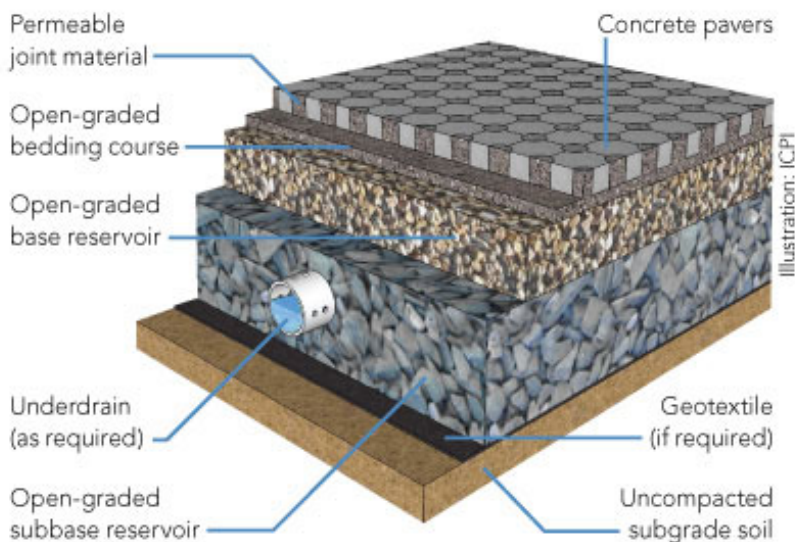
We believe that staff are basing their position on the driveway requirements that prevail in the Old Meadowvale Heritage Conservation District that limit driveway width to 3.0m and that permit permeable paving methods only.

PERMEABLE PAVING:

The use of non-asphalt paving materials has long been advocated in heritage conservation situations with the most common choice being gravel, however the City of Mississauga Zoning By-Law does not allow gravel driveways. The By-Law's definition of "Pervious Material" as regards driveway specifically excludes gravel:

"means material designed to be structurally stable while allowing rainwater infiltration and may include pervious pavers and paving or interlock, but shall not include landscaping elements such as gravel, dirt or limestone screening".

Permeable paving systems are ecologically appropriate in that they encourage natural infiltration of rain water into the soil but they are typically complex systems that involve the excavation of significant amounts of soil beneath the pavers and the creation of an engineered sub-grade drainage and collection system. In terms of their impact on a site they are not as benign as they sound and given their complexity they are really only suitable for large expanses of hard surface area for which ordinary overland drainage and infiltration is not possible. For smaller areas natural drainage and dispersal is equally effective, more flexible and has much less impact on the site.



Typical permeable paving system

DRIVEWAY WIDTH:

The rationale for limiting the driveway width to 3.0m would be to ensure that this was a single car driveway only, to create a better proportion between driveway and house and to limit the number of vehicles that could be parked in the front yard. These are reasonable objectives.

The minimum width of a driveway (and of a parking space) under the Zoning By-Law is 2.6m and it follows that a two car driveway would need to be at least 5.2m wide to be workable.

The proposal in this case is to do a driveway 4.0m wide consisting of 2.8m asphalt paving on the northerly side of the driveway and 1.2m of interlocking brick on the southerly side of the driveway. The asphalt and the interlocking brick would be at the same plane but the effect would be to create a narrow asphalt driveway with a walking space on the south side. The drainage would take place naturally by flow off the driveway to the adjacent landscaped areas and a significant amount of the existing paved area would be replaced by landscaping.

CONCLUSION:

We believe that in this situation our approach of a traditional asphalt driveway mitigated by an interlocking brick paver system is more appropriate than an engineered permeable paver system and will meet the same objectives. We also believe that the combined width of 4.0m of driveway consisting of part asphalt and part interlocking brick pavers meets the intent of minimizing the visual appearance of driveway width, not allowing two vehicles to be parked side by side while also being wide enough to be practical.

We also note that this approach significantly reduces the amount of paving in the side yard as compared to the existing condition and creates landscaping opportunities between the driveway and the heritage dwelling, which is a significant benefit.

Revised August 30, 2019

Heritage Conservation Management Plan – 6671 Ninth Line, Mississauga ON



FRONT & NORTH ELEVATION, CORDINGLEY HOUSE, 6671 NINTH LINE, MISSISSAUGA

1. Introduction

-An executive summary of the scope of the project:

The proposal is to remove the existing 1-storey sunroom at the south-east corner of the existing home, relocate the existing house 1.6m deeper into the lot, raise the rearmost portion of the home to bring the main floor of this and the front part of the home into alignment (Aug 2019: rearmost part of home will not be brought into alignment with front, both parts of home will be lifted equally), remove the existing foundation beneath the building, create a new, deeper foundation with top of foundation walls 0.2m higher than existing and build a new addition behind and to the south of the existing building. The interior of the home will be entirely renovated. As much of the existing original trims as possible will be maintained but the internal layout of the home will be substantially changed and entirely new plumbing, electrical and heating systems will be installed. All of the interior finishes will be changed as well as all bathrooms and the kitchen.

There is an existing brick building in the rear yard which was built as a dairy shed. This is proposed to be adaptively re-used by converting it to a two-car detached garage. To effect this new garage doors and a new shed roof will be installed on the east side of the building. The brickwork, roof, windows and trims will require extensive conservation during this renovation.

-Background information to document the historical and development history of the site

See attached HIS report.

- Identification of the property owner and stakeholders, current and proposed use

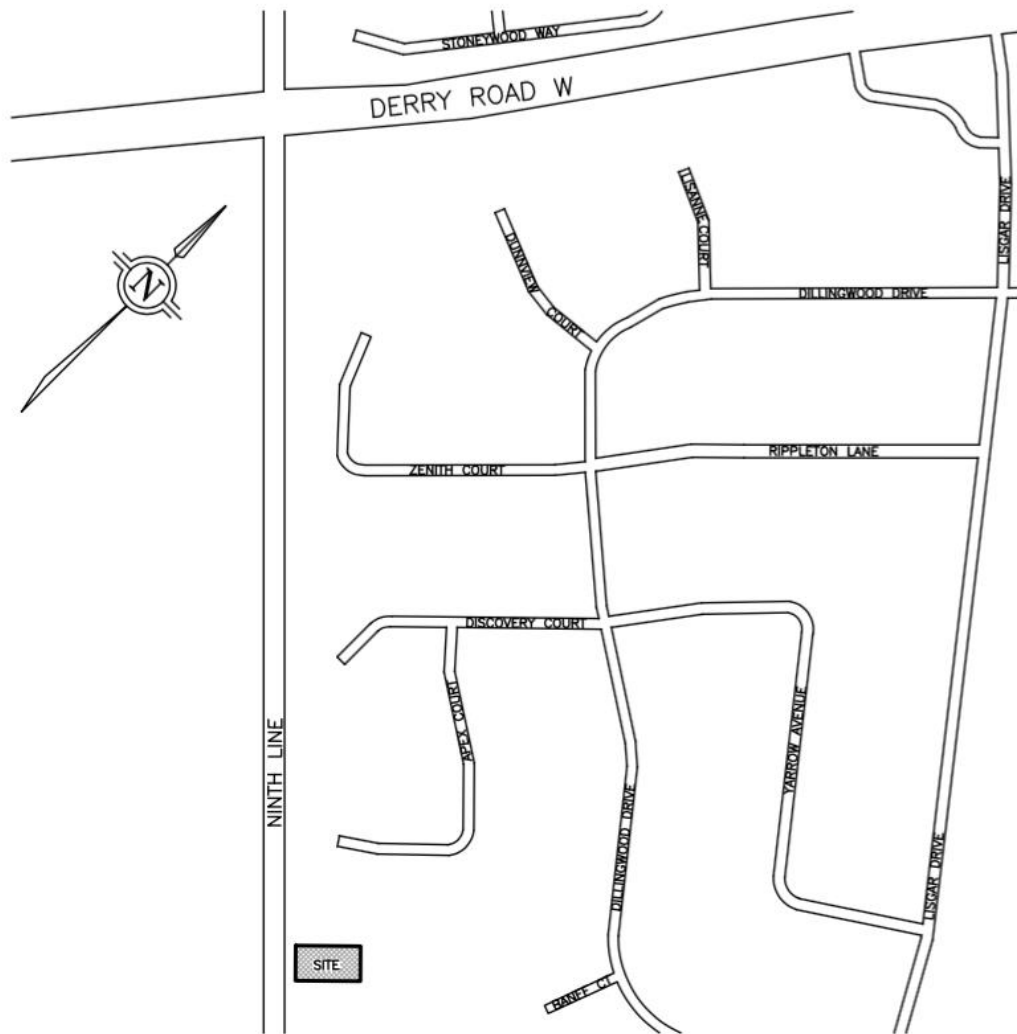
See attached HIS report.

2. Project Description

Property Description:

- Identify the location, municipal address and provide an appropriate location map

*Lot 6, Registered Plan 43M-1929, City of Mississauga
6671 Ninth Line, Mississauga.*



KEY MAP

- Documentation of the existing conditions to include recent specialized photograph documentation, measured drawings, site plan, identification of site features such as topography, landscaping or other on-site features

See attached HIS report.

- Landscape inventory and documentation will include a site plan, views and vistas, water features, tree location and species, land forms, geological formations, fences, walls, berms, pathways, or any other landscape features

See attached HIS report. There are no significant views or vistas into or out of the property. There are no water features, significant land or geological formations.

- Identification of neighbouring properties, including any built form or features, required to illustrate the context of the subject property

See further detail in attached HIS report. To the north and south are new low-rise multiple residential buildings built in faux historical style. To the east is the new Banff Crt. subdivision (located on property that was severed off of this site). To the west, across Ninth Line, is a dense woodlot.



CONTEXT PLAN SHOWING EXISTING BUILDINGS, NEWER SUBDIVISION TO THE EAST, WOODLOT TO THE WEST

- Summary of the history of the property outlining its development over time within a timeframe context

See attached HIS report

- Documentation of land ownership from the original Crown Grant and subsequent records from the land registry office

See attached HIS report

B) Significance:

- Statement of cultural heritage value or interest

See attached HIS report

- Identification of the cultural heritage attributes and values of the property structures and landscape features

See attached HIS report

- Identification of any recognized significance, such as a heritage designation by- law, historic plaque, etc.

The property is designated under Part IV of the Ontario Heritage Act.

C) Planning and Policy Status:

- Provide details of the current land use and related Official Plan policies and Zoning

The property is zoned R1-47 under the Mississauga Zoning By-law 0225-2007. This is a restrictive, site specific by-law put in place at the time recent development of the property. Zoning and approvals issues are discussed in the attached HIS report.

- Identify any regulatory requirements (e.g. heritage designation, flood plain requirements, etc.)

The property is under site plan control. There are no extraordinary other approvals issues. The existing front porch is located on City of Mississauga property – the proposed relocation of the existing house will eliminate this issue as all of the building would now be located inside the property boundary.

3. Project Objectives

- Outline what is to be achieved by this project

The intent of the project is to return this building to use as a single family residence in a way that preserves its heritage value but also gives adequate space and functionality for modern living and provides the required heating, electrical and mechanical systems for modern comfort and safety. The intention is also to create a suitable adaptive re-use situation for the existing dairy shed while also preserving its heritage value.

- Provide short term and long term goals and objectives

Short term and long terms goals are similar – to allow the buildings to function as a single family home with detached garage.

- Proposed solutions for conservation of the property's heritage attributes

See attached HIS and appendix below.

- Provide the conservation policies to be used in this project (i.e. what conservation principles will be used to ensure long term conservation, maintenance, monitoring, and sustainable use of the property)

This is discussed in detail in the attached HIS and the attached appendix.

House: *Generally the exterior of the existing building is in good condition and appears to have had regular routine maintenance. The existing windows, siding materials and architectural detailing on the 1880's and 1840's elements of the building show evidence of incremental repair and replacement as would be expected on a building of this age but are generally in good condition and expected to be conserved where possible. This should be done by a specialist like Walter Furlan Conservation 905 383 3704. There will be minimal loss of original exterior materials. The nature of the future use makes the likelihood of long term maintenance and sustainable use very high.*

Dairy Shed: *The brick and stonework on the existing dairy shed will require significant examination, re-pointing and repair. Brick cracking visible on parts of the building may indicate foundation settlement and it is likely that foundation repair or underpinning may be required to mediate. The removal of part of the east wall to allow the creation of new garage doors will give a reserve of authentic bricks that will be able to be used to replace existing damaged bricks. The existing windows and the doors are in poor condition and have no historical value – they should be replaced with new wood windows to match those proposed on the new addition at the rear of the house. The roof of the dairy shed is also in poor condition and given the new roof that is proposed above the garage doors it is likely that the roof structure will require extensive re-framing. Both the conservation of the brickwork and the re-framing of the roof can be done without compromising the heritage value of the building. The brick conservation should be done by an expert in this field using traditional mortars and method such as Peter Devine 905 815 7513.*



DAIRY SHED - EXAMPLE OF ORIGINAL BRICK AND STONE WORK REQUIRING CONSERVATION –BRICK AND STONE CRACKING PATTERN MAY INDICATE FOUNDATION WEAKNESS



DAIRY SHED SHOWING DETERIORATED ROOF CONDITION

4. Statement of Heritage Intent

- An explanation is required that proposes the reasoning and considerations behind the choice of conservation treatments.

This is discussed in the HIS.

House: *The scope of the project is such that minimal change to the character defining aspects of the building are contemplated and minimal conservation of original materials is required. (Aug 2019: the scope of change to the exterior of the original building is reduced by the decision not to re-align the 1940's and 1880's parts of the building).*

Dairy Shed: *The scope of the project here is greater as regards impact on the existing heritage building. This is driven by the more intrusive intervention into the building because of the adaptive re-use but also because of the poorer condition of the building. The work on the brick exterior is required because of the deterioration of the existing material.*

- Statement as to why one period of restoration over another was selected, rationale for new interventions, background resources used such as principles and conventions of heritage conservation.

This is discussed in the attached HIS. There is no restoration proposed as part of this project and no choice of period. The rationale for the intervention at the rear of the property was that it was minimally visible from the street, demonstrably different from the original building(s) and only as large as required to achieve the necessary increased floor area of the building and to permit vehicle access to the dairy shed.

- Statement as to the recording, inventory and disposition/retention of moveable cultural heritage resources (e.g. artifacts, archival material, salvaged material) and its incorporation into the conservation project.

As noted in the attached HIS it is recommended that any bricks salvaged from the intervention to the dairy shed be retained on-site if required for future maintenance on the building. The material from the sunroom that is proposed to be demolished is not original to the home and of no heritage value. Any other incidental material (trimwork, siding, etc.) that is removed in the course of the work should be saved for re-use.

5. Condition Assessment of the Cultural Heritage Resource(s)

- Condition report of the cultural heritage resource(s) and specific attributes, identifying any deficiencies or concerns.

As noted in the attached HIS and above, the house, with the exception of the foundation, is generally in very good condition. As noted in the attached HIS and above the dairy shed is in poor/fair condition with obvious brick and foundation deterioration that will require re-pointing at a minimum and potentially re-building of some local areas. Some brick replacement may also be necessary. Replacement of the roof cladding is required and there will be some modifications to the structure to support the proposed garage door addition and shed roof.

- Detailed recommendations to mediate and prevent further deterioration. Direction as to use or change in use and how that relates to conserving the heritage attributes.

The house will require ongoing maintenance but no more so than any other similar structure. The brick finish of the dairy shed is very durable and will likely require on-going maintenance after the proposed intervention, but also no more so than any other similar structure. The proposed use will not result in any increased maintenance obligations.

- Outline opportunities and constraints with relation to all aspects of the project (i.e. budget, planning issues, public access, long term needs)

The project requires some minor variance approvals but these are generally to respect existing conditions or driven by them. There will be a typical site plan process typical of most custom homes in Mississauga. There are no requirements for public access. There are no significant long term needs associated with the building.

See detailed budget appended to this document.

- Recommendations for conservation treatments that reference the framework provided in Parks Canada Standards and Guidelines for the Conservation of Historic Places In Canada.

See Appendix at end of this document.

6. Building System and Legal Considerations

- Statement to explain the building and site use from a practical, logistical and legal perspective

The site functioned as a single family home until 2010 after which is served as a sales office/construction office for the Banff Crt. subdivision. This use resulted in minimal exterior or interior changes to the house and none to the dairy shed. At that time the property was accessed via a single car driveway from Ninth Line. There was no garage. The building is notable as one of few surviving heritage buildings in the local community. The proposal is to do an adaptive re-use to return it to functionality as a single family home with detached garage. This use is allowed by the zoning by-law, suitable for the community and will require minimal intervention to the building exterior consisting of a minor raising of the rear part of the building (Aug 2019: the rear part of the building is no longer proposed to be raised independently of the front), replacement of the existing foundation and creation of a new addition to the east and south. The interior renovations are more extensive requiring extensive changes to interior walls and partitions, upgraded mechanical, plumbing and electrical systems and entirely new finishes.

- Input from structural, mechanical, electrical, planning, geotechnical, trades, and all other required fields of expertise to ensure the project is viable and sustainable. Building and site system review may include:

- Site Work (e.g. landscaping, drainage, servicing)

Skira & Associates are the civil engineering consultants on this project. They have extensive experience in the Mississauga area.

- Trees, shrubs, other plantings,

Landscaping opportunities are minimal on this site given the narrow setbacks on all sides. The site will be sodded and detailed landscaping left to the discretion of the future owner. There are minimal trees or vegetation on or near the property now.

- Archaeological concerns and mitigation

No archaeological concerns have been identified.

- Structural elements (e.g. foundation, load bearing)

Mark Shoalts of Shoalts Engineering has been retained to do the required structural engineering consulting. He has extensive experience in the conservation of historic buildings. (Aug. 2019: Criterium-Jansen Engineers are now structural engineers for the project)

- Building Envelope (roof, wall cladding, window type), Ontario Building Code, Accessibility

SMDA are the architectural and heritage consultants on the project

- Mechanical, Plumbing, Electrical

Qualified consultants retained to do mechanical, plumbing and electrical consulting as the project moves to building permit approvals stage

- Finishes and Hardware

No significant finishes or hardware are proposed

- Fire Safety and Suppression

There are no requirements for fire safety and suppression on this type of building

- Environmental Considerations, Lighting, Signage and Wayfinding, Security

No significant environmental considerations are expected. There are no requirements for exterior lighting, signage, wayfinding or security on this type of building.

- Legal Considerations (e.g. easements, encroachments, leasing, etc.)

The present owners will be carrying out the work and then the building is proposed to be sold. There are no leasing arrangements. As indicated above there is an existing issue with respect to an encroachment of the front covered porch on City property. This situation will be eliminated by the proposed re-location of the building 1.6m eastward.

7. Work Plan

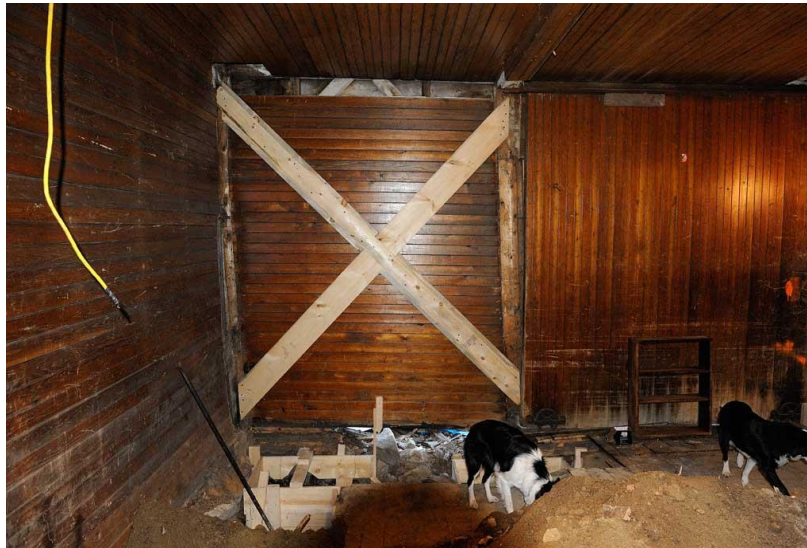
- Timeline to describe, in chronological order, to meet the objectives and goals Statement as to specialized trades or skills that will be required to complete the work

The work will consist of:

House:

-local demolition and removal of the sunroom addition

-cross-bracing and reinforcement of 1840's and 1880's elements of the building under the supervision of the structural engineer.



TEMPORARY CROSS-BRACING (TYPICAL)

-installation of beams, jacks and cribbing under the 1840's and 1880's elements of the building under the supervision of the structural engineer



BUILDING SUPPORTED BY BEAMS, JACKS AND CRIBS



BUILDING ON TEMPORARY SUPPORTS, FOUNDATION ENTIRELY REMOVED

- removal of the foundation below entire building under supervision of heritage consultant and structural engineer
- excavation by hand and using small equipment below entire building to new foundation depth
- installation of wheels beneath building
- movement of building 1.6m east (pulled by excavator or through power directly applied to the wheels)



HOUSE SUPPORTED ON TEMPORARY WHEELS

-“surgical” severing of structural or finishing materials that connect 1840’s and 1880’s elements of the building, removal of any elements that would interfere with the lifting of the 1840’s element, severing of connections between 1840’s building and foundation. This to be done under the supervision of the structural engineer and heritage consultant (Aug. 2019: this severing of the structural and finishing elements of the 1840’s and 1880’s building is no longer required)

-lifting of the 1840’s building under the supervision of the structural engineer and heritage consultant (Aug. 2019: see below)

-stabilizing the 1840’s building at its new height under the supervision of the structural engineer (Aug. 2019: see below)

-re-attachment of 1840’s and 1880’s building, local roof and wall modifications as necessary (Aug. 2019: 1840’s and 1880’s building elements will now be supported and lifted equally and simultaneously. Re-attachment and local modifications no longer required)

-excavation for new addition

-build new foundation for existing and proposed parts of building



FORMWORK FOR NEW FOOTINGS/FOUNDATION UNDER TEMPORARILY SUPPORTED HOUSE

-connection of existing building elements to new foundation, removal of cross-bracing and reinforcement under supervision of heritage consultant and structural engineer

- construction of building addition
- removal of existing interior partitions as necessary, creation of new interior partitions, structural work as required in existing building under supervision of heritage consultant and building engineer
- conservation work on existing building cladding, windows, decorative and trim components under supervision of heritage consultant
- installation of new windows, trims, siding on addition under supervision of heritage consultant.
- required mechanical, electrical, plumbing, insulation, drywall
- required new finishes, bathrooms, kitchen
- final completion and commissioning of building

Dairy Shed:

- examination of existing building by heritage consultant and structural engineer for signs of structural insufficiency or other factors that could be causing visible cracking and brick failure
- potential foundation repairs, underpinning to stabilize building under supervision of heritage consultant and structural engineer
- local re-pointing, replacement of broken bricks under supervision of heritage consultant
- partial new foundation around garage door addition area
- pouring of new interior floor slab
- removal of existing roof cladding, re-structuring of roof to permit new partial roof and garage door under supervision of heritage consultant and structural engineer
- installation of new doors, roof cladding, trimwork under supervision of heritage consultant
- closing up existing window openings with brick from new opening for garage door
- final completion and commissioning of building

The work will require qualified local trades but nothing particularly specialized. It is not expected that it will be difficult to find trades to execute the work.

The contractor chosen to do the lifting and supporting of the heritage building should have demonstrated experience in this type of work.

- Proposed budget to meet and sustain the goals and timeline; long term and short term maintenance schedule

See proposed budget appended to this document. There is no maintenance schedule as the building is proposed to be sold following completion

- Monitoring schedule, process and identify those responsible for monitoring

The professionals noted above will be responsible for review during the construction period.

8. Qualifications

- Heritage Conservation Management Plans will only be prepared by accredited, qualified professionals with demonstrated experience in the field of heritage conservation

A CV for Rick Mateljan is included in the attached HIS.

- Conservation Plans are usually a multidiscipline exercise whereby all consultants on the project must demonstrate accredited professionalism, experience and knowledge in their chosen field of expertise

All of the consultants are appropriately licensed in Ontario and have experience on similar projects.

9. Additional Information

- Bibliography of all documentation resources
- List of consultants and other professionals related to the project

The Consultant team is named above.

10. Additional Reports that may be required:

- Archaeological report, Arborist's report, Structural engineering report

Noted above

- Any other report that City staff may require to assess the project

11. Approval Authority

The City of Mississauga will be the approval authority for a Heritage Conservation Management Plan

Contact Information:

Inquiries regarding the submission and requirements of a Heritage Conservation Management Plan should be addressed to Heritage Planning, Culture Division, City of Mississauga

Email: heritage.planning@mississauga.ca

APPENDIX:

Commentary based on Parks Canada Standards and Guidelines for the Conservation of Historic Places In Canada

1. Conserve the heritage value of a historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.

The character-defining elements of the existing home are the front (west) elevation and the north elevation as well as the overall massing of the building. The location of the building as one of the few remnants of the former McCurdy's Corners settlement is also significant and character-defining.

The proposal to lift the 1840's part of the building to bring it into alignment with the 1880's part will likely involve the loss of some siding and trim materials (the extent of this loss will only be known once work begins but it should be limited to the area where these two parts of the building come into contact) however this loss is mitigated by the benefit of this lifting, which is to create a more reasonable relationship between the finished grade and the main floor of the building and so to prevent long term deterioration from having wood materials in contact with the ground. The siding and trim in this case are simple, flat profiles that can easily be replicated as necessary to replace lost pieces. There also is the possibility of re-using pieces taken from rear or south elevation as the proposed additions in these areas are constructed. (Aug. 2019: this differential movement is no longer proposed)

The proposal to re-locate the existing home 1.6m to the east as part of the replacement of the foundation is justifiable as this slight re-location will not affect the character-defining nature of the building's location – ie. the relationship to McCurdy's Corners – and is mitigated by the benefit of the re-location which is to move the building away from Ninth Line (which is proposed to be widened from two to four lanes in the near future) and to remove the encroachment of the existing front porch onto City property.

The proposal does involve some changes to window locations and new windows on the south and east elevations. There will be loss of original siding and trim materials here but these are not character-defining elements of the building.

The character-defining elements of the dairy shed are the overall massing, low slope roof, brick walls, stone foundation and the location of the building at the rear of the existing home. The west and south elevations that are visible from the house are significantly character defining. The north and east elevations are less character-defining. The proposed changes to the dairy shed will result in some loss of original materials but these are on less character-defining parts of the building and this loss is mitigated by the benefit of creating an adaptive re-use of this building that will keep it relevant and useful for the foreseeable future.

2. Conserve changes to a historic place that, over time, have become character- defining elements in their own right.

The addition to the building that was added in the mid-20th century is not a character-defining element in its own right.

3. Conserve heritage value by adopting an approach calling for minimal intervention.

The proposed intervention to the character-defining elements of the exterior of the building is minimal. The intervention on the interior is greater in scope but only to the extent that the program requirements and modern mechanical and electrical systems demand. Existing interior trims and finishes will be retained where possible.

4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.

There is no attempt to create a false sense of development.

5. Find a use for a historic place that requires minimal or no change to its character-defining elements.

The proposed use is an excellent adaptive re-use of this property.

6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.

The building has been effectively stabilized since 2010. The intention here is to return it to use. The site has been highly disturbed by the development of the adjacent subdivision and it is highly unlikely that any archaeological resources exist.

7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

The existing condition of the character defining elements is good for the house and fair/poor for the dairy shed.

As noted above, the only character defining elements of the house proposed to be altered are some areas of siding and trim on the north elevation necessary to effect the raising of the 1840's building and to create the addition (Aug. 2019: this raising of the 1840's building is no longer proposed; the amount of siding material to be removed is reduced). Some windows and window openings will be removed or changed on non-character defining parts of the house but these are generally non-original windows in the building. No original, character defining windows will be removed. Generally, this is a gentle intervention to the existing house.

The character defining elements of the dairy shed are in poorer condition and will require greater intervention just to stabilize and conserve them. There will be significant change to the east elevation of the dairy shed to effect the adaptive re-use but the most important views from the west and south will not be affected.

8. Maintain character-defining elements on an ongoing basis. Repair character- defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

Noted. The proposed use of the building as a single family residence with detached garage makes good the likelihood that a high standard of maintenance will be achieved.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

The interventions will be high quality and will be demonstrably different from the original building. The original building is documented in the HIS report attached.

DANCO

HOUSE RAISING AND MOVING

CESTA DEVELOPMENTS INC.
905-873-3335

QUOTE

cestacarmine@gmail.com

January 29, 2020

JOB: 6671 NINTH LINE

1. CUT HOLES IN FOUNDATION FOR STEEL BEAMS
2. SETUP CRIBBING IN BASEMENT AND INSTALL STEEL BEAMS
3. RAISE HOUSE AND SUPPORT
4. WHEN NEW FOUNDATION IS COMPLETE LOWER HOUSE ON NEW FOUNDATION AND REMOVE STEEL BEAMS

\$44500.00 PLUS HST

TOTAL-\$50285.00

ANY QUESTIONS PLEASE CALL DANNY MYETTE

23256 HWY 48
SUTTON WEST
ON
L0E 1R0

PHONE 905-722-9831
FAX 905-722-7927
EMAIL dancothemover@gmail.com

City of Mississauga Corporate Report



<p>Date: July 14, 2020</p> <p>To: Mayor and Members of Council</p> <p>From: Shari Lichterman, CPA, Commissioner of Community Services</p>	<p>Originator's files:</p> <hr/> <p>Meeting date: August 5, 2020</p>
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Subject

Parks By-law 186-05 Review

Recommendation

1. That the Parks By-law 186-05, as amended, be repealed.
2. That a new Parks By-law be enacted pursuant to the report dated July 14, 2020 from the Commissioner of Community Services.
3. That Legal Services be directed to make an application to the Ministry of the Attorney-General for set fines under Part I of the Provincial Offence Act for the Parks By-law.

Report Highlights

- Parks By-law 186-05, as amended, requires updating to effectively continue the administration and enforcement on all park related programs and activities.
- Community organizations affected by changes to the by-law have been consulted throughout the process.
- An updated by-law will ensure greater clarity for members of the public and enforcement staff.

Background

Parks By-law 186-05, as amended, requires updating to effectively continue the administration and enforcement on all park related programs and activities. In 2019, a comprehensive review was initiated which confirmed the need to update the current by-law. Staff from the following City business units: Parks, Forestry and Environment, Enforcement, Corporate Security, Legal Services, Recreation, Animal Services, and Mobile Licensing have worked over the last year to finalize the draft by-law.

Council	2020/07/14	2
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An online survey pertaining to Leash Free Zones was conducted in October 2019. The survey had 707 respondents with 85% identified as Mississauga residents, with the other respondents residing in Brampton, Oakville, or Etobicoke. Dog owners accounted for 92% of the respondents, 23% used a dog walker service, and 49% were members of Leash Free Mississauga.

Consultation with City approved commercial dog walkers occurred in January 2020. Feedback from staff, online survey participants and commercial dog walkers assisted in developing specific Leash Free Zone use and commercial dog walker permit proposed requirements within the amended by-law.

Comments

The amended by-law clarifies many of the existing regulations of park uses, as well as allowing for the addition of proposed specific new provisions, as follows:

1. Age restriction for children under 12 not being able to enter Leash Free Zones in parks.
2. Hours of operation implemented for use of a Leash Free Zone for commercial dog walkers: Monday to Friday, 9:00am to 4:00pm (the number of dogs permitted under the dog walker permit remains at 8).
3. Alignment with the Region of Peel's Peel Outdoor No Smoking or Vaping By-law 49-2019.
4. Park hours changed to better reflect user needs. Park closure remains at 11:00pm but opening has moved to dawn, from the current 7:00am, to allow earlier access. A provision to address loitering has also been added into the by-law. Woodlands still have restricted access from dusk to dawn.
5. Streetsville Village Square to be treated as a park, and subject to the new Park By-law, when the street is closed.
6. Clarity and alignment with Mobile Licensing regarding ice cream trucks, refreshment vehicles, full service food trucks, portable display units, refreshment carts, and refreshment cycles by creating a Park Vendor section.
7. Identification of the busking program and its role in parks.
8. Regulations to address current and emerging kite flying trends.
9. Introduction of a section on Commercial Activities created to consolidate the following activities into one section in the by-law, including commercial photography, fitness/instructional classes, and park vendors.

10. Clarity around fishing in parks.
11. Clarity and alignment with Active Transportation, recognizing the different modes of transportation that could be used in the parks system that are currently restricted.
12. Clarity around the use of profane and abusive language, including hate speech, against identifiable groups within parks.

Financial Impact

There are no financial impacts from the recommendations in this report.

Conclusion

The current Parks By-law 186-05, as amended, required an update in order to properly recognize and regulate the current range of activities which occur in City parks and open spaces. It is therefore appropriate for Council to establish the new by-law which govern the activities in City parks and open spaces. Commensurate with prior practices, provision for set fines are contained within the recommended by-law to allow for the issuance of tickets for enforcement purposes.

Attachments

Appendix 1: Parks By-law Revised

Appendix 2: Parks By-law 186-05



Shari Lichterman, CPA, Commissioner of Community Services

Prepared by: Jamie Ferguson, Manager, Park Services



MISSISSAUGA

THE CORPORATION OF THE CITY OF MISSISSAUGA THE PARKS BY-LAW XXX-XX

WHEREAS Subsection 11(3) 5. of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended ("*Municipal Act*") provides that a municipality may pass by-laws respecting culture, parks, recreation and heritage;

AND WHEREAS Subsection 11(3) 1. and 8. of the *Municipal Act* provide that a municipality may pass by-laws with respect to highways, including parking and traffic on highways and parking, except on highways;

AND WHEREAS Subsection 11(2) 5. of the *Municipal Act* provides that a municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS Section 444 of the *Municipal Act* provided that a municipality may make and order to require a person to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS Section 445 of the *Municipal Act* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS Section 446 of the *Municipal Act* provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS Subsection 128(2) of the *Highway Traffic Act, R.S.O. 1990, c. H-8* (HTA), as amended, provides that a municipality may pass by-laws prescribing a rate of speed different from the rate set out in Subsection (1) of the HTA that is not greater than 100km per hour and may prescribe different rates of speed for different times of day;

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

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PART I: DEFINITIONS

1. In this by-law,

“**Articles for Sale**” means goods, wares, merchandise, products, refreshments, foodstuffs, or flowers held by a Person for subsequent sale to another Person;

“**Authorized Sign**” means any sign, notice, or other device placed or erected in or upon a Park by the City;

“**Bicycle**” means a Power Assisted Bicycle or any Cycle propelled or driven by muscular power and equipped with an alarm bell, gong or horn, regardless of the number of wheels it has, but does not include a Motor Assisted Bicycle;

“**Busking**” means a group or person performing in a public place, providing entertainment and enjoyment for the public;

“**City**” means The Corporation of the City of Mississauga and its physical boundaries as described in the *Regional Municipality of Peel Act, R.S.O. 1990, c.R.15*, as amended;

“**City Limits**” means the land located within the territorial boundaries of the City of Mississauga;

“**City Staff**” means any employee of the City;

“**Commercial Photography**” means a group of two (2) or more people who are engaging in photography where such photography would disrupt park users or otherwise restrict use of the Park by park users and are collecting remuneration for such photography;

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“Commercial Vehicle” means a Vehicle where goods and/or services are sold or offered for sale, and includes Park Vendor Vehicles;

“Commissioner” means the Commissioner of Community Services or their designate in writing;

“Contractor” means a person contracting with or employed directly by the owner or an agent of the owner to supply services or materials to an improvement and includes a joint venture entered into for the purposes of an improvement or improvements;

“Council” means the Council of the City;

“Designated Area” means an area of a Park designated by the Commissioner for a specific purpose or use;

“Director” means the City’s Director of Parks, Forestry and Environment or their designate in writing;

“Division” means the Parks, Forestry and Environment Division in the City’s Community Services Department;

“Drone” means a remotely piloted aircraft system (RPAS) that has a set of configurable elements consisting of a remotely piloted aircraft, its control station, the command and control links, and any other system elements required during flight operation, as defined by the *Canadian Aviation Regulations*, as amended;

“Fence” means any physical barrier erected for the purpose of demarcation, including, but not limited to, a railing, wall, hedge, line of posts, shrubs, trees, wire, gate, boards, pickets or other similar substances;

“Fireworks” means a pyrotechnic device or a substance that is made, manufactured or used to produce an explosion or detonation, including fireworks composition and manufactured fireworks as defined in the *Explosives Act, R.S.C. 1985, c. E-17*, as amended;

“Fitness and Instructional Classes” means a class held outdoors by qualified instructor providing appropriate physical exercise instruction of various types and various levels to its participants or a class held outdoors by a qualified instructor that impart knowledge or skill;

“Motor Assisted Bicycle” means a Motor Assisted Bicycle as defined by the *Highway Traffic Act R.S.O. 1990, c.H.8*, as amended;

“Motorized Recreational Vehicle” means a Vehicle that is propelled or driven by an internal combustion engine, electric engine, or battery operated and that is used for recreational purposes, including but not limited to a snowmobile, go-cart, golf cart, trail bike, mini bike, Motor Assisted Bicycle or all-terrain Vehicle;

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“Multi-purpose Pad” means an asphalt or concrete surface area for non-motorized activities, such as – without limiting the generality thereof - basketball, skateboarding, roller-blade and street hockey;

“Multi-use Recreational Trail” means a multi-purpose path whether paved or unpaved, designed to permit the use by pedestrians and non-motorized conveyances, except motorized wheelchairs or other accessibility devices, unless otherwise posted;

“Officer” means a Police Officer or an individual employed by the City to perform the duties of enforcing by-laws and appointed by Council as a municipal law enforcement officer as designated in the City’s *By-law 299-04*, as amended, or its successors;

“Organized Sport or Activity” means a sport, game or activity that has been pre-planned and that involves more than one player;

“Park” means the land, including any body of water, buildings or structures located therein, that is owned by or made available to the City by lease, agreement, or otherwise, and that is established, dedicated, set apart or made available for use as public open space; but does not include a marina, golf course, or cemetery;

“Park Amenity” means any asset including but not limited to monuments, fountains, bridges, walls, seats, benches, structures, or articles of Park equipment or appurtenance;

“Parking Area” means a part of a Park that is designated (posted and signed) for the parking of Vehicles;

“Parks Staff” means any employee in the Parks, Forestry and Environment Division of the City;

“Park Trail” means an uninterrupted asphalt, concrete, granular, or other surface, not less than 2.4 metres (7.8 feet) wide, connecting destinations. Park Trails may be referred to as Multi-use Recreational Trails, or off-road trails.

“Park Vendor” means an owner of a business or service, or their designated operator, licensed by the City, operating a specific business or service within a Designated Area within a Park with a valid Park Vendor Permit;

“Park Vendor Permit” refers to a Permit issued to an owner of a business or service enabling them, or their designated operator, to operate a specific business or service within in the Designated Area as specified on the Permit. The license may be issued through the City’s *Vehicle Licensing By-law 520-04*, *Ice Cream Truck By-law 253-04*, or *Vendors By-law 522-04*, as amended;

“Park Vendor Vehicle” means a refreshment cycle, refreshment cart, refreshment vehicle, full service food truck, ice cream truck, or portable display unit as defined by the City’s *Vehicle Licensing By-law 520-04*, *Ice Cream Truck By-law 253-04*, or *Vendors By-law 522-04*, as amended;

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“Permit” means written permission or written authorization issued by the Commissioner under this by-law, issued for the temporary use or access to a Park which shall include, but not limited to, a facilities rental contract, temporary access permit and a dog walker permit;

“Person” means an individual, partnership, association, firm or corporation, and in the case of a minor, the person having custody of the minor;

“Plant” means a flower, grass or any other form of non-woody vegetation;

“Police Officer” means a chief of police or any other police officer, including a person who is appointed as a police officer under the *Interprovincial Policing Act, 2009*, but does not include a special constable, a First Nations Constable, a municipal law enforcement officer or an auxiliary member of a police force; (agent de police);

“Power-Assisted Bicycle” means a Power-Assisted Bicycle as defined in the *Highway Traffic Act, R.S.O., c. H.8*, as amended, but not weighing in excess of 40kg;

“Roadway” means a road that has been designed for vehicular traffic use;

“Sell” includes display for sale, expose for sale, and offer for sale;

“Shrub” is a perennial plant with usually more than one low-branching woody stem, including woody vines and low/ trailing perennials;

“Smoking” includes the smoking or holding of lighted tobacco, lighted cannabis, or any substance used for smoking and Smoke has a similar meaning, as defined by *Peel Outdoor No Smoking or Vaping By-law 49-2019*, as amended;

“Special Event” means an event which is being held either as a community, social, sporting, family, or cultural group celebration, or other similar event that requires additional permission from the Parks, Forestry and Environment Division or other internal or external departments in order to proceed;

“Sports Amenities” means any Park Amenity designed for sports including, but not limited to, soccer fields, baseball fields, football fields, cricket pitches, basketball courts, tennis courts, volleyball courts, Multi-purpose Pads, and playgrounds;

“Tree” means a self-supporting woody plant which will reach a height of at least 4.5 metres at maturity;

“Vaping” means the inhaling or exhaling of vapour from an inhalant-type device of any substance, or the holding of an activated inhalant-type device, and Vape has a corresponding meaning, as defined by *Peel Outdoor No Smoking or Vaping By-law 49-2019*, as amended;

“Videography” means the process of capturing moving images on electronic media or even streaming media;

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“Vehicle” means an automobile, truck, motorcycle, motor assisted bicycle, traction engine, farm implement or equipment, motorized construction equipment, snowmobile, aeroplane, trailer or any other vehicle which is capable of being driven, propelled, or drawn by any kind of combustible, motorized, battery, solar or electric power, but does not include a motorized wheelchair or other accessibility devices;

“Watercraft” means any device for conveyance in or on water, including but not limited to boats, jet skis, row boats, sailboards, canoes, kayaks, and dinghies;

“Woodland” means forested land covered with woody vegetation.

PART II: ADMINISTRATION

2. 1) The Commissioner shall be responsible for the administration and enforcement of this by-law.
- 2) As part of their responsibility to administer this by-law, the Commissioner may:
 - i. designate areas within a Park from which the public is excluded;
 - ii. make regulations and impose conditions upon which a Designated Area shall be used;
 - iii. make regulations and impose conditions for the orderly use of a Park and any Park facilities;
 - iv. issue Permits for specific uses of a Park or parts of a Park;
 - v. impose conditions as a requirement of obtaining, continuing to hold or renewing a Permit, in addition to the requirements under this by-law, and such conditions may vary depending on the type of Permit; and
 - vi. revoke a Permit as a result of a breach of a condition of the Permit or a provision of this by-law.

PART III: EXEMPTIONS

3. This by-law shall not apply to:
 - 1) Employees or agents of ambulance and police services acting in the scope of their duties to provide emergency services or enforcement activities within a Park;
 - 2) The Vehicles and other properties of ambulance and police services used for the purpose of providing emergency services or engaging in enforcement activities within a Park;

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- 3) The City, its Vehicles, and its employees or agents acting within the scope of their duties as employees or agents of the City.
- 4) Streetsville Village Square (Park #523) when the street is open to Vehicle traffic;
4. The Commissioner may exempt persons from all or part of the requirements and prohibitions of this by-law from time to time if such exemption is required for the beneficial administration of a Park.

PART IV: PERMITS

5. An applicant for a permit under this by-law shall:
 - 1) Complete an application for the Permit on the forms as provided by the Commissioner;
 - 2) Submit a completed application together with the applicable fees as set out in the City's *Fees and Charges By-law*, which may include a security deposit;
 - 3) Provide any documentation and insurance certificates as required by the Commissioner or Parks Staff as prerequisites and requirements for the issuance of the Permit.
6. 1) A permit holder shall comply or ensure the compliance of all the provisions and conditions of the Permit and this by-law.
- 2) Failure to comply with any provision or condition of a Permit or this by-law may result in the revocation of the Permit by the Commissioner or Parks Staff, in addition to any other enforcement proceedings against the permit holder as permitted by law.
- 3) The permit holder of a revoked Permit shall immediately cease or ensure the immediate cessation of all the activities for which a Permit has been issued upon revocation of the Permit under Subsection (2).
- 4) Where a permit holder has damaged any Park property, including but not limited to, landscaping, Trees or Park Amenities, the permit holder may be ordered to:
 - i. compensate for the damage to the satisfaction of the City at the expense of the permit holder; and/or
 - ii. compensate for any studies or documentation, as deemed appropriate by Parks Staff, to determine the extent of the damage before repairing the damage.
- 5) If the permit holder fails to comply with an order made under Subsection 6(4) or if the City chooses to correct the damage itself, the City may correct the damage and use any security deposit posted by the permit holder to pay for any costs associated with carrying out the work.

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- 6) If the costs incurred by the City in carrying out any work under Subsection 6(5) are greater than the security deposit posted by the permit holder, any costs not covered by the security deposit shall be a debt owed by the permit holder to the City and the City may recover the costs of carrying out the work from the permit holder or add the costs to the tax roll of the property in question and collect them in the same manner as property taxes.
- 7) Failure to abide by the Permit, may result in restricted access to future permits.
7. The issuance of a Permit under this by-law does not relieve any person from the necessity of acquiring any other license or permit required for carrying on an activity in a Park under any other applicable laws, by-laws, regulations, and requirements of other governmental authority.
8. A Permit is the property of the City and is not transferable.

PART V: HOURS

9. 1) All Parks shall close at 11:00 pm and shall remain closed until dawn the following day, unless otherwise posted or specified in this by-law.
- 2) All Sports Amenities shall close at 11:00pm and remain closed until 7:00am the following day, unless otherwise posted or specified in this by-law.
10. 1) Notwithstanding Section 9, the Commissioner or Officer may close a Park or portion of a Park for a period of time, where the Commissioner or Officer determines that it is necessary:
 - i. to maintain the safety or security of the Park; or
 - ii. to conduct an investigation; or
 - iii. to allow the Commissioner or Officer to adequately administer and enforce this by-law; or
 - iv. for the beneficial administration of the Park or to carry out the functions as authorized by a Permit for use of the Park or part of the Park; or
 - v. where posted or permitted.
- 2) The Commissioner shall not close a Park or a portion of a Park for a different period of time as provided in Section 9 for more than six (6) consecutive months without Council approval.

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PART VI: GENERAL PROHIBITION

A. Park Entry

11. No person shall:

- 1) enter or remain in a Park after it has been closed, unless otherwise permitted; or
- 2) enter or remain in an area of a Park where admission is prohibited or restricted without a Permit; or
- 3) enter or access through a Park for the purpose of conducting any work on private property or Park property without a Permit; or
- 4) enter or access through a woodland between dusk and dawn; or
- 5) loiter anywhere within a Park from 11:01 pm to dawn; or
- 6) for the purpose of this subsection only, the word “loiter” shall mean the act of staying at or near a particular place for more than twenty (20) minutes; and
- 7) every person who, without lawful excuse, the proof of which lies upon them, loiters within the meaning of this subsection, shall be guilty of an offence.

B. General Conduct

12. While in a Park, no person shall:

- 1) engage in riotous, boisterous, violent, threatening, or illegal activity, or use profane or abusive language, which includes hatred against an identifiable group; or
- 2) engage in any activity that, if in the opinion of Parks Staff or Officers, creates a nuisance or that interferes with the use and enjoyment of the Park by other persons; or
- 3) engage in any activity that may cause injury or damage to any person, animal, Tree, Shrub, Plant, property, or Park Amenity; or
- 4) disobey an authorized sign; or
- 5) fire or set off any fireworks without a valid Permit issued under the City's *Firework: Residents By-law 0293-2001*, as amended; or
- 6) release any balloons; or
- 7) operate any remote-controlled or other powered devices, including but not limited to, model versions of aircraft, rockets, watercraft, Drones and vehicles, other than in a designated area unless authorized by Permit; or

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- 8) use a skateboard or rollerblades if prohibited as marked by posted signs; or
- 9) golf; or
- 10) erect, place, install, or cause the erection, placing or installation of any permanent or temporary structure, tent or booth without a Permit; or
- 11) camp, erect or place a tent for shelter or temporary abode of any kind unless authorized by the Commissioner; or
- 12) operate any Vehicle or any other form of motorized conveyances on a multi-purpose pad or multi-use recreational trail; or
- 13) skate, walk, or engage in any activities on snow/ice-covered ponds, lakes, streams, rivers, or any other snow/ice-covered bodies of water that are City owned; or
- 14) ski, toboggan, snowboard, skibob, or sled where posted to prohibit same; or
- 15) engage in Commercial Photography in a designated Park except as authorized by a Permit; or
- 16) be in possession of or use a firearm, air gun, cross bow, bow and arrow, axe, paint guns or any similar weapon of any kind unless authorized by Permit; or
- 17) urinate or defecate except in a designated washroom; or
- 18) activate any emergency alarm or device, or use any emergency telephone except in situations of emergency; or
- 19) operate a metal detector; or
- 20) cause to take place or participate in a marriage ceremony except in a Designated Area unless authorized by Permit; or
- 21) enter or attempt to enter any area locked or otherwise restricted from public access; or
- 22) make use of a Designated Area for its intended use except in accordance with the posted rules and regulations; or
- 23) fail to comply with an order given by City Staff or an Officer; or
- 24) possess, consume, serve or sell alcoholic beverages unless authorized by a Permit, and after having complied with all of the requirements of the *Liquor License Act, R.S.O. 1990 c.L19*; or

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- 25) Smoke or Vape, regardless of whether or not a notice is posted that Smoking or Vaping is prohibited, in a Park and in compliance with the Region of Peel's *Peel Outdoor No Smoking or Vaping By-law 49-2019*, as amended;
 - 26) engage in active recreational uses in Parks or areas of Parks with substantial horticultural displays, including but not limited to Riverwood, Hancock Woodlands, Brueckner Rhododendron Gardens, and Kariya Park;
13. No person shall dump, deposit, drain, or otherwise dispose of:
- 1) any household waste anywhere in the Park, except waste generated from the use of the Park and wholly into receptacles provided in the Park for such purposes; or
 - 2) any snow, fill, soil, or construction materials in a Park without a Permit; or
 - 3) any material into any pool, pond, lake, stream, fountain, watercourse, or any other body of water in a Park; or
 - 4) any material into any soils in a Park; or
 - 5) discharge of water or waste water from sewage, any roof drainage system, hot tub, swimming pool, or pond into or onto a Park.
14. While in a Park, no person shall
- 1) bury, scatter, or otherwise dispose of any biological or cremated remains unless in a Designated Area;
 - 2) cause to take place or participate in a funeral service, except in a cemetery or Designated Area unless authorized by a Permit.

C. Damage to Property

15. While in a Park, no person shall:
- 1) plant, prune, remove or damage any Tree, Shrub, Plant, flower, flowerbed, bush, sod, grass, or any other vegetation unless otherwise authorized by the Commissioner; or
 - 2) plant, prune, climb, remove, damage, or deface any Tree, Tree roots or parts of a Tree; or
 - 3) remove, damage, disturb or deface any Park Amenity; or
 - 4) climb any Park Amenity, unless the amenity is designated for climbing; or
 - 5) remove any soil, sand, gravel, stone, rocks, wood, or any other material located in the Park.

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PART VII: SPECIFIC PARK USES

A. Campfire and Barbeque

16. While in a Park, no person shall:

- 1) light, build or stoke a fire or without a Permit; or
- 2) use a portable barbecue in an area other than a Designated Area or without a Permit; or
- 3) use fuel other than charcoal or briquettes in a grill provided by the City;
- 4) violate any provisions of the City's *Open Air Burning By-law 49-03*, as amended; or
- 5) leave a barbeque or fire unattended without extinguishing the fire and ensuring that the embers are cold.
- 6) dispose of embers other than the designated location.

B. Special Events

17. No person shall in a Park:

- 1) hold a Special Event for more than twenty-five (25) persons without a Permit; or
- 2) interfere with a Special Event authorized by Permit; or
- 3) engage in cooking except as otherwise provided in this part or in Designated Areas;
- 4) move Park Amenities from an area to another area to accommodate their Special Event.

18. Notwithstanding Section 17, if the event is an Organized Sport or Activity, no person shall arrange or engage in such an Organized Sport or Activity or Special Event except in a Designated Area and with a valid Permit where one is required.

C. Amplifiers and Speakers

19. 1) While in a Park, no person shall operate or use any sound amplifying equipment, in a manner that, in the opinion of a City Staff or an Officer, disturbs or interferes with other persons in or near the Park;
- 2) In addition to Subsection (1), no person shall operate or use any sound amplifying equipment:
 - i. contrary to the provisions of the City's *Noise Control By-law 360-79*, as amended; or
 - ii. as noted by applicable signage; or

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iii. unless authorized through a Permit.

D. Watercrafts

20. No person shall:

- 1) launch a Watercraft anywhere in a Park except in a Designated Area; or
- 2) moor or dock a Watercraft anywhere in a Park except in a Designated Area.

21. No person shall fuel a Watercraft:

- 1) from any Vehicle or other equipment on land, including the piers or docks, except from a Designated Area and using the equipment as provided by the City; or
- 2) from another Watercraft; or
- 3) without a fuel attendant of the City on duty and administering the fuelling at City-owned facilities.

E. Bathing and Swimming

22. No person shall in a Park:

- 1) enter any public swimming or wading pool except at times designated for swimming; or
- 2) disobey posted signs or instructions of any City Staff or Officer in or adjacent to any swimming or wading pool; or
- 3) swim, bathe or wade in any body of water except in designated areas; or
- 4) take any inflatable device, swimming assist, snorkel, or other underwater breathing device into any body of water unless otherwise permitted; or
- 5) misuse or damage the City life saving equipment.

F. Washrooms and Change Rooms

23. 1) A person shall use the restroom or change-room in a Park for the gender identity or gender expression with which they are most comfortable, save and except for the City's Parks Staff or Contractors retained for the purpose of servicing the washroom or change room.
- 2) No person shall use or operate any photographic devices in a restroom or change room in a Park.

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G. Circulars and Advertisements

24. No person shall:

- 1) distribute or display any handbill, notice, or any other type of circulars, bills, advertisements, or any form of promotional item or samples in a Park without a Permit; or
- 2) erect, display, alter or allow the erection, display, or alteration of any sign in a Park unless in compliance with the City's *Sign By-law 54-02*, as amended.

H. Kites

25. No person shall:

- 1) fly a kite with a string made of metal, wire, piano wire, fishing line, or any type of nylon that can be or is chemically treated or contains glass fragments; or
- 2) fly a kite within 25 metres of any Tree, building, light pole, or hydro or other utility pole; or
- 3) fly a kite in Parking Areas, Roadways or pathways; or
- 4) fly a kite for the purpose of competitive flying unless authorized by a Permit; or
- 5) fly a kite where kite flying is prohibited as posted by signage; or
- 6) leave in the Park any part of the kite, including the string or other type of tethering material, except in a waste disposal container.

PART VIII: COMMERCIAL ACTIVITIES

A. General

26. 1) Unless authorized by Permit, no person shall, while in a Park, Sell:

- i. any flowers, food, including fruits and vegetables, drink, or refreshment; or
- ii. any goods, wares, merchandise, or articles, including promotional material, souvenirs and novelties; or
- iii. any art, skill, service, or work.

2) Unless authorized by Permit, no person shall, while in a Park, practice, carry on, conduct, or solicit for any trade, occupation, business, profession, or charity.

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B. Refreshments

27. 1) Every owner of a Park Vendor Vehicle is required to have a Park Vendor Permit in order to operate in a Park and shall prominently display the Park Vendor Permit on the Park Vendor Vehicle when operating in a Park.
- 2) No person may operate, vend, or offer for sale any goods and/or services from a Park Vendor Vehicle unless a valid Park Vendor Permit is prominently displayed on the vehicle.
- 3) Every person issued a Park Vendor Permit shall operate in accordance within the dates, times, and Designated Areas as recorded on the Permit.
28. 1) City staff may request any owner of Park Vendor Vehicle with a valid Park Vendor Permit in a Park, to move from their Designated Area within the Park to accommodate operational needs.
- 2) The City will provide a minimum of five (5) days' notice to the owner that their Designated Area will be changing within the Park and provide a suitable Designated Area within the same Park.
29. Any owner of an Park Vendor Vehicle with a valid Park Vendor Permit in a Park, shall
 - 1) ensure the business is self-contained and located only in the Designated Area;
 - 2) ensure no additional structures or furniture is erected, moved, or placed near their Designated Area;
 - 3) adhere to park hours and vacate the park outside of the hours, or during periods of exceptions as per the Permit;
 - 4) follow all terms and conditions as per the Permit for it to remain valid.

C. Commercial Photography and Videography

30. No person shall:
 - 1) engage in Commercial Photography or Videography except as authorized by a Permit issued by the Commissioner; or
 - 2) film, photograph, or videotape for remuneration without a Permit; or
 - 3) make a television broadcast without a Permit, except if the broadcast is made by the news media.
31. In addition to any other conditions imposed by the Commissioner in the issuance of a Permit for Commercial Photography and Videography as necessary for the proper administration of the Park, every Person or group to whom a Permit for Commercial Photography and

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Videography has been issued shall cease taking photographs immediately after the scheduled block of time as provided on the Permit.

D. Fitness and Instructional Classes

32. No person shall:

- 1) conduct a Fitness and Instructional Class in a Park without a Permit; all activities of the Fitness and Instructional Class shall be only conducted in Designated Areas as specified on the Permit; or
- 2) use the Designated Area or otherwise interfere with the conduct of the Fitness and Instructional Class while the Fitness and Instructional Class is in progress.

E. Busking

33. While Busking in a Park, every Person must carry their Permit with them at all times and only busk at pre-determined designated busking areas as identified through the City's SaugaBuses program.

PART IX: ANIMALS

A. Definitions

34. In this Part,

- 1) **"Animal"** means any member of the animal kingdom or living beings, including mammals, birds, and reptiles but excluding fish;
- 2) **"At Large"** means not being under the control of its owner and in the case of dogs including not being put on a leash;
- 3) **"Dog"** means a domesticated canine animal, male or female;
- 4) **"Leash"** means a rope chain or other restraining device for a dog which may not exceed 1.8 metres long (6 feet);
- 5) **"Leash-Free Zone"** means a Designated Area officially recognized by the City for the purpose of permitting a Dog to be At Large; and
- 6) **"Owner"** means a person who keeps, harbours, have temporary or permanent possession of an animal, and, in the case of a minor, "Owner" means the person responsible for the custody of the minor.

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B. Animals in Parks

35. No person shall:

- 1) bring any Animal other than a domesticated animal into a Park unless authorized by a Permit; or
- 2) allow a Dog to be At Large other than in a Leash-Free Zone; or
- 3) allow a Dog to be At Large in a Leash-Free Zone at a time other than the permitted hours as posted; or
- 4) allow a Dog to be At Large in a Leash-Free Zone without the Owner's supervision; or
- 5) allow an Animal to enter any beach, pond, swimming area, spray pad, garden, landscaped area, playground or sports field, or any other area posted to prohibit the animal; or
- 6) allow an Animal to disturb any wildlife or vegetation; or
- 7) allow an Animal to engage in any activity that is prohibited under Part VI General Prohibition of this by-law; or
- 8) leave excrement left by the animal on any property; or
- 9) have leashed or have in their possession or control between 5 and 8 Dogs in a Park without a Permit; or
- 10) have leashed or have in their possession or control between 5 and 8 Dogs in a Leash-Free Zone without a Permit outside of the hours of 9:00am to 4:00pm, Monday to Friday; or
- 11) have leashed or have in their possession or control more than 8 Dogs in a Park or a Leash-Free Zone.
- 12) allow a child under the age of 12 years old to enter the Leash-Free Zone.

36. 1) An Owner shall immediately remove their Dog from the Leash-Free Zone:

- i. if it creates a nuisance or shows signs of aggressiveness; or
 - ii. at the request of a Parks Staff or an Officer, if in the opinion of the Parks Staff or Officer, the Animal is showing signs of aggressiveness or creating a nuisance, or if the owner fails to supervise the Animal and keep it under control while being At Large.
- 2) Notwithstanding Subsection 37, an Owner shall not permit their Animal to enter into any area within the Leash-Free Zone which access is prohibited through signage by the City.

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- 3) Subsection 37 does not apply to a person who has control of a service animal where it is being used to aid a person with a visual, hearing or other impediment.

C. Protection of Wildlife

37. No person shall:

- 1) kill, attempt to kill, hunt, trap, fish, or otherwise pursue an Animal in any manner so as to disturb its presence in the Park; or
- 2) feed any animal or leave food or attractants of any type or in any form in a Park; or
- 3) dump or dispose of any animal (living or dead) in a Park.

D. Fishing

38. No person shall:

- 1) fish in an area where it is prohibited to do so and as noted by applicable signage, in any Park;
- 2) fish in any Park except in compliance with the *Fish and Wildlife Conservation Act, 1997, S.O. 1997, c.41* as amended and the *Fisheries Act, Chapter F-14*, as amended;
- 3) clean any fish caught or captured in the Park or deposit fish remains in any body of water, unless at a designated fish cleaning facility;

PART X: VEHICLES

A. General Prohibitions

39. 1) Unless otherwise permitted, no person shall drive, operate, pull, or ride any Vehicle in a Park except on a Roadway or Parking Area.
- 2) Unless otherwise permitted, no person shall allow another person to drive, operate, pull, or ride any Vehicle that is in their care or possession in a Park except on a Roadway or Parking Area.
- 3) In addition to Subsection (1), no person shall drive or operate or park:
- i. any heavy machinery or equipment of whatever mode of power; or
 - ii. any truck or trailer except for the purpose of making a delivery to a point within the limits of the Park; or

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- iii. any recreational vehicles commonly known as “RV”s which may provide living accommodations for persons; or
 - iv. any Motorized Recreational Vehicles.
 - 4) Subsection (2) does not apply to an owner of a Park Vendor Vehicle, or their designated operator, who holds a valid Park Vendor Permit issued under this by-law for the purpose of operating a Park Vendor Vehicle in the Park.
40. No person shall use a Roadway or Parking Area in a Park for:
- 1) washing, cleaning, servicing, maintaining or the repair of a Vehicle; or
 - 2) instructing, teaching, or coaching any person in the driving or operation of a Vehicle, except for a Bicycle; or
 - 3) games or sport activities.
41. 1) No person shall park any vehicle in a Parking Area except while using the Park during Park hours.
- 2) No person shall park a school bus in a Park except for the purpose of pick-up and drop-off, and in any event, no person shall park a school bus for that purpose for more than 30 minutes.
- 3) City Staff or an Officer may direct vehicular or pedestrian traffic at their discretion where it is considered reasonably necessary to ensure the orderly movement of traffic, or to permit action in an emergency.

B. Bicycles

42. 1) Notwithstanding Section 41, a person may ride a Bicycle on a Multi-use Recreation Trail within a Park, unless otherwise posted.
- 2) All Bicycles must be equipped with front white light and rear red light, or reflector, at night from 30 minutes before dusk and 30 minutes after dawn.
- 3) All Bicycles must be equipped with a bell or horn at all times.
- 4) All Persons under the age of 18 must wear a helmet at all times.
- 5) No person shall obstruct, inconvenience or endanger other users of a Park while riding or operating a Bicycle.

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C. Commercial Vehicles

43. In addition to Section 41, no person shall drive, operate, pull, ride, or park any Commercial Vehicles in a Park unless the person and/or the owner of the vehicle:
- 1) has a valid Permit issued by the Commissioner to conduct commercial activities using the Vehicle in the Park; and
 - 2) satisfies all licensing requirements as provided in other applicable City by-laws for the operation of such Commercial Vehicle in the City;
 - 3) complies with all the provisions in the Permit as issued by the Commissioner.

D. Speed

44. No person shall operate a Vehicle on a Roadway in excess of the posted limit.
45. All Roadways in a Park shall have a maximum speed limit of 25 kilometers per hour for all Vehicles, unless otherwise posted.

PART XI: ENFORCEMENT

46. 1) City Staff or an Officer may order any person believed to be contravening or have contravened any provision of this By-law:
- i. to immediately cease and desist from the activity constituting or contributing to such contravention; or
 - ii. to immediately remove from the Park any Animal or thing owned by or in the control of such person which is involved in such contravention; or
 - iii. to leave the Park immediately; or
 - iv. no person shall knowingly provide any false information in any statement, whether in writing or otherwise, made to an Officer investigating an offence under this by-law; or
 - v. where an Officer believes that any person has committed or is committing an offence under this by-law, the Officer may require the name, address and proof of identity of that person, and the person shall supply the required information.
- 2) City Staff or an Officer may order any person engaging in an activity that requires a Permit under this by-law to provide the original copy of the Permit for inspection.
- 3) No person shall fail to comply with the order given by City Staff or an Officer or Subsections (1) or (2).

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- 4) No person shall willfully obstruct, hinder or otherwise interfere with an Officer in the performance of their duties or the exercise of their rights, functions, powers or authority under this by-law.
47. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P-33*, as amended and the *Municipal Act, 2001*, as each may be amended from time to time.
48. In addition to Section 47 of this by-law, any person who is charged with an offence under this by-law by the laying of an information under Part III of the *Provincial Offences Act, R.S.O. 1990, c. P-33*, as amended and the *Municipal Act, 2001*, as each may be amended from time to time and is found guilty of the offence is liable:
- 1) on a first conviction to a fine of not more than \$15,000.00 and
 - 2) on any subsequent conviction to a fine of not more than \$30,000.00.

PART XII: CONFLICT

49. In the event of any conflict between this by-law and the City's *Animal Care and Control By-law 0098-2004*, as amended, the *Animal Care and Control By-law* shall take precedence.

PART XIII: VALIDITY

50. If a court of competent jurisdiction declares any section or part of a section of the by-law invalid, it is the intention of Council that the remainder of the by-law shall continue to be in force.

PART XIV: INTERPRETATION

51. If a court of competent jurisdiction declares any provisions or part of a provision of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

PART XV: SHORT TITLE

52. This by-law may be referred to as the "Parks By-law".

ENACTED and PASSED this DD day of MM, YYYY.

Signed by: Bonnie Crombie, Mayor Diana Rusnov, City Clerk



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(Amended by 80-06, 133-06, 281-11, 40-12, 154-14, 109-15, 149-15, 136-18)

WHEREAS subsection 11(3) 5. of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended ("*Municipal Act*") provides that a municipality may pass by-laws respecting culture, parks, recreation and heritage;

AND WHEREAS subsection 11(3) 1. and 8. of the *Municipal Act* provide that a municipality may pass by-laws with respect to highways, including parking and traffic on highways and parking, except on highways;

AND WHEREAS subsection 11(2) 5. of the *Municipal Act* provides that a municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS section 444 of the *Municipal Act* provided that a municipality may make an order to require a Person to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS section 445 of the *Municipal Act* provides that a municipality may make an order requiring a Person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS section 446 of the *Municipal Act* provides that a municipality may proceed to do things at a Person's expense which that Person is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS subsection 128(2) of the *Highway Traffic Act*, R.S.O. 1990, c. H-8 (HTA), as amended, provides that a municipality may pass by-laws prescribing a rate of speed different from the rate set out in subsection (1) of the HTA that is not greater than 100km per hour and may prescribe different rates of speed for different times of day;

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

PART I: DEFINITIONS

1. In this By-law,

“Authorized Sign” means any sign, notice, or other device placed or erected in or upon a park by the City; (281-11)

“Bicycle” means a power assisted bicycle or any cycle propelled or driven by muscular power and equipped with an alarm bell, gong or horn, regardless of the number of wheels it has; (281-11)

“City” means The Corporation of the City of Mississauga; (281-11, 40-12)

“Commercial Vehicle” means a vehicle where goods and/or services are sold or offered for sale, and includes a refreshment vehicle and ice cream truck;

“City Limits” means the land located within the territorial boundaries of the City of Mississauga; (281-11, 40-12)

“Commissioner” means the Commissioner of Community Services or his or her designate in writing; (281-11)

“Council” means the Council of the City; (281-11)

“Designated Area” means an area of a park designated by the Commissioner for a specific purpose or use;

“Fence” means any physical barrier erected for the purpose of demarcation, including a railing, wall, hedge, line of posts, shrubs, trees, wire, gate, boards, pickets or other similar substances;

“Fireworks” means a pyrotechnic device or a substance that is made, manufactured or used to produce an explosion or detonation, including fireworks composition and manufactured fireworks as defined in the *Explosives Act*, R.S.C. 1985, c. E-17, as amended;

“Group Photography” means a group of two (2) or more people who are engaging in photography where such photography would disrupt park users or otherwise restrict use of the park by park users; (281-11, 40-12)

“Ice Cream Truck” means a Vehicle or cart from which ice cream, ice cream cones, iced milk or other iced confection, refreshments or foodstuff are sold or offered for sale to the public; (281-11)

“Ice Cream Truck Park Permit” means a permit issued to an owner of an Ice Cream Truck to operate an Ice Cream Truck in the designated Park of the City ; (281-11, 40-12)

“Motorized Recreational Vehicle” means a vehicle that is propelled or driven by an internal combustion engine or electric engine and that is used for recreational purposes, including but not limited to a snowmobile, go-cart, golf cart, trail bike, mini bike, motorized scooters, Power Assisted Bicycle or all terrain Vehicle; (281-11)

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“Multi-purpose Pad” means an asphalt or concrete surface area for non-motorized activities, such as – without limiting the generality thereof - basketball, skateboarding, roller-blade and street hockey;

“Multi-use Recreational Trail” means a multi-purpose path whether paved or unpaved, designed to permit the use by pedestrians and non-motorized conveyances, except motorized wheelchairs, unless otherwise posted; (281-11)

“Officer” means a Police Officer or an individual employed by the City to perform the duties of enforcing By-laws and appointed by Council as a Municipal Law Enforcement Officer as designated in the City of Mississauga By-law 299-04 (as amended), or its successors; (281-11, 40-12)

“Organized Sport or Activity” means a sport, game or activity that has been pre-planned and that involves more than one player;

“Park” means the land, including any body of water, buildings or structures located therein, that is owned by or made available to the City by lease, agreement, or otherwise, and that is established, dedicated, set apart or made available for use as public open space; but does not include a marina, golf course, or cemetery; (281-11)

“Parking Area” means a part of a park that is designated for the parking of motor vehicles;

“Parks Staff” means any permanent full-time employee in the Parks and Forestry Division of the City; (281-11, 154-14))

“Permit” means written permission or written authorization issued by the Commissioner under this By-law, issued for the temporary use or access to a park which shall include, but not limited to, a facilities rental contract, temporary access permit and a dog walker permit; (154-14, 109-15)

“Person” means an individual, partnership, association, firm or corporation, and in the case of a minor, the person having custody of the minor;

“Police Officer” means a chief of police or any other police officer, including a person who is appointed as a police officer under the *Interprovincial Policing Act, 2009*, but does not include a special constable, a First Nations Constable, a municipal law enforcement officer or an auxiliary member of a police force; (agent de police); (281-11)

“Power-Assisted Bicycle” means a Power-Assisted Bicycle as defined in the *Highway Traffic Act*, R.S.O. , c. H.8 but not weighing in excess of 40kg; (281-11, 154-14)

“Refreshment Vehicle” means a vehicle from which food or drinks are sold or offered for sale to the public but does not include an ice cream truck;

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“Refreshment Vehicle Park Permit” means a permit issued to an owner of a refreshment vehicle to operate a refreshment vehicle in the designated area as specified on the permit;

“Roadway” means a road that has been designed for vehicular traffic use; (281-11)

“Tree” means a tree, shrub or any form of vegetation;

“Vehicle” means an automobile, truck, motorcycle, motor assisted bicycle, traction engine, farm implement or equipment, motorized construction equipment, snowmobile, aeroplane, trailer or any other vehicle which is capable of being driven, propelled, or drawn by any kind of combustible, motorized, battery, solar or electric power, but does not include a motorized wheelchair; (281-11, 154-14)

“Watercraft” means any device for conveyance in or on water, including but not limited to boats, jet skis, row boats, sailboards, canoes, kayaks, and dinghies; (154-14)

“Woodland” means forested land covered with woody vegetation. (281-11)

PART II: ADMINISTRATION

2. 1) The Commissioner shall be responsible for the administration and enforcement of this By-law.
- 2) As part of his/her responsibility to administer this By-law, the Commissioner may: (281-11)
 - a) designate designated areas within a park including Special Management Areas which are listed in Schedule C of this By-law. (154-14)
 - b) designate areas within a park from which the public is excluded; (281-11)
 - c) make regulations and impose conditions upon which a designated area shall be used;
 - d) make regulations and impose conditions for the orderly use of a park and any park facilities;
 - e) issue permits for specific uses of a park or parts of a park;
 - f) impose conditions as a requirement of obtaining, continuing to hold or renewing a permit, in addition to the requirements under this By-law, and such conditions may vary depending on the type of permit; and
 - g) revoke a permit as a result of a breach of a condition of the permit or a provision of this By-law.

PART III: EXEMPTIONS

3. This By-law shall not apply to:
 - 1) employees or agents of ambulance and police services acting in the scope of their duties to provide emergency services or enforcement activities within a park;
 - 2) the vehicles and other properties of ambulance and police services used for the purpose of providing emergency services or engaging in enforcement activities within a park;
 - 3) the City, its vehicles, and its employees or agents acting within the scope of their duties as employees or agents of the City. (281-11)
4. The Commissioner may exempt persons from all or part of the requirements and prohibitions of this By-law from time to time if such exemption is required for the beneficial administration of a park.

PART IV: PERMITS

5. An applicant for a permit under this By-law shall:
 - 1) complete an application for the permit on the forms as provided by the Commissioner;
 - 2) submit a completed application together with the applicable fees as set out in the applicable City of Mississauga Fees and Charges By-law, which may include a security deposit; (281-11, 40-12, 149-15)
 - 3) provide any documentation and insurance certificates as required by the Commissioner or Parks Staff as prerequisites and requirements for the issuance of the permit. (154-14)
6.
 - 1) A permit holder shall comply or ensure the compliance of all the provisions and conditions of the permit and this by-law.
 - 2) Failure to comply with any provision or condition of a permit or this By-law may result in the revocation of the permit by the Commissioner or Parks Staff, in addition to any other enforcement proceedings against the permit holder as permitted by law. (154-14)
 - 3) The permit holder of a revoked permit shall immediately cease or ensure the immediate cessation of all the activities for which a permit has been issued upon revocation of the permit under subsection (2).

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- 4) Where a permit holder has damaged any park property, including but not limited to, landscaping, trees or park facilities, the permit holder may be ordered to (149-15)
 - (i) repair and/or compensate for the damage to the satisfaction of the City at the expense of the permit holder; and/or
 - (ii) provide any studies or documentation, as deemed appropriate by Parks staff, to determine the extent of the damage before repairing the damage.
- 5) If the permit holder fails to comply with an order made under subsection 6(4) or if the City chooses to correct the damage itself, the City may correct the damage and use any security deposit posted by the permit holder to pay for any costs associated with carrying out the work. (149-15)
- 6) If the costs incurred by the City in carrying out any work under subsection 6(5) are greater than the security deposit posted by the permit holder, any costs not covered by the security deposit shall be a debt owed by the permit holder to the City and the City may recover the costs of carrying out the work from the permit holder or add the costs to the tax roll of the property in question and collect them in the same manner as property taxes. (149-15)
7. The issuance of a permit under this By-law does not relieve any person from the necessity of acquiring any other license or permit required for carrying on an activity in a park under any other applicable laws, by-laws, regulations, and requirements of other governmental authority.
8. A permit is the property of the City and is not transferable. (281-11)

PART V: HOURS

9. All parks shall close at 11:00 pm and shall remain closed until 7:00am the following day, unless otherwise specified in this Part or Schedule A of this By-law. (281-11)
10. 1) Notwithstanding section 9, the Commissioner or Officer may close a park or portion of a park for a period of time, where the Commissioner or Officer determines that it is necessary: (154-14)
 - (a) to maintain the safety or security of the park; or
 - (b) to conduct an investigation; or
 - (c) to allow the Commissioner or Officer to adequately administer and enforce this By-law; or
 - (d) for the beneficial administration of the park or to carry out the functions as authorized by a Permit for use of the park or part of the park.

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- 2) The Commissioner shall not close a park or a portion of a park for a different period of time as provided in section 9 for more than 6 consecutive months without Council approval.

PART VI: GENERAL PROHIBITION

Park Entry

11. No person shall:
 - 1) enter or remain in a park after it has been closed, unless otherwise permitted; or
 - 2) enter or remain in an area of a park where admission is prohibited or restricted without a permit; or
 - 3) enter or access through a park for the purpose of conducting any work on private property or park property without a permit; or (149-15)
 - 4) enter or access through a woodland between dusk and dawn.

General Conduct

12. While in a park, no person shall:
 - 1) engage in riotous, boisterous, violent, threatening, or illegal activity, or use profane or abusive language; or (154-14)
 - 2) engage in any activity that creates a nuisance or that interferes with the use and enjoyment of the park by other persons; or
 - 3) engage in any activity that may cause injury or damage to any person, animal, tree or property; or
 - 4) engage in archery; or
 - 5) engage in the shooting of a sling-shot or a projectile of any nature; or
 - 6) disobey an authorized sign; or
 - 7) fire or set off any fireworks without a valid permit issued under By-law 0293-2001, as amended, being a by-law respecting the setting off of Fireworks within the City Limits; or (281-11, 40-12)
 - 8) release any balloons without a permit; or

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- 9) operate any remote-controlled or other powered devices, including but not limited to, model versions of aircraft, rockets, watercraft and vehicles, other than in a designated area unless authorized by Permit; or
- 10) use a skateboard other than in a designated area; or
- 11) use roller-blades anywhere in a park other than in a multi-use recreational trail or a multi-purpose pad; or
- 12) golf; or
- 13) erect, place, install, or cause the erection, placing or installation of any permanent or temporary structure, tent or booth without a permit; or
- 14) camp, erect or place a tent for shelter or temporary abode of any kind; or
- 15) operate any motor vehicle or any other form of motorized conveyances on a multi-purpose pad or multi-use recreational trail; or (281-11)
- 16) skate, walk, or engage in any activities on snow/ice-covered ponds, lakes, streams, rivers, or any other snow/ice-covered bodies of water; or (281-11)
- 17) ski, toboggan, snowboard, skibob, or sled except at designated areas in the parks listed in Schedule B of this By-law; or (281-11)
- 18) possess, consume, serve or sell alcoholic beverages unless authorized by a Permit, and after having complied with all of the requirements of the *Liquor License Act*, R.S.O. 1990 c.L19; or (281-11, 154-14)
- 19) engage in group photography in a designated park except as authorized by a Permit; or (281-11, 154-14)
- 20) be in possession of or use a firearm, air gun, cross bow, bow and arrow, axe, paint guns or any similar weapon of any kind unless authorized by Permit; or (154-14)
- 21) urinate or defecate except in a designated washroom; or (154-14)
- 22) activate any emergency alarm or device, or use any emergency telephone except in situations of emergency; or (154-14)
- 23) operate a metal detector; or (154-14)
- 24) cause to take place or participate in a marriage ceremony except in a designated area unless authorized by Permit; or (154-14)
- 25) enter or attempt to enter any area locked or otherwise restricted from public access; or (154-14)

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- 26) make use of an area designated for tennis except in accordance with the posted rules and regulations; or (154-14)
 - 27) fail to comply with an order given by Parks Staff or an Officer; or (154-14)
 - 28) engage in hockey or carry or use a hockey stick or similar equipment on a natural or artificial ice surface which is designated for pleasure skating only unless authorized by posted rules or Permit. (154-14)
 - 29) smoke/consume cannabis. (136-18)
13. No person shall dump, deposit, drain, or otherwise dispose of:
- 1) any waste anywhere in the park, except waste generated from the use of the park and wholly into receptacles provided in the park for such purposes; or
 - 2) any snow, fill, soil, or construction materials in a park without a permit; or
 - 3) any material into any pool, pond, lake, stream, fountain, watercourse, or any other body of water in a park; or
 - 4) any material into any soils in a park.
14. No person shall bury, scatter, or otherwise dispose of any cremated remains in a park.

Damage to Property

15. While in a park, no person shall:
- 1) plant, prune, remove or damage any plant, shrub, flower, flowerbed, bush, sod, grass, or any other vegetation unless otherwise authorized by the Commissioner; (281-11)
 - 2) plant, prune, climb, remove, damage, or deface any tree, tree roots or parts of a Tree ; or (281-11)
 - 3) climb, remove, damage, or deface any fence, bench, seat, table, monument, fountain, or sign; or
 - 4) climb any building, structure or equipment, unless the structure or equipment is designed for climbing; or
 - 5) damage or deface any building, structure or equipment; or
 - 6) damage or disturb in any manner grounds prepared for planting; or

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- 7) remove any soil, sand, gravel, stone, rocks, wood, or any other material located in the park.

PART VII: SPECIFIC PARK USES

Campfire and Barbeque

16. While in a park, no person shall:
 - 1) light, build or stoke a fire or bonfire without a permit; or
 - 2) use a solid fuelled portable barbecue in an area other than a designated area or without a permit; or
 - 3) use fuel other than charcoal or briquettes in a barbecue provided by the City, unless authorized by permit; or (281-11)
 - 4) violate any provisions of the Open Air Burning By-law 49-03, as amended; or (154-14)
 - 5) leave a barbeque or campfire unattended without extinguishing the fire and ensuring that the embers are cold. (154-14)

Organized Gatherings and Picnics

17. No person shall in a park:
 - 1) hold a picnic, organized gathering or event for more than twenty-five persons without a permit; or
 - 2) interfere with a picnic, organized gathering or event authorized by permit; or
 - 3) engage in cooking except as otherwise provided in this part or in designated areas.
18. Notwithstanding section 17, if the organized gathering or event is an organized sport activity, no person shall arrange or engage in such a sport activity or event except in a designated area and with a valid permit where one is required.

Amplifiers and Speakers

19.
 - 1) While in a park, no person shall operate or use any sound amplifying equipment, including but not limited to a radio, tape player, compact disc player, and car radio in a manner that, in the opinion of a Park Staff or an officer, disturbs or interferes with other persons in or near the park. (281-11)

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- 2) In addition to subsection (1), no person shall operate or use any sound amplifying equipment:
 - a) contrary to the provisions of the City of Mississauga Noise Control By-law 360-79, as amended; or (281-11, 40-12)
 - b) in Erindale Park without a permit; or (281-11, 40-12)
 - c) in Huron Park; or
 - d) in Jack Darling Memorial Park; or (281-11)
 - e) in Meadowvale Conservation Park; or (154-14)
 - f) in Richard's Memorial Park (154-14)

Group Photography

20. No person shall engage in Group Photography except as authorized by a Permit issued by the Commissioner. (281-11)
21. Repealed (281-11)
22. In addition to any other conditions imposed by the Commissioner in the issuance of a Permit for Group Photography as necessary for the proper administration of the Park, every Person or group to whom a Permit for Group Photography has been issued shall depart the Park immediately after the scheduled block of time as provided on the Permit. (281-11)

Watercrafts

23. No person shall:
 - 1) launch a watercraft anywhere in a park except in a designated boat ramp; or
 - 2) moor or dock a watercraft anywhere in a park except in a designated area.
24. No person shall fuel a watercraft:
 - 1) from any vehicle or other equipment on land, including the piers or docks, except from a designated area and using the equipment as provided by the City; or (281-11)
 - 2) from another watercraft; or
 - 3) without a fuel attendant of the City on duty and supervising the fuelling. (281-11)

Bathing, Swimming

25. No person shall in a park:
- 1) enter any public swimming pool except at times designated for swimming; or
 - 2) disobey posted signs or instructions of any lifeguard or officer in or adjacent to any swimming pool; or (281-11)
 - 3) swim, bathe or wade in any fountain, pond, lake, stream, or any body of water except in designated areas; or
 - 4) take any inflatable device, swimming assist, snorkel, or other underwater breathing device into any body of water unless otherwise permitted; or
 - 5) misuse or damage the City life saving equipment. (281-11)

Washrooms and Change-rooms

26. 1) No person shall enter into any washroom, bathhouse, or change-room in a park set apart for the opposite sex save and except for the City's contractor's retained for the purpose of servicing the washroom, bathhouse or change-room. (281-11)
- 2) No person shall use or operate or turn on any photographic devices, including cameras, video equipment, and cellular phones with video or photographic functions, in a washroom, bathhouse, or change-room in a park.

Commercial Activities

27. 1) Unless authorized by permit, no person shall, while in a park, sell, offer to sell, or display for sale:
- a) any flowers, food, including fruits and vegetables, drink, or refreshment; or
 - b) any goods, wares, merchandise, or articles, including promotional material, souvenirs and novelties; or
 - c) any art, skill, service, or work.
- 2) Unless authorized by permit, no person shall, while in a park, practice, carry on, conduct, or solicit for any trade, occupation, business, profession, or charity.
28. While in a park, no person shall:
- 1) film, photograph, or videotape for remuneration without a permit; or

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- 2) make television broadcast without a permit, except if the broadcast is made by the news media.
- 29. 1) Every owner of an ice cream truck shall prominently display the Ice Cream Truck Park Permit on the ice cream truck(s) when the owner's ice cream truck(s) is operating in a park.
- 2) No person may operate, vend, or offer for sale any goods from an ice cream truck unless a valid Ice Cream Truck Park Permit is prominently displayed on the truck.
- 30. 1) Every owner of a refreshment vehicle shall prominently display the Refreshment Vehicle Park Permit on the refreshment vehicle(s) when the owner's refreshment vehicle(s) is operating in a park.
- 2) No person may operate, vend, or offer for sale any goods from a refreshment vehicle unless a valid Refreshment Vehicle Park Permit is prominently displayed on the vehicle.

Circulars and Advertisements

- 31. No person shall:
 - 1) distribute or display any handbill, notice, or any other type of circulars, bills, advertisements, or any form of promotional item or samples in a park without a permit; or
 - 2) erect, display, alter or allow the erection, display, or alteration of any sign in a park unless in compliance with the City of Mississauga Sign By-law 54-02, as amended. (281-11, 40-12)

PART VIII: ANIMALS

Definitions

- 32. In this Part,
 - 1) **"at large"** means not being under the control of its owner and in the case of dogs including not being put on a leash;
 - 2) **"owner"** means a person who keeps, harbours, have temporary or permanent possession of an animal, and, in the case of a minor, "owner" means the person responsible for the custody of the minor;
 - 3) **"leash"** means a rope chain or other restraining device for a dog which may not exceed two (2) metres long; and

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- 4) **“leash-free zone”** means a designated area as listed on the City website at <http://www.mississauga.ca/portal/residents/leashfree> for the purpose of permitting an animal to be at large. (281-11, 40-12, 154-14)

Animals in Parks

33. 1) No person shall: (154-14)
- a) bring any animal other than a domesticated animal into a park unless authorized by a permit; or
 - b) allow an animal to be at large other than in a leash-free zone; or
 - c) allow an animal to be at large in a leash free zone at a time other than the permitted hours as provided on the City website; or (281-11, 40-12)
 - d) allow an animal at large in a leash-free zone without the owner’s supervision; or
 - e) allow an animal to enter any beach, pond, swimming area, spray pad, garden, landscaped area, playground or sports field, or any other area posted to prohibit the animal; or (154-14)
 - f) allow an animal to disturb any wildlife or vegetation; or (281-11)
 - g) allow an animal to engage in any activity that is prohibited under Part VI of this By-law; (154-14, 109-15)
 - h) Allow an animal under his or her control to defecate in a park without removing and disposing of any excrement deposited by the animal on the grounds of the park. (154-14)
 - i) have leashed or have in his/her possession or control between 5 and 8 dogs in a Park with a Leash-Free Zone or a Leash-Free Zone without a Permit; or (109-150)
 - j) have leashed or have in his/her possession or control more than 8 dogs in a Park with a Leash-Free Zone or a Leash-Free Zone. (109-15)
- 2) Notwithstanding subsection (1), an owner shall not permit his animal to enter into any area within the leash-free zone which access is prohibited through signage by the City. (281-11)
- 3) Subsection (33)(1) does not apply to a person who has control of a service animal where is is being used to aid a person with a visual, hearing or other impediment. (154-14)

34. An owner shall immediately remove his animal from the leash-free zone:
- 1) if it creates a nuisance or shows signs of aggressiveness towards another person or animal; or
 - 2) at the request of a Park Staff or an officer, if in the opinion of the Park Staff or officer, the animal is showing signs of aggressiveness towards another person or animal or creating a nuisance, or if the owner fails to supervise the animal and keep it under control while being at large. (281-11)

Protection of Wildlife

35. No person shall:
- 1) kill, attempt to kill, hunt, trap, fish, or otherwise pursue an animal in any manner so as to disturb its presence in the park; or
 - 2) feed any waterfowl except in designated area.
36. Section 35 does not apply to fishing in the Credit River, Lake Aquitaine, Lake Wabukayne, Lake Ontario, or in any other lakes or streams where fishing is permitted by posted signs.

Animal Care and Control By-law

37. Repealed (281-11)

PART IX: VEHICLES

General Prohibitions

38. 1) Unless otherwise permitted, no person shall drive, operate, pull, or ride any vehicle in a park except on a roadway or parking area.
- 2) Unless otherwise permitted, no Person shall allow another Person to drive, operate, pull, or ride any Vehicle that is in their care or possession in a Park except on a Roadway or Parking Area. (281-11)
- 3) In addition to subsection (1), no person shall drive or operate or park: (281-11)
- i) any heavy machinery or equipment of whatever mode of power; or
 - ii) any truck or trailer except for the purpose of making a delivery to a point within the limits of the park; or

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- iii) any recreational vehicles commonly known as "RV"s which may provide living accommodations for persons; or
 - iv) a snowmobile.
 - 4) Subsection (2) does not apply to an owner of an ice cream truck or refreshment vehicle who holds a valid permit issued under this By-law for the purpose of operating an ice cream truck or a refreshment vehicle in the park. (281-11)
39. No person shall use a roadway or parking area in a park for:
- 1) washing, cleaning, servicing, maintaining or the repair of a vehicle; or
 - 2) instructing, teaching, or coaching any person in the driving or operation of a vehicle, except for a bicycle; or
 - 3) games or sport activities.
40. 1) No person shall park any vehicle in a parking space except while using the park.
- 2) No person shall park a school bus in a park except for the purpose of pick-up and drop-off, and in any event, no person shall park a school bus for that purpose for more than 30 minutes.
 - 3) An Officer or Parks Staff may direct vehicular or pedestrian traffic at their discretion where it is considered reasonably necessary to ensure the orderly movement of traffic, or to permit action in an emergency. (154-14)

Bicycles

41. 1) Notwithstanding section 38, a Person may ride a Bicycle on a Multi-use Recreation Trail within a Park, unless otherwise posted. (281-11, 154-14)
- 2) All Bicycles must be equipped with lights for use after dusk. (154-14)
 - 3) No person shall obstruct, inconvenience or endanger other users of a park while riding or operating a Bicycle. (154-14)

Commercial Vehicles

42. In addition to section 38, no person shall drive, operate, pull, ride, or park any commercial vehicles in a park unless the person and/or the owner of the vehicle:
- 1) has a valid permit issued by the Commissioner to conduct commercial activities using the vehicle in the park; and

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- 2) satisfies all licensing requirements as provided in other applicable City Limits of Mississauga by-laws for the operation of such commercial motor vehicle in the City; (281-11, 40-12)
- 3) complies with all the provisions in the permit as issued by the Commissioner.

Speed

43. No person shall operate a motor vehicle on a roadway in excess of the posted limit.
44. All roadways in a park shall have a maximum speed limit of 25 kilometers per hour for all vehicles.

PART X: ENFORCEMENT

45.
 - 1) An officer or Parks Staff may order any person believed to be contravening or have contravened any provision of this By-law: (281-11)
 - a) to immediately desist from the activity constituting or contributing to such contravention; or
 - b) to immediately remove from the park any animal or thing owned by or in the control of such person which is involved in such contravention; or
 - c) to leave the park immediately.
 - d) No person shall knowingly provide any false information in any statement, whether in writing or otherwise, made to an officer investigating an offence under this by-law. (281-11)
 - e) Where an Officer believes that any person has committed or is committing an offence under this By-law, the officer may require the name, address and proof of identity of that person, and the person shall supply the required information. (154-14)
 - 2) An officer or Parks Staff may order any person engaging in an activity that requires a permit under this by-law to provide the original copy of the permit for inspection. (281-11)
 - 3) No person shall fail to comply with the order given by an officer or Parks Staff in subsections (1) or (2). (281-11)
 - 4) No person shall willfully obstruct, hinder or otherwise interfere with an officer in the performance of their duties or the exercise of their rights, functions, powers or authority under this by-law. (281-11)

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46. Every person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P-33, as amended and the *Municipal Act, 2001*, as each may be amended from time to time. (281-11)
47. In addition to Section 46 of this By-law, any person who is charged with an offence under this By-law by the laying of an information under Part III of the Provincial Offences Act and is found guilty of the offence is liable: (281-11)
- (i) on a first conviction to a fine of not more than \$15,000.00 and (40-12)
 - (ii) on any subsequent conviction to a fine of not more than \$30,000.00.

PART XI: CONFLICT

48. In the event of any conflict between this By-law and the City of Mississauga Animal Care and Control By-law 0098-2004, as amended, the Animal Care and Control By-law shall take precedence. (281-11, 40-12)

PART XII: VALIDITY

49. If a court of competent jurisdiction declares any section or part of a section of the By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force. (281-11)

PART XIII: INTERPRETATION

50. If a court of competent jurisdiction declares any provisions or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law. (281-11)

PART XIV: SHORT TITLE

51. This By-law may be referred to as the "Parks By-law".

ENACTED and PASSED this 25th day of May, 2005.

Signed by: Hazel McCallion, Mayor Crystal Greer, City Clerk

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SCHEDULE A

Special Park Closing Times

(amended by 154-14)

PARK	CLOSING TIMES
Bradley Museum	Gates closed to vehicle access between 9pm to 7am the following day, unless otherwise authorized by Permit. Park closed to access by any person between 11pm and 7am the following day.
Jack Darling Park*	Gates closed to vehicle access between 9pm and 7am the following day. Park closed to access by any person between 11pm and 7am the following day.
Kariya Park	Closed between dusk and 7am the following day.
Lakeside Park & Totoredaca Park Leash Free Zones	Closed midnight to 5:30am the following day
Quenipponon Park Leash Free Zones	Close 9:30pm to 7am the following day.

* Jack Darling Park Leash Free Zone will be open from 7am to 11pm daily except between Victoria Day weekend and Labour Day. From Victoria Day weekend to Labour Day, the Jack Darling Leash Free Zone will be open:

- 7am to 11pm Monday to Friday
- 7am to 11am and 7pm to 11pm only Saturdays, Sundays and Statutory Holidays

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SCHEDULE B

Parks for Skiing, Tobogganing, Snowboarding, Skibobbing/Sledding

Birchwood Park

Brookmede Park

Erindale Park

Jack Darling Park

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**SCHEDULE C
SPECIAL MANAGEMENT AREAS**

(amended by 154-14)

Brueckner Rhododendron Gardens

- Dogs not permitted in horticultural beds

McEwan Terrace Garden

- Dogs not permitted in the garden area
- Bicycles not permitted

Kariya Park

- Dogs not permitted

Jubilee Gardens (Civic Centre)

- Dogs not permitted

City of Mississauga Corporate Report



11.3.

Date: July 20, 2020

To: Mayor and Members of Council

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of
Corporate Services and Chief Financial Officer

Originator's files:

Meeting date:
August 5, 2020

Subject

City Wide Requirements for Virtualization Technology Software, Maintenance, Technical Support and Services – Adoption of Vendor of Record Province of Ontario Agreement “Tender 6718” (File Ref: PRC002464)

Recommendation

1. That Council approve the single source procurement for professional services, software licensing, maintenance and support for a period ending on July 24, 2021, with the option to extend the term for an additional two (2) one (1) year periods, as detailed in the corporate report entitled City Wide Requirements for Virtualization Technology Software, Maintenance, Technical Support and Services – Adoption of Vendor of Record Province of Ontario Agreement “Tender 6718”, dated July 20, 2020, from the Commissioner of Corporate Services and Chief Financial Officer (“Purchase”), File Ref: PRC002464;
2. That the Purchasing Agent or designate be authorized to execute all contracts and related ancillary documents with respect to the Purchase between the City and OnX Enterprise Solutions Ltd. and between the City and TeraMach Technologies Inc. for an estimated combined amount of \$1,183,927 exclusive of taxes, in accordance with the City's Purchasing By-law 374-06, as amended;
3. That the Purchasing Agent or designate be authorized to execute the necessary amendments to increase the value of the contracts between the City and OnX Enterprise Solutions Ltd. and between the City and TeraMach Technologies Inc. for professional services, software licensing, maintenance and support, including additional products, services, features, modules and systems, for the purpose of accommodating growth, if the funding for such contract increase has been approved by Council.

Report Highlights

- The City's virtual server landscape consists of approximately 900 systems in total, 765 pooled VMWare virtualized systems and 135 physical systems. Virtualization is a major

driver and an important aspect of the decision to support ever-growing City business needs and requirements

- The City has standardised on VMWare architecture and leverages features and functionality to support High Availability (HA) system resiliency
- The Province of Ontario conducted an open and competitive procurement process, and as a result, on June 25, 2018 awarded TeraMach Technologies Inc. as the primary VMWare vendor and ONX Enterprise Solutions Ltd. as the successful Red Hat Solutions vendor
- The City has standardized with SAP financial systems since 1997. SAP HANA is the next major upgrade underway and servers that house the HANA databases are only supported by SAP on Enterprise Linux Operating Systems such as Red Hat
- The VOR Agreement provides cost certainty for Virtualization Technology Software

Background

The City of Mississauga's server infrastructure is currently managed by Information Technology's Infrastructure Services section and the majority of the servers contained within the data centres are virtual servers running on VMWare virtualization technology. Virtual host computers are large physical computers that emulate multiple operating systems (or servers) on a single physical computer. Virtual server technology has been around for a number of years and is a proven and robust technology that has many advantages over managing and supporting legacy style physical servers. Advantages include reduced cost, run cooler with less heat, faster deployment, faster migrations, improved data backup and recovery along with better resilience, high availability and disaster recovery. Currently, the City's virtual server landscape consists of approximately 900 systems in total, 135 physical systems and 765 pooled VMWare virtualized systems. Virtualization is a major driver and an important aspect of the decision to support ever-growing City business needs and requirements and VMWare has been market leader for many years in the virtualization space.

Increase in demand for open systems that provide enhanced security continues, requiring the City to utilize Red Hat Solutions for the deployment of Red Hat Enterprise Linux systems for mission critical applications such as SAP HANA Financial systems, Commvault Enterprise Backup Solutions, and Cloud Solutions. Tender-6718 of the Provincial Vendor of Record (VOR) program includes virtualization options selected through an open and competitive procurement process that align with the requirements and needs of the City's Infrastructure demands.

The City has standardized with SAP financial systems since 1997. SAP HANA is the next major upgrade underway and on-premises servers that house the HANA databases are only supported by SAP on Enterprise Linux Operating Systems. There are increasing demands for operating systems to be more resilient from system attacks by ransomware and malware which can only be mitigated through enhanced system security functionality. As a result, system vendors are now requiring Enterprise Linux to run their systems. Red Hat Solutions provides the agility to scale, and increased security and reliability. In 2019, the City upgraded its

Commvault Enterprise Backup Solutions using Red Hat Enterprise Linux to ensure enterprise backup systems are robust and secure.

Comments

The Virtualization Technology Software, Maintenance, Technical Support and Services available under Ontario's Vendor of Record (VOR) Arrangement # OSS Tender 6718 is a result of an open and competitive process completed by the Treasury Board Secretariat and awarded on July 25, 2018, for a period of three (3) years with an option to extend for two (2) additional one (1) year periods. Treasury Board Secretariat awarded TeraMach Technologies Inc. the successful vendor to provide VMWare licences and services and OnX Enterprise Solutions Ltd. the successful vendor to provide Red Hat licences and services.

The VOR Arrangement provides cost certainty for virtualization products and professional services and the City will be able to benefit as the awarded vendors on this VOR have previously completed a competitive process and will extend those prices already negotiated by the Province to the City.

The City will be required to enter into agreements with TeraMach Technologies Inc. and OnX Enterprise Solutions Ltd. to obtain the rates offered through the VOR Arrangement. These agreements will be in conjunction with the terms set out by the Province for a period of three (3) years, starting July 25, 2018 to July 24, 2021 for the initial term, with an option of the Ministry extending an additional two (2) one (1) year periods as outlined in the Ontario Vendor of Record Arrangement # OSS Tender 6718 – “Virtualization Technology Software, Maintenance, Technical Support and Services.” The City may choose to expand the agreements to include any future software products, subscription licenses and professional services that are within the scope of the VOR Arrangement.

Staff recommends that Council also authorize the City to work with the vendors to add new items that are not part of the current VOR Arrangement, including professional services. The City will be able to use the existing terms and conditions as defined in the current VOR Ontario Agreements to obtain the best rate from the appropriate vendor for any required or expanded services. This will help reduce the amount of administration required for procurement of related Virtualization Technology by leveraging the currently completed competitive procurement process of the Province of Ontario.

Purchasing By-law Authorization

The recommendations in this report are made in accordance with Purchasing By-law 374-06, Schedule A, 1 (b) (vii) which states that “It is advantageous to the City to acquire the Goods and/or Services from a supplier pursuant to the procurement process conducted by another Public Body”.

1. Information Technology, Materiel Management and Legal Services staff will collaborate to establish the detailed requirements, negotiate the final arrangements, prepare and execute the necessary contracts, and related ancillary documents with the vendors as

identified in this report, in accordance with the City's Purchasing By-law 374-06, as amended.

2. Materiel Management has reviewed and approved all Single Source justification forms that were submitted for ONX Enterprise Solutions Ltd. and TeraMach Technologies Inc.

Financial Impact

Information Technology plans and manages the growth of the VMWare Servers by submitting capital requests on an annual basis which are justified through approved business requests, enabling IT to maintain a good state of repair. The IT operating budget contains the yearly maintenance and support and all purchases of products and services related to VMWare.

The estimated spend for the term over the next three (3) years is \$1,183,927; \$563,927 from the operational budget cost centre #22344 (IT Infrastructure Services), and the remaining \$420,000 from capital project PN20515 (Server Applications & Licensing) and approximately \$200,000 additional licences due to forecasted growth. The Information Technology capital and operating budgets have sufficient funding and future purchases of licences and products and services and will be subject to budget approval.

Conclusion

The VMWare licenses and professional services will allow the City to continue to maintain and expand the server needs as required to support business driven initiatives well into the future, at competitive pricing obtained through the Provincial Vendor of Record agreement.

The Red Hat licenses and professional services will provide the platform and security necessary to support key City initiatives that are dependent on this technology, such as SAP HANA project.

Attachments

Appendix 1 – Statement of Work

For 

Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer
Prepared by: Jeff Rowsell, Acting Sr. IT Manager, Infrastructure Services

Statement of Work

The following list of products and services may be purchased directly from TeraMach Technologies Inc. and OnX Enterprise Solutions Ltd. as awarded through Tender-6718 of the Ontario VOR.

- Virtualization Licences and Services including Full Stack Virtualization Technology and Related Services:
 - VMWare ESX, vCenter, vSAN and vSphere Enterprise & Enterprise Plus Licenses
 - Red Hat Enterprise Linux Licenses
 - Red Hat Enterprise Linux for SAP Solutions Licenses
 - Red Hat Enterprise Linux with Smart Virtualization and Management
 - Red Hat Smart Management
 - Red Hat Training Learning Subscription
 - Professional and Consulting Services

Other products and services as listed on the Ontario VOR Tender 6718 product and services SKU lists, or other related virtualization products and services that may be offered by the Vendors of Records, may also be purchased as required and will be subject to budget approval as part of the yearly business planning process.

Budget

Maintenance and Support for existing owned perpetual VMWare licenses will be co-terminated and transferred to TeraMach Technologies Inc. to take advantage of the new discounted pricing. Yearly Operating Maintenance and Support and Capital cost estimates are listed below for the 3 year period.

Operating – Cost Centre (22344)

	2020	2021	2022	Total
VMWare Maintenance & Support	\$170,371	\$187,408	\$206,148	\$563,927

Capital - Server Applications & Licensing (PN20515)

One-time Conversion VMWare Enterprise to Enterprise Plus Licences	\$ 135,000
VMWare Professional Services	40,000
Red Hat Enterprise Linux Licensing 3-yr Subscription	165,000
Red Hat Professional Services	80,000
2020 Total Capital Spend (PN20515)	\$420,000

Red Hat Licences Required

SKU	Decsription	QTY	Sockets
RH00763	Red Hat Enterprise Linux for SAP Solutions, Premium (Physical or Virtual Nodes) 1yr Subscription 24x7 Support E-LTU	2	4
RH00003	Red Hat Enterprise Linux Server 2 Sockets or 2 Guests 1 Year Subscription 24x7 Support E-LTU	4	8
RH00031S	SMART MGMT (Connector for Commvault MA)	4	2
RH00008S	RHEL SVR W/ SMART MGMT PREM PHYS VIRT N	1	2
RH00763	Red Hat Enterprise Linux for SAP Solutions, Premium (Physical or Virtual Nodes) 1yr Subscription 24x7 Support E-LTU (Provisional)	11	22
RHLS LS220	RHLS Red Hat Learning Subscription Standard	1	
	TOTAL	23	38

VMWare Licences Required

Description	QTY CPU'S
vSphere 6 Enterprise	101
vSphere 6 Enterprise Plus	16
vCenter Server 6 Standard	3
vSAN 6 Enterprise	4
TOTAL	124

City of Mississauga Corporate Report



11.4.

Date: June 30, 2020

To: Mayor and Members of Council

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of
Corporate Services and Chief Financial Officer

Originator's files:

Meeting date:
August 5, 2020

Subject

Recommendation of Single Source Procurement for DocuSign Enterprise Electronic Signature Solution (File Ref. PRC002434)

Recommendation

1. That Council approve the single source procurement for DocuSign Software as a Service, including associated envelopes, professional services, training, and maintenance and support for a period of three (3) years, as detailed in the corporate report entitled "Recommendation of Single Source Procurement for DocuSign Enterprise Electronic Signature Solution (File Ref. PRC002434)", dated June 30, 2020, from the Commissioner of Corporate Services and Chief Financial Officer ("Purchase"), File Ref. PRC002434;
2. That the Purchasing Agent or designate be authorized to execute all contracts and related ancillary documents with respect to the Purchase between the City and DocuSign, Inc. for an estimated amount of \$560,064 exclusive of taxes, in accordance with the City's Purchasing By-law 374-06, as amended;
3. That the Purchasing Agent or designate be authorized to execute the necessary amendments to increase the value of the contract between the City and DocuSign, Inc. for additional products, professional services, maintenance and support, including upgrades and additional features, for the purpose of accommodating growth and for better alignment and consistency between customer service areas, reception procedures and locations, if the funding for such contract increase has been approved by Council.

Report Highlights

- An electronic signature attaches an encoded signature to an electronic document. Electronic signatures can be legally binding and there are several software products that can be used to do electronic Signatures.
- The City of Mississauga had an existing plan to implement an enterprise-wide electronic signature solution; the current COVID-19 crisis resulted in an urgent need

- to implement such a solution.
- The City of Mississauga has tens of thousands of instances where physical signatures are used each year in regular operations. Many of these can be accomplished more easily, more securely and in a manner that ensures physical distancing.
 - City of Mississauga's policy on Electronic Signatures 03-02-10 allows electronic signatures to be used for all documents that are City-owned or created, including but not limited to forms, applications, agreements, waivers, permits, reports and correspondence where there is a need for a signature from an employee and/or the public and only when statutory or regulatory requirements allow for Electronic Signatures.
 - DocuSign meets all security, architecture and privacy requirements of the City.

Background

The management of documents and transactions in the City increasingly relies on electronic documents which are 'touchless' in nature. When placed within the context of the COVID-19 pandemic, electronic documents become the preferred method for supporting service delivery. The use of a standard, seamless, enterprise-wide electronic signature solution will be a mandatory pre-requisite in supporting service delivery in 'the new normal'. The current COVID-19 pandemic has accelerated the planned procurement of an electronic signature technology solution to satisfy the demand for use of electronic signatures by key City essential services.

An electronic signature refers to a process of attaching an encoded signature to an electronic document. Electronic signatures can be legally binding and there are several IT solutions that enable implementation of electronic Signatures.

The majority of divisions within the City continue to use physical signatures as part of their service delivery adding time, cost (document storage facilities, courier costs, etc.) and unnecessary risk of loss while delivering physical documents. Currently, key business areas urgently require an electronic signature solution to maintain service delivery of essential services. These service areas include:

- Legal Services
- Courts
- Planning and Building
- Committee of Adjustment
- Materiel Management
- Employee Health Services

The IT Technology Roadmap had identified the requirement for electronic signatures at the City to keep pace with the technical evolution necessary to support improved, efficient, and effective delivery of services. The journey to e-signature solution use began with the development of a corporate policy for Electronic Signatures (Policy # 03-02-10) which became effective in November 2019.

Comments

The City currently processes conservatively tens of thousands of physical signatures per year. The majority of these can be replaced with a safe and secure electronic alternative that enables physical distancing. This City of Mississauga policy on Electronic Signatures 03-02-10 enables electronic signatures to be used for all documents that are City-owned or created, including but not limited to forms, applications, agreements, waivers, permits, reports and correspondence where there is a need for a signature from an employee and/or the public and only when statutory or regulatory requirements allow for Electronic Signatures.

The City currently has an existing contract for DocuSign through SAP Canada Inc. for a limited number of users (approx. 50) for the DocuSign Electronic Signature Solution which has been used by Human Resources and Finance over the past several years. DocuSign has also been an essential part of services rendered through the SAP suite of applications resulting in significant cost savings, more responsive service delivery, and establishing DocuSign as the 'preferred' e-signature solution at the City. Other municipalities have implemented DocuSign at a large scale across their enterprise to meet the needs of their residents. Notably, the City of Toronto currently uses approximately 80,000 DocuSign envelopes each year and has indicated that they plan to expand their use of DocuSign.

In DocuSign transactions, "envelopes" refer to electronic packages which contain recipient information, documents, document fields, and timestamps that indicate delivery progress. They also contain information about the sender, security and authentication information, and more.

The City's IT Architecture & Innovation, IT Systems & Security Team has tested DocuSign and conducted extensive assessment of its functionality, integration and interoperability with other City applications and has concluded that DocuSign is considered a good fit for the City. IT in collaboration with Legislative Services are proposing to enter into single source contract with DocuSign, Inc. for software and associated professional services to implement electronic signatures across the City.

This proposal was taken to the IT Architecture Review Board on June 3, 2020 and received approval from the board to proceed. The Architecture Team has also performed a thorough evaluation of DocuSign's architecture, security and privacy, and can safely recommend DocuSign for deployment throughout the City.

Some key mandatory features that DocuSign contains are:

- DocuSign is located in the Canadian Microsoft Azure Cloud and its communications are fully encrypted at rest and transit.
- DocuSign employs significant security protections for all customer data. Each customer has siloed environments protected. Utilizing Blob technology only the customer organization and staff can review their own data. Internal staff to DocuSign have no means to review customer data.

Given the uncertainty of the duration of the COVID-19 pandemic and the need to continue to deliver services across these divisions in a work-from-home environment, there is not sufficient time for a competitive procurement process. Materiel Management has reviewed and approved

the Single/Sole Source justification. IT and Legislative Services intend to enter into this non-competitive procurement contract for a three (3) year term.

Purchasing By-law Authorization

The recommendation in this report is made in accordance with Schedule "A" of the Purchasing By-law 374-06, Section 1 (b) (ii) The Goods and/or Services are available from more than one source, but there are good and sufficient reasons for selecting one supplier in particular, as follows:

- The Goods and/or Services are required as a result of an Emergency which would not reasonably permit the solicitation of competitive Bids.

Legislative Services, Information Technology, Legal Services and Materiel Management staff will collaborate to establish the detailed requirements, negotiate the final arrangements and prepare the agreements.

Financial Impact

Based on consultations with business areas, the financial impact of this initiative is approximately \$430,819 over three (3) years and an additional \$129,246 to accommodate growth and utilization. The total estimated cost of this initiative will be approximately \$560,064 over three (3) years, starting in 2020 and ending in 2023, as shown below.

\$503,870 in capital expenditure to be funded through account number 715527-20527 over three fiscal years and \$56,194 in operating expenditure to be funded through account number 715516-22549 over the same period.

Usage		Financial Impact			
		Year 1	Year 2	Year 3	3-Year Grand Total
		2020	2021	2022	
Division - Section	Estimated "envelopes" (transactions) per year*	Standard Edition	Standard Edition	Standard Edition	
Per envelope Cost		1.782	1.782	1.782	
Annual Envelope Estimate	50,000	89,100	89,100	89,100	267,300
Single Sign-on Feature		35,775	35,775	35,775	107,325
Annual Support and Maintenance		18,731	18,731	18,731	56,193
Total		143,606	143,606	143,606	430,818
Growth (at 30% including a prorated amount of Single Sign On and Annual Support and Maintenance)	15,000	43,082	43,082	43,082	129,246
Total	65,000	186,688	186,688	186,688	560,064

Conclusion

The City of Mississauga must begin to transition to paperless processes that rely on electronic signatures in order to reduce cost, reduce risk, increase efficiencies, and most importantly continue delivering essential services during and after the COVID-19 pandemic.

Therefore, this report recommends the purchase of DocuSign Software as a Service on a single source basis for a three (3) year term for a total estimated amount of \$560,064.

Appendix

Appendix 1 – Statement of Work

For 

Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Paul Burns, Manager, Information Technology, City Services

Appendix 1

Statement of Work - Enterprise Electronic Signature Solution

The total estimated cost of this initiative will be approximately \$560,064* over three (3) years as follows:

\$503,870 in capital expenditure to be funded through account number 715527-20527 over three fiscal years and \$56,194 in operating expenditure to be funded through account number 715516-22549 over the same period.

Costs Considerations

- The onboarding costs are built into the Software-as-a-Service costs, which will be approximately \$143,606 for the first year of the contract.
- The ongoing support and maintenance will be approximately \$18,731 per annum.
- Overage/Usage Fees for the eSignature Standard Edition - Envelope Subs. (Per Transaction): \$4.96

Additional Considerations

The City has negotiated substantive discounts from the vendor. At any time during the Term, the City will have the option to purchase additional eSignature Standard Edition - Envelope Subscriptions, in minimum bundles of 500, at the rate of \$1.782 CAD per Envelope, exclusive of support, for use during the Order Term. This add-on pricing applies to up to 100,000 Envelopes in aggregate.

This add-on pricing applies to up to 100,000 Envelopes in aggregate. This contract will be billed annually.

Deliverable	Term	Quantity	Net Prices
eSignature Standard Edition - Envelope Subs	3 Years	150,000	267,300
Premier Support	3 Years	1	56,194
Adoption Quick Start	1 Year	1	-
eSignature Access Management w/SSO – Per Envelope	3 Years	150,000	107,325
Single sign-On Implementation services	3 months	1	-
GRAND TOTAL			\$430,819

Additional contingency of 30% is recommended, to facilitate upgrades and expansions as needed, which will bring the total estimated cost of this initiative to \$560,064.

City of Mississauga

Corporate Report



11.5.

Date: June 19, 2020

To: Mayor and Members of Council

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of
Corporate Services and Chief Financial Officer

Meeting date:
August 5, 2020

Subject

Recommendation of Single Source Procurement with SirsiDynix Corporation for the Integrated Library System (ILS), File Ref. PRC001318

Recommendation

1. That Council approve the single source procurement by way of amendment of the contract (Contract #4600013714) with SirsiDynix Corporation for maintenance and support for a period of five (5) years, with the option to extend the term for an additional five (5) years, as detailed in the corporate report entitled "Recommendation of Single Source Procurement with SirsiDynix Corporation for the Integrated Library System (ILS)", dated June 19, 2020, from the Commissioner of Corporate Services and Chief Financial Officer ("Purchase"), File Ref. PRC001318.
2. That the Purchasing Agent or designate be authorized to execute all contracts and related ancillary documents with respect to the Purchase between the City and SirsiDynix Corporation for an estimated amount of up to \$1,204,550 (\$600,000 for years 1 to 5 + optional \$604,550 for years 6 to 10) exclusive of taxes, in accordance with the City's Purchasing By-law 374-06, as amended.
3. That the Purchasing Agent or designate be authorized to execute the necessary amendments to increase the value of the contract between the City and SirsiDynix Corporation for maintenance and support, including additional features, for the purpose of continued support, if the funding for such contract increase has been approved by Council.
4. That Council approve the SirsiDynix Integrated Library System as a City Standard for a period of five (5) years, and for an additional period of five (5) years should the City exercise its option to extend the term of the contract, in accordance with the City's Purchasing By-law 374-06, as amended.

Report Highlights

- The Integrated Library System (ILS) is the core information system for managing all library collections, public member accounts and staff users. It also delivers public access through the Online Public Access Catalogue (OPAC).
- Staff are recommending the approval to extend the existing SirsiDynix Corporation contract for five (5) years for maintenance and support plus the option to renew for an additional five (5) years. An RFI would be initiated in year three (3), and depending on the findings of the RFI, a competitive RFP would be pursued prior to the end of year five (5) or prior to the end of year ten (10).
- Estimated cost savings of \$700,000 by proceeding with a five-year contract extension versus going to market with an RFP in 2020.

Background

SirsiDynix has been the library's Integrated Library System (ILS) since 2011. The existing 10 year contract ends October 31, 2021. In March 2019, planning began with Library, IT, and Materiel Management, regarding a competitive procurement or Request for Information (RFI). Work was progressing until the start of the pandemic.

The end of the existing ILS contract will come during the Central Library's closure and revitalization. The planning and implementation of the Central Library revitalization will be the main focus for the Library and Information Technology's efforts during this period.

The COVID-19 public health crisis has impacted Library, Information Technology, Materiel Management, and Legal staff resources since March 2020, diverting attention to the more critical tasks of closure and recovery. This has increased the risk that an HVA RFP (High-Value Acquisition Request for Proposal) and new system implementation would not be completed by the time the ILS contract expires on October 31, 2021. The timing and required resources to undertake a full procurement process would also impact 2021 budgets, making the contract extension a reasonable process to prevent added financial strain on the City and Library.

Comments

Staff are recommending a contract extension for a five (5) year term (from November 1, 2021 to October 31, 2026) plus a five (5) year renewal (to October 31, 2031) of the SirsiDynix ILS contract. An RFI would be distributed in year three, and depending on the findings of the RFI, a competitive RFP would be pursued prior to the end of year 5 or prior to the end of year 10.

If the existing contract is extended, SirsiDynix Corporation has agreed to hold the current annual maintenance fee (\$113,000/year) for the duration of the five (5) year contract extension term (i.e. with no annual price increase and projected cost avoidance of \$11,730). Historically, maintenance fees would increase approximately 2.5% each year.

If the contract extension is not approved, a competitive HVA acquisition would have to be initiated via a competitive RFP. The procurement would take approximately 12 - 18 months and a new system implementation would take approximately 12 months for a total of 24 - 30 months. Due to the length of time it would take to complete a competitive HVA RFP acquisition and the time required for project implementation of a new system, there is a high risk that the library would not be able to successfully complete the project before the current SyrsiDynix ILS contract expires in October 2021. To minimize this risk, the existing SirsiDynix ILS software and maintenance contract would need to be extended by another year (1) adding an additional \$115,825 to the cost of the acquisition and implementation of the new system.

Purchasing By-law Authorization

The contract #4600013714 will be extended under Purchasing By-law 374-06, Schedule "A" using the Single/Sole Source Acquisition justification clauses shown below, and the supporting rationale for each single/sole source which has been reviewed and approved by Materiel Management.

- (b)(iv) The solicitation of competitive Bids would not be economical to the City

The current solution is meeting the business needs. The Library and IT staff completed a thorough market scan and industry benchmarking to validate that the business need is being met and there is indeed justification to stay with the current solution, for now. Staff will revisit the market three (3) years from now using an RFI to assess the market for a viable system replacement and make a determination to go to market or extend for an additional 5 years. The estimated savings, primarily due to implementation costs and higher software costs, is estimated to be \$700,000 over the first 5 years of the contract.

Financial Impact

The total estimated cost of the single source contract extension is \$600,000 (includes 5 years of maintenance). With the extension of the existing contract, SirsiDynix has agreed to hold the current annual maintenance fee (\$113,000/year + \$35,000 contingency) for the duration of the 5-year contract extension (i.e. with no annual price increase). It is estimated that years 6-10 would cost approximately \$604,550 for a total 10 year estimated cost of \$1,204,550. This is a very prudent approach that eliminates cost increase for the next 5 years and approximately \$700,000 in savings that a system replacement would cost. The Schedule for Maintenance and Support is enclosed in Appendix 1 – Statement of Work.

The existing contract is funded in the 2020 approved IT operating budget. The recommended contract extension will continue to be funded from IT operating budget, with any increases subject to budget approvals.

Conclusion

The Library requires a reliable system to manage the delivery of services to the public and manage the physical and digital resources that contribute to the success of the overall system. By maintaining the current system through a Single Source contract extension and then subsequently testing the market in 3 years, the Library and IT feel this is the best approach given the current impacts of COVID as well as current industry benchmarking.

Having confidence in the continued use of the SirsiDynix system and cost containment with no increase in maintenance costs for the next 5 years is a prudent measure and provides staff the necessary time to address the overall system replacement.

Attachments

Appendix 1: Statement of Work

For: 

Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Michelle Reyes, Manager, IT Community Services,

Statement of Work

The SirsiDinix Software Maintenance and Support provides the required support for system updates to maintain currency and performance of the Library system. The costs have been established with no increase over the 5 year period.

Product / Services	Year	Option 1 SS Contract Extension
Annual Software Maintenance and Support for SirsiDynix System	1	\$113,000
	2	\$113,000
	3	\$113,000
	4	\$113,000
	5	\$113,000
	Contingency	\$35,000
	Total Years 1 - 5	\$600,000
	Years 6-10 (forecast)	\$604,550
	Total	\$1,204,550
	(0% increase over the 5 year period)	

*

Any additional software or services that are required by the Library over this period would be subject to budget approval and an incremental cost to what is defined above.

City of Mississauga Corporate Report



11.6.

Date: July 21, 2020

To: Mayor and Members of Council

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of
Corporate Services and Chief Financial Officer

Originator's files:

Meeting date:
August 5, 2020

Subject

Procurement Authority for a One-Year Period to Obtain COVID-19 Related Personal Protective Equipment (PPE) and Disinfecting Supplies for City-wide Use

Recommendation

1. That Council approve the procurement authority request for COVID-19 related PPE and disinfecting supplies as detailed in the Corporate Report entitled "Procurement Authority for a One-Year Period to Obtain COVID-19 related Personal Protective Equipment (PPE) and Disinfecting Supplies for City-wide Use" dated July 21, 2020 from the Commissioner of Corporate Services and Chief Financial Officer, File Ref: PRC002369.
2. That the Purchasing Agent or designate be authorized to increase the contract with Weber Supply Company Inc. as required to maintain supply of COVID-19 related personal protective equipment (PPE) and disinfecting supplies for a one year period, ending July 31, 2021, notwithstanding the requirements of Section 18 "Contract Value Amendments, Extensions or Renewals" of the Purchasing By-law 374-06.
3. That the Purchasing Agent or designate be authorized to execute and/or increase contracts with various other suppliers on a single source basis as required to maintain supply of COVID-19 related personal protective equipment (PPE) and disinfecting supplies for a one year period, ending July 31, 2021, notwithstanding that each contract may exceed \$100,000 and would normally require Council approval.

Report Highlights

- The COVID-19 pandemic has resulted in global supply chain shortages for personal protective equipment (PPE) and disinfecting supplies.
- A temporary PPE Central Store has been established to stockpile critical items: 3-ply masks, gloves, hand sanitizer, disinfecting wipes and disinfecting spray.

- The City has a contract in place with Weber Supply Company Inc. which was established competitively. More suppliers are required on a single source basis to ensure supply; staff need to act promptly to secure supply from any available source.
- This report seeks authority for the Purchasing Agent to increase the Weber Supply Company Inc. contract as required and to execute and/or increase contracts with various other suppliers on a single source basis to maintain stock of PPE and disinfectant products.
- The request is for a term of one year ending July 31, 2021.

Background

The COVID-19 pandemic has resulted in global supply chain shortages, particularly affecting personal protective equipment (PPE) and disinfecting supplies. It has been difficult for the City to obtain critical PPE and disinfectant products: masks, gloves, hand sanitizer, sanitizing wipes and disinfecting spray.

A temporary PPE Central Store (excluding Fire and Transit, who have their own stores facilities) has been established with the aim of maintaining a three month stockpile of PPE and disinfecting supplies as market availability allows. The estimated cost of a three months' supply is approximately \$701,700. The benefits of the temporary PPE Central Store include:

- Timely access to PPE and disinfectant products during recovery and in the event of delivery delays associated with a second wave of COVID-19 infections;
- Anticipated cost savings related to bulk purchasing;
- Ensuring that suppliers and products are screened properly;
- Divisions would not be competing against each other for supplies.

The temporary PPE Central Store is located in the Print/Mail Services area in the Civic Centre and will be closed when high quantities of PPE are no longer required or supply becomes readily available.

Comments

A needs assessment was completed by Employee Health Services to determine the PPE that would be required based on the number of staff and their mode of operation (office/non-public facing, public facing, field/building based or field/mobile based). The required PPE and disinfecting supplies, and estimated quantities and prices are shown in Appendix 1 to this report.

The City has a contract in place with Weber Supply Company Inc. (Weber) which was established competitively and includes the City's normal requirements for PPE and disinfectant products. The Weber contract has been increased in the amount of \$469,480 for PPE and

disinfecting supplies on an emergency basis as provided for in the Purchasing By-law. Further increases will be required to maintain the stockpile.

Weber, as with all suppliers, is unable to consistently meet demand. Back-up is required and Materiel Management is continually sourcing other suppliers and products. When appropriate alternate suppliers and products are found, orders must be placed promptly, often within hours, to secure supply.

Orders have been placed on an emergency basis; however as the COVID-19 situation continues, a longer term plan and authority are required. Obtaining the procurement authority that is required under the City's normal approval processes will cause delays. Under the current unique circumstances, staff require the ability to promptly buy PPE and supplies from Weber and alternate suppliers as and when required to ensure continuous supply.

Authority for the Purchasing Agent is requested:

- To increase the contract with Weber as required to maintain supply of COVID-19 related PPE and disinfecting supplies notwithstanding Section 18 of the Purchasing By-law which requires Council approval for contracts exceeding 20% of their original contract value and if increases exceed \$1,000,000.
- To execute and/or increase contracts with various other suppliers on a single source basis as required to maintain supply of COVID-19 related PPE and disinfecting supplies notwithstanding that each contract may exceed \$100,000.

This authority is requested for a one-year period ending on July 31, 2021 to cover current recovery and in preparation for subsequent waves of COVID-19. Should the COVID-19 situation and need for extensive PPE and disinfecting supplies extend beyond one year, staff will return to Council for authority as required at that time.

Purchasing By-law Authorization

The recommendation in this report is made in accordance with the Purchasing By-law 374-06, Schedule "A" 1.(a) *The Goods and/or Services are only available from one supplier by reason of: (ii) scarcity of supply in the market.*

Financial Impact


The cost to the City is estimated to be approximately \$2,810,000 for the one-year period intended to be covered by this report. The cost of goods will be charged to departments when orders are fulfilled by the temporary PPE Central Store.

Conclusion

A temporary PPE Central Store has been established to ensure a continuous supply of COVID-19 related PPE and disinfecting supplies during recovery and in preparation for subsequent waves of COVID-19. Quantities of PPE have been estimated by Employee Health Services and a three month stockpile of PPE and disinfecting supplies is recommended. Due to uncertainty and supply chain instability, staff are requesting authority for the Purchasing Agent to increase the existing contract with Weber Supply Company Inc. and to issue and/or increase contracts with alternate suppliers on a single source basis as required to ensure continuous supply and enable staff to secure orders promptly when appropriate supplies and suppliers are located. This request is for a one-year period, ending July 31, 2021. In that time, the cost of contracts for the supply of PPE and disinfectant products is estimated at \$2,810,000. The recommendation in this report is made in accordance with the Purchasing By-law 374-06, Schedule "A" 1. *(a) The Goods and/or Services are only available from one supplier by reason of: (ii) scarcity of supply in the market.*

Attachments

Appendix 1: Estimated PPE 3 Month Stock Requirements

For 

Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Lydia Kowalyk, Manager, Materiel Management, Internal Services

PPE - 3 month stock requirements - based on Needs Assessment as of June 12/20

Employee Group	# of Employees	3-Ply Mask Quantity	Glove Quantity	Hand Sanitizer Quantity	Disinfectant Wipes Quantity	Disinfecting Spray		
Average Unit Cost		\$ 0.81	\$ 25.44	\$ 12.25	\$ 8.84	\$ 16.62		
Office/Non-public facing	182	21840	0	0	43680	0		
Office/Public facing	227	27240	27240	3405	272400	4000		
Mobile/Building-based	974	116880	233760	0	876600	0		
Mobile/Field-based	264	47520	63360	3960	79200	4000		
Totals	1647	213480	324360	7365	1271880	8000		
		\$172,918.80	\$165,029.28	\$ 90,221.25	\$ 140,547.16	\$132,960.00	\$ 701,676.49	\$2,806,705.96
							3-month estimate	12-month estimate

City of Mississauga Corporate Report



11.7.

Date: July 21, 2020

To: Mayor and Members of Council

From: Geoff Wright, P.Eng, MBA, Commissioner of
Transportation and Works

Originator's files:
RT.20.STR

Meeting date:
August 5, 2020

Subject

Street Name to be assigned to a private road within an approved development site in the City of Mississauga (Ward 1)

Recommendation

That the street name **Royal Gala Circle** be approved for use to name a new private road within a new residential condominium development in the area of Primate Road and Wealthy Place in the City of Mississauga (Ward 1).

Background

At the June 10, 2020 Council meeting, another street name was proposed to be assigned in Ward 1 (City Park Circle), but was deferred to allow for further consultation with the Ward Councillor and surrounding community (Resolution 0182-2020).

Comments

Street names proposed for use within the City of Mississauga are reviewed by the Region of Peel Street Names Committee, which includes staff from the City of Mississauga's Transportation and Works Department and Fire and Emergency Services.

This committee reviews all names proposed for use from a regional perspective and makes recommendations on whether the proposed names should be approved. Approved names that are not immediately used are added to a reserve list for future use.

The Region of Peel Street Names Committee has reviewed the name **Royal Gala** and has no objection to its use.

The cost of the sign and its installation are to be borne by the registered owner of the development site, but be erected by City forces. The standard City of Mississauga private street name sign (blue letters on a white background) is to be erected at the appropriate location within the new development.

Financial Impact

There are no financial impacts to the City associated with the approval of this report.

Conclusion

The name **Royal Gala** has been reviewed and approved by the Region of Peel Street Names Committee for use in the City of Mississauga. This name is to be assigned to a private road within an approved development site in the area of Primate Road and Wealthy Place in the City of Mississauga (Ward 1).

Attachments

Appendix 1 – Site Location Map

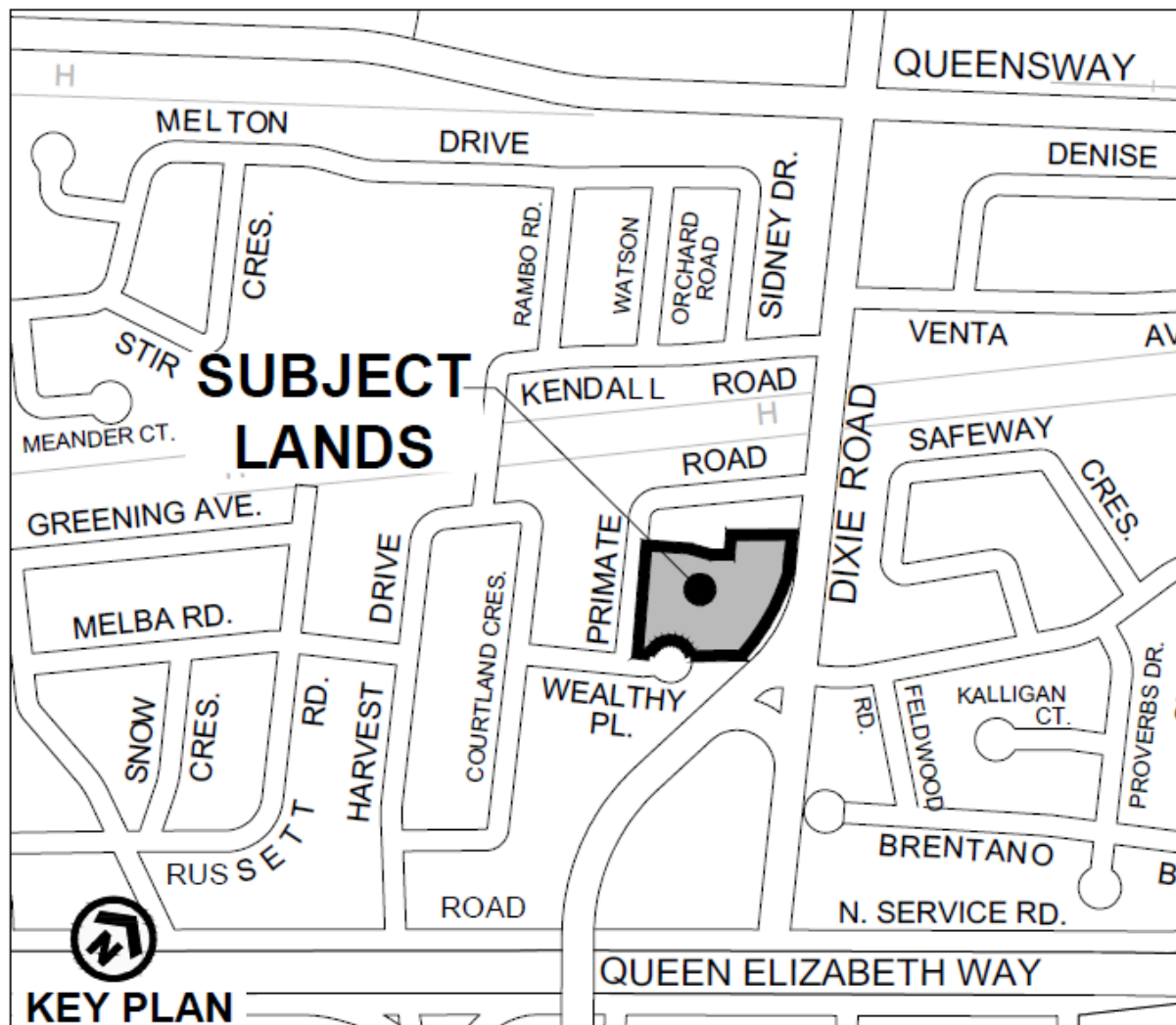


Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

Prepared by: Joe Alava, Coordinator, Development Engineering and Construction

Appendix 1

Location of approved development site with private road to be named Royal Gala Circle.



Transportation and Works

REPORT 7 - 2020

To: MAYOR AND MEMBERS OF COUNCIL

The Planning and Development Committee presents its seventh report for 2020 and recommends:

PDC-0023-2020

That the report dated July 3, 2020, from the Commissioner of Planning and Building regarding the application by Prabh Aulakh Ltd. to permit a gas bar with an accessory convenience retail and service kiosk with revised performance standards including a take-out restaurant that is larger than permitted in the zoning by-law and reduced parking, under File OZ 19/019 W5, 1480 Derry Road East, be received for information.

PDC-0024-2020

That the report dated July 3, 2020, from the Commissioner of Planning and Building regarding the applications by 1840-1850 Bloor E (MISS) Ltd. to permit two 18 storey rental apartment buildings, under File OZ 20/003 W3, 1840 and 1850 Bloor Street, be received for information.

PDC-0025-2020

That the report dated July 3, 2020, from the Commissioner of Planning and Building regarding the applications by Edenshaw Fairview Developments Inc. to permit a 36 storey condominium apartment building with ground floor commercial uses, under File OZ 20/001 W4, 1 Fairview Road East, be received for information.

PDC-0026-2020

That the report dated July 3, 2020, from the Commissioner of Planning and Building regarding the applications by Mississauga II GP Inc. (Emblem Developments) to permit a 16 storey residential condominium apartment building with ground floor commercial uses, under File OZ 19/017 W7, 85-95 Dundas Street West and 98 Agnes Street, be received for information.

PDC-0027-2020

1. That the following report titled "Uptown Node Capacity Review" dated June 19, 2020, from the Commissioner of Planning and Building, be received for information.
2. That staff prepare an Official Plan Amendment (OPA) for the Uptown Node to address the key challenges identified in this report and ensure the Uptown Node can support proposed development.
3. That staff are authorized to undertake community engagement to support this work, including holding a public meeting at an upcoming Planning and Development Committee meeting in the fall.

PDC-0028-2020

1. That the report titled "Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2019 and Land Needs Assessment Methodology" from the Commissioner of Planning and Building, dated July 3, 2020, be received.
2. That Council endorse positions and recommendations contained in this report.15240015240000
3. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing.

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél.: 416 585-7000



234-2020-2496

July 22, 2020

Dear Heads of Council and Chairs of District Social Services Administration Boards:

In March, our government introduced the *Protecting Tenants and Strengthening Community Housing Act, 2020* (Bill 184), which supports the government's plan to make life more affordable for Ontarians. Since that time, our government has been focussed on the health and well-being of Ontarians as we navigate through the COVID-19 outbreak.

It is with great pride that I am able to share with you the progress we have made on Bill 184. On July 22, 2020, the *Protecting Tenants and Strengthening Community Housing Act, 2020* received Royal Assent.

The Act contains amendments to the *Residential Tenancies Act, 2006*, *Housing Services Act, 2011*, *Building Code Act, 1992* and includes the *Ontario Mortgage and Housing Corporation Repeal Act, 2020*.

As I highlighted in my March 12, 2020 letter these amendments support the following priorities:

- **[More Homes, More Choice: Ontario's Housing Supply Action Plan](#)** to make it faster and easier to build housing, including rental housing, and to build the right types of homes in the right places;
- Part II of the **[Community Housing Renewal Strategy](#)** – a multi-year strategy to stabilize and grow Ontario's community housing sector; and
- **Transforming the Delivery of Building Code Services** by enabling the future creation of an administrative authority that would help deliver faster and better services to promote the safe construction of buildings in Ontario.

More details on the *Protecting Tenants and Strengthening Community Housing Act, 2020* can be found in the [official news release](#). A copy of the Act will be available on the Ontario e-Laws website shortly (www.ontario.ca/laws).

On behalf of our government, I would like to extend our thanks for your work with the ministry leading up to the passage of this Act. We look forward to continuing to work with all of our municipal partners and are committed to continuing discussions with you in the coming months.

Sincerely,

A handwritten signature in blue ink that reads 'Steve Clark'.

Steve Clark
Minister

July 30, 2020

Dear Mayors Brown, Crombie and Thompson,

Thank you for all your support in our ongoing pandemic response to protect the health and safety of Peel residents. With your strong leadership, we have averted a worst-case scenario in Peel and have positioned our Region well for a successful restart and recovery. This includes, the recent passing of temporary by-laws mandating mask and face coverings in each of your municipalities.

As you know, transmission risks in food and beverage establishments, as well as fitness facilities remain a significant concern as we move into Stage 3. These establishments have been linked to COVID-19 exposures in Canada, the United States, and elsewhere in the world. In some instances, restrictions had to be re-imposed to prevent further transmission.

In addition, there continues to be confusion about mask use and non-compliance in the shared spaces in condominiums and apartment buildings.

Together, we recently advocated to the Province for restrictions in food and beverage establishments, as well as fitness facilities, to be added to their emergency order for Peel and other large urban areas to protect patrons and workers in these settings.

Since the Province has not moved forward with increased restrictions, I encourage you to consider supporting by-laws to help reduce the risks that come from close contacts in these highly social settings. These recommendations align with Toronto's, so residents, businesses and visitors have consistency across municipal borders.

For food and beverage settings

1. Patrons should always stay seated, other than to enter or exit, travel to or from the washroom, or pay.
2. Occupancy limits should be reduced to a maximum number where physical distancing can be easily maintained and no more than 100 people.
3. No more than 10 people can sit together at the same table.
4. Closing time and last call should come earlier (e.g., last call at midnight).
5. Employees should always use face coverings, worn appropriately

For fitness facilities and gymnasiums

1. Occupancy limits should be reduced to a maximum number where physical distancing can be easily maintained and no more than 50 people inside (total, including staff).
2. Facilities should introduce a reservation system for users that manages access to the spaces and enforces occupancy limits.
3. Facilities should strictly monitor and enforce 2 metre distancing between participants in all group classes, or not offer classes at all.
4. All equipment provided to users of the facility must be cleaned and disinfected between each use.
5. Employees and patrons should comply with local by-laws for use of face coverings, including any applicable exemptions.

Health Services

Office of the
Medical Officer
of Health

PO Box 667
RPO Streetsville
Mississauga, ON
L5M 2C2
tel: 905-799-7700

peelregion.ca

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For both food and beverage, and fitness establishments

1. Employers should introduce mandatory screening for all employees prior to their shifts.
2. Employers must also:
 - a. Maintain a client log for all guests or patrons and gather contact information, check in/out times and in the case of food and beverage establishments, also note table number;
 - b. Store the log for 30 days; and
 - c. Make the log available to Public Health, when requested, for the purpose of contact tracing.

For condominiums and apartment buildings

I recommend the following amendments to your municipal face covering by-laws:

1. Face coverings should be worn appropriately at all times in all communal spaces in condominiums and apartment buildings, including (but not limited to) entrances, lobbies, party rooms, laundries, hallways, staircases and elevators.
2. Residents, visitors and employees should comply with local by-laws for use of face coverings, including any applicable exemptions.
3. No more than two people should be in an elevator at any time, except family parties with children, attendant care aides where individuals cannot travel in the elevators alone or first responders attending an emergency call. When two people are in the elevator together, they should stand spaced apart, each in opposite corners of the elevator.

It is my recommendation that these be explored by all municipalities for inclusion in potential by-laws that could supplement the face covering by-laws already in force.

This letter is intended to provide guidance for matters which I consider should be addressed, and not necessarily technical language for inclusion in the recommended by-laws.

In preparing by-laws for enactment in accordance with this guidance, I would urge that consideration be given to consistency between enactments of neighbouring municipalities both within and in the vicinity of Peel. I believe there is a public health benefit in achieving consistency in the measures for residents, workers and businesses, as they move freely across municipal borders.

With my most sincere regards,



Lawrence C. Loh, MD, MPH, FCFP, FRCPC, FACPM
Medical Officer of Health
Public Health, Health Services
Region of Peel



2355 Derry Road East, Mississauga,
Ontario, Canada. L5S 1V6.

Tel: +1-647-749-9444;

Website: www.hinduforumcanada.org; E-mail: info@hinduforumcanada.org

July 31, 2020

pat.saito@mississauga.ca

Pat Saito

300 City Centre Drive

Mississauga, Ontario L5B 3C1

905-896-5900

RE: Permission to broadcast religious hymns and observe religious processions from August 11, 2020 to September 1, 2020 (on the upcoming Hindu festivals of Krishna Janmashtami, Ganesh Chaturthi and Onam)

Dear Mayor and City Councillor's,

Hindu Forum Canada, hereby, intends to seek permission to broadcast religious hymns once a day and observe a round of religious processions to celebrate the upcoming Hindu festivals of Krishna Janmashtami, Ganesh Chaturthi and Onam starting from August 11, 2020.

Hindu Forum Canada seeks to receive gesture that would allow the local Mandirs (Hindu Temples) to broadcast religious hymns, Gayatri Mantra and Hanuman Chalisa once a day from August 11, 2020 to September 1, 2020, for the purpose of allowing Mississauga (and other) Hindus to celebrate the auspicious occasions of Krishna Janmashtami on August 11, 2020, Ganesh Chaturthi on August 22, 2020 and Onam on August 31, 2020 respectively. Due to the restrictions and challenges posed by COVID-19 pandemic, our Hindu diaspora (relocated followers) have not been able to attend Mandirs (Hindu Temples) or observe their religious ceremonies – and thus have been deprived of experiencing much of their culture, religious practices and the experience of having their religious songs being sung publicly during these trying times. Therefore, permitting the Mandirs in the region to broadcast religious hymns at Arti time in the evening at 7 PM for 5 minutes and stage a limited number of religious parades once a week will act as a source of comfort, especially to the seniors who are at a greater risk of infection by COVID-19 and are unable to leave their homes, even now when the economy has at least partially started to re-open.

Sincerely,

Rao Yendamuri,
President
Hindu Forum Canada

Moved by Pat Saito

Whereas on July 22, 2020 Council considered report 12.4 – 2020 Traffic Signal Installation; and

Whereas the Ward 9 Councillor asked that the Battleford Road location be deferred until she had further details; and

Whereas the Councillor is satisfied with information provided by staff.

Therefore be it resolved that the Battleford Road mid-block signalization be approved as recommended in report 12.4 from the July 23, 2020 Council meeting.

A handwritten signature in black ink that reads "Pat Saito". The signature is written in a cursive, flowing style.

Road Safety Committee – Reallocation of Funding.

Motion from



WHEREAS the Road Safety Committee provides a community perspective on road safety issues, promotes public awareness and education for road safety initiatives and programs, with an aim to enhance community participation and cooperation;

AND WHEREAS the Road Safety Committee approved a work plan for 2020 consisting of two separate safety campaigns being the spring Distracted Driving Campaign and the fall Pedestrian Safety Campaign;

AND WHEREAS General Committee approved the amount of up to \$10,500.00 be allocated from the 2020 Committee budget to the Road Safety Committee for the purposes of developing the 2020 Distracted Driving Campaign;

AND WHEREAS the campaign was developed but was unable to be implemented fully as a result of the COVID-19 closures and there is up to \$8000.00 of unused funding remaining;

AND WHEREAS the Road Safety Committee is continuing with their 2020 work plan and have provided their feedback to proceed with a fall pedestrian safety campaign;

THEREFORE BE IT RESOLVED:

That the unused portion of funding from the Distracted Driving Campaign be reallocated to the Road Safety Committee to include the development and delivery of the Pedestrian Safety Campaign.



16.3.

NOTICE OF MOTION

CALL ON THE PROVINCE TO CLAMP DOWN ON “NOISEMAKERS”

Whereas many residents and neighbourhoods in the GTA, including Mississauga, have experienced an unacceptable increase in noise as a result of modified car and vehicle engines that has become incredibly apparent during COVID-19;

And whereas Peel Police have been cracking down recently on these “noisemakers”;

And whereas it is an offence under the *Highway Traffic Act* (HTA) for the driver of a vehicle to permit smoke to escape from the vehicle or to cause the vehicle to make any unnecessary noise;

And whereas the HTA requires every motor vehicle to be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and excessive smoke and prohibits the use of a muffler cut-out, straight exhaust, gutted muffler, Hollywood muffler, by-pass or similar device upon a motor vehicle;

And whereas the act of modifying the exhaust system of a motor vehicle is not currently an offence under the HTA and muffler and auto-body shops continue to provide such services;

And whereas in 2019 the *Better for People, Smarter for Business Act*, S.O. 2019, c. 14 was enacted to amend the HTA to include a new section (s. 75.1) that will make it an offence to tamper with motor vehicles by:

- (a) removing, bypassing, defeating or rendering inoperative all or part of a motor vehicle’s emission control system; or
- (b) modifying a motor or motor vehicle in any way that results in increased emissions from the level to which it was originally designed or certified by the manufacturer of the motor or motor vehicle;

And whereas s.75.1 of the Act will also prohibit the sale of tampering devices that create excessive noise on our streets and in our neighbourhoods;

And whereas the Lieutenant Governor has not yet proclaimed s.75.1 of the HTA to be in force and effect;

Therefore, be it resolved that the City of Mississauga immediately call on the Province to request that s.75.1 of the *Highway Traffic Act* be proclaimed and brought into force immediately.

Karen Ras
July 29, 2020

WHEREAS on July 8, 2020, Council for the Corporation of the City of Mississauga enacted the COVID-19 Mandatory Face Covering By-law 0169-2020 (the "Face Covering By-law") to require face coverings in certain indoor public spaces and vehicles accessible to the public;

AND WHEREAS By-law 0169-2020 currently applies to the common areas of hotels, motels and other short-term accommodations, such as lobbies, elevators, meeting rooms and other common use facilities, but does not include the common areas of residential apartment buildings or condominiums.

AND WHEREAS physical distancing may not be possible in the common areas of residential apartment buildings and condominiums;

AND WHEREAS following Council's enactment of the Face Covering By-law, the Medical Officer of Health for the Region of Peel has recommended the use of face coverings in the common areas of residential apartment buildings and condominiums;

NOW THEREFORE BE IT RESOLVED that Council amend the Face Covering By-law to help contain the spread of COVID-19 by requiring face coverings in the enclosed common areas of residential apartment buildings and condominiums and to require the owners and operators of these residential buildings to adopt a face covering policy in accordance with the Face Covering By-law;

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie				
Councillor S. Dasko				
Councillor K. Ras				
Councillor C. Fonseca				
Councillor J. Kovac				
Councillor C. Parrish				
Councillor R. Starr				
Councillor D. Damerla				
Councillor M. Mahoney				
Councillor P. Saito				
Councillor S. McFadden				
Councillor G. Carlson				

