



MINUTES

SESSION 20

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, NOVEMBER 11, 2009, 1:30 P. M.

COUNCIL CHAMBER

300 CITY CENTRE DRIVE

MISSISSAUGA, ONTARIO L5B 3C1

INDEX

1.	CALL TO ORDER	1
2.	DISCLOSURES OF PECUNIARY INTEREST	1
3.	MINUTES OF PREVIOUS COUNCIL MEETINGS	2
4.	APPROVAL OF AGENDA	2
5.	PRESENTATIONS	3
6.	DEPUTATIONS	3
7.	PUBLIC QUESTION PERIOD	3
8.	CORPORATE REPORTS	4
9.	COMMITTEE REPORTS	9
10.	UNFINISHED BUSINESS	24
11.	PETITIONS	24
12.	CORRESPONDENCE	25
13.	RESOLUTIONS	26
14.	BY-LAWS	33
15.	OTHER BUSINESS	36
16.	INQUIRIES	37
17.	NOTICES OF MOTION	38
18.	CLOSED SESSION	38
19.	CONFIRMATORY BY-LAW	48
20.	ADJOURNMENT	48

PRESENT: Mayor Hazel McCallion
Councillor Carmen Corbasson Ward 1
Councillor Pat Mullin Ward 2
Councillor Frank Dale Ward 4
Councillor Eve Adams Ward 5
Councillor Carolyn Parrish Ward 6
Councillor Nando Iannicca Ward 7
Councillor Katie Mahoney Ward 8
Councillor Pat Saito Ward 9
Councillor Sue McFadden Ward 10
Councillor George Carlson Ward 11

ABSENT: Councillor Maja Prentice Ward 3

STAFF: Janice Baker, City Manager and Chief Administrative Officer
Brenda Breault, Commissioner of Corporate Services and Treasurer
Paul Mitcham, Commissioner of Community Services
Martin Powell, Commissioner of Transportation and Works
Ed Sajecki, Commissioner of Planning and Building
Mary Ellen Bench, City Solicitor
Crystal Greer, City Clerk
Grant Bivol, Deputy City Clerk
Shalini Alleluia, Legislative Coordinator
Sacha Smith, Legislative Coordinator

1. CALL TO ORDER

The meeting was called to order at 1:35 p.m. by Mayor Hazel McCallion, with the saying of the Lord's Prayer and a moment of silence in tribute to Remembrance Day.

2. DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST

Mayor Hazel McCallion advised that there were a number of resolutions and an In Camera report dealing with the Judicial Inquiry and she wished to declare Conflict of Interest on all of those matters.

The City Clerk listed the related matters:

- (a) A motion to reconsider Resolution 0234-2009 of October 28, 2009 (to be introduced during Approval of Agenda)
- (b) A motion to move in Camera to deal with the motion to revise the Terms of Reference of the Judicial Inquiry.

- (c) The In Camera Report to amend the Terms of Reference from the City Solicitor
- (d) A draft Resolution with respect to the revised Terms of Reference as proposed by the City Solicitor distributed to all members of council.
- (e) A Notice of Motion requesting monthly reports on all expenses relating to the Judicial Inquiry

MG.01

3. **MINUTES OF PREVIOUS COUNCIL MEETINGS**

- (a) October 28, 2009 - Session 19

Approved as presented

MG.01

4. **APPROVAL OF THE AGENDA**

The Acting Mayor, Nando Iannicca, took the Chair as Mayor Hazel McCallion declared Conflict of Interest on a matter to be added to the Agenda. The Mayor left the Council Chambers.

Councillor Pat Saito requested that In Camera Report #91 proposing revisions to the Terms of Reference for the Judicial Inquiry be dealt with in public. Mary Ellen Bench, City Solicitor, advised that the In Camera Report identified potential litigation and identifiable names which were confidential at this time; however, the recommendation emanating from the In Camera meeting would be read in public. She suggested that Council may wish to consider releasing the report to the Public after the In Camera Session.

Councillor Pat Mullin requested clarification as she expressed concern that although there is the issue of litigation, the public is made aware of the details of this matter.

The following vote to bring In Camera Report #91 in Open Session was voted on and lost:

“That Closed Session Item #91 be brought into Open Session for deliberation, and not considered In Camera.”

Motion Lost

MG.01

The following matters were added to the Agenda, copies of which were provided to members of Council:

- (a) A motion to reconsider Resolution 0234-2009 of October 28, 2009.

Councillors Katie Mahoney and Pat Saito requested to be noted as abstaining from the vote.

- (b) A motion to deal with the Apportionment of Taxes from the October 28, 2009 Council meeting which was not called to a vote.

5. **PRESENTATIONS - Nil**

6. **DEPUTATIONS**

- (a) 2009 Development Charges (Revised)

There were no persons in attendance to address Council regarding the revised 2009 Development Charges.

Corporate Report R-1/Resolution 0260-2009
FA.35

Mayor Hazel McCallion resumed the Chair.

- (b) Port Credit's 175th. Anniversary Celebrations

Ms. Lydia Ordonez-Niles, Chair, Port Credit's 175th. Anniversary Executive Committee addressed Council to outline the celebrations and events planned for Port Credit's 175th. Anniversary in 2010. Using a PowerPoint Presentation, she highlighted the events for the entire year, month by month.

PR.04

7. **PUBLIC QUESTION PERIOD** (in accordance with Section 36 of the City of Mississauga Procedure By-law 0421-2003 - Council may grant permission to a person who is present and at Council and wishes to address Council on a matter on the Agenda. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

8. CORPORATE REPORTSR-1 2009 Development Charges (Revised)

Report dated October 26, 2009 from the Commissioner of Corporate Services and Treasurer with respect to the 2009 Development Charges (Revised)

RECOMMENDATION:

1. That the following recommendations incorporated into the Development Charge Background Study prepared by Hemson Consulting Ltd. be approved by Council:
 - a. That the present practices regarding the collection of development charges and by-law administration continue to the extent possible, having regard to any new requirements of the *Development Charges Act, 1997*.
 - b. That the City continue its reporting policies consistent with the requirements of the *Development Charges Act, 1997*.
 - c. That, as required under the *Development Charges Act, 1997* rules regarding application of the by-law and exemptions be codified within the Development Charge By-law proposed for adoption.
 - d. That the Development Charges By-law permit the payment of a development charge in either cash or through the provision of services-in-lieu agreements, subject to City approval.
 - e. That with the exception of public universities, colleges and hospitals, and some seasonal/temporary uses, no exemptions other than those required in the *Development Charges Act, 1997* be formally adopted in the By-law.
2. That Council adopt the growth-related capital forecast for City Services included in the Development Charges Background Study Revised–September 2009 and its companion documents, subject to an annual review through the City’s normal capital budget process and that the City of Mississauga Development Charges Background Study Revised prepared by Hemson Consulting Ltd. September 2009 be approved.
3. That the adoption “in principle” of the growth related capital forecast signifies Council’s intention to ensure that the increase in services attributable to growth will be met as required under the *Development Charges Act, 1997 s.5(1)3.*, recognizing, however, that specific projects and project timing as contained in the study forecast may be revised from time to time at the discretion of Council.

4. That, for lands which are the subject of existing agreements, development charges shall be levied at the rates in effect when building permits are issued, less any credits recognized under the procedures described in Ontario Regulation 82/98, Section 17.
5. That no further public meeting shall be required prior to the enactment of the City of Mississauga Development Charges By-law Revised, 2009.
6. That the City of Mississauga Development Charges By-law Revised, 2009 be enacted.
7. That the 2009 Development Charges By-law rates be implemented over a period of months such that any building permit application received by December 4, 2009 and issued by April 30, 2010 will pay development charges under the 2004 Development Charges By-law indexed rates. Building permit applications which do not meet the criteria, will pay the 2009 Development Charges By-law Revised rates.

Resolution 0260-2009

By-law 0342-2009

MG.01.Pub

R-2 2010 Interim Tax Levy For Properties Enrolled in the Pre-Authorized Tax Payment Plan

Report dated October 20, 2009 from the Commissioner of Corporate Services and Treasurer with respect to 2010 Interim Tax Levy For Properties Enrolled in the Pre-Authorized Tax Payment Plan

RECOMMENDATION:

1. That the City Treasurer be authorized and directed to make an interim tax levy in 2010.
2. That a by-law be enacted to provide for a 2010 interim tax levy based on 50 per cent of the previous year's annualized taxes on those properties subject to an agreement under the City of Mississauga Pre-authorized Tax Payment Plan.
3. That the 2010 interim levy for residential properties enrolled in the due date plan be payable in three (3) installments on March 4th, April 1st, and May 6th, 2010.

4. That the 2010 interim levy for properties in the commercial, industrial and multi-residential property classes enrolled in the due date plan be payable in one (1) installment on March 4th, 2010.
5. That the 2010 interim levy for properties enrolled in the monthly plan be payable in six (6) instalments based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd of the months of January, February, March, April, May and June, 2010.

Resolution 0261-2009

By-law 0337-2009

FA.36

R-3 Surplus Land Declaration for the Purpose of Sale for Affordable Housing Purposes - southwest corner of Eglinton Avenue West and Creditview Road (Ward 6)

Report dated October 20, 2009 from the Commissioner of Corporate Services and Treasurer with respect to Surplus Land Declaration for the Purpose of Sale for Affordable Housing Purposes - southwest corner of Eglinton Avenue West and Creditview Road (Ward 6)

RECOMMENDATION:

1. That lands containing an area of approximately 0.466 ha (1.152 acres) be declared surplus to the City's requirements for the purpose of transfer to United Lands ("United") for the sole purpose of constructing a 250 unit assisted housing project to be owned and managed by Peel Housing. The subject lands are legally described as part of Lot 6, Range 5, north of Dundas Street, designated as Parts 2, 3 and 4 on Reference Plan 43R-22365 and as Blocks 6 and 9, Plan 43M-1237, City of Mississauga, Regional Municipality of Peel ("the City Lands"), in Ward 6.
2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land.

Resolution 0262-2009

PO.11.Egl

- R-4 Rezoning and Draft Plan of Subdivision to permit seven (7) detached dwellings with frontage on a common element condominium road, 6680 McLaughlin Road, West side of McLaughlin Road, north of Courtneypark Drive West, Owner: Ranko and Natasa Lazarevic, Applicant: M. Wortel, John D. Rogers and Associates Inc., Bill 20, OZ 06/021 W11 (T-M06005 W11), Ward 11

Report dated October 13, 2009 from the Commissioner of Planning and Building with respect to a Rezoning and Draft Plan of Subdivision to permit seven (7) detached dwellings with frontage on a common element condominium road, 6680 McLaughlin Road, West side of McLaughlin Road, north of Courtneypark Drive West, Owner: Ranko and Natasa Lazarevic, Applicant: M. Wortel, John D. Rogers and Associates Inc., Bill 20, OZ 06/021 W11 (T-M06005 W11), Ward 11

RECOMMENDATION:

That the Report dated October 13, 2009, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 06/021 W11 and T-M06005 W11, Ranko and Natasa Lazarevic, 6680 McLaughlin Road, west side of McLaughlin Road, north of Courtneypark Drive West, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the application to change the Zoning from "R1" (Detached Dwellings – Typical Lots) and "D" (Development) to "R16-Exception" (Detached Dwellings on a CEC – Private Road) and "G1" (Greenbelt) to permit six (6) detached dwellings and the retention of one (1) detached dwelling on a common element condominium road be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved.
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.

- (c) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and both School Boards not apply to the subject lands.
 - (d) That prior to the approval of the draft plan of subdivision, the applicant must enter into an Aircraft Noise Warning Agreement with the Greater Toronto Authority and the City of Mississauga.
 - (e) That the permitted uses and development standards shall be consistent with those outlined in Appendix S-7.
- 3. That the Plan of Subdivision under file T-M06005 W11, be recommended for approval subject to the conditions contained in Appendix S-8, attached to the report dated October 13, 2009, from the Commissioner of Planning and Building.
 - 4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 36 months of the Council decision.

Resolution 0263-2009

OZ 06/021 W11 (T-M06005 W11)

R-5 Amending Agreement to amend the Memorandum of Agreement between OMERS Realty Management Corporation, 156 Square One Limited and The Corporation of the City of Mississauga

Report dated November 4, 2009 from the City Solicitor with respect to the Amending Agreement to amend the Memorandum of Agreement between OMERS Realty Management Corporation, 156 Square One Limited and The Corporation of the City of Mississauga

RECOMMENDATION:

- 1. That the Commissioner of Planning and Building and the City Clerk be authorized to enter into an Amending Agreement to amend the Memorandum of Agreement entered into between OMERS Realty Management Corporation (“OMERS”), 156 Square One Limited (“156 Square One”) (formerly known as 1331430 Ontario Inc.), and The Corporation of the City of Mississauga (the “City”), dated March 30, 2005, in a form satisfactory to Legal Services.

2. That all necessary by-laws be enacted.

Resolution 0264-2009

By-law 0343-2009 – Memorandum of Agreement

0350-2009 – Development Agreement

0351-2009 – Removal of Holding Symbol

OZ H 09/002 W4

9. COMMITTEE REPORTS

- (a) **General Committee- Report 16-2009 dated November 4, 2009**

MG.23

Recommendations GC-676-2009 – PDC-0739-2009

Approved – Resolution 0256-2009

MG.23

GC-0676-2009

1. That the Corporate Report dated October 7, 2009 from the Commissioner of Transportation and Works regarding Amendments to Traffic By-law 555-00 – Parking Enforcement be deferred to November 18, 2009 General Committee.

BL.02 (FA.11)

GC-0677-2009

That a by-law be enacted to amend By-law 0555-2000, as amended, to implement an all-way stop control at the intersection of Waxwing Drive and Prairie Circle.

BL.02.TRA (Ward 10)

GC-00678-2009

1. That the Purchasing Agent be authorized to increase the upset limit for the City's contract with PCL (#4500325692), for the redevelopment of Civic and Library Square, from \$35,900,000 to \$39,250,000, to undertake parking garage modifications for the introduction of paid parking in the Civic Centre and Central Library parking garages, as outlined in the report to General Committee dated October 29, 2009 from the Transportation and Works Department;
2. That funding in the amount of \$3,350,000 be allocated to a newly established Civic Centre and Central Library Parking Garage project (PN09-070) from the Capital Reserve Fund (Account 33121) to undertake parking garage enhancements to facilitate the introduction of paid parking in the Civic Centre and Central Library parking garages;

3. That funding in the amount of \$600,000 be allocated to a newly established Civic Centre Municipal Parking Facilities – Paid Parking Equipment project (PN09-010) from the Capital Reserve Fund (Account 33121) to complete civil work and purchase additional pay and display machines for the Civic Centre and Central Library parking garages;
 4. That staff report back to General Committee at the appropriate time with an overview of the operation plan of the paid parking system in the Civic Precinct parking garages; and
 5. That all the necessary by-laws be enacted.
- RT.17.PAY (Ward 4)

GC-00679-2009

1. That the request from the Port Credit Business Improvement Area's to waive on-street parking charges within the Port Credit Business Improvement Area for the month of December 2009, be approved; and,
2. That staff be directed to report on extending the on-street parking fee waiver for the month of December to include Living Arts Drive and Princess Royal Drive.

FA.11.POR

GC-00680-2009

1. That the Road Occupancy Permit – Special Provision – Complex Construction (Schedule 'A') one year fees be increased from \$1,100.00 to \$4,000.00 and that the fees for permit extensions/revisions be increased from \$280.00 to \$2,000.00 to recover City costs in the Transportation and Works Fees and Charges By-law effective January 1, 2010.
2. That the following new fees be incorporated into the annual Transportation and Works Fees and Charges By-law effective January 1, 2010 to recover City staff time and resource costs, associated with high rise and complex structure development.
 - a) Road Occupancy Permit – Special Provision – Complex Construction (Schedule 'A'). Dewatering Fee of \$150.00 per month until the structure is above ground and until dewatering is no longer required.
 - b) Road Occupancy Permit – Special Provision – Complex Construction (Schedule 'A'). Encroachment Enclosure Fee of \$2.00 per square metre (\$0.19 per square foot) per month for as long as the encroachment exists and the fee be phased in, over 3 years as follows:
 - i. 1st year (2010) - \$1.00 per square metre (\$0.09 per square foot) per month;
 - ii. 2nd year (2011) - \$1.50 per square metre (\$0.14 per square foot) per month;
 - iii. 3rd year (2012) - \$2.00 per square metre (\$0.19 per square foot) per month.

- c) Road Occupancy Permit – Special Provision – Complex Construction (Schedule ‘A’). Aerial crane trespass fee of \$17.00 per day for as long as the tower crane is in place.

FA.11.FEE

GC-00681-2009

That staff review the issue of street advertising for on-street recycling containers and report back to General Committee prior to expanding the on-street recycling program.

EC.04.0N

GC-00682-2009

1. That the Manager of Realty Services be authorized to sign an Appointment and Authorization of Agent form and any documents required in association with minor variance application to be submitted by the Architect on behalf of the City for the City-owned lands at 7101 Goreway Road legally described as Part of Lot 11, Concession 8, Geographic Township of Toronto Gore County of Peel, City of Mississauga; and,
2. That all necessary By-laws be enacted.

SP.09/178 (Ward 5)

GC-00683-2009

That the report titled “ActiveAssist Program Performance” dated October 19, 2009 from the Commissioner of Community Services be received for information.

CA.24.FEE

GC-00684-2009

That the Purchasing Agent be authorized to sign a contract with Dependable Emergency Vehicles for the supply of additional pumpers previously included as an option in Procurement No. FA.49.815-08.

FA.49.815-08

GC-00685-2009

1. That the City owned parcel of land located on Avonhead Road be declared surplus to the City’s requirements for the purpose of sale to the abutting owner located at 885 Avonhead Road. The parcel of land, labelled as Part 4 and Part 5 on the attached sketch (see Appendix 2), is located on the east side of Avonhead Road, just south of Royal Windsor Drive. The City owned parcel is legally described as Part of Lot 32, Concession 3, South of Dundas Street, Township of Toronto as in TT124691A, Part 4 and Part 5 on Reference Plan 43R-21957, in the City of Mississauga, Regional Municipality of Peel, in Ward 2, and contains an area of approximately 1,302 square metres (14,009.52 square feet); and,

2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-2008 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land under delegated authority.

PO.11.AVO (Ward 2)

GC-00686-2009

That the Corporate Report dated October 13, 2009 from the Commissioner of Community Services regarding Churchill Meadows Branch Library / St. Joan of Arc Secondary School – Shared Use Agreement and Ground Lease, be deferred to November 18, 2009 General Committee.

PO.13.CHU (Ward 10)

GC-00687-2009

That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute and affix a Corporate Seal to the required municipal statement confirming installation of facilities and services to be added to Schedule 'G' to Declaration for a Standard or Phased Condominium Corporation for Draft Plan of Phased Condominium CDM.07.018, Phase 2, located at 97-107 and 117-131 Robert Speck Parkway.

CDM-M07018 (Ward 4)

GC-00688-2009

That a by-law be enacted to authorize the Commissioner of Planning and Building and the City Clerk to execute and affix the Corporate Seal to a Warning Clause Agreement in a form satisfactory to the City Solicitor, between Ghani and Atiya Ahsan and The Corporation of the City of Mississauga.

SP 09/069 (Ward 11)

GC-00689-2009

That a Development Charges credit in the amount of \$84,871.60 be afforded to the developer, Erin Mills Development Corporation, for their costs associated with park development for Forest Hill Park #247, located east of Erin Mills Parkway and north of Eglinton Avenue West.

T-M08004 (Ward 11)

GC-00690-2009

That the Corporate Report dated October 13, 2009 from the Commissioner of Community Services entitled, "Comparator Fees for Municipal Services to Festivals" be received for information.

MG.11

(FFRC-0006-2009)

GC-00691-2009

That the news release dated October 7, 2009 from Bob Delaney, MPP, Mississauga-Streetsville with respect to Celebrate Ontario 2010 grant be received for information.

MG.11

(FFRC-0007-2009)

GC-00692-2009

That the matter of the proposed addition to the Heritage Register of the Russell Langmaid School located at 170 Church Street, be deferred to the Heritage Advisory Committee meeting scheduled to be held on June 22, 2010, provided that the Peel District School Board notifies the City's Heritage staff of any plans of demolition or alteration of the Russell Langmaid School prior to this Committee's consideration of the proposed addition to the Heritage Register.

CS.08.CHU W11

(HAC-0066-2009)

GC-00693-2009

That "Vision '62," 1352 Nocturne Court, be listed on the City's Heritage Register for its physical/design, historical/associative and contextual value and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

CS.08.NOC W2

(HAC-0067-2009)

GC-00694-2009

That the proposed alterations to the Port Credit Memorial Arena, designated under the *Ontario Heritage Act*, as outlined in the report from the Commissioner of Community Services, dated October 16, 2009, be approved subject to visual improvement of the wall fronting onto the driveway access to the parking lot as discussed at the Heritage Advisory Committee meeting held on October 27, 2009 and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

CS.08.STA W1

(HAC-0068-2009)

GC-00695-2009

That Clerk's staff report back at the next Heritage Advisory Committee meeting with a draft 2010 budget including line items for promotion, community education, member conferences, as well as a summary of other budgets of Advisory Committees of Council.

MG.07

(HAC-0069-2009)

GC-00696-2009

That the memorandum dated October 20, 2009 from Jessica Reid, Legislative Coordinator, Office of the City Clerk, with respect to scheduled meeting dates for 2010, be received for information.

MG.07

(HAC-0070-2009)

GC-00697-2009

That the memorandum dated October 15, 2009 from Paula Wubbenhorst, Heritage Coordinator, with respect to the status of the proposed heritage designation of the Cordingley House located at 6671 Ninth Line in Ward 10, be received for information.

CS.08.NIN W10
(HAC-0071-2009)

GC-00698-2009

That the proposed alterations to the Streetsville Village Hall, 280 Queen Street South, as outlined in the report from the Commissioner of Community Services, dated October 9, 2009, be approved.

CS.08.QUE W11
(HAC-0072-2009)

GC-00699-2009

That the chart identifying the status of the outstanding issues from the Heritage Advisory Committee as at October 27, 2009, be received.

MG.07
(HAC-0073-2009)

GC-00700-2009

That the memorandum dated October 20, 2009 from the Commissioner of Community Services with respect to the transfer of Heritage Planning staff to the Culture Division of Community Services, be received for information.

MG.07
(HAC-0074-2009)

GC-00701-2009

That the Corporate Report dated September 15, 2009 from Commissioner of Community Services presented to General Committee on October 7, 2009 with respect to Capital Projects at Benares Historic House located at 1503 Clarkson Road North, in Ward 2, be received for information.

FA.04.BEN W2
(HAC-0075-2009)

GC-00702-2009

WHEREAS 2096553 Ontario Inc. (Hush Homes) offered to contribute to the community, in connection with their development located at 6950 Second Line West, by restoring the Bell Tower on the Meadowvale Village Hall located at 6970 Second Line West, in Ward 11, owned by the City.

WHEREAS Hush Homes had a Bell Tower built and City Heritage staff are concerned with the design and material of that Bell Tower.

NOW THEREFORE BE IT RESOLVED THAT City Heritage staff report back to Heritage Advisory Committee with a cost estimate for the City to build a new Bell Tower for the Meadowvale Village Hall located at 6970 Second Line West, in Ward 11.

CS.08.SEC W2
(HAC-0076-2009)

GC-00703-2009

1. That the request for a Crossing Guard at the intersection of Lorne Park Road and Indian Road/Crestdale Road for the students attending Lorne Park Public School, 1325 Indian Road be denied as the warrants have not been met.
2. That Transportation & Works be requested to paint zebra striped markings at the intersection of Lorne Park Road and Indian Road/Crestdale Road.
3. That the Principal at Lorne Park Public School be requested to reinforce with students and parents to cross the intersection of Lorne Park Road and Indian Road/Crestdale Road at the west and north legs of the intersection for the best visibility and least amount of traffic.

RT.10.Lorne Park (W2)
(TSC-0234-2009)

GC-00704-2009

That the request for a Crossing Guard at the intersection of Confederation Parkway and Hillcrest Avenue for the students attending Father Daniel Zanon Catholic School, 450 Hillcrest Avenue be denied as the warrants have not been met.

RT.10.Father Daniel (W7)
(TSC-0235-2009)

GC-00705-2009

That the site inspection report dated October 2, 2009 for the review of pedestrian safety at the intersection of Bristol Road and Loonlake Avenue be received.

RT.10.Fallingbrook (W6)
RT.10.Rick Hansen (W6)
(TSC-0236-2009)

GC-00706-2009

That the Crossing Guard be removed at the intersection of Lakeshore Drive and Shaw Drive for the students attending St. Dominic Catholic School, 515 Hartsdale Avenue as the warrants are no longer met.

RT.10.St. Dominic (W1)
(TSC-0237-2009)

GC-00707-2009

That the request for a Crossing Guard at the intersection of Tenth Line West and Escada Drive/Gladish Grove for the students attending St. Bernard of Clairvaux Catholic School, 3345 Escada Drive be denied as the warrants have not been met.

RT.10.St. Bernard (W10)

(TSC-0238-2009)

GC-00708-2009

That the request for a Crossing Guard at the intersection of Tomken Road and Bloor Street for the students attending St. Thomas More Catholic School, 3270 Tomken Road be denied as the warrants have not been met.

RT.10.St. Thomas (W3)

(TSC-0239-2009)

GC-00709-2009

That the email dated October 22, 2009 from Sheelagh Duffin, Crossing Guard Supervisor requesting a site inspection to review the warrants to remove the crossing guard in front of Vista Heights Public School, 89 Vista Boulevard and to review pedestrian safety be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Vista Heights (W11)

(TSC-0240-2009)

GC-00710-2009

That the email dated October 19, 2009 from Sheelagh Duffin, Crossing Guard Supervisor requesting a site inspection for a crossing guard at the intersection of Morning Star Drive and Corliss Crescent for the students attending Holy Cross Catholic School, 3615 Morning Star Drive and Corliss Public School, 3730 Corliss Crescent be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Holy Cross (W5)

RT.10.Corliss (W5)

(TSC-0241-2009)

GC-00711-2009

That the email dated October 15, 2009 advising that Joe Pitushka, Director, Engineering & Works has requested a site inspection for a crossing guard at the intersection of Mississauga Valley Boulevard and Kaneff Crescent for the students attending Canadian Martyrs Catholic School be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Canadian Martyrs (W4)

(TSC-0242-2009)

GC-00712-2009

That the email dated October 15, 2009 from Anna Gentile, Student Transportation requesting a pedestrian safety review at the intersection of Mississauga Road and Stonehouse Crescent for the students attending Oakridge Public School, 2060 Stonehouse Crescent be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Oakridge (W8)
(TSC-0243-2009)

GC-00713-2009

That the email dated October 5, 2009 from Councillor Pat Saito requesting a site inspection for a crossing guard at the intersection of Duncairn Drive and Ruperts Gate Drive for the students attending Divine Mercy Catholic School, 2840 Duncairn Drive be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Duncairn (W9)
(TSC-0244-2009)

GC-00714-2009

That the Dismissal Report for the months of September/October 2009 be received for information.

RT.10.Dismissal
(TSC-0245-2009)

GC-00715-2009

That the Peel District School Board be requested to place Lynwood Public School, 498 Hartsdale Avenue on their list of pavement painting to detail the lanes with directional arrows and parking stalls.

RT.10. Lynwood (W1)
(TSC-0246-2009)

GC-00716-2009

1. That Transportation & Works be requested to review relocating the transit stop on the north and south sides of Erin Centre Boulevard in the vicinity of John Fraser Secondary School, 2665 Erin Centre Boulevard closer to the traffic signals, east of the existing transit stop locations.
2. That Parking Enforcement be requested to enforce the parking infractions in the accessible parking spaces at John Fraser Secondary School between 2:20 – 2:30 pm.
3. That a meeting be arranged with the Peel District School Board Maintenance staff and representatives from Traffic Safety Council to discuss possible modifications to the driveway at John Fraser Secondary School to improve Kiss & Ride and Dismissal procedures.

4. That the Principal and Traffic Safety Council attempt to reduce the excessively high volume of pick up vehicles during the dismissal period at John Fraser Secondary School, as walking should be reviewed as an alternative.

RT.10. John Fraser (W9)
(TSC-0247-2009)

GC-00717-2009

1. That Transportation & Works be requested to review the No Stopping signs on Escada Drive and on adjacent side streets in the vicinity of St. Bernard of Clairvaux Catholic School, 3345 Escada Drive.
2. That Parking Enforcement be requested to enforce the parking infractions in front of St. Bernard of Clairvaux Catholic School between 3:00-3:25 pm.
3. That the Dufferin-Peel Catholic District School Board be requested to place St. Bernard of Clairvaux Catholic School on the priority list to repaint the pavement directional markings, Kiss & Ride & bus lane designations and parking stalls.

RT.10. St. Bernard (W10)
(TSC-0248-2009)

GC-00718-2009

1. That Transportation & Works be requested to review the No Stopping signs on Artesian Drive and the corner parking prohibitions on Melfort Crescent and Dolson Court in the vicinity of Artesian Drive Public School, 3325 Artesian Drive.
2. That Parking Enforcement be requested to enforce the parking infractions in front of Artesian Drive Public School over a 3-day period between 2:50-3:10 pm.
3. That the Peel District School Board be requested to consider repainting the driveway at Artesian Drive Public School in 2010.

RT.10. Artesian Drive (W8)
(TSC-0249-2009)

GC-00719-2009

1. That Transportation & Works be requested to replace the existing faded No Stopping & No Parking signs on Edenrose Street in the vicinity of Edenrose Public School, 1342 Edenrose Street.
2. That Traffic Safety Council be requested to review the dismissal procedures at Edenrose Public School once the proposed changes by representatives of Traffic Safety Council, City Staff and the Peel District School Board have been implemented. \

RT.10. Edenrose (W6)
(TSC-0250-2009)

GC-00720-2009

1. That Parking Enforcement be requested to enforce the parking infraction in front of St. Bernadette Catholic School, 1060 White Clover Way between 2:50-3:10 pm.
2. That Transportation & Works be requested to review the number of No Stopping and No Parking signs on the north side of White Clover Way in front of St. Bernadette Catholic School.
3. That the Dufferin-Peel Catholic School Board be requested to install a vinyl chain link fence between the driveway entrance and exit at St. Bernadette Catholic School to discourage students from crossing the busy driveway.

RT.10. St. Bernadette (W6)
(TSC-0251-2009)

GC-00721-2009

1. That Parking Enforcement be requested to enforce the parking infractions on the west & east sides of Lisgar Drive and on Swanson Drive and Baycroft Drive in the vicinity of Osprey Woods Public School, 6135 Lisgar Drive between 2:50-3:10 pm.
2. That Transportation & Works be requested to review the adequacy of the corner parking prohibition signs on Swanson Drive & Baycroft Drive in the vicinity of Osprey Woods Public School.

RT.10.Osprey Woods (W10)
(TSC-0252-2009)

GC-00722-2009

1. That Parking Enforcement be requested to enforce the parking infractions in front of St. Edith Stein Catholic School, 6234 Osprey Boulevard between 3:25- 3:35 pm.
2. That the Dufferin-Peel Catholic District School Board be requested to repaint the driveway at St. Edith Stein Catholic School in 2010.

RT.10.St. Edith (W10)
(TSC-0253-2009)

GC-00723-2009

That Parking Enforcement be requested to enforce the parking infractions in front of Settlers Green Public School, 5800 Montevideo Road for the students attending Settlers Green Public School between 3:15- 3:25 pm.

RT.10.Settlers Green (W9)
(TSC-0254-2009)

GC-00724-2009

That the email dated October 6, 2009 from Ken Moore, Traffic Signals and Systems advising that pedestrian count down timers will be installed at the intersection of Eglinton Avenue West and Creditview Road resulting from Traffic Safety Council recommendation TSC-0199-2009 for St. Dunstan Catholic School.

RT.10.St. Dunstan (W6)
(TSC-0255-2009)

GC-00725-2009

That the email dated October 6, 2009 from Ken Moore, Traffic Signals and Systems advising that pedestrian count down timers have been installed at the intersection of Eglinton Avenue West and Creditview Road resulting from Traffic Safety Council recommendation TSC-0199-2009 for St. Dunstan Catholic School be received for information.

RT.10.St. Dunstan (W6)
(TSC-0256-2009)

GC-00726-2009

That the email dated October 1, 2009 from Steve Gee, Traffic Signal Technician advising that a review was conducted at Philip Pocock Secondary School in response to Traffic Safety Council recommendation TSC-0192-2009 be received for information.

RT.10.Philip Pocock (W3)
(TSC-0257-2009)

GC-00727-2009

That Transportation & Works and the Peel District School Board be requested to construct a pathway/sidewalk linking to the municipal sidewalk along the westerly end of the school property and west of the existing driveway at Queen Elizabeth Senior Public School, 60 South Service Road.

RT.10.Queen Elizabeth (W1)
(TSC-0258-2009)

GC-00728-2009

That the November/December 2009 issue of the Traffic Safety Times be approved for distribution to the Peel District School Board and Dufferin-Peel Catholic District School Board.

MG.08.Pub
(TSC-0259-2009)

GC-00729-2009

That the Transportation and Works Action Items list dated June 2009 be received for information.

MG.08.Tra
(TSC-0260-2009)

GC-00730-2009

1. That the request for a Crossing Guard at the intersection of Glen Erin Drive and Aquitaine Avenue for the students attending Shelter Bay Public School, 6735 Shelter Bay Road be denied as the warrants have not been met.
2. That Transportation & Works be requested to review the feasibility of painting zebra stripes at the intersection of Glen Erin Drive and Aquitaine Avenue to further enhance the crossing.

RT.10.Shelter Bay (W9)
(TSC-0261-2009)

GC-00731-2009

1. That a Crossing Guard be implemented at the intersection of Twain Avenue and McLaughlin Road for the students attending Derry West Village Public School, 620 Twain Avenue as the warrants have been met.
2. That Transportation & Works be requested to review the feasibility of painting zebra stripes at the intersection of Twain Avenue and McLaughlin Road to further enhance the crossing.

RT.10.Derry West (W11)
(TSC-0262-2009)

GC-00732-2009

1. That the Crossing Guard at the southeast corner at Huntington Ridge Drive and Confederation Parkway be relocated to the northwest corner of the intersection to cross students at the north and west legs of the intersection.
2. That Traffic Safety Council be requested to re-inspect the intersection of Huntington Ridge Drive and Confederation Parkway during the 3rd week of November 2009 to ensure the relocation of the crossing guard to the northwest corner of the intersection works well.
3. That Transportation & Works be requested to paint zebra stripes at the intersection of Huntington Ridge Drive and Confederation Parkway to enhance motorists' awareness of pedestrians at the intersection.
4. That the Principals at Huntington Ridge Public School, 345 Huntington Ridge Drive and St. Matthew Catholic School, 280 Kingsbridge Garden Circle be requested to encourage students to remain on the north side of Huntington Ridge Drive and cross with the crossing guard at the north leg of the intersection at Huntington Ridge Drive and Confederation Parkway.

RT.10.Huntington Ridge (W4)
RT.10.St. Matthew (W4)
(TSC-0263-2009)

GC-00733-2009

That the email dated October 22, 2009 from Councillor George Carlson requesting a site inspection on behalf of a resident at the intersection of Tottington Road and Meadowvale Boulevard for the students attending Angel Gabriel Catholic School, 1830 Meadowvale Boulevard be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Ange Gabriel (W11)
(TSC-0264-2009)

GC-00734-2009

That the email dated October 25, 2009 from Colleen Ramalheiro, Ruth Thompson Public School Council requesting a site inspection to review pedestrian safety in front of the school and placement of a crossing guard at the intersection of Deepwood Heights and Freshwater Drive for the students attending Ruth Thompson Public School, 5605 Freshwater Drive be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Ruth Thompson (W10)
(TSC-0265-2009)

GC-00735-2009

That the email dated October 22, 2009 from Jane Scheufler, Tecumseh Public School Council requesting a site inspection on Chriseden Drive to review pedestrian safety for the students attending Tecumseh Public School, 1480 Chriseden Drive be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Tecumseh (W2)
(TSC-0266-2009)

GC-00736-2009

That the email dated October 8, 2009 from Councillor Pat Mullin for Traffic Safety Council to review a concern raised by a resident about a No Left Turn sign to be installed at the driveway exit at Lorne Park Public School be received and referred to the Site Inspection Subcommittee of Traffic Safety Council to review and report back to Traffic Safety Council.

RT.10.Lorne Park (W2)
(TSC-0267-2009)

GC-00737-2009

That the email dated October 23, 2009 from Andy Bate, Supervisor, Traffic Operations advising that 40km/hr school zone flashing lights remain in operation during holidays and breaks due to the potential for programs and activities be received for information.

MG.08.Tra
(TSC-0268-2009)

GC-00738-2009

That the email dated October 28, 2009 from Sheelagh Duffin, Crossing Guard Supervisor advising of the 2009 Crossing Guard Banquet on November 27, 2009 and that two (2) members of Traffic Safety Council are invited to attend in addition to the Chair of Traffic Safety Council be received.

MG.08

(TSC-0269-2009)

GC-00739-2009

1. That the Commissioner of Community Services and the City Clerk be authorized to execute a Memorandum of Understanding (MOU) with the Region of Peel for the operation of temporary Flu Assessment Centres at the McKechnie and Clarkson Community Centres, in a form satisfactory to the City Solicitor;
2. That the McKechnie Flu Assessment Centre be activated on November 10, 2009 at the request of the Commissioner of Health Services and the Medical Officer of Health for the Region of Peel; and,
3. That the necessary by-laws be enacted.

CS.01.FLU

(b) Budget Committee – Report 7-2009 dated November 9, 2009
Recommendations BC-0028-2009 – BC-0031-2009
Approved – Resolution 0256-2009
MG.29

BC-0028-2009

That staff be directed to report back to Budget Committee with information on the cost and funding source(s) for the pending Judicial Inquiry directed by Council (Resolution 0222-2009 Council 30 September 2009).

FA.19

BC-0029-2009

1. That an additional \$500,000.00 be allocated to the 2010 Winter Maintenance Operating Budget to allow for a City-wide pilot to remove snow windrows from driveways for older adults and people who are physically disabled to run from January 4, 2010 to March 26, 2010 and to fund continuation of the program the following season subject to Council approval.
2. That the driveway snow windrow removal program be limited to persons 65 years or older and people who are physically disabled as verified by a regulated health professional.

3. That those persons who are 65 years or older and people who are physically disabled as verified by a regulated health professional who qualify with the financial requirements of the City's Active Assist Program, receive this service at no charge.
4. That those persons who are 65 years or older and the people who are physically disabled as verified by a regulated health professional who do not qualify under the financial requirements of the City's Active Assist Program, have the service available at a cost of \$120.00 for the duration of the pilot program.
5. That the City's pilot Driveway Windrow Removal Program be limited to 2,500 residences who qualify under the Active Assist Program and limited to 1,000 residences who do not qualify under the Active Assist Program, on a first come, first serve basis.
6. That the Commissioner of Transportation and Works report back to General Committee upon conclusion of the pilot Driveway Windrow Removal Program with recommendations for future winter seasons.

FA.19 / RT.20

BC-0030-2009

That the Corporate Report entitled "Establishment of the Project Management Support Office" dated October 20, 2009 from the City Manager and Chief Administrative Officer be received for information and referred to the 2010 Budget with no increase in the 2010 net levy as funding is to be provided from future Capital projects.

CA.11.PRO

BC-0031-2009

That consideration of the matter in the Corporate Report dated November 4, 2009 and titled "Tax Rebate for Low-Income Seniors and Low-Income Persons with Disabilities" from the Commissioner of Corporate Services and Treasurer, be deferred pending the results of Peel Regional Council's consideration of a Region of Peel staff report regarding a common plan for granting the subject tax rebate.

FA.08.LOW

10. UNFINISHED BUSINESS

11. PETITIONS

12. CORRESPONDENCE

(a) Information Items I-1 – I-6

I-1 Judicial Inquiry – Letter from a resident

Letter dated October 28, 2009 from Ian Crook, resident with respect to his concerns relating to the Judicial Inquiry.

Received
MG.01.Jud

I-2 Development Application - 6680 McLaughlin Road

E-mail dated November 3, 2009 from Sanja Lakhtakia, resident, requesting consideration of the above lands for the purpose of a park and walking trail rather than the development of 7 homes.

Received and Referred to the Planning & Building Department
OZ 06/021 W11 (T-M06005 W11)

I-3 Proposed Changes to the Municipal Elections Act 1996, Municipal Act 2001 and the City of Toronto Act 2006

Communication from the Ministry of Municipal Affairs and Housing with respect to proposed changes to the Municipal Elections Act 1996, Municipal Act 2001 and the City of Toronto Act 2006

Councillor Frank Dale asked for clarification with respect to voter identification. The regulations are not out yet and Council will be further apprised.

Received and Referred to the Corporate Services and Legal Services Departments
LA.07.Mun

I-4 Development Application - 6680 McLaughlin Road

E-mail dated November 3, 2009 from Bella Colonna, resident, requesting consideration of the above lands for the purpose of a park and walking trail rather than the development of 7 homes.

Received and Referred to the Planning & Building Department
OZ 06/021 W11 (T-M06005 W11)

I-5 Development Application - 6680 McLaughlin Road

E-mail dated November 3, 2009 from Sonny Kumar, resident, requesting consideration to preserve the subject lands as natural habitat for wildlife instead of the proposed development of 7 homes.

Received and Referred to the Planning & Building Department
OZ 06/021 W11 (T-M06005 W11)

I-6 Request for Windrow Removal Service

E-mail from John and Nella Orsini to Mayor and Members of Council requesting consideration of a snow removal service that features windrow removal service.

BC-0029-2009/November 9, 2009
RT.20/FA.19

(b) Direction Items – Nil.

13. RESOLUTIONS

0256-2009 Moved by: Eve Adams

Seconded by : P. Mullin

That GC-0676-2009 to GC-0739-2009 inclusive as contained in the General Committee Report 16-2009 dated November 4, 2009 be approved;

That BC-0028-2009 to BC-0031-2009 as contained in the Budget Committee Report 7-2009 dated November 9, 2009 be approved;

Carried
MG.01.Pub

Acting Mayor, Nando Iannicca, took the chair as the Mayor declared a Conflict of Interest with certain matters In Camera. Mayor Hazel McCallion left the Council Chambers.

0257-2009

Moved by: G. Carlson

Seconded by: S. McFadden

WHEREAS the *Municipal Act, 2001*, as amended, requires Council to pass a resolution prior to closing part of a meeting to the public;

AND WHEREAS the Act requires that the resolution states the act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

NOW THEREFORE be it resolved that a portion of the Council meeting to be held on November 11, 2009, shall be closed under Section 239 (2) to the public to deal with the following matters:

- (i) Potential Litigation – Committee of Adjustment Appeal Matter – “A”
326/09 – 3626 Monica Drive, (Ward 5)
- (ii) Personal Matters about an identifiable individual, including municipal or local board employees – Absence of Citizen Member of the Environmental Advisory Committee
- (iii) Personal Matters about an identifiable individual, including municipal or local board employees – Recommendations for Appointment to Road Safety Mississauga Advisory Committee
- (iv) Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board – Purchase of Property on Camilla Road (Ward 7)
- (v) Potential Litigation – Judicial Inquiry Council Resolution 0234-2009

The vote on the above matter resolution was split with to deal with Part (i) - (iv) and Part (v) was voted on separately.

Councillors K. Mahoney and Saito advised that she did not support Item (v) being discussed in Camera.

Carried
MG.20

0258-2009

Moved by : C. Parrish

Seconded by : S. McFadden

Whereas Resolution 0234-2009 adopted by Council on October 28, 2009, adopted the terms of reference for the judicial inquiry

And Whereas the City Solicitor in her In Camera Report dated November 6, 2009, requests reconsideration to address an issue respecting potential litigation.

Now therefore be it resolved that the matter of the Terms of Reference for the Judicial Inquiry be reconsidered.

Carried
MG.01.Jud

Mayor H. McCallion resumed the Chair.

0259-2009 Moved by : P. Mullin Seconded by : C. Corbasson

WHEREAS the Mayor and Members of Council and staff of the City of Mississauga are saddened to learn of the passing of Angus Ewen McDonald, Retired Commissioner of Transportation and Works;

AND WHEREAS Angus McDonald began his career in the then Engineering, Works and Building Department in March 1976 as Director of Engineering Maintenance holding various other Director roles within the City before becoming the Commissioner of Transportation and Works in June, 1993;

AND WHEREAS Angus was involved in leading many key infrastructure projects including construction of the Burnhamthorpe bridges over the Mullet Creek and Credit River, the Eglinton rail grade separation and bridge over the Credit River and the Mavis/Highway 401 Interchange;

AND WHEREAS, Angus was involved in approving much of the servicing and infrastructure built during the significant growth of the City since 1976;

AND WHEREAS as Commissioner Angus lead not only the Public Works areas for the City but also lead Mississauga Transit;

AND WHEREAS Angus was recognized as an active member over the years in the American Public Works Association and the Municipal Engineers Association;

AND WHEREAS Angus is survived by his partner Janet and children Murray, Jeanette and Ken along with their spouses and grandchildren;

NOW THEREFORE BE IT RESOLVED THAT sincere condolences be extended on behalf of Council and staff to the family of Angus Ewen McDonald.

Members of Council paid a special tribute to Angus McDonald and recalled his dedication and commitment to his work at the City of Mississauga.

HR.15

0260-2009

Moved by: K. Mahoney

Seconded by: P. Saito

1. That the following recommendations incorporated into the Development Charge Background Study prepared by Hemson Consulting Ltd. be approved by Council:
 - a. That the present practices regarding the collection of development charges and by-law administration continue to the extent possible, having regard to any new requirements of the *Development Charges Act, 1997*.
 - b. That the City continue its reporting policies consistent with the requirements of the *Development Charges Act, 1997*.
 - c. That, as required under the *Development Charges Act, 1997* rules regarding application of the by-law and exemptions be codified within the Development Charge By-law proposed for adoption.
 - d. That the Development Charges By-law permit the payment of a development charge in either cash or through the provision of services-in-lieu agreements, subject to City approval.
 - e. That with the exception of public universities, colleges and hospitals, and some seasonal/temporary uses, no exemptions other than those required in the *Development Charges Act, 1997* be formally adopted in the By-law.
2. That Council adopt the growth-related capital forecast for City Services included in the Development Charges Background Study Revised–September 2009 and its companion documents, subject to an annual review through the City’s normal capital budget process and that the City of Mississauga Development Charges Background Study Revised prepared by Hemson Consulting Ltd. September 2009 be approved.
3. That the adoption “in principle” of the growth related capital forecast signifies Council’s intention to ensure that the increase in services attributable to growth will be met as required under the *Development Charges Act, 1997 s.5(1)3.*, recognizing, however, that specific projects and project timing as contained in the study forecast may be revised from time to time at the discretion of Council.
4. That, for lands which are the subject of existing agreements, development charges shall be levied at the rates in effect when building permits are issued, less any credits recognized under the procedures described in Ontario Regulation 82/98, Section 17.
5. That no further public meeting shall be required prior to the enactment of the City of Mississauga Development Charges By-law Revised, 2009.

6. That the City of Mississauga Development Charges By-law Revised, 2009 be enacted.
7. That the 2009 Development Charges By-law rates be implemented over a period of months such that any building permit application received by December 4, 2009 and issued by April 30, 2010 will pay development charges under the 2004 Development Charges By-law indexed rates. Building permit applications which do not meet the criteria, will pay the 2009 Development Charges By-law Revised rates.

Carried

MG.01.Pub

0261-2009 Moved by: P. Saito Seconded by : K. Mahoney

1. That the City Treasurer be authorized and directed to make an interim tax levy in 2010.
2. That a by-law be enacted to provide for a 2010 interim tax levy based on 50 per cent of the previous year's annualized taxes on those properties subject to an agreement under the City of Mississauga Pre-authorized Tax Payment Plan.
3. That the 2010 interim levy for residential properties enrolled in the due date plan be payable in three (3) installments on March 4th, April 1st, and May 6th, 2010.
4. That the 2010 interim levy for properties in the commercial, industrial and multi-residential property classes enrolled in the due date plan be payable in one (1) installment on March 4th, 2010.
5. That the 2010 interim levy for properties enrolled in the monthly plan be payable in six (6) instalments based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd of the months of January, February, March, April, May and June, 2010.

Carried

FA.36

0262-2009 Moved by: C. Parrish Seconded by: G. Carlson

1. That lands containing an area of approximately 0.466 ha (1.152 acres) be declared surplus to the City's requirements for the purpose of transfer to United Lands ("United") for the sole purpose of constructing a 250 unit assisted housing project to be owned and managed by Peel Housing. The subject lands are legally described as part of Lot 6, Range 5, north of

Dundas Street, designated as Parts 2, 3 and 4 on Reference Plan 43R-22365 and as Blocks 6 and 9, Plan 43M-1237, City of Mississauga, Regional Municipality of Peel (“the City Lands”), in Ward 6.

2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga’s website for at least three weeks prior to the execution of an agreement for the sale of the subject land.

Carried
PO.11.Egl

0263-2009

Moved by: S. McFadden

Seconded by: G. Carlson

That the Report dated October 13, 2009, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 06/021 W11 and T-M06005 W11, Ranko and Natasa Lazarevic, 6680 McLaughlin Road, west side of McLaughlin Road, north of Courtneypark Drive West, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the application to change the Zoning from "R1" (Detached Dwellings – Typical Lots) and "D" (Development) to "R16-Exception" (Detached Dwellings on a CEC – Private Road) and "G1" (Greenbelt) to permit six (6) detached dwellings and the retention of one (1) detached dwelling on a common element condominium road be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved.

- (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
 - (c) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and both School Boards not apply to the subject lands.
 - (d) That prior to the approval of the draft plan of subdivision, the applicant must enter into an Aircraft Noise Warning Agreement with the Greater Toronto Authority and the City of Mississauga.
 - (e) That the permitted uses and development standards shall be consistent with those outlined in Appendix S-7.
- 3. That the Plan of Subdivision under file T-M06005 W11, be recommended for approval subject to the conditions contained in Appendix S-8, attached to the report dated October 13, 2009, from the Commissioner of Planning and Building.
 - 4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 36 months of the Council decision.

Carried

OZ 06/021 W11 (T-M06005 W11)

0264-2009

Moved by: F. Dale

Seconded by: E. Adams

- 1. That the Commissioner of Planning and Building and the City Clerk be authorized to enter into an Amending Agreement to amend the Memorandum of Agreement entered into between OMERS Realty Management Corporation (“OMERS”), 156 Square One Limited (“156 Square One”) (formerly known as 1331430 Ontario Inc.), and The Corporation of the City of Mississauga (the “City”), dated March 30, 2005, in a form satisfactory to Legal Services.
- 2. That all necessary by-laws be enacted

Carried

OZ.05/020

0265-2009 Moved by: S. McFadden Seconded by : P. Saito

Whereas the recommendation in the Corporate Report dated October 13, 2009, regarding the Tax Apportionment was approved at Council on October 28, 2009,

And Whereas, Council failed to call the vote on the staff recommendation when motions were dealt with,

Be it resolved that the recommended apportionment of taxes and payments set out in Appendix 1 of the report dated October 13, 2009 from the Commissioner of Corporate Services & Treasurer be approved.

Carried
FA.36

Note: Resolutions emanating from the “Closed Session” portion of the meeting are listed under 18. Closed Session.

14. BY-LAWS

0337-2009 A by-law to provide for the Levy and Collection of Interim Taxes for the year 2010, for properties enrolled in the pre-authorized tax payment plan.

Corporate Report R-2
Resolution 0262-2009
FA.08.Tax

0338-2009 A by-law to amend By-law 0300-2004, being a by-law to appoint municipal law enforcement officers for the purpose of enforcing the Traffic By-law 0555-2000, as amended, on private properties.
This is a housekeeping by-law.

BL.08.App

0339-2009 A by-law to authorize the execution of a Management and Operation Agreement with the Mississauga Ramblers Cricket, Sports & Cultural Club.

GC-0664-2009/October 21, 2009
PO.13.Cri (Ward 5)

- 0340-2009 A by-law to authorize the execution of a Consent to Enter Agreement with the Mississauga Ramblers Cricket, Sports & Cultural Club.
- GC-0664-2009/October 21, 2009
PO.13.Cri (Ward 5)
- 0341-2009 A by-law to authorize the execution of a Warning Clause Agreement, Ghani Ahsan and Atiya Ahsan, for site plan approval for a proposed daycare use within the existing dwelling at 354 Queen Street South.
- GC-0688-2009/November 2, 2009
SP.09/069 Ward 11
- 0342-2009 A by-law to provide for the payment of Development Charges and to repeal By-law 0197-2009
- Corporate Report R-1
Resolution 0260-2009
FA.35
- 0343-2009 A by-law to authorize execution of an Amending Agreement to amend the Memorandum of Agreement dated March 30, 2005, OMERS Realty Management Corporation (“OMERS”), 156 Square One Limited (“156 Square One”) (formerly known as 1331430 Ontario Inc.).
- Corporate Report R-5
Resolution 0264-2009
OZ H 09/002 W4
- 0344-2009 A by-law authorize the execution of a Memorandum of Understanding with the Regional Municipality of Peel, with respect to temporary flu assessment centres (FAC) at the Frank McKechnie Community Centre and possibly the Clarkson Community Centre if there is a need for a second FAC.
- GC-0739-2009/November 2, 2009
CS.01.Flu
- 0345-2009 A by-law to allocate sums from the Capital Reserve Fund (Account 33121) to the Civic Centre Municipal Parking Facilities – Paid Parking Equipment project (PN09-010) and to authorize the withdrawal therefrom.
- GC-0678-2009/November 2, 2009
RT.17.Pay

0346-2009 A by-law to allocate sums from the Capital Reserve Fund (Account 33121) to the Civic Centre and Central Library Parking Garage Project (PN09-010) and to authorize the withdrawal therefrom.

GC-0678-2009/November 2, 2009

RT.17.Pay

0347-2009 A by-law to authorize the execution of a Municipal Statement to Schedule “G” to the Declaration for a Phased Condominium Corporation for Draft Plan of Phased Condominium CDM.07.018, Phase 2, located at 97-107, 117-131 Robert Speck Parkway.

GC-0687-2009/November 4 2009

CDM.07.018 W4

0348-2009 A by-law to authorize execution of a Development Agreement, Queenscorp (Lakeshore) Inc., northeast corner of Lakeshore Road East and Deta Road.

PDC-0059-2009/June 15, 2009

OZ H 09/001 W1

0349-2009 A by-law to amend By-law No. 0225-2007, as amended, with respect to Queenscorp (Lakeshore) Inc., northeast corner of Lakeshore Road East and Deta Road.

PDC-0059-2009/June 15, 2009

OZ 09/001 W1

0350-2009 A by-law to authorize execution of an Development Agreement and other related documents between OMERS Realty Management Corporation and 156 Square One Limited, southwest corner of Rathburn Road West and City Centre Drive.

Corporate Report R-5

OZ H 09/002 W4

0351-2009 A by-law to amend By-law No. 0225-2007, as amended, to remove the holding symbol or provision, lands located southwest corner of Rathburn Road West and City Centre Drive.

Corporate Report R-5

OZ H 09/002 W4

0352-2009 A by-law to authorize the execution of a Servicing Agreement, Development Agreement and other related documents, The Erin Mills Development Corporation, the Corporation of the City of Mississauga, and the Regional Municipality of Peel, North side of Eglinton Avenue West, east of Erin Mills Parkway.

Resolution 0122-2009/Council June 10, 2009
T-M08004 W11

Note: By-laws emanating from the “Closed Session” portion of the meeting are listed under 18. Closed Session.

15. OTHER BUSINESS

(a) Public Vehicle Authority – Taxicabs to and from the Airport

Councillor Nando Iannicca complimented the membership of the Public Vehicle Authority Committee and the taxicab industry on their unanimous support to reciprocate with the City of Toronto on bring back fares to and from the airport as the case may be instead of returning back empty. The Councillor also pointed out that this decision was made in the best interest of using resources wisely and its positive impact on the environment.

TS.19.Air

(b) Flooding – August 4, 2009

Mayor Hazel McCallion spoke about the well attended public meeting that was held on November 9, 2009 with residents who were affected by the recent flood after major rainstorms. The Mayor indicated that she has agreed to set up a task force and has contacted the Minister of Natural Resources to obtain consulting expertise to provide solutions to deal with this level of flooding in the Cooksville Creek. Mayor McCallion indicated that such an intense storm could occur again and hence a maintenance program should be put in place, adding that the financial aspect of this will also need to be addressed. Mayor McCallion committed to making this a priority.

Councillor Frank Dale provided background noting that there are two issues that need to be focussed on i.e. those who are affected by being within the floodplain of the Cooksville Creek and those that are outside the floodplain based on a 100 year storm. He also noted that there are some long term high costs solutions to the Creek itself and then there are short term solutions that need to be looked at to mitigate some of the problems. He hoped that the task force could address some of these issues and requested that the Task Force include community involvement.

Councillor Nando Iannicca indicated that he was pleased to see the representation at the meeting from the Region of Peel, Credit Valley Conservation, Ministry of the Environment, Ministry of Natural Resources, etc., adding that City staff did a good job in presenting the issues that extend from upstream to the waterfront.

EC.01.Coo

(c) Remembrance Day

Mayor Hazel McCallion briefly highlighted the Remembrance Day Celebrations across the City, noting the increase in services especially those attended by children. She acknowledged the event at the Streetsville Cenotaph with special respects to Marc Diab. The Mayor recognized the two Legions, Cooksville and Streetsville for keeping the memory of those who have given up so much for the freedom enjoyed today.

Councillors Dale, Iannicca and Adams also spoke to the Remembrance Day events they attended and acknowledged the organizers.

PR.03

(d) “Review in Toronto” – Organization for Economic Co-Operation and Development (PECD)

Mayor Hazel McCallion drew attention to a report she received from the OECD with respect to the importance of the GTA working together with Toronto particularly in the area of reducing traffic congestion. She advised that staff will be reviewing the report and provide recommendations as it will need to look at infrastructure and funding. The Mayor noted that financial incentives to use public transit instead of cars to address congestion, additional revenue resources, etc. were among the recommendations.

TR.14

16. INQUIRIES

Councillor Carolyn Parrish requested that staff prepare a report on costs relating to the Enersource investigation beginning with the Credit Suisse Report on Council’s options as the P.U.T. was expiring through to the related legal costs incurred in October 2009 including legal bills relating to the unravelling of the shareholder’s agreements and renegotiation of a new agreement.

This resolution was read out and voted on after the In Camera Session.

Resolution 0273-2009

CS.09.Ene

17. NOTICES OF MOTION

Acting Mayor, Nando Iannicca, took the chair for the following matter as Mayor Hazel McCallion declared a conflict of interest. Mayor Hazel McCallion left the Council Chambers.

0266-2009 Moved by: K. Mahoney

Seconded by : Pat Saito

Be it resolved that the appropriate staff report all up-to-date expenses relating to the Judicial Inquiry on a monthly basis. The Report should include both internal and external expenditures.

The Report should be provided by way of a Corporate Report on the Council Agenda.

Members of Council requested clarification of the extent of expenses that would be required to become part of the monthly report. The Notice of Motion was voted on and carried.

FA.19.Jud

18. CLOSED SESSION

Pursuant to Resolution 0256-2009, Council moved into Closed Session at 2.45 p.m. to discuss the following matters. Acting Mayor, Nando Iannicca, took the chair as Mayor Hazel McCallion declared a conflict of interest with certain matters relating to the Judicial Inquiry. The Mayor was not present during the Closed Session.

In Camera Report #87: "A" 326/09 – 3626 Monica Drive, (Ward 5)

Councillor Eve Adams advised that she would support the Committee of Adjustment Decision and hence directed staff to attend before the OMB.

Resolution 0267-2009

"A" 326/09

In Camera Report #88: Absence of Citizen Member of the Environmental Advisory Committee

Councillor George Carlson supported the staff recommendation to declare the position vacant and proceed to advertise for a new appointment.

Resolution 0268-2009

MG.31

In Camera Report #89: Recommendations for Appointment to Road Safety Mississauga Advisory Committee

Councillor Pat Saito supported the appointment of the two applicants who were being recommended, based on her interview with the eight applicants.

Resolution 0269-2009
MG.28

In Camera Report #90: Purchase of Property on Camilla Road (Ward 7)

Councillor Nando Iannicca spoke in support of the purchase of the subject lands at 2151 Camilla Road to provide additional parkland in the Cooksville Planning District and contribute towards the goals of protecting woodlands and natural areas.

Resolution 0270-2009
PO.10.Cam

In Camera Report #91: Judicial Inquiry Council Resolution 0234-2009

Mary Ellen Bench provided Council with the reason for the proposed amendments to the terms of reference for the Judicial Inquiry which were approved under Resolution 0234-2009. She advised that she was in receipt of correspondence from the Chief Justice who expressed concern that the scope of the Inquiry's terms of reference are not as clearly defined as they should be. Also, Mary Ellen Bench advised that she received correspondence from the legal counsel for OMERS have also expressed concern on the vagueness of the Terms of Reference and hence she provided Council with a draft resolution for consideration.

Mary Ellen Bench was requested to provide Council with the bio of the lawyer that would represent the City.

Resolution 0271-2009
MG.20

Council moved out of Closed Session at 3:25 p.m. and the following resolutions were read and adopted as a result of the closed session.

RESOLUTIONS (AS A RESULT OF CLOSED SESSION)

Acting Mayor, Councillor Nando Iannicca took the Chair due to Mayor McCallion's declaration of Conflict of Interest. The Mayor was not present during this portion of the meeting.

acquisition of a property located at 2151 Camilla Road, Mississauga, containing an area of 2.727 hectares (6.738 acres), for a purchase price of Eight Million Four Hundred and Twenty-Two Thousand Five Hundred Dollars (\$8,422,500.00), in form and content satisfactory to the City Solicitor.

The subject property is located on the east side of Camilla Road, south of Queensway East and north of North Service Road, and is legally described as Part of Lot 7 and Part of Lot 8, Plan B-27, designated as Parts 1 and 2 on 43R-32995, City of Mississauga, Regional Municipality of Peel, in Ward 7.

2. That, following the closing of the transaction described in Recommendation No. 1 above, City staff be authorized to initiate a rezoning application for that portion of the lands described in the Purchase Agreement as Part 2 on Reference Plan 43R-32995, being a woodland area, to an appropriate G2 (Greenbelt) zone to preserve the woodland and allow public access through the lands, with the remainder of the lands being purchased, described as Part 1 on Reference Plan 43R-32995, to zoning classified as OS1 (Open Space) zone.
3. That, following the closing of the transaction described in recommendation No. 1 above, City staff be authorized to initiate a review of the woodland area, described as Part 2 on Reference Plan 43R-32995, and if appropriate, bring forward a report to the Heritage Advisory Committee recommending a Heritage Designation for the woodlands, in accordance with the provisions of Part 2 of the *Heritage Act* of Ontario.
4. That the Commissioner of the Community Services and the City Clerk be authorized to execute and affix the Corporate Seal to an Option Agreement, including all documents ancillary thereto, between Macklin Leslie Hancock (by his attorney Grace Carlyle Hancock) and Grace Carlyle Hancock, as Vendor and The Corporation of the City of Mississauga ("City"), as Purchaser, for a registered option to acquire the property located at 2179 Camilla Road, containing an area of 0.637 hectares (1.573 acres) and legally described as Plan B27 Pt. Lot 7; and Parts 4, 5, 6, 7 on Registered Plan 43R-32995 containing an area of 0.095 hectares (0.235 acres), both located on the east side of Camilla Road, south of Queensway East and north of the North Service Road, in the City of Mississauga, Regional Municipality of Peel, in Ward 7, and having a combined area of 0.732 hectares (1.808 acres), with consideration for the Option Agreement at Twenty Five Thousand Dollars (\$25,000.00), in form and content satisfactory to the City Solicitor.
5. That the Commissioner of the Community Services Department and the City Clerk be authorized to execute and affix the Corporate Seal to an Option Agreement, including all documents ancillary thereto, between Marjorie Hancock (also known as Marjorie Van Alstyne), as Vendor and The

Corporation of the City of Mississauga (“City”), as Purchaser, for a registered option to acquire the property located at 2182 Corsair Road, containing an area of 0.140 hectares (0.345 acres) and legally described as Plan B27 Pt. Lot 7; and Part 3 on Registered Plan 43R-32995, containing an area of 0.025 hectares (0.061 acres), both located on the west side of Corsair Road, south of Cherry Post Drive and north of Pathfinder Drive, in the City of Mississauga, Regional Municipality of Peel, in Ward 7 and having a combined area of 0.165 hectares (0.406 acres), with consideration for the Option Agreement at Twenty Five Thousand Dollars (\$25,000.00), in form and content satisfactory to the City Solicitor.

6. That the Commissioner of the Community Services Department and the City Clerk be authorized to execute and affix the Corporate Seal to an Option Agreement, to be arranged at a future date, including all documents ancillary thereto, between Donald Leslie Hancock and Susan Martha Hancock, as Vendors and The Corporation of the City of Mississauga (“City”), as Purchaser, for a registered option to acquire the property located at 2171 Camilla Road, Mississauga, containing an area of 0.173 hectares (0.428 acres) and legally described as Plan B27 Pt. Lot 7, Part 2, City of Mississauga, Regional Municipality of Peel, in Ward 7, with consideration for the Option Agreement at Twenty Five Thousand Dollars (\$25,000.00), in form and content satisfactory to the City Solicitor
7. That PN 9354 Land Acquisition – Park Not Yet Named (F-424) with a gross and net budget of \$9,297,500, be created and funded from the Cash-in-Lieu of Parkland Reserve Fund (Account 32121), to cover all costs associated with the acquisition of lands for parks purposes including the removal of existing structures on the site.
8. That Council enact the necessary by-laws to authorize the above noted recommendations.

Carried

PO.10.Cam/PO.10.F424

Acting Mayor, Nando Iannicca resumed the Chair

0271-2009 Moved by: C. Parrish

Seconded by: Sue McFadden

WHEREAS Council at its meeting of October 28, 2009 approved Resolution 0234-2009 which contained the terms of reference approved by Council in making its request for a judicial inquiry to be held into the matters set out in that resolution;

AND WHEREAS for reasons set out in the City Solicitor's report to Council dated November 6, 2009 respecting the judicial inquiry and the potential for litigation, Council wishes to amend and reconfirm as amended Resolution 0234-2009, to amend the terms of reference and clarify that the request for a judicial inquiry should focus on the matters set out herein:

WHEREAS under Section 274 of the *Municipal Act 2001*, a Council of a municipality may, by resolution, request a Judge of the Superior Court of Justice, to investigate and inquire into any supposed breach of trust or other misconduct of a Member of Council, an employee of the Municipality or a person having a contract with the Municipality in relation to the duties or obligations of that person to the Municipality and inquire into or concerning any matter connected with the good government of the municipality, or the conduct of any part of its public business;

AND WHEREAS any Judge so requested shall make inquiry and shall report the results of the investigation or inquiry to the Council as soon as practicable;

AND WHEREAS Council at its meeting of June 10, 2009 authorized the City to enter into a Memorandum of Understanding with Sheridan Institute of Technology and Advanced Learning for the purpose of building a downtown Mississauga college campus, and at the same time by virtue of By-law 0182-2009 delegated to staff the responsibility to negotiate an Agreement of Purchase and Sale between OMERS Realty Management Corporation and 156 Square One Limited (the "Vendors") respecting the acquisition by the City of approximately 8.5 acres of land in the City Centre to be developed in accordance with the Memorandum of Understanding;

AND WHEREAS an Agreement of Purchase and Sale was signed between the Vendors and the City on July 20, 2009 requiring the Vendors to delivery the Lands free of encumbrances on closing, scheduled for September 17, 2009;

AND WHEREAS the City was aware of the previous Agreement of Purchase and Sale entered into between the Vendors and World Class Developments Limited ("WCD") but City Councillors were not aware that WCD had any continuing interest in the subject lands or any claim regarding these lands and the City negotiated an Indemnification and Hold-harmless Agreement with the Vendors to protect the City and Sheridan from any claims by WCD, as well as a Release Agreement with Sheridan in the event of a claim by WCD that could jeopardize Sheridan's ISF funding for the downtown Mississauga college campus referenced in the MOU;

AND WHEREAS on July 9, 2009 the Vendors filed an application in the Superior Court (Commercial List) to confirm that their previous Agreement of Purchase of Sale with WCD was terminated;

AND WHEREAS on August 28, 2009 WCD served a counter-application against the Vendors seeking, among other things, a declaration that the Agreement of Purchase and Sale entered into between WCD and the Vendors remained in full force and effect;

AND WHEREAS in support of its counter claim WCD filed affidavit evidence from two (2) individuals identified as its principals, namely Peter McCallion and Tony DeCicco as well as an affidavit from a hotelier, which affidavits referenced meetings with City staff, Mayor McCallion and these principals to discuss the development of the subject site as a hotel and conference centre;

AND WHEREAS the affidavit filed in court by Peter McCallion on behalf of WCD describes how he became interested in developing the subject lands, his awareness of the City's overall concept for development in the City Centre, and how he approached an individual he describes as the "Chair of OMERS", with a proposal to acquire the lands and develop them accordingly;

AND WHEREAS the individual referenced is actually the current President and CEO of OMERS, and was also integral to the process by which a negative veto was added to the December 2000 Enersource Shareholders Agreement, to which the City was a party and which was executed by the Mayor, after it was approved by Council and without Council's knowledge of the insertion of the negative veto, which event has never been satisfactorily explained despite several attempts by the Council to obtain this information;

AND WHEREAS at its meeting of September 16, 2009, Council raised several concerns about the proposed City real estate transaction with the Vendors and noting a perception of conflict of interest respecting the real estate transaction based on the affidavits filed in court by WCD, instructed the City Solicitor to obtain an external legal opinion on whether a conflict of interest exists for the Mayor and Council or for staff and to obtain a legal opinion that would consider whether staff acted appropriately in negotiating the agreements with the Vendors for the City to acquire the subject lands;

AND WHEREAS at its meeting of September 30, 2009 Council had the opportunity to discuss the two (2) outside legal opinions obtained;

AND WHEREAS Council expressed concern about the matters involving the transaction with WCD and in particular the involvement of both the Mayor and her son, Peter McCallion;

AND WHEREAS at its meeting of September 30, 2009 Council enacted Resolution Number 0222-2009 asking for a judicial inquiry with respect to the matters discussed in the City Solicitor's Report dated September 24, 2009 entitled "Response to Issues Raised by Council – Proposed or Pending Acquisition or Disposition by the Municipality or a Local Board – Agreement of Purchase and

Sale – Lands within the City Centre" and other related matters including the event leading up to the sale of ten (10) percent of Enersource Corporation to an OMERS affiliated corporation (Borealis Energy Corporation) and directed the City Solicitor to report back on the parameters as soon as possible;

AND WHEREAS Council at its meeting of September 30, 2009 also considered a report dated September 28, 2009 from the Commissioner of Corporate Services and Treasurer recommending that the Council minutes of May 21, 2008 be amended respecting the WCD matter to delete the reference to the Mayor having declared a conflict of interest because a review of the video recording of the meeting revealed that no such declaration was made during the meeting, and while the report recognized that this error in the minutes was significant it did not provide an explanation as to how it occurred;

NOW THEREFORE the Council of the City of Mississauga does hereby resolve that:

1. an investigation is hereby requested to be conducted pursuant to Section 274 of the *Municipal Act, 2001* which authorizes a Judge of the Superior Court of Justice to investigate any supposed breach of trust or other misconduct of a Member of Council, an employee of the municipality or person having a contract with the municipality in relation to the duties or obligation of that person to the municipality and inquire into any matter connected with the good government of the municipality or the conduct of any part of its public business; and,
2. The Honourable Heather Forster Smith, Chief Justice of the Superior Court of Ontario, be requested to designate a Judge of the Superior Court as Commissioner for the inquiry and the Judge so designated is hereby authorized to conduct the investigation and inquiry.

AND IT IS FURTHER RESOLVED THAT the terms of reference of the inquiry shall be:

To inquire into all aspects of the transactions and matters described in the aforesaid recitals, their history and their impact on the Corporation of the City of Mississauga as they relate to the good government of the municipality, or the conduct of its public business, and to make any recommendations that the Commissioner may deem appropriate and in the public interest as a result of the inquiry.

And it is further resolved that the Commissioner, in conducting the inquiry into the transactions and matters in question to which the Corporation of the City of Mississauga is a party, is empowered to ask any questions which he or she may consider as necessarily incidental or ancillary to a complete understanding of these transactions and matters.

And, for the purpose of providing fair notice to those individuals who may be required to attend and give evidence, without infringing on the Commissioner's discretion in conducting the inquiry in accordance with the terms of reference stated herein, it is anticipated that inquiry may include the following:

1. to investigate and inquire into all relevant circumstances pertaining to the various transactions and matters referred to in the recitals to this resolution, including the relevant facts pertaining to the various transactions at the relevant time, the basis of and reasons for making the recommendations for entering into the subject transactions and the basis of the decisions taken in respect of the subject transactions;
2. to investigate and inquire into the relationships, if any, between the existing and former elected and administrative representatives of the City of Mississauga and the existing and former principals and representatives of WCD, OMERS and its affiliate companies at all relevant times in the context of the transactions and matters described in the recitals to this resolution; and,
- 3.. to investigate and inquire into whether any existing or former elected or administrative representatives of the Corporation of the City of Mississauga had a direct or indirect personal economic interest, or other conflict of interest, that might have influenced their actions in any of the subject transactions or matters described in the recitals to this resolution.

A recorded vote was called with the following results:

	<u>YES</u>	<u>NO</u>
Mayor H. McCallion	Absent due to Declared Conflict of Interest	
Councillor C. Corbasson	X	
Councillor P. Mullin		X
Councillor M. Prentice	Absent	
Councillor F. Dale	X	
Councillor E. Adams	X	
Councillor C. Parrish	X	
Councillor N. Iannicca	X	
Councillor K. Mahoney		X
Councillor P. Saito		X
Councillor S. McFadden	X	
Councillor G. Carlson	X	

Recorded Vote

Carried – (7-3) 1 Absent due to declared Conflict of Interest/1 Absent from meeting
MG.01.Jud

19. CONFIRMATORY BY-LAW

0356-2009 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on November 11, 2009.

MG.01

20. ADJOURNMENT - 3:35 P.M.

MAYOR

CLERK