



AGENDA

SESSION 15

THE COUNCIL OF

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

WEDNESDAY, September 12, 2012 – 9:00 A.M.

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

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

Note: Council will recess for lunch between 12 noon and 1:00 p.m.

1. CALL TO ORDER

2. DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST

3. MINUTES OF PREVIOUS COUNCIL MEETINGS

(a) July 4, 2012

(b) August 8, 2012

4. APPROVAL OF AGENDA

5. PRESENTATIONS

6. DEPUTATIONS

(a) The Riverwood Conservancy

Douglas Markoff, Executive Director of the Riverwood Conservancy will be presenting to Council the programs and services offered to the community throughout the year at The Riverwood Conservancy.

(b) Long Branch Indoor Rifle Range

Edward J.F. Bavington, resident will be speaking to the Long Branch Indoor Rifle Range By-law.

By-law B-1

(c) MY Games

Louroz Mercader, President of the Mississauga Youth Games will speak to the plans and the new brand for the 7th Annual MY Games and the MY Culture Festival being held at T.L. Kennedy Secondary School.

(d) Credit Valley Conservation Foundation

Terri LeRoux, Executive Director and Kevin Malony, member of the Credit Valley Conservation Foundation will speak to the plans for this year as well as their long term vision to create an annual end to end clean –up of the Credit River.

(e) Official Plan Amendment and Rezoning Applications OZ 11/016 W1

Davor Cepo, resident of Ward 1 will be speak to the petition opposing the rezoning application OZ 11/016 W1.

Petition P-3

(f) Tour de Mississauga

Jeff Wachman, Chair and members of the Mississauga Cycling Advisory Committee will speak to the Tour de Mississauga event that will take place on September 16, 2012.

7. PUBLIC QUESTION PERIOD – 15 Minute Limit

(In accordance with Section 36 of the City of Mississauga Procedure By-law 0412-2003, as amended, Council may grant permission to a person who is present at Council and wishes to address Council on a matter on the Agenda. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. Leave must be granted by Council to deal with any matter not on the Agenda.)

8. CORPORATE REPORTS

R-1 Report dated August 24, 2012, from the Commissioner of Corporate Services and Treasurer re: **Tax Adjustments Pursuant to Sections 334, 357 and 358.**

Recommendation

That the tax adjustments outlined in Appendix 1 attached to the report dated August 24, 2012, from the Commissioner of Corporate Services and Treasurer for applications for cancellation or refund of taxes pursuant to Sections 334, 357 & 358 of the *Municipal Act*, be adopted.

Motion

R-2 Report dated August 20, 2012, from the Commissioner of re: **Rezoning Application to permit the development of 149 two-storey and three-storey townhouse and stacked townhouse dwellings 5118 Winston Churchill Boulevard Southwest corner of Destination Drive and Winston Churchill Boulevard Owner/Applicant Daniels LR Corporation Bill 51 Supplementary Report (Ward 10).**

Recommendation

That the Report dated August 20, 2012, from the Commissioner of Planning and Building recommending approval of the application under File OZ 11/010 W10, Daniels LR Corporation, 5118 Winston Churchill Boulevard, southwest corner of Destination Drive and Winston Churchill Boulevard, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application 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 "D" (Development) to "RM9-Exception" (Horizontal Multiple Dwellings) to permit 149 two-storey and three-storey townhouse and stacked townhouse dwellings in accordance with the proposed zoning standards described in Appendix S-4, attached to the report dated August 20, 2012, from the Commissioner of Planning and Building, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
 - (b) In accordance with Council Resolution 152-98: "Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for the subject development."

3. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

Motion

9. **COMMITTEE REPORTS**

- (a) Planning and Development Committee Report 12 -2012 dated September 4, 2012.

Note: This report was not available for issuance with the agenda and will be disturbed prior to the meeting.

Motion

- (b) General Committee Report 14-2012 dated September 5, 2012.

Motion

- (c) Public Meeting extracts from the Planning & Development Committee meeting dated September 4, 2012:
 - (i) Information Report, Official Plan Amendment and Rezoning Applications - To permit a 138 unit, 4 storey condominium apartment building, 1224, 1230, 1236, 1240, Cawthra Road and 636 and 642 Atwater Avenue, southwest corner of Atwater Avenue and Cawthra Road.
Owner: Windcatcher Development Corporation
Applicant: Lethbridge & Lawson Inc., Bill 51, (Ward 1)
File: OZ 11/016 W1
 - (ii) Information Report, Rezoning Application - To permit ten (10) street townhouse dwellings and maintain the existing apartment building, 1440 Bloor Street, southeast corner of Bloor Street and Dixie Road.
Owner: Tapes Investments
Applicant: Peter Favot Architect Ltd., Bill 51, (Ward 3)
File: OZ 11/012 W3

- (iii) Information Report, Official Plan Amendment and Rezoning Applications - To permit a two storey motor vehicle repair facility Part of Lot 11, Concession 1, W.H.S., designated as Parts 1 & 2, Plan 43R-13493, northwest corner of Derry Road West and Hurontario Street.
Owner: Antorisa Investments Inc.
Applicant: Bousfields Inc., Bill 51, (Ward 5)
File: OZ 11/018 W5

Note: The extracts were not available for issuance with the agenda and will be disturbed prior to the meeting.

To be received

10. UNFINISHED BUSINESS

11. PETITIONS

- P-1 Petition received on August 22, 2012 at the Office of the City Clerk containing 22 signatures requesting that a crossing guard be placed at the corner of Winfield Terrace and Westbourne Terrace (Ward 4).

Receive and refer to Transportation and Works Department

- P-2 Petition received on August 23, 2012 at the Office of the City Clerk containing 13 signatures requesting that a ditch be eliminated on Fowler Court.

Receive and refer to Transportation and Works Department

- P-3 Petition received on September 4, 2012 at the Office of the City Clerk containing approximately 608 signatures opposing the rezoning of land at the south west corner of Cawthra Road and Atwater and the proposed construction of a 4 storey condominium building with commercial space at the south west corner of Cawthra Road and Atwater, File: OZ 11/016 W1.

Receive and refer to Planning and Building Department

12. CORRESPONDENCE

- (a) Information Items: I-1 – I-22

(b) Direction Item D-1 – D-3

D-1 A letter dated July 18, 2012, from Monte McNaughton MPP, Lambton-Kent-Middlesex requesting support to amend the *Ontario Lottery and Gaming Act, 1999*.

D-2 A letter dated July 20, 2012, from Joanne Foote, Youth Plan Coordinator requesting that Council endorse Kevin Michael Chairperson of the Mississauga Youth Advisory Committee to attend the Forum for Young Canadians in Ottawa from March 17 to 22, 2013.

D-3 A letter dated August 15, 2012, from George Thelwell, licensed paralegal requesting minor housekeeping amendments to the Adult Entertainment Establishment Licensing By-law 507-2005.

13. MOTIONS

(a) To approve recommendations from the following Committee Reports:

(i) Recommendations in the Planning and Development Committee Report 12-2012 dated September 4, 2012.

Note: This report was not available for issuance with the agenda and will be disturbed prior to the meeting.

(ii) Recommendations GC-0577-2012 to GC-0610-2012 inclusive contained in the General Committee Report 14-2012 dated September 5, 2012.

(b) To close to the public a portion of the Council meeting to be held on September 12, 2012, to deal with various matters. (See Item 18 Closed Session).

(c) To close to the public a portion of the Council meeting to be held on September 25, 2012, pursuant to Section 239 (3.1) of The *Municipal Act* for an Educational Session (Operating Budget).

(d) To express sincere condolences to the family of Expedito Caniedo who passed away.

(e) To express sincere condolences to the family of Bruce S. McLaughlin who passed away.

- (f) To consent to the amendment to the dedication to the Cawthra Community Centre being renamed the Carmen Corbasson Community Centre on October 13, 2012.
- (g) To receive the report dated June 21, 2012 from the Commissioner of Community Services regarding authority to negotiate the Disposal of a Portion of J.J. Plaus Park (P-109) adjacent to 31 Lakeshore Road East (Ward 1). (Housekeeping)
- (h) To adopt the tax adjustments outlined in Appendix 1 attached to the report dated August 24, 2012, from the Commissioner of Corporate Services & Treasurer for applications for cancellation or refund of taxes pursuant to Sections 357 & 358 of the *Municipal Act*.

Corporate Report R-1

- (i) To adopt the report dated August 20, 2012, from the Commissioner of Planning and Building recommending approval of the application under File OZ 11/010 W10, Daniels LR Corporation, 5118 Winston Churchill Boulevard, southwest corner of Destination Drive and Winston Churchill Boulevard (Ward 10).

Corporate Report R-2

- (j) To adopt the report dated May 22, 2012, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 08/009 W1, Centre City Capital Limited and William G. James, 91-93 & 99 Lakeshore Road East and 42 Port Street East (Ward 1). (Housekeeping)
- (k) To adopt the report dated May 22, 2012, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 07/022 W7, 675553 Ontario Inc. (Viewmark Homes), 90, 100 and 110 Dundas Street West, south side of Dundas Street West, east side of Confederation (Ward 7). (Housekeeping)
- (l) To approve Kevin Michael, Chairperson of the Mississauga Youth Advisory Committee (MYAC) will attend the Forum for Young Canadians in Ottawa from March 17 to 22, 2013 and that the Board of Directors of the MYAC Committee approves covering all costs through MYAC budget for the Forum for Young Canadians.

14. BY-LAWS

- B-1 A by-law to designate the Long Branch Indoor Rifle Range located at 1300A Lakeshore Road East and Hydro Road Registered Plan 43R-34702 as being of cultural heritage value or interest (Ward 1).
- B-2 A by-law to establish certain lands as part of the municipal highway system for Register Plan 43M-1544 to be known as Prologis Boulevard (in the vicinity of Hurontario Street and Courtneypark Drive West) (Ward 5).
- B-3 A by-law to authorize the execution of a Memorandum of Agreement between The Corporation of the City of Mississauga and Avion Motel Limited for the purpose of creating a driveway on a portion of the City owned land at 6375 Airport Road and granting an easement in favour of the adjoining property known as 6355 Airport Road owned by Avion Motel Limited for vehicular access on said driveway (Ward 5).
- B-4 A by-law to appoint members of the Board of Management for the Port Credit Business Improvement Area and to repeal By-law 0005-2011, as amended for a term of office to expire on the 30th day of November 2014 (Ward1).
- B-5 A by-law to establish certain lands as part of the municipal highway system for Register Plan 43R-33929 to be known as part of Eglinton Avenue West, part of Little Creek Road, part of Four Springs Avenue (in the vicinity of Hurontario Street and Eglinton Avenue West) (Ward 5).
- B-6 A by-law to authorize the execution of a Development Agreement between DDaniels LR Corporation and The Corporation of the City of Mississauga, southwest corner of Destination Drive and Winston Churchill Boulevard Applicant and Owner: Daniels LR Corporation (OZ11/010 W10) (Ward 10).

Corporate Report R-2

- B-7 A by-law to amend By-law 0225-2007, as amended , for the proposed rezoning application under file OZ 11/010 W10, Daniels LR Corporation southwest corner of Destination Drive and Winston Churchill Boulevard (Ward 10).

Corporate Report R-2

- B-8 A by-law to authorize the execution of a Development Agreement between Heartland (Seven) Limited and The Corporation of the City of Mississauga, west side of Hurontario Street, north of Highway 401 Applicant: Goldberg Group and Owner: Heartland (Seven) Limited (OZ 11/010 W10) (Ward 5).

PDC-0026-2012/April 2, 2012

- B-9 A by-law to amend By-law 0225-2007, as amended , for the proposed rezoning application under file OZ 10/009 W5, Applicant: Barry Ditto, Goldberg Group and Owner: Heartland (Seven) Limited, west side of Hurontario Street, north of Highway 401(Ward 5).

PDC-0026-2012/April 2, 2012

- B-10 A by-law to authorize the execution of a Development Agreement and Acknowledgment Agreement and other related documents between Vandyk-Windows on the Green Limited and The Corporation of the City of Mississauga and The Regional Municipality of Peel (OZ 10/015 W8) (Ward 8).

PDC-0041-2011/September 6, 2011

- B-11 A by-law to Adopt Mississauga Plan (Official Plan) Amendment No. 129 specifically west side of Erin Mills Parkway, south of South Millway Owner: Vandyk-Windows on the Green Limited and Applicant: Weston Consulting (Ward 8).

PDC-0041-2011/September 6, 2011

- B-12 A by-law to amend By-law 0225-2007, as amended , for the proposed rezoning application under file OZ 10/015 W8, Owner: Vandyk-Windows on the Green Limited and Applicant: Weston Consulting west side of Erin Mills Parkway, south of South Millway (Ward 8).

PDC-0041-2011/September 6, 2011

- B-13 A by-law to designate the Trinity Wesleyan Methodist Cemetery located at 1520 Britannia Road East as being of cultural heritage value or interest (Ward 5).

Resolution 0224-2006/October 11, 2006

- B-14 A by-law to confirm the Delegation of Authority to execute agreements under the Placing Advertisement with the City Corporate Policy 03-09-01.

Resolution 0184-2010/August 4, 2010

- B-15 A by-law to restrict passage along a portion of City Centre Drive registered plan 43R-13993 City Centre Drive located between Living Arts Drive and Duke of York Boulevard (in the vicinity of Burnhamthorpe Road West and Duke of York Boulevard) (Ward 4).

GC-0475-2012/ June 27, 2012

- B-16 A by-law to authorize the execution of a Memorandum of Understanding regarding enrolment in the Institute for Canadian Citizenship's Cultural Access Program

GC-0582-2012/ September 5, 2012

- B-17 A by-law to amend By-law No. 555-2000 as amended being the Traffic By-law to amend Schedule 1, Schedule 3 and Schedule 31 Three hour limit exemption, No parking and Driveway Boulevard Parking-curb to sidewalk (Wards 2, 9, 10, 11).

GC-0583-2012 to 0588-2012/September 5, 2012

- B-18 A by-law to authorize the execution of an Agreement between the City of Mississauga and the Canadian Pacific Railway Company.

GC-0590-2012/September 5, 2012

15. OTHER BUSINESS

16. INQUIRIES

17. NOTICE OF MOTION

- M-1 To direct the City Solicitor to seek leave to intervene in support of the Barbara Schlifer Clinic's motion for an injunction to provide the City of Toronto perspective on the importance of why the Federal and Provincial government's long-gun registry data should not be destroyed.

Motion

- M-2 To amend the City of Mississauga Tow Truck By-law 521-04 identifying tow truck driver shortages, a new tow truck driver application must be accompanied by a clear criminal record search, a clear driver's abstract and that a tow truck driver's licence would be issued with strict conditions and limited to specific tow truck and tow truck companies.

Motion

18. CLOSED SESSION

- (a) Pursuant to the *Municipal Act*, Section 239 (2)
- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: **Committee of Adjustment Appeals:**
- (1) "B"039/12, "A":268/12 – Gregory Blair Jones and John Goodfellow-Jones – 1092 Gardner Avenue – Ward 1
- (2) "A"320/12 – Ferndale Venture Ltd. – 775 Dundas Street East – Ward 3
- (3) "A"307/12 – Jocie, Sisiley and Amitha Mundenchira – 3480 Joan Drive – Ward 7
- (ii) Security of the property of the municipality or local board re: **Non Disclosure Agreement**
- (b) Pursuant to the *Municipal Act*, Section 239 (3.1)
- (i) Educational Session - **Update on the Hurontario-Main Street Light Rail Transit Project.**

19. CONFIRMATORY BY-LAW

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on September 12, 2012.

20. ADJOURNMENT



Corporate Report

Clerk's Files

Originator's Files

COUNCIL AGENDA
SEP 12 2012

DATE: August 24, 2012

TO: Mayor and Members of Council
Meeting Date: September 12, 2012

FROM: Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

SUBJECT: **Tax Adjustments Pursuant to Sections 334, 357 and 358**

RECOMMENDATION: That the tax adjustments outlined in Appendix 1 attached to the report dated August 24, 2012 from the Commissioner of Corporate Services and Treasurer for applications for cancellation or refund of taxes pursuant to Sections 334, 357 & 358 of the *Municipal Act*, be adopted.

BACKGROUND: Sections 334, 357 & 358 of the *Municipal Act*, 2001, S.O. 2001, c.25 allow a property owner or the Treasurer to make application for the cancellation, reduction or refund of taxes for a number of specific reasons. Taxes may be adjusted when a building has been demolished or razed by fire or if a property has become exempt, changed class or has been overcharged by reason of gross or manifest error.

COMMENTS: A total of 104 applications for tax adjustments have been prepared for Council's consideration on Wednesday, September 12, 2012.

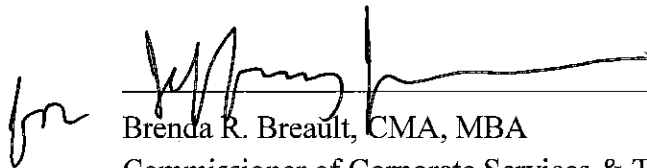
The total cancellation or refund of taxes as recommended is \$280,363.21. Appendix 1 outlines the tax cancellations being

recommended by property and summarizes by appeal reason the number of applications and tax dollars recommended for reduction.

FINANCIAL IMPACT: The City's portion of the cancellations resulting from the Section 334, 357 and 358 tax adjustments is \$63,112.50.

CONCLUSION: Tax appeals for 2009, 2010, 2011 & 2012 taxation years are listed in Appendix 1. The *Municipal Act* requires Council to approve the tax adjustments.

ATTACHMENTS: Appendix 1: Tax Appeals Pursuant to the *Municipal Act* For Hearing On September 12, 2012.

A handwritten signature in black ink, appearing to read 'Brenda R. Breault', is written over a horizontal line. To the left of the signature, there are some additional handwritten initials or marks.

Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services & Treasurer

Prepared By: Connie Mesih, Manager, Revenue and Taxation

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On September 12, 2012

Corporate Services

Aug 24, 2012 08:25

| Appeal No | Roll No | Owner | Location | Reason for Appeal | Tax Adjustment Totals |
|---------------------------|------------------------|----------------------------|-----------------------|------------------------------|-----------------------|
| Section 334 : 2009 | | | | | |
| 8158 | 05-05-0-115-28600-0000 | DREW ROAD LIMITED PARTNERS | 1935 DREW RD | capping gross/manifest error | 0.00 |
| | | | | Total | 0.00 |
| Section 334 : 2011 | | | | | |
| 8208 | 05-02-0-024-15300-0000 | RIOCAN REAL ESTATE | 1865 LAKESHORE RD W | capping gross/manifest error | 0.00 |
| 8207 | 05-02-0-025-11650-0000 | RIOKIM HOLDINGS | 2120 ROYAL WINDSOR DR | capping gross/manifest error | 0.00 |
| 8206 | 05-03-0-075-17510-0000 | RIOCAN HOLDINGS INC | 3100 DIXIE RD | capping gross/manifest error | 0.00 |
| | | | | Total | 0.00 |
| | | | | Section Total | 0.00 |
| Section 357 : 2009 | | | | | |
| 8284 | 05-05-0-113-16350-0000 | GAME DOMAIN LTD | 0 AIRPORT RD | Became exempt | -1,009.13 |
| 8285 | 05-05-0-113-60122-0000 | RED SEAL NOTARY INC | 0 AIRPORT RD | Became exempt | -861.65 |
| | | | | Total | -1,870.78 |
| Section 357 : 2011 | | | | | |
| 8152 | 05-01-0-008-12300-0000 | RUTYNA KATAEZYNA | 1330 TROTWOOD AVE | Unusable minimum 3 months | -415.60 |
| 8148 | 05-01-0-010-03300-0000 | A. DICARLO | 177 TROY ST | Demolished/razed-unusable | -138.59 |
| 8209 | 05-02-0-019-11500-0000 | TRUMAN MARK VANSTONE | 917 PARKLAND AVE | Demolished/razed-fire | -454.53 |
| 7832 | 05-02-0-027-06000-0000 | DEMELO ANDY | 598 VANESSA CRES | Demolished/razed-fire | -825.23 |
| 8097 | 05-02-0-028-05200-0000 | ANNETT JERROLD | 1437 WOODDEDEN DR | Demolished/razed-fire | -888.93 |
| 8024 | 05-02-0-028-09900-0000 | GALLAGHER LESLIE | 1160 WOODDEDEN DR | Demolished/razed-fire | -736.17 |
| 8096 | 05-02-0-033-16300-0000 | ANNETT JERROLD | 1329 WHITEOAKS AVE | Demolished/razed-fire | -574.69 |

R-1(66)

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On September 12, 2012

P-1(G)

Corporate Services

Aug 24, 2012 08:25

| Appeal No | Roll No | Owner | Location | Reason for Appeal | Tax Adjustment Totals |
|--------------|------------------------|----------------------------|-------------------------|---------------------------|-----------------------|
| 8029 | 05-04-0-089-17400-0000 | SUNSET 6 INVESTMENTS INC | 3447 CAWTHRA RD | Became exempt | -5.12 |
| 8125 | 05-04-0-094-66249-0000 | FREE METHODIST CHURCH | 4315 VILLAGE CENTRE CRT | gross/manifest error | -11,483.93 |
| 8170 | 05-04-0-095-80100-0000 | KOSIR JAKOB G. | 3363 CHARMAINE HTS | Unusable minimum 3 months | -492.92 |
| 8141 | 05-04-0-097-11460-0000 | GLAXOSMITHKLINE INC | 7333 MISSISSAUGA RD N | Demolished/razed-fire | -15,473.84 |
| 8175 | 05-04-0-142-19900-0000 | SALIBA CARMEL | 3402 JOAN DR | gross/manifest error | -346.54 |
| 7974 | 05-05-0-113-04100-0000 | ANJUMAN-E ANWARUL ISLAM | 7097 AIRPORT RD | Became exempt | -3,742.60 |
| 8165 | 05-05-0-113-16344-0000 | ROOTS CANADA LTD | 0 AIRPORT RD | gross/manifest error | -7,515.91 |
| 8159 | 05-05-0-113-16363-0000 | PAL SALES AND MARKETING IN | 0 AIRPORT RD | Became exempt | -1,761.73 |
| 8163 | 05-05-0-113-60055-0000 | THOMAS COOK CANADA INC | 0 AIRPORT RD | gross/manifest error | -2,038.89 |
| 8104 | 05-05-0-116-66713-0000 | SATCHINDANANDA SADGURU SHI | 1190 MID-WAY BLVD 13 | Became exempt | -1,804.42 |
| 8155 | 05-06-0-125-05700-0000 | EMBEE PROPERTIES LIMITED | 2500 HURONTARIO ST | gross/manifest error | -70,127.52 |
| 8014 | 05-06-0-127-07700-0000 | HEALTHCARE PROPERTIES HOLD | 101 QUEENSWAY W | Became exempt | 0.00 |
| 7929 | 05-06-0-129-10515-0000 | HANNA SHAFEK | 2183 SHAWANAGA TRAIL | Demolished/razed-unusable | -3,520.54 |
| 7880 | 05-06-0-131-03100-0000 | KINGDOM GLORY MINISTRIES | 1261 NORTH SHERIDAN WAY | Became exempt | 0.00 |
| 8092 | 05-06-0-151-07800-0000 | MARIJOSIUS NIJOLE | 3240 FLANAGAN CRES | Demolished/razed-unusable | -267.68 |
| 8210 | 05-09-0-001-15300-0000 | JAIN MINTO | 90 CUMBERLAND DR | Demolished/razed-fire | -272.57 |
| 8086 | 05-09-0-004-12700-0000 | 817019 ONTARIO LIMITED | 26 ANN ST | gross/manifest error | -4,992.80 |
| 8082 | 05-09-0-004-17900-0000 | ST ANDREWS PRESBYTERIAN | 24 STAVEBANK RD | gross/manifest error | -10,436.93 |
| 8153 | 05-09-0-007-10900-0000 | ZHELKOV GEORGE | 38 HARRISON AVE | Class change | -784.28 |
| 7996 | 05-12-0-004-04510-0000 | CITY OF MISSISSAUGA | 0 CHURCH ST | Became exempt | -4,187.37 |
| 8135 | 05-15-0-070-13634-0000 | DIAB MAROUN | 3765 QUIET CREEK DR | gross/manifest error | -72.20 |
| 8138 | 05-15-0-070-20440-0000 | DANIELS LR CORPORATION | 0 LONG VALLEY RD | Class change | -10,337.14 |
| 8139 | 05-15-0-080-07002-0000 | CROWNVETCH DEVELOPMENTS IN | 0 NINTH LINE | gross/manifest error | -8,825.70 |
| Total | | | | | -162,524.37 |

Section 357 : 2012

| | | | | | |
|------|------------------------|------------------------|-------------------|-----------------------|--------|
| 8176 | 05-01-0-001-09600-0000 | CHRZANOWSKI ROBERT | 959 HAMPTON CRES | Demolished/razed-fire | 0.00 |
| 8187 | 05-01-0-002-15800-0000 | TOMCLO PROPERTIES LTD. | 860 THE GREENWAY | gross/manifest error | -84.94 |
| 8195 | 05-01-0-008-10400-0000 | SPUDIC RENATA | 1436 TROTWOOD AVE | gross/manifest error | 0.00 |

Tax Appeals Pursuant to the Municipal Act Appendix 1

For Hearing On September 12, 2012

Corporate Services

Aug 24, 2012 08:25

| Appeal No | Roll No | Owner | Location | Reason for Appeal | Tax Adjustment Totals |
|-----------|------------------------|----------------------------|-----------------------|-----------------------|-----------------------|
| 8181 | 05-01-0-010-03300-0000 | A. DICARLO | 177 TROY ST | gross/manifest error | -234.39 |
| 8180 | 05-01-0-015-11500-0000 | FINCH SHAYLENE AVRIL | 1264 WOODLAND AVE | Demolished/razed-fire | -759.91 |
| 8224 | 05-01-0-016-09100-0000 | JAIN MUKESH | 51 VERONICA DR | Demolished/razed-fire | -1,762.08 |
| 8245 | 05-01-0-018-00500-0000 | KANCELJAK ROBERT | 1527 DOUGLAS DR | Demolished/razed-fire | -608.38 |
| 8253 | 05-01-0-063-26300-0000 | FAUSTINO ANTONIO | 487 CORBIN CRT | Demolished/razed-fire | -372.07 |
| 8214 | 05-01-0-064-15400-0000 | 1638515 ONTARIO INC | 2555 CLIFF RD | Demolished/razed-fire | -600.13 |
| 8270 | 05-01-0-065-11000-0000 | MC ARTHUR COLIN RICHARD | 2340 BLASE CRT | gross/manifest error | -254.80 |
| 8201 | 05-02-0-018-16200-0000 | SCHOUSTAL RICHARD | 964 CROZIER CRT | gross/manifest error | -371.19 |
| 8221 | 05-02-0-019-13600-0000 | TAYLOR MICHAEL | 832 PARKLAND AVE | Demolished/razed-fire | -918.94 |
| 8271 | 05-02-0-022-14600-0000 | JOLLY KAMALJIT | 1390 WATERSEdge RD | Demolished/razed-fire | 0.00 |
| 8188 | 05-02-0-027-20700-0000 | AL KUFASHI FARID | 1410 INDIAN GROVE | gross/manifest error | -103.80 |
| 8196 | 05-02-0-028-01900-0000 | VASSALLO CHARLENE | 1460 GREGWOOD RD | gross/manifest error | -641.72 |
| 8225 | 05-02-0-028-08700-0000 | RZADKOWSKI ANTONI | 1242 WOODEDEN DR | Demolished/razed-fire | -2,168.06 |
| 8223 | 05-02-0-030-02800-0000 | ORLOVIC ZARKO | 1417 BIRCHVIEW DR | Demolished/razed-fire | -1,489.04 |
| 8190 | 05-02-0-035-02000-0000 | FERENE ELIZABETH MARY | 1422 CRESCENT RD | gross/manifest error | -179.30 |
| 8243 | 05-02-0-200-22400-0000 | FRANCZAK HENRY | 965 INVERHOUSE DR 308 | Demolished/razed-fire | -310.80 |
| 8222 | 05-04-0-089-17400-0000 | SUNSET 6 INVESTMENTS INC | 3447 CAWTHRA RD | Demolished/razed-fire | -566.74 |
| 8215 | 05-04-0-096-18300-0000 | 1638515 ONTARIO INC | 6830 SECOND LINE W | Demolished/razed-fire | 0.00 |
| 8105 | 05-04-0-096-54028-0000 | CHARLES WILLIAM EDGAR | 6236 MULBERRY CRES | gross/manifest error | -1,840.21 |
| 8198 | 05-04-0-096-77007-0000 | MITCHELL ROBERT SCOTT | 5332 BULLRUSH DR | gross/manifest error | -173.48 |
| 8262 | 05-04-0-097-16600-0000 | ADM AGRI-INDUSTRIES LTD | 1770 BARBERTOWN RD | Demolished/razed-fire | -319.03 |
| 8186 | 05-04-0-098-01985-0000 | LAUREL LYNN INVESTMENTS LT | 2525 MEADOWVALE BLVD | gross/manifest error | -15,425.50 |
| 8274 | 05-04-0-098-02757-0000 | OBSIDIAN GROUP INC | 2556 MEADOWPINE BLVD | gross/manifest error | -5,216.38 |
| 8182 | 05-04-0-098-23300-0000 | ABOUNASSAR FADI | 1066 OLD DERRY RD | gross/manifest error | -462.42 |
| 8189 | 05-04-0-116-21944-0000 | LU WASHAN | 5484 TOMKEN RD 25 | gross/manifest error | -281.39 |
| 8191 | 05-04-0-143-31012-0000 | BOND DEREK | 566 SUMMER PARK CRES | gross/manifest error | -1,453.29 |
| 8183 | 05-04-0-154-69500-0000 | KOCHAN ANDRZEJ | 4091 TRAPPER CRES | gross/manifest error | -235.92 |
| 8192 | 05-04-0-159-65702-0000 | IRONSIDE WILLIAM | 2438 YORKTOWN CIR | gross/manifest error | -1,056.94 |
| 8258 | 05-05-0-113-16250-0000 | SSP CANADA FOOD SERVICES I | 0 AIRPORT RD | Became exempt | -2,162.41 |
| 8264 | 05-05-0-113-16388-0000 | DICA ACCESSORIES INC | 0 AIRPORT RD | Became exempt | -1,470.77 |

2-1(c)

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On September 12, 2012

R-1(e)

Corporate Services

Aug 24, 2012 08:25

| Appeal No | Roll No | Owner | Location | Reason for Appeal | Tax Adjustment Totals |
|-------------------------------|------------------------|----------------------------|--------------------------|-----------------------|-----------------------|
| 8185 | 05-05-0-115-35200-0000 | LAUREL LYNN INVESTMENTS LT | 2150 A DREW RD | gross/manifest error | -7,954.45 |
| 8232 | 05-05-0-116-05800-0000 | TFI TRANSPORT 2 L P | 5425 DIXIE RD | Became exempt | 0.00 |
| 8233 | 05-05-0-116-06900-0000 | UNIPETRO DIXIE INC. | 1533 SHAWSON DR | Became exempt | 0.00 |
| 8197 | 05-06-0-129-05100-0000 | 1638515 ONTARIO INC | 2595 OLD CARRIAGE RD | gross/manifest error | -1,424.99 |
| 8177 | 05-06-0-131-11100-0000 | TADROS MAGED | 2370 MISSISSAUGA RD | gross/manifest error | 0.00 |
| 8231 | 05-06-0-155-53000-0000 | 2113630 ONTARIO INC | 3233 ERIN MILLS PKY | Became exempt | 0.00 |
| 8199 | 05-07-0-163-00800-0000 | SPIRESCU COSMIN CRISTIAN | 1043 ALEXANDRA AVE | Demolished/razed-fire | -116.59 |
| 8291 | 05-09-0-005-13200-0000 | MILLER JULIANNE GAEL | 57 BAY ST | Demolished/razed-fire | -1,244.80 |
| 8202 | 05-12-0-004-04510-0000 | CITY OF MISSISSAUGA | 0 CHURCH ST | gross/manifest error | -4,293.82 |
| 8193 | 05-13-0-007-11300-0000 | OLCUN SAMI | 93 VISTA DR | gross/manifest error | -566.22 |
| 8200 | 05-13-0-008-12000-0000 | CARVALHO BEN | 116 VISTA BLVD | gross/manifest error | -415.22 |
| Total | | | | | -57,540.12 |
| Section Total | | | | | -221,935.27 |
| Section 358 : 2009 | | | | | |
| 7930 | 05-01-0-001-13400-0000 | HAKIM GUS STEVE | 603 LAKESIDE AVE | gross/manifest error | -50.64 |
| 8094 | 05-05-0-100-03700-0000 | 6100 INDIAN LINE LIMITED | 6100 INDIAN LINE | gross/manifest error | -6,591.35 |
| 8084 | 05-09-0-004-12700-0000 | 817019 ONTARIO LIMITED | 26 ANN ST | gross/manifest error | -4,948.62 |
| Total | | | | | -11,590.61 |
| Section 358 : 2010 | | | | | |
| 7931 | 05-01-0-001-13400-0000 | HAKIM GUS STEVE | 603 LAKESIDE AVE | gross/manifest error | -52.23 |
| 8252 | 05-01-0-015-00500-0000 | 1400545 ONTARIO LIMITED | 1584 HURONTARIO ST | gross/manifest error | -7,955.13 |
| 8240 | 05-01-0-065-11000-0000 | MC ARTHUR COLIN RICHARD | 2340 BLASE CRT | gross/manifest error | -240.73 |
| 8216 | 05-02-0-022-14600-0000 | JOLLY KAMALJIT | 1390 WATERSEDGE RD | gross/manifest error | -2,936.82 |
| 8251 | 05-03-0-074-12307-0000 | WILLIAMSPORT DR LTD | 1395 WILLIAMSPORT DR 158 | gross/manifest error | -1,458.34 |

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On September 12, 2012

Corporate Services

Aug 24, 2012 08:25

| Appeal No | Roll No | Owner | Location | Reason for Appeal | Tax Adjustment Totals |
|-------------------------------|------------------------|-------------------------|-----------------------------|----------------------|-----------------------|
| 8272 | 05-04-0-098-02757-0000 | OBSIDIAN GROUP INC | 2556 MEADOWPINE BLVD | gross/manifest error | -3,090.19 |
| 8174 | 05-04-0-142-19900-0000 | SALIBA CARMEL | 3402 JOAN DR | gross/manifest error | -235.70 |
| 8248 | 05-04-0-200-24174-0000 | KUMAR VIJAY | 35 TRAILWOOD DR | gross/manifest error | -39.29 |
| 8160 | 05-06-0-130-12570-0000 | BATANA CORPORATION | 0 DOULTON DR REAR | gross/manifest error | -6,354.28 |
| 8085 | 05-09-0-004-12700-0000 | 817019 ONTARIO LIMITED | 26 ANN ST | gross/manifest error | -4,958.86 |
| 8136 | 05-15-0-070-13634-0000 | DIAB MAROUN | 3765 QUIET CREEK DR | gross/manifest error | -49.11 |
| 8237 | 05-15-0-085-08687-0000 | ZHANG XIN | 5441 CHURCHILL MEADOWS BLVD | gross/manifest error | -201.33 |
| Total | | | | | -27,572.01 |
| Section 358 : 2011 | | | | | |
| 8241 | 05-01-0-065-11000-0000 | MC ARTHUR COLIN RICHARD | 2340 BLASE CRT | gross/manifest error | -247.94 |
| 8247 | 05-02-0-033-03350-0000 | FERREIRA ADELINO | 1137 CLARKSON RD N | gross/manifest error | -3,758.01 |
| 8236 | 05-04-0-091-61018-0000 | WILLMOWSKI ELIZABETH | 450 CARIBBEAN CRT | gross/manifest error | -208.53 |
| 8273 | 05-04-0-098-02757-0000 | OBSIDIAN GROUP INC | 2556 MEADOWPINE BLVD | gross/manifest error | -4,198.34 |
| 8250 | 05-04-0-163-61500-0000 | KALOVSKI ALDONA | 167 CEREMONIAL DR | gross/manifest error | -1,435.74 |
| 8249 | 05-04-0-200-24174-0000 | KUMAR VIJAY | 35 TRAILWOOD DR | gross/manifest error | -48.14 |
| 8161 | 05-06-0-130-12570-0000 | BATANA CORPORATION | 0 DOULTON DR REAR | gross/manifest error | -9,072.62 |
| 8238 | 05-15-0-085-08687-0000 | ZHANG XIN | 5441 CHURCHILL MEADOWS BLVD | gross/manifest error | -296.00 |
| Total | | | | | -19,265.32 |
| Section Total | | | | | -58,427.94 |

2-11-11

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On September 12, 2012

2-1(g)

Corporate Services

Aug 24, 2012 08:25

Tax Adjustment Totals

| | | |
|-------------|------|-------------|
| Section 334 | 2009 | 0.00 |
| | 2011 | 0.00 |
| Section 357 | 2009 | -1,870.78 |
| | 2011 | -162,524.37 |
| | 2012 | -57,540.12 |
| Section 358 | 2009 | -11,590.61 |
| | 2010 | -27,572.01 |
| | 2011 | -19,265.32 |
| Grand Total | | -280,363.21 |

Tax Appeals Pursuant to the Municipal Act Appendix 1
For Hearing On September 12, 2012

Corporate Services

Aug 24, 2012 08:25

Summary of Tax Adjustment by Type

| Count | Description | Amount |
|-------|------------------------------|--------------|
| 14 | Became exempt | - 17,005.20 |
| 2 | Class change | - 11,121.42 |
| 23 | Demolished/razed-fire | - 30,462.53 |
| 3 | Demolished/razed-unusable | - 3,926.81 |
| 2 | Unusable minimum 3 months | - 908.52 |
| 4 | capping gross/manifest error | 0.00 |
| 55 | gross/manifest error | - 216,938.73 |
| | Total | - 280,363.21 |



Corporate Report

Clerk's Files

R-2

Originator's
Files OZ 11/010 W10

COUNCIL AGENDA

SEP 12 2012

DATE: August 20, 2012

TO: Mayor and Members of Council
Meeting Date: September 12, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Rezoning Application**
To permit the development of 149 two-storey and three-storey
townhouse and stacked townhouse dwellings
5118 Winston Churchill Boulevard
Southwest corner of Destination Drive and Winston Churchill
Boulevard
Owner/Applicant: Daniels LR Corporation
Bill 51

Supplementary Report

Ward 10

RECOMMENDATION: That the Report dated August 20, 2012, from the Commissioner of Planning and Building recommending approval of the application under File OZ 11/010 W10, Daniels LR Corporation, 5118 Winston Churchill Boulevard, southwest corner of Destination Drive and Winston Churchill Boulevard, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application 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 "D" (Development) to "RM9-Exception" (Horizontal Multiple Dwellings) to permit 149 two-storey and three-storey townhouse and stacked townhouse dwellings in accordance with the proposed zoning standards described in Appendix S-4, attached to the report dated August 20, 2012, from the Commissioner of Planning and Building, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
 - (b) In accordance with Council Resolution 152-98: "Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for the subject development."
3. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

REPORT HIGHLIGHTS:

- The application was reviewed in conjunction with a rezoning application for the abutting site to the south by Great Gulf Inc.;
- There have been minor revisions to the development proposal since the Information Report;
- The applicant has addressed comments received from various City departments and the application is acceptable from a planning standpoint and should be approved.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on January 30, 2012, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the Public Meeting, the Planning and Development Committee passed Recommendation PDC-0007-2012 which was subsequently adopted by Council and is attached as Appendix S-2.

Subsequent to the Public Meeting, the applicant has made changes to the development proposal to address grading concerns expressed by relocating the 3-storey stacked townhouses originally proposed for the south side of Destination Drive to the interior of the site, fronting the central amenity area. The 3-storey street related townhouses, similar to those proposed to front onto Winston Churchill Boulevard, are now proposed to be located on the south side of Destination Drive. The reorganization of the townhouse dwellings has also permitted an overall increase in the number of units on-site as well as a corresponding increase in the number of parking spaces provided.

Details of the revisions are as follows:

| Development Proposal | |
|--------------------------------------|---|
| Number of units and building height: | 77 3-storey stacked townhouse dwellings 40 3-storey street related townhouse dwellings 32 2-storey street related townhouse dwellings Total of 149 townhouse dwellings |
| Lot Coverage: | 34.4% |
| Landscaped Area: | 44.1% |
| Net Density: | 51.4 units/ha (20.7 units/ac) |
| Anticipated Population: | 447* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2008 Growth Forecasts for the City of Mississauga. |
| Parking Required: | 335 spaces |
| Parking Provided: | 297 spaces |

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES

A community meeting was held by Ward 10 Councillor, Sue McFadden, on November 2, 2011, in conjunction with the adjoining Great Gulf lands to the south. A summary of the issues raised by the community at that meeting can be found in the Information Report attached to this report as Appendix S-1.

There were no additional comments raised at the Public Meeting held on January 30, 2012.

Issue

The potential for the proposed development to increase traffic congestion in the area.

Response

Comments provided by the City's Transportation and Works Department indicate that a satisfactory Traffic Impact Study has been received which confirmed that the existing transportation infrastructure has sufficient capacity to accommodate the traffic to be generated by the proposed development.

Issue

The potential for visitors to park on neighbouring residential streets.

Response

City staff have reviewed the parking study submitted with the application and are satisfied that the proposed visitor parking supply should satisfy on-site demand.

Issue

That the proposed application is too similar to surrounding developments.

Response

The Official Plan designation permits townhouses as-of-right. Staff are satisfied that the design of the proposed townhouses are of quality design and appropriate for the context of the area.

Issue

That the proposed development will be replaced with commercial development prior to construction.

Response

The proposed "RM9-Exception" (Horizontal Multiple Dwellings) zoning category does not permit commercial uses. Were the applicants to propose commercial uses for the site, Official Plan Amendment and Rezoning applications would be required to consider the proposal.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS****City Transportation and Works Department**

Comments updated June 8, 2012 indicate that a Noise Report has been received which concludes, to the satisfaction of this department, that with the use of appropriate noise attenuation measures and warning clauses, the proposed development can be adequately attenuated from the surrounding noise sources in accordance with City, Regional and Ministry of Environment (MOE) guidelines.

In addition, it was also indicated that a satisfactory Functional Servicing Report and Traffic Impact Study have been received. Site specific details will be addressed as part of the review and approval process for the associated site plan application under file SP 11/142 W10.

In the event this application is approved by Council, prior to by-law enactment, the owner will be required to enter into a Development Agreement with the City, including special provisions with respect to shared access, services, easements and sequencing of future phases for a condominium development in support of this application.

PLANNING COMMENTS

Official Plan

As noted in the Information Report (Appendix S-1), the subject lands are designated "Residential High Density I" and subject to the Primary Community Gateway Character Area policies of the Churchill Meadows District. The proposal is in conformity with the land use designation and does not require an Official Plan Amendment.

While the Gateway Character Area policies suggest heights between 5-8 storeys at the corner of the intersection of Winston Churchill Boulevard and Destination Drive, the proposed heights are consistent with the surrounding development and allow for the density objectives of the Plan to be satisfied. The application proposes an appropriate built form and provides sufficient landscaped open space and functional amenity space on-site. The development provides continuity and transition with the adjacent existing and planned residential developments and appropriate pedestrian connections through the site to Winston Churchill Boulevard to ensure access to existing and any future transit stops in the area.

New Mississauga Official Plan

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety; therefore, the existing Mississauga Plan (2003) remains in effect. While the existing Mississauga Plan (2003) is the plan of record against which the application is being

reviewed, regard should also be given to the new Mississauga Official Plan (2011).

As noted in the Information Report, the two-storey and three-storey townhouse dwellings conform with the land use designation contained in the new Mississauga Official Plan and associated policies.

Zoning

The proposed "RM9-Exception" (Horizontal Multiple Dwellings) zoning category as shown in Appendix S-4 is appropriate to accommodate the proposed development.

The Zoning By-law details the provision of parking by identifying both the minimum number of resident parking spaces and visitor parking spaces per unit type. For the two storey townhouse units backing onto the west property line, it is proposed to have no minimum visitor parking requirement because those units will have a minimum resident parking requirement of 3 spaces per unit. Each of the two storey townhouses can accommodate 3 parking spaces on the property, which is greater than the 2 resident parking spaces and 0.25 visitor spaces typically required for townhouses, therefore, it is understood that the third resident parking space will function as a private visitor parking space for those units.

Green Development Initiatives

The applicant has identified that they will be incorporating infiltration trenches in the central amenity area and permeable pavers will be used in the path system through the community gardens.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

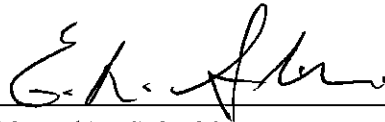
In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. Since the modifications to the Concept Plan are minor, it is recommended that no further public meeting need be held regarding the proposed changes.

The proposed Rezoning is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal for 149 two-storey and three-storey townhouse and stacked townhouse dwellings conforms to the Official Plan and is compatible with the surrounding land uses as it provides for an appropriate built form and transition to the adjacent existing and proposed developments and provides functional landscaped amenity space on-site.
2. The proposed "RM9-Exception" (Horizontal Multiple Dwellings) zone category is appropriate to accommodate the requested development.

ATTACHMENTS:

- Appendix S-1: Information Report
- Appendix S-2: Recommendation PDC-0007-2012
- Appendix S-3: Revised Concept Plan
- Appendix S-4: Proposed Zone Standards (Revised)



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Jeff Markowiak, Development Planner





Corporate Report

PDC Jan 30 2012

Clerk's Files

Originator's
Files OZ 11/010 W10

2-2(ch)

DATE: January 10, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: January 30, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning Application
To permit 133 two-storey and three-storey townhouse dwellings
5118 Winston Churchill Boulevard
Southwest corner of Destination Drive and Winston Churchill
Boulevard
Owner/Applicant: Daniels LR Corporation
Bill 51

Public Meeting **Ward 10**

RECOMMENDATION: That the Report dated January 10, 2012, from the Commissioner of Planning and Building regarding the application to change the Zoning from "D" (Development) to "RM9-Exception" (Horizontal Multiple Dwellings with more than 6 Dwelling Units), to permit 133 two-storey and three-storey townhouse dwellings, under file OZ 11/010 W10, Daniels LR Corporation, 5118 Winston Churchill Boulevard, be received for information.

BACKGROUND: The subject lands, now vacant, were previously used for sales pavilions by a number of Churchill Meadows builders. The site and the one to the north, which is under application by Daniels LR Corporation, are the last properties in this quadrant of Churchill Meadows proposed to be developed. The two parcels will be dependant on each other with regards to stormwater management

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and the interconnection of roads and pedestrian walkways. Access will also be shared with the existing stacked and back to back townhouse development to the west, south of Golder Community Park.

The above-noted application has been circulated for technical comments and a community meeting has been held. The purpose of this report is to provide preliminary information on the application and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

| Development Proposal | |
|--------------------------------------|--|
| Application submitted: | August 8, 2011 |
| Deemed complete: | September 9, 2011 |
| Number of units and building height: | 30 3-storey stacked townhouse dwellings 20 3-storey street related townhouse dwellings 83 2-storey townhouse dwellings Total 133 townhouse dwellings |
| Lot Coverage: | 32.8% |
| Landscaped Area: | 42.9% |
| Net Density: | 46 units/ha (19 units/acre) |
| Anticipated Population: | 399 people* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2008 Growth Forecasts for the City of Mississauga. |
| Parking Required: | 275 |
| Parking Provided: | 299 |
| Supporting Documents: | Concept Site Plan Survey Grading and Servicing Plans Elevations Planning Rationale |

| Development Proposal | |
|-----------------------------|---|
| | Traffic Study Functional Servicing Report Phase I Environmental Site Assessment Archaeological Assessment Noise Feasibility Study |

| Site Characteristics | |
|-----------------------------|--|
| Frontage: | Approximately 130 m (427 ft.) on Winston Churchill Boulevard. and 175 m (575 ft.) on Destination Drive |
| Gross Site Area: | 2.9 ha (7.2 ac.) |
| Existing Use: | Vacant |

Additional information is provided in Appendices I-1 to I-10.

Neighbourhood Context

The subject property is located in a developing mixed use residential and commercial area. The lands are presently vacant, having been graded and prepared for construction. Most recently, the site was the location for a number of sales pavilions. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Beyond Destination Drive, residential uses comprised of townhouse, semi-detached and detached dwellings.
- East: Commercial uses and a home improvement centre (Rona) occupying the entire Eglinton Avenue West frontage from Winston Churchill Boulevard to Glen Erin Drive. Further to the east is the Plantation Centre commercial development.
- South: Vacant lands subject to Rezoning application OZ 11/005 W10 by Great Gulf (Eglinton10) Inc. to permit three 4-storey condominium apartment dwellings with a total of

169 units. Beyond Eglinton Avenue West are three-storey townhouse dwellings and single detached dwellings.

West: Stacked and back-to-back townhouse dwellings and Golder Community Park. Further west are two-storey semi-detached and detached dwellings.

Current Mississauga Plan Designation and Policies for Churchill Meadows District Plan (May 5, 2003)

"Residential High Density I" which permits townhouse dwellings, horizontal multiple dwellings and apartment buildings at a density range of 45 - 138 units per net residential hectare (18 - 56 units per net residential acre) with a maximum height of eight (8) storeys.

Primary Community Gateway (Character Area 3):

- a. Building heights for the Residential High Density designation will generally be limited to a range of five to eight (5-8) storeys with the greatest heights to occur at the intersection of two (2) streets.
- b. Open space/pedestrian corridors from these developments to the proposed transit terminal will be encouraged. In support of this objective, evaluations of microclimatic conditions may be required in the review of development applications in this Character Area.
- c. At full development these parcels of land should provide continuity in built form and landscape themes with the Residential High Density lands on the east side of Winston Churchill Boulevard.

The application is in conformity with the land use designation and no Official Plan Amendment is proposed.

Mississauga Official Plan (2011)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been

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appealed in its entirety and, as such, the existing Mississauga Plan (2003) remains in effect. The application was originally submitted under the previous Official Plan which is the current plan in effect, but regard should be given to the new Mississauga Official Plan. The applicant is aware of the status of the City's new Mississauga Official Plan which designates the subject lands as "**Residential High Density**".

Existing Zoning

"D" (**Development**), which permits a building or structure legally existing on the date of passing of By-law 0225-2007 and the existing legal use of such building or structure.

Proposed Zoning By-law Amendment

"**RM9-Exception (Horizontal Multiple Dwellings with more than 6 Dwelling Units)**", to permit 30 three-storey stacked townhouse units, 20 three-storey street-related townhouse units and 83 two-storey townhouse units.

Details of proposed exceptions to the standard "RM9" zone category are contained in Appendix I-9.

COMMUNITY ISSUES

A community meeting was held by Ward 10 Councillor, Sue McFadden on November 2, 2011, in conjunction with the adjoining Great Gulf lands to the south (OZ 11/005 W10).

The following is a summary of issues raised by the community at the meeting:

- The possibility of traffic congestion on connection roads as a result of the development;
- Visitor parking gravitating to off-site locations;
- Similarity of the development proposal with existing surrounding development;
- Construction timeframes;

- Replacement of the development proposal with commercial uses instead.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

- Consistency in the interface between the subject plan and the Great Gulf plan to the south (road and pedestrian connections, landscaping etc.);
- Identification of all applicable easements;
- Resolution of impact of hydro easement on rear amenity areas of proposed units 31 and 32 (see Appendix I-5);
- Review of technical studies submitted in support of the development, including the Traffic Impact Study;
- Regard for the applicable provisions of the Churchill Meadows Neighbourhood Concept Plan Principles and Urban Design Guidelines;
- The identification of any sustainable green technology to be used in the proposed development, to the satisfaction of Planning and Building Department staff.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to access, shared driveways and stormwater management, which will require the applicant to enter into appropriate agreements with the City.


FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

2-2(h)

CONCLUSION: Once all agency and City department comments have been received and after the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding this application.

- ATTACHMENTS:**
- Appendix I-1: Site History
 - Appendix I-2: Aerial Photograph
 - Appendix I-3: Excerpt of Churchill Meadows District Land Use Map
 - Appendix I-4: Excerpt of Existing Land Use Map
 - Appendix I-5: Concept Plan
 - Appendix I-6: Elevations
 - Appendix I-7: Agency Comments
 - Appendix I-8: School Accommodation
 - Appendix I-9: Proposed Zoning Standards
 - Appendix I-10: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner

Daniels LR Corporation

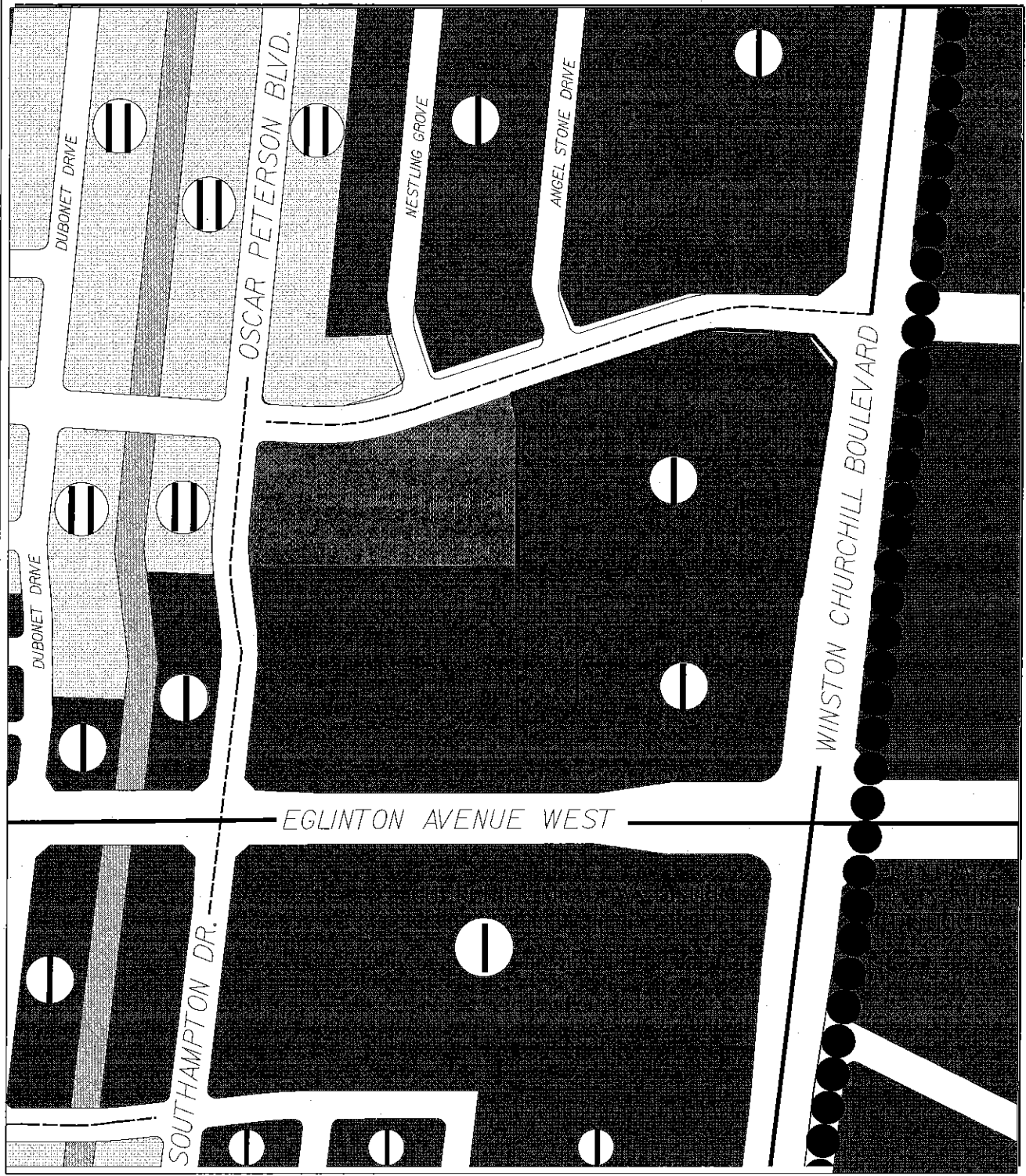
File: OZ 11/010 W10

Site History

- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "D" (Development).
- December 12, 2007 – Resolution 0312-2007 was passed by Council adopting the recommendation in the corporate report dated November 19, 2007 from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 94/077 W10 Phase 5 and T-M94025 W10 Phase 5, Erin Mills Development Corporation, Part of Lot 1, Concession 10, N.S., Northwest quadrant of Eglinton Avenue West and Winston Churchill Boulevard, to permit horizontal multiple dwellings, detached dwellings, semi-detached dwellings, street townhouse dwellings, horizontal multiple dwellings, apartment dwellings and a community park.
- December 12, 2007 - By-law 0449-2007 was enacted by Resolution 0312-2007 for the lands south of Erin Centre Boulevard, east of Oscar Peterson Boulevard, north of Eglinton Avenue West and west of Winston Churchill Boulevard to amend the City of Mississauga Zoning By-law by changing the zoning from "D" (Development) to "R7-5" (Detached Dwellings), "RM2-18" (Semi-Detached Dwellings), "RM5-37" (Street Townhouse Dwellings), "RM9-5" (Horizontal Multiple Dwellings), "RA2-53" (Apartment Dwellings) and "OS1" (Open Space), and to permit the development of Destination Drive.

The subject property associated with the current application under file OZ 11/010 W10, remained zoned as "D" (Development).

0-22(9)

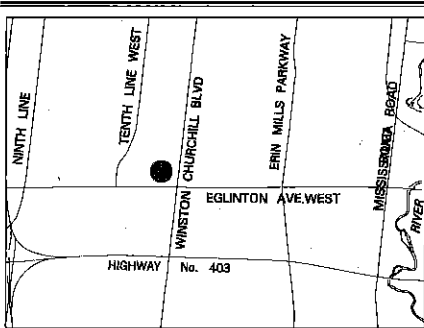


**PART OF CHURCHILL MEADOWS DISTRICT LAND USE MAP
CHURCHILL MEADOWS POLICIES OF MISSISSAUGA PLAN**

- | | |
|---|---|
| LAND USE DESIGNATIONS | TRANSPORTATION LEGEND |
| Residential - Low Density I | Provincial Highway and Interchange |
| Residential - Low Density II | Arterial |
| Residential - Medium Density I | Major Collector |
| Residential - High Density I | Minor Collector |
| General Retail Commercial | Local Road |
| Convenience Retail Commercial | Bus Rapid Transit Corridor |
| Motor Vehicle Commercial | Bus Rapid Transit Station |
| Business Employment | |
| Public Open Space | |
| Greenbelt | |
| Parkway Belt West | |
| Utility | |
| SUBJECT LANDS | |
| LAND USE LEGEND | Special Site Areas (See Special Site Policies) |
| Proposed Stormwater Management Facility | |
| Existing Stormwater Management Facility | |
| Planning District | |



SUBJECT:
DANIELS LR CORPORATION



FILE NO:
OZ 11/010 W10

DWG. NO:
11010L

SCALE:
1:5000

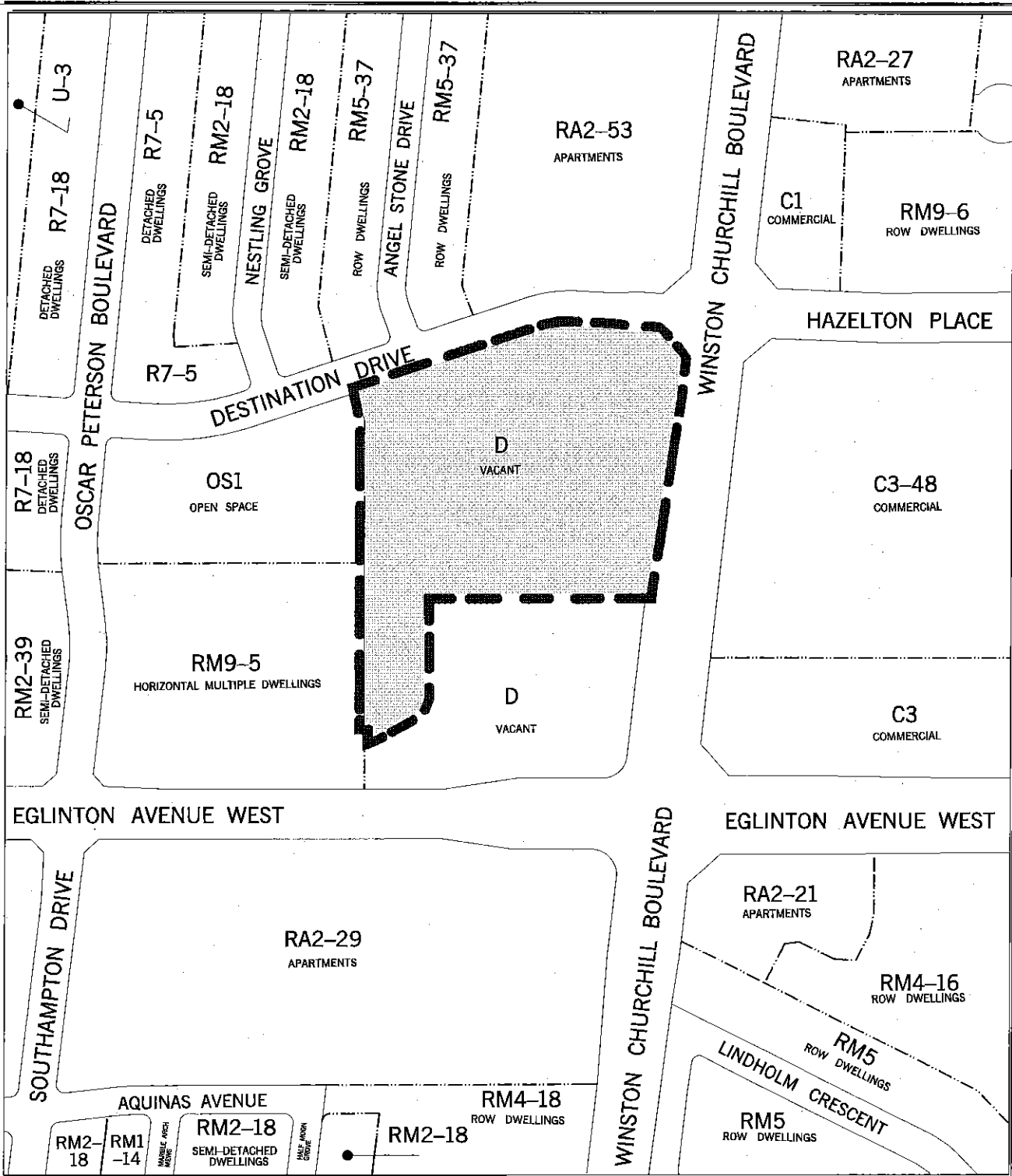
PDC DATE:
2012 01 30

DRAWN BY:
K. PROKOP

APPENDIX I-3

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



LEGEND:

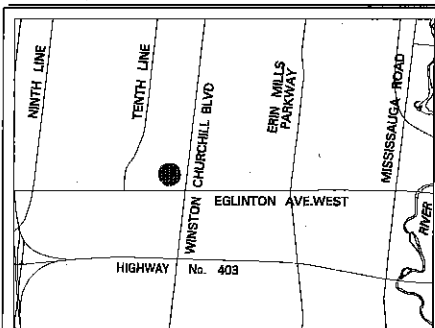


PROPOSED REZONING FROM "D" (DEVELOPMENT) TO "RM9-EXCEPTION (HORIZONTAL MULTIPLE DWELLINGS WITH MORE THAN 6 DWELLING UNITS) TO PERMIT 133 TWO-STORY AND THREE-STORY TOWNHOUSE DWELLINGS.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN PROPOSED ZONING INDICATED BY SHADING WITHIN THE APPLICATION AREA.



SUBJECT: DANIELS LR CORPORATION



FILE NO:
OZ 11010 W10

DWG. NO:
11010R

SCALE:
1:3500

PDC DATE:
2012/01/30

DRAWN BY:
A.SHAH

APPENDIX 1-4

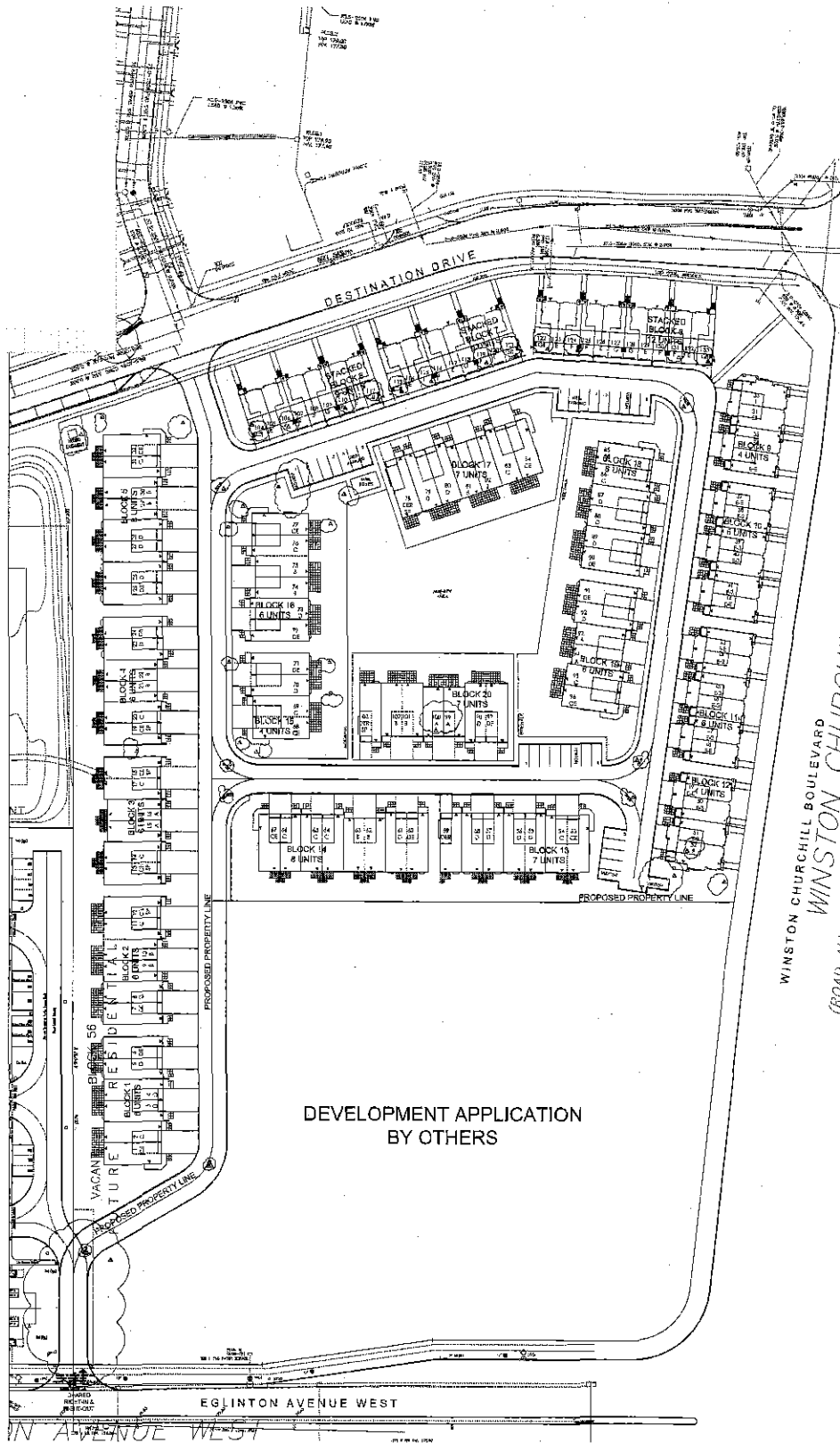
MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

0-2(1)

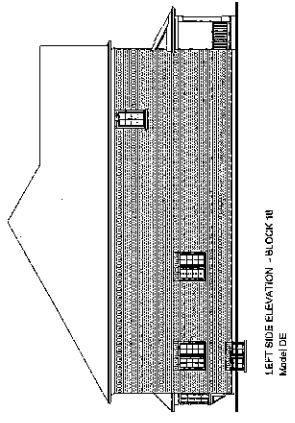
2-2(s)

CONCEPT PLAN

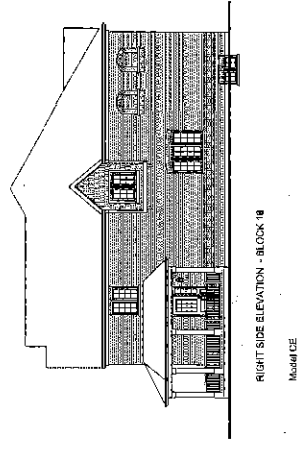


R-2(+)

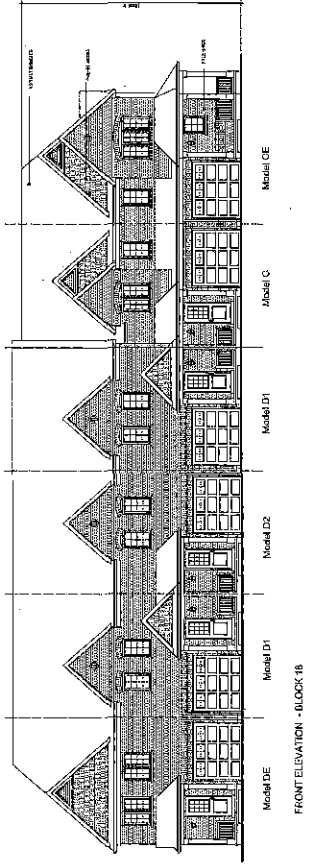
ELEVATIONS-TYPICAL TWO-STOREY TOWNHOUSES



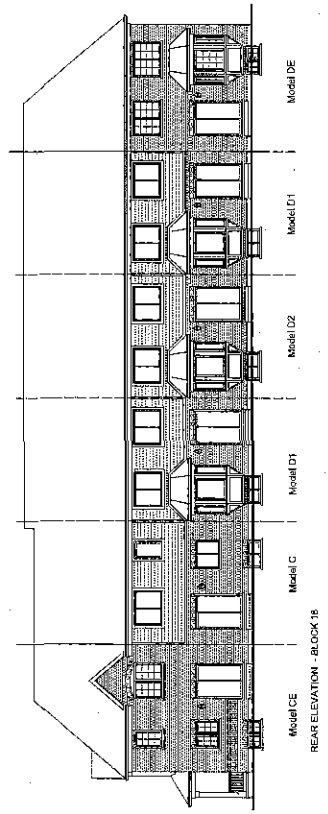
LEFT SIDE ELEVATION - BLOCK 18
Model DE



RIGHT SIDE ELEVATION - BLOCK 18
Model CE



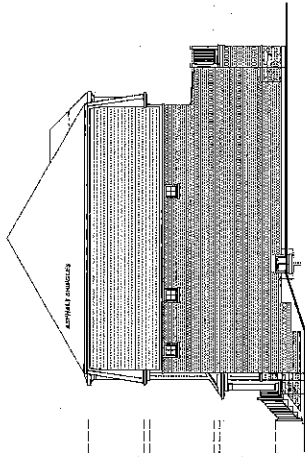
FRONT ELEVATION - BLOCK 18



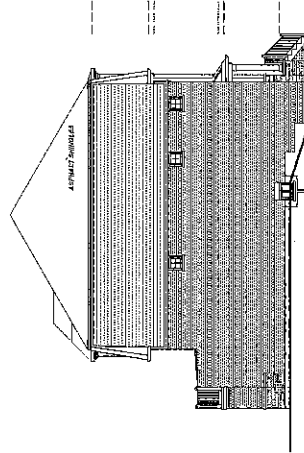
REAR ELEVATION - BLOCK 18

R-2(w)

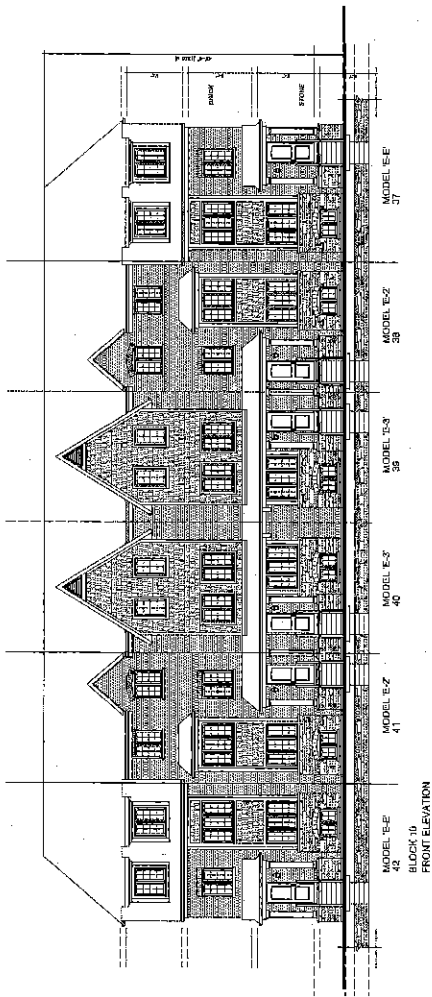
ELEVATIONS-TYPICAL THREE-STOREY TOWNHOUSES



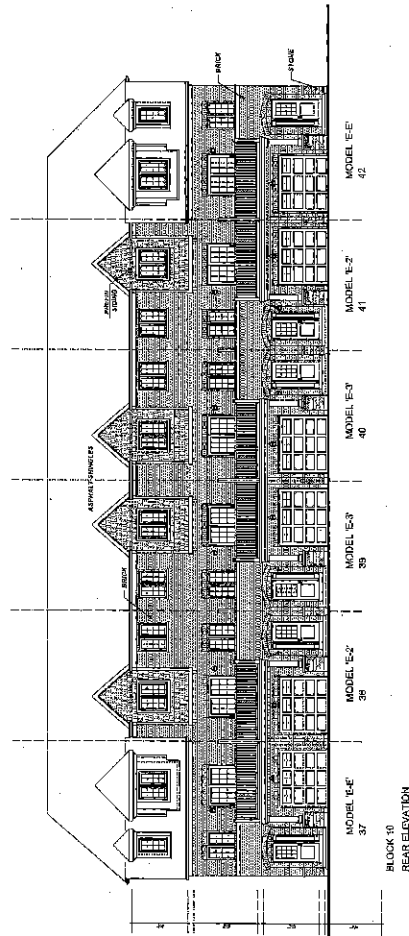
MODEL 'E-C'
BLOCK 10
RIGHT SIDE ELEVATION



MODEL 'E-F'
BLOCK 10
LEFT SIDE ELEVATION

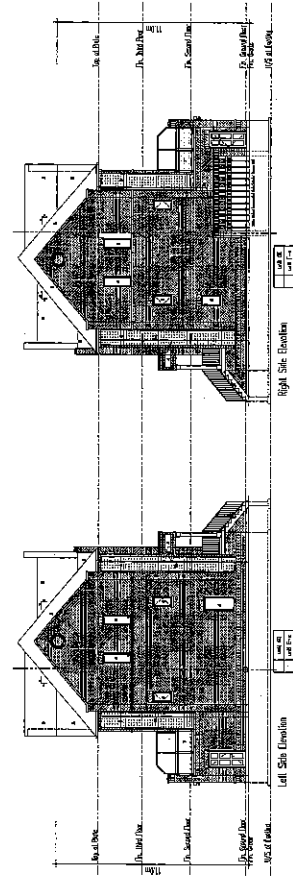
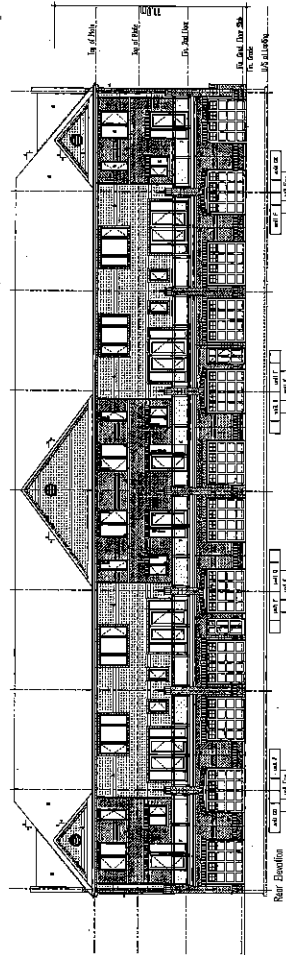
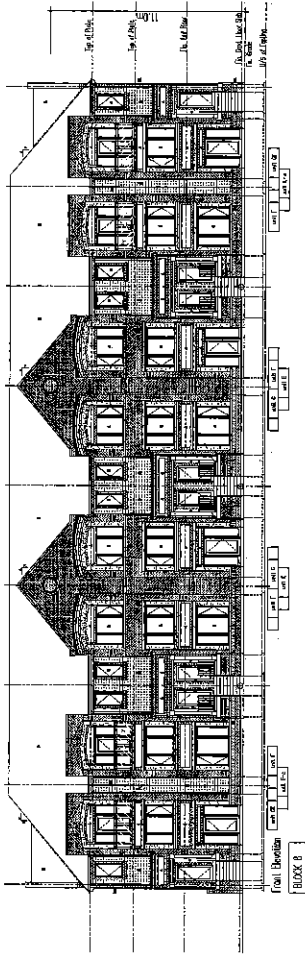


MODEL 'E-G'
BLOCK 10
FRONT ELEVATION



MODEL 'E-H'
BLOCK 10
REAR ELEVATION

ELEVATIONS-TYPICAL THREE-STOREY STACKED TOWNHOUSES



Daniels LR Corporation

File: OZ 11/010 W10

Agency Comments

The following is a summary of comments from agencies and departments regarding the application.

| Agency / Comment Date | Comment |
|--|---|
| <p>Region of Peel (October 27, 2011)</p> | <p>An existing 400 mm (16") diameter water main is located on Eglinton Avenue, an existing 600 mm (24") diameter water main is located on Winston Churchill Blvd., and an existing 200 mm (8") diameter water main is located on Destination Drive. An existing 250 mm (10") diameter sanitary sewer is located on Destination Drive with a service to property line.</p> <p>A complete Functional Servicing Report, as per Regional standards, must be submitted and approved.</p> <p>The subject lands are not within the vicinity of a landfill, and that curbside collection will be provided by the Region.</p> |
| <p>The Dufferin-Peel Catholic District School Board and the Peel District School Board (December 2, 2011 and September 15, 2011)</p> | <p>Both School Boards indicated that there is no available capacity to accommodate students generated by this application. Accordingly, the Boards have requested that in the event that the application is approved, the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98, adopted by Council on May 27, 1998, be applied.</p> <p>Among other things, this condition requires that a Bill 51 development application include the following as a condition of approval:</p> <p>"Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for the subject development."</p> <p>In addition, if approved, both School Boards require that a warning clause be placed in any agreement of purchase and sale entered into with respect to any lots on this plan advising that sufficient school accommodation may not be available for all anticipated students.</p> <p>The developer shall agree to erect and maintain signs at the entrances to this development which shall advise prospective</p> |

Daniels LR Corporation

File: OZ 11/010 W10

| Agency / Comment Date | Comment |
|---|--|
| | <p>purchasers that due to present school facilities, some of the children from this development may have to be accommodated in temporary facilities or bussed to schools, according to the Board's Transportation Policy.</p> |
| <p>City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (October 28, 2011)</p> | <p>Golder Community Park (P-501) is located west of the proposed development and contains a play site and a minor soccer field. Should this application be approved, protective hoarding, and associated securities for the adjacent parkland will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the adjacent parkland.</p> <p>Further, cash-in-lieu of parkland dedication requirement for application OZ 11/010 W10 has been satisfied through Parkland Conveyance Agreement between the City and the Erin Mills Development Corporation authorized under By-Law 351-98 on July 15, 1998.</p> |
| <p>City Transportation and Works Department (December 13, 2011)</p> | <p>A Noise Report, Functional Servicing Report and Traffic Impact Study have been received and are currently under review. Detailed comments/conditions will be provided prior the Supplementary Report pending the review of the foregoing.</p> <p>Prior to a Supplementary Report proceeding, the applicant will be required to revise the grading and site plan to depict additional details and cross sections. Documentation will also be required confirming that all necessary mutual easements for access and servicing are established with the owner to the south and access to Eglinton Avenue West. with the owner to the west. In addition, the applicant has been requested to submit a Letter of Reliance for the Phase 1 Environmental Site Assessment. A phasing plan illustrating the sequencing of any future phases has also been requested.</p> <p>Further detailed comments/conditions will be provided prior the Supplementary Report pending the review of the revised material.</p> |
| <p>Bell Canada (October 27, 2011)</p> | <p>A detailed review of the application has been completed and an easement may be required to service the subject property, depending on a review of more detailed applications under the <i>Planning Act</i>.</p> |

R-2(4)

Daniels LR Corporation

File: OZ 11/010 W10

| Agency / Comment Date | Comment |
|--|--|
| Other City Departments and External Agencies | <p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>City Community Services Department – Culture Division City Community Services Department – Fire and Emergency Services City Economic Development Office Canada Post Corporation Enersource Hydro Mississauga Enbridge Gas Distribution</p> |
| | <p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>City Realty Services Hydro One Networks Inc. Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sud-Ouest Rogers Cable Sun-Canadian Pipe Line Company Ltd. Credit Valley Hospital</p> |

Daniels LR Corporation

File: OZ 11/010 W10

School Accommodation

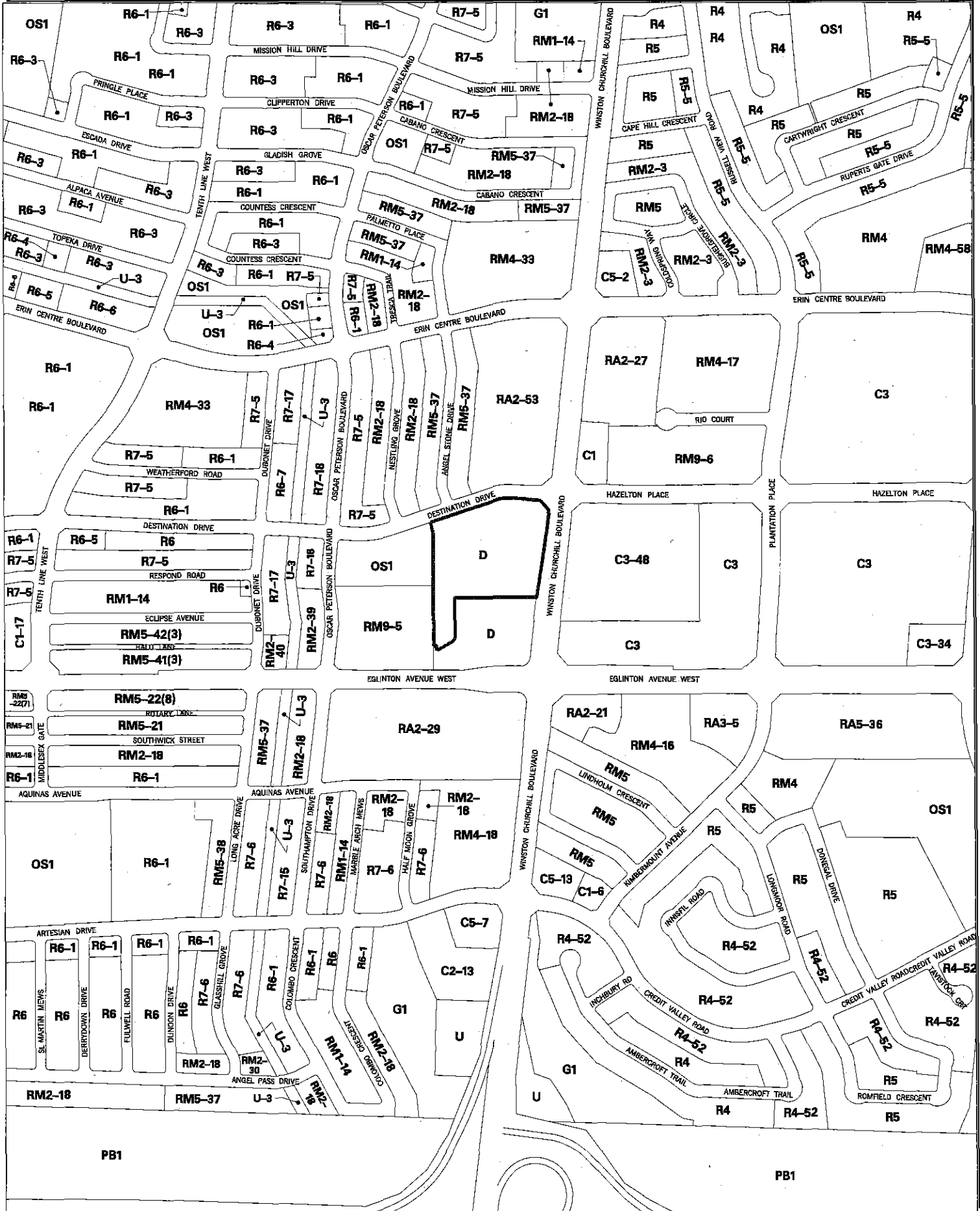
| The Peel District School Board | The Dufferin-Peel Catholic District School Board |
|--|--|
| <ul style="list-style-type: none"> • Student Yield: <ul style="list-style-type: none"> 25 Kindergarten to Grade 5 16 Grade 6 to Grade 8 21 Grade 9 to Grade 12/OAC • School Accommodation: <ul style="list-style-type: none"> Middlebury P.S. <ul style="list-style-type: none"> Enrolment: 477 Capacity: 561 Portables: 0 Thomas Street Middle School <ul style="list-style-type: none"> Enrolment: 809 Capacity*: 755 Portables: 2 John Fraser S.S. <ul style="list-style-type: none"> Enrolment: 1,253 Capacity: 1,236 Portables: 0 | <ul style="list-style-type: none"> • Student Yield: <ul style="list-style-type: none"> 9 Junior Kindergarten to Grade 8 4 Grade 9 to Grade 12/OAC • School Accommodation: <ul style="list-style-type: none"> St. Sebastian <ul style="list-style-type: none"> Enrolment: 649 Capacity: 593 Portables: 0 St. Joan of Arc <ul style="list-style-type: none"> Enrolment: 1,403 Capacity: 1,371 Portables: 4 |

R-2(a)(a)

GENERAL CONTEXT MAP

OZ 11/010 W10

APPENDIX I-10



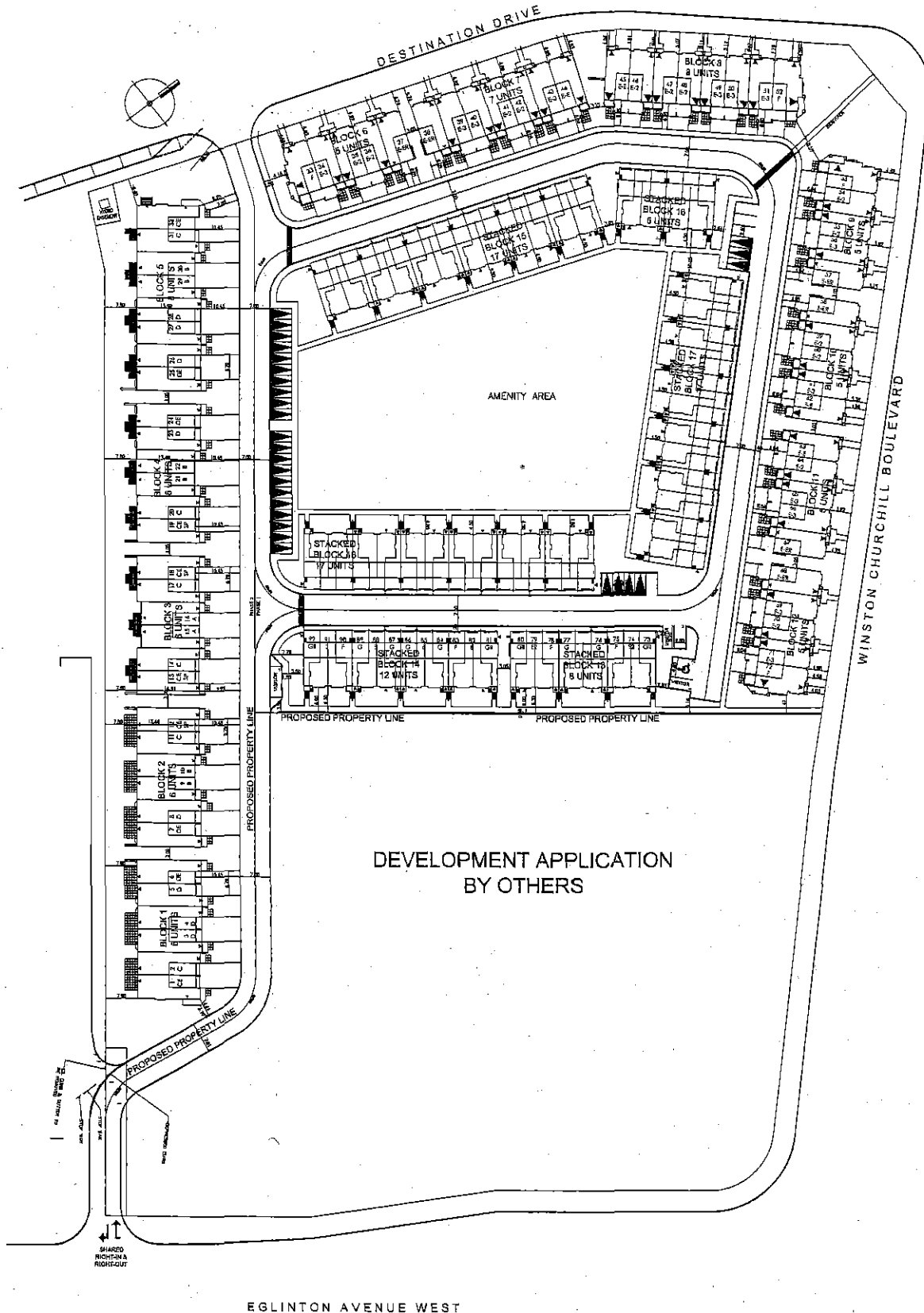
Daniels LR Corporation

File: OZ 11/010 W10

Recommendation PDC-0007-2012

PDC-0007-2012

- “1. That the Report dated January 10, 2012, from the Commissioner of Planning and Building regarding the application to change the Zoning "D" (Development) to "RM9-Exception" (Horizontal Multiple Dwellings with more than 6 Dwelling Units), to permit 133 two-storey and three-storey townhouse dwellings, under file OZ 11/010 W10, Daniels LR Corporation, 5118 Winston Churchill Boulevard, be received for information and, notwithstanding Planning Protocol, that the Supplementary Report be brought directly to a future Council meeting.
2. That the following correspondence be received:
 - (a) E-mail dated October 23, 2011 from Ken Lloyd with respect to the proposed development at 5118 Winston Churchill Boulevard, Southwest corner of Destination Drive and Winston Churchill Boulevard.”



Daniels LR Corporation

File: OZ 11/010 W10

Proposed Zoning Standards (Revised) – "RM9-Exception" (Horizontal Multiple Dwellings)

| Requested Exception | Required Zoning By-law Standard | Proposed Standard |
|---|--|--|
| Maximum number of units | Not applicable | 149 |
| Maximum height | 13.0 - 15.0 m (42.6 ft. – 49.2 ft.) | 15.0 m (49.2 ft.) |
| Minimum front and exterior side yard | 7.5 m (24.6 ft.) | 4.0 m (13.1 ft.) |
| Minimum interior side yard | 4.5 m (14.7 ft.) | 3.0 m (9.8 ft.) |
| Minimum rear yard | 4.5 m to 10.0 m (14.7 ft. to 32.8 ft.) | 7.5 m (24.6 ft.) |
| A balcony is permitted on top of an attached garage | Not applicable | Yes |
| Minimum setback from an awning, window, chimney, pilaster or corbel to an internal road or sidewalk | 3.9 m (12.8 ft.) | 0.5 m (1.6 ft.) |
| Minimum setback from a rear wall of a horizontal multiple dwelling to the rear wall of another dwelling, excluding an attached garage | 15.0 m (49.2 ft.) | 7.25 m (23.8 ft.) |
| Maximum projection of a porch, inclusive of stairs, located at and accessible from the first storey or below the first storey | 1.8 m (5.9 ft.) | 1.8 m (5.9 ft.) |
| Minimum number of resident parking spaces per 2-storey townhouse unit | 2.0 per unit | 3.0 per unit |
| Minimum number of visitor parking spaces per 2-storey townhouse unit | 0.25 per unit | 0.0 per unit |
| Minimum number of resident parking spaces per 3-storey townhouse unit | 2.0 per unit | 2.0 per unit |
| Minimum number of resident parking spaces per horizontal multiple unit (stacked townhouse) with exclusive use garage and driveway | 2.0 per unit | 1.0 per 1-bedroom unit 1.3 per 2-bedroom unit 1.4 per 3-bedroom unit |
| Minimum number of visitor parking spaces per 3-storey townhouse unit and horizontal multiple unit | 0.25 per unit | 0.20 per unit |
| Minimum driveway width shall be equal to the width of the front garage face | Not applicable | Yes |

D-2(e)(e)

Daniels LR Corporation

File: OZ 11/010 W10

| | | |
|---|---------------------------------|------------------------------------|
| Maximum floor area of an accessory building | 10 m ² (107 sq. ft.) | 100 m ² (1,076 sq. ft.) |
|---|---------------------------------|------------------------------------|

Other Provisions:

- All development shall be in keeping with an Exception Schedule (see Concept Plan).

REPORT 14 - 2012



TO: THE MAYOR & MEMBERS OF COUNCIL

General Committee of Council presents its fourteenth Report of 2012 and recommends:

GC-0577-2012

That the deputation by Wesam (Sam) Eltaji regarding the moratorium on issuing new tow truck licences be received and referred to staff for further review.

GC-0578-2012

That the deputation by Yasser Abouzi regarding the moratorium on issuing new tow truck licences be received and referred to staff for further review.

GC-0579-2012

That the name "Horseshoe Park" for Park 493 at 7150 Saint Barbara Boulevard, be approved.

GC-0580-2012

That the name "Cabano Hill Park" for Park 490 in Ward 10 be approved and that the criteria in the Property and Facility Naming and Dedications Policy for the name to be considered for the period of 30 days, be waived.

(Ward 10)

GC-0581-2012

That the naming request of "John Clipperton Park" for Park 512 in Ward 11 be considered for the period of 30 days.

(Ward 11)

GC-0582-2012

That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute and affix the corporate seal to a Memorandum of Understanding between The Corporation of the City of Mississauga (the "City") and the Institute for Canadian Citizenship (the "ICC") for the purpose of enrolling the City in the Cultural Access Pass Program of the ICC, together with all ancillary documents as may be required, in form satisfactory to the City Solicitor.

GC-0583-2012

That a by-law be enacted to amend By-law 555-2000, as amended, to remove 10-hour parking between 8:00 a.m. and 6:00 p.m., Monday to Friday, on the west side of Syntex Drive between Derry Road West and Meadowvale Boulevard.

(Ward 9)

GC-0584-2012

That a by-law be enacted to amend By-law 555-2000, as amended, to remove the "15-hour parking anytime" regulation on the south side of Falconer Drive between the access points to 6555 Falconer Drive (Units 1-162) and implement a "no parking anytime" prohibition.

(Ward 11)

GC-0585-2012

That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on the east and west side of Red Pine Crescent.

(Ward 2)

GC-0586-2012

That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on Keynes Crescent.

(Ward 9)

GC-0587-2012

That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on Cactus Gate between Black Walnut Trail and Tenth Line West.

(Ward 10)

GC-0588-2012

That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on the north and south side of Novo Star Drive between Mavis Road and McLaughlin Road.

(Ward 11)

GC-0589-2012

That the Purchasing Agent be authorized to execute contracts with the Region of Peel in the amounts of \$159,317 (exclusive of HST) and \$179,960 (exclusive of HST) for engineering services for the design and contract administration of multi-use trails in coordination with the Hanlan Water Project as outlined in the report to General Committee dated August 20, 2012 from the Commissioner of Transportation and Works.

(Wards 1, 3, 4 and 5)

GC-0590-2012

That the Commissioner of Transportation and Works and the City Clerk be authorized to enter into an agreement with the Canadian Pacific Railway Company (CP) for the construction of a crossing surface over CP tracks to accommodate a future sidewalk on Wolfedale Road, in a form satisfactory to Legal Services, and that the necessary by-law be enacted.

(Ward 6)

GC-0591-2012

1. That the name **Antonelli** be approved and assigned as a private street name for the private road within the proposed common element condominium development under Application T-11004, located at 5881 Creditview Road, east side of Creditview Road, south of Britannia Road West.
2. That the name **Granrock** be added to the City of Mississauga Approved Street Name Reserve List.
3. That the standard City of Mississauga private street name signs with blue lettering on a white background indicating the name of the street be erected at the appropriate locations.
4. That the cost of the signs be borne by National Homes (Creditview) Inc., the registered owner of 5881 Creditview Road, but be erected by City forces.

(Ward 6)

GC-0592-2012

That the report dated August 15, 2012 from the Commissioner of Corporate Services and Treasurer entitled Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – January 1, 2012 to June 30, 2012 be received for information.

GC-0593-2012

1. That the report dated August 20, 2012, from the Commissioner of Corporate Services and Treasurer, entitled, 2011 Municipal Performance Measurement Program (MPMP) Results be received for information.
2. That the 2011 MPMP report be posted for public notification on the City's website.\

GC-0594-2012

That the report dated August 9, 2012 from the Commissioner of Corporate Services and Treasurer regarding the 2011 Annual Report of the Information and Privacy Commissioner/Ontario (IPC) be received for information.

GC-0595-2012

That the presentation made by Kyrlo Rewa, Transportation Engineering Master's Candidate, University of Waterloo regarding the Region of Peel and area municipalities Joint Research Project in Bicycle Data Collection be received for information.

(MCAC-0043-2012)

GC-0596-2012

That the presentation made by Mark Howard, Planner, Long Term Planning regarding the Credit River Parks Strategy be received for information.

(MCAC-0044-2012)

GC-0597-2012

That the presentation made by Mary Bracken, Environmental Specialist regarding the Living Green Master Plan be received for information.

(MCAC-0045-2012)

GC-0598-2012

That the memorandum dated July 10, 2012 from Jacquelyn Hayward Gulati, Manager Cycling Office regarding the 2012 Proposed Cycling Network Program be received for information.

(MCAC-0046-2012)

GC-0599-2012

That the email dated May 28, 2012 from Dave Krentz, Editor, Green Passport regarding Green Passports Port Credit be received for information and referred to staff.

(MCAC-0047-2012)

GC-0600-2012

That the email dated June 19, 2012 regarding Cycling Safety – Coroner's Report be received and referred to the Communication and Promotions Subcommittee to prepare a draft response.

(MCAC-0048-2012)

GC-0601-2012

That the 2012 calendar of events regarding Mississauga cycling related events in 2012 be received for information.

(MCAC-0049-2012)

GC-0602-2012

That the action list from the meeting held on June 12, 2012 be received for information.

(MCAC-0050-2012)

GC-0603-2012

That the request to alter the Meadowvale Village Heritage Conservation District, as described in the report from the Commissioner of Community Services, dated June 26, 2012, be approved by the Director of Culture (or designate) in accordance with By-Law 0118-2012, the By-Law delegating authority to staff to advance certain matters relating to the City's operations during Council's summer recess in 2012.

Ward 11

(HAC-0068-2012)

GC-0604-2012

1. That the following two documents from Michael Spaziani, Principal, Michael Spaziani Architect Inc., and John D. Rogers, President, John D. Rogers & Associates Inc., with respect to a request to alter a heritage designated property, the McClure-Lafferty House, located at 2075 Syntex Court (formerly 2075 Derry Road, 7070 Mississauga Road, 7025 Langer Drive, and RR 3 Syntex Court) be received by the Director of Culture (or designate) in accordance with By-Law 0118-2012, the By-Law delegating authority to staff to advance certain matters relating to the City's operations during Council's summer recess in 2012:
 - (a) Heritage Property Permit Application dated February 27, 2012; and
 - (b) Addendum to the McClure-Lafferty House Heritage Impact Statement: Proposed Relocation and Adaptive Reuse, 2075 Derry Road West, Mississauga, Ontario dated March 16, 2012.
2. That the Heritage Advisory Committee supports in principle the concept of relocating the heritage designated property, the McClure-Lafferty House, located at 2075 Syntex Court (formerly 2075 Derry Road, 7070 Mississauga Road, 7025 Langer Drive, and RR 3 Syntex Court) pending the completion of the following conditions, in accordance with By-Law 0118-2012, the By-Law delegating authority to staff to advance certain matters relating to the City's operations during Council's summer recess in 2012:
 - (a) All approvals of development applications and approval of the Site Plan on the proposed development site must be obtained from the City of Mississauga in advance of relocation;
 - (b) Resolution of all Site Plan matters regarding the relocation of the building to the satisfaction of the City of Mississauga, prior to the relocation occurring;
 - (c) A letter of credit, in an amount to be determined by the Director, Culture Division, must be provided to the City of Mississauga to cover the cost of replacing and/or restoring any damage that may occur during the move;
 - (d) A detailed plan outlining the full process to be used in moving the structure and that reflects, as a minimum, the recommendations in the Heritage Impact Statement, and the move be conducted by an experienced and credible heritage moving company, subject to approval by the City of Mississauga;
 - (e) Written agreement from the owner to the de-designation of the structure for the duration of the move and re-designation, to current Ministry standards, following the relocation; and
 - (f) Any other requirements made by the Planning and Building Department to allow the proposed lease tenant to use the property as proposed.

Ward 9

(HAC-0069-2012)

GC-0605-2012

That the request to alter the property at 41 Bay Street, as described in the report from the Commissioner of Community Services, dated June 26, 2012, be approved by the Director of Culture (or designate) in accordance with By-Law 0118-2012, the By-Law delegating authority to staff to advance certain matters relating to the City's operations during Council's summer recess in 2012.

Ward 1

(HAC-0070-2012)

GC-0606-2012

That the property at 1245 Mona Road, which is listed on the City's Heritage Register, is not worthy of heritage designation, and consequently, that the owner's request to demolish proceed through the applicable process, and that the Director of Culture (or designate) take any action deemed necessary in furtherance thereof, in accordance with By-Law 0118-2012, the By-Law delegating authority to staff during Council's Summer Recess.

Ward 1

(HAC-0071-2012)

GC-0607-2012

That the chart dated July 24, 2012 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, with respect to the status of outstanding issues from the Heritage Advisory Committee, be received by the Director of Culture (or designate) in accordance with By-Law 0118-2012, the By-Law delegating authority to staff to advance certain matters relating to the City's operations during Council's summer recess in 2012.

(HAC-0072-2012)

GC-0608-2012

That the letter dated June 11, 2012 from James P. Holmes, Chairman, Meadowvale Village Heritage Conservation District Review Committee, with respect to the Gill residence located at 1036 Old Derry Road in Ward 11, be received by the Director of Culture (or designate) in accordance with By-Law 0118-2012, the By-Law delegating authority to staff to advance certain matters relating to the City's operations during Council's summer recess in 2012.

Ward 11

(HAC-0073-2012)

GC-0609-2012

That the educational session regarding Stormwater Financing Study be received for information.

GC-0610-2012

That the verbal briefing on a personnel matter be received for information.

Aug. 8, 2012

COUNCIL AGENDA
SEP 12 2012

Dear Pat,

As promised, attached please find the petition, signed by everyone on Fowler Court, regarding the request for ditch elimination on said street.

Hopefully a meeting can now be arranged amongst the appropriate city staff, yourself, the Fowler Court residents and, if possible, a representative of SHORA.

We have every confidence that this issue will be taken care of in your usual efficient, prompt and caring manner.

Sincerely,

Doug and Sheila Campbell,

D.A. Campbell
S.J. Campbell

2075 Fowler Court,
Mississauga, On.
L5K 1B7

RECEIVED
REGISTRY No.
DATE AUG 23 2012
FILE No.
CLERK'S DEPARTMENT

AUG. 6, 2012

Dear Ms. Mullin,

We, the undersigned residents of Fowler Court, wish to petition the City of Mississauga to fill in our ditches, install proper curbs and create a grass boulevard for the following reasons.

1. SAFETY:

Over the years there have been many accidents involving vehicles sliding into the ditches due to an inability to determine where the road ends and the ditch begins, especially in winter snow. As you may be aware, a large City salt truck not only slid into the ditch but also distributed damaging salt just this past winter. Vehicles backing out of driveways have also suffered the same fate.

The ditches are so steep that the residents have great difficulty in both mowing and maintaining them without endangering either themselves and/or their machines. Some are impossible to mow.

2. ASTHETICS:

Due to the slope of the ditches, grass tends not to grow there, but weeds do. This gives our street an unsightly, unkempt appearance. Mowing, as mentioned above, is impossible in some instances and just downright dangerous in others.

3. FAIRNESS

We seem to be the sole street in the Sheridan Homelands where ditches have not been filled in. Both the Fifth Line and Fowler Lane ditches were filled in the 1980s/1990s, therefore, no water funnels into the ditches on Fowler Court any more. They serve no useful purpose except as dangerous eyesores.

It is our understanding that our water mains will be replaced in 2014. This would provide an excellent opportunity to fill in our ditches and install proper curbs on the street since the soil, which will be excavated as the road is dug up, could be used for that purpose leaving us with an easy to maintain grassy boulevard.

Thanks Pat, we anticipate your usual prompt reply.

| RESIDENT (please print) | ADDRESS | SIGNATURE |
|-------------------------|-----------------|---------------|
| KEN Downard | 2088 Fowler crt | Ken Downard |
| Karen Downard | 2088 Fowler CRT | K Downard |
| Bryan Tisdale | 2085 FOWLER CRT | Bryan Tisdale |
| RITA HOLMES | 2076 FOWLE CRT. | Rita Holmes |
| J TMDRIS | 2055 -11- | J TMDRIS |

AUG. 6, 2012

FOWLER COURT PETITION RE: DITCHES

| RESIDENT (please print) | ADDRESS | SIGNATURE |
|-------------------------|-----------------------------------|-------------------|
| TADEUSZ STOKLOSA | 2065 FOWLER CRT | Tadeusz Stoklosa |
| GRAZYNA STOKLOSA | 2065 FOWLER CRT | Grazyna Stoklosa |
| WENDY BOWE | 2081 FOWLER CT. | Wendy Bowe |
| DENN BOWE | MISSISSAUGA ON | |
| VICTORIA SLANIC | 2081 FOWLER COURT | Victoria Slanic |
| MAXIMILIAN SLANIC | MISSISSAUGA ON 2084 FOWLER CRT | Maximilian Slanic |
| | 2084 FOWLER CRT | |
| | MISSISSAUGA ON | |
| SHEILA CAMPBELL | 2075 FOWLER COURT | S. J. Campbell |
| | MISS. ON. L5K1B7 | |
| DOUGLAS CAMPBELL | 2075 FOWLER CT. | D. A. Campbell |
| | MISS., ONT. L5K1B7 | |

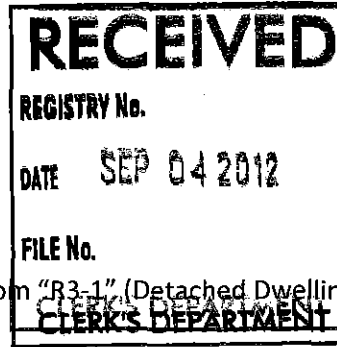
Petition:

We, the undersigned residents of the City of Mississauga, **OPPOSE:**

1. the **REZONING** of land at the south-west corner of Cawthra & Atwater from "R3-1" (Detached Dwellings-Typical Lots) to "RA1-Exception" (Apartment Dwellings)
2. the **proposed CONSTRUCTION** of a 4 storey **condominium** building with **commercial** space at the south-west corner of Cawthra & Atwater

A condominium with retail space is inconsistent with the character of the neighbourhood and as such think that Lethbridge & Lawson Inc./Windcatcher Development Corporation should be required to respect the existing zoning.

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).



| First Name | Last Name | Street Address | E-mail address | Signature |
|--------------------|-------------------|----------------------|------------------------------|------------------|
| Cathy | Morrison | 620 Ridgemount Cres. | chatty-cathy@sympatico.ca | C. Morrison |
| CRISTINA | IONESCU-BALACEANU | 446 ORANO AVE | director@paradanceacademy.ca | Blanca Balaceanu |
| Mona Lata | | 432 Orano Ave | Mona & Helga Peckerman | Mona Lata |
| Januse Lata | | 432 Orano Ave | | [Signature] |
| DEB MELIN | | 404 ORANO AVE | deb.melin@brampton.ca | [Signature] |
| Annette McGuire | | 396 Orano Ave | Annette.McGuire@rogers.com | [Signature] |
| Denise Heffron | Heffron | 135 Kenmuir Ave | denise.heffron@transat.com | [Signature] |
| Rosemarie Peterson | | 1365 Kenmuir Ave | | R. Peterson |
| DAVID SMITH | SMITH | 1381 KENMUIR AVE | | [Signature] |
| Linda Smith | Smith | 1381 Kenmuir Ave. | 4linda.smith@gmail.com | L. Smith |
| Wm. T. | TAYLOR | 1419 " " | btaylor-77@sympatico.ca | [Signature] |
| Sherry | Meehan | 1486 Kenmuir Ave | | [Signature] |
| Elaine | Medeiros | 1470 Kenmuir | | Elaine Medeiros |

Petition:

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| First Name | Last Name | Street Address | E-mail address | Signature |
|---------------|----------------|----------------------|---------------------------|-------------|
| Hugh | MORRISON | 620 RIDGE MOUNT CRES | | [Signature] |
| Nedra | Plawinski | 438 Orana Ave | | [Signature] |
| Ken | Thyssen | 433 Orana | | [Signature] |
| Dorothy | Ebschert | 433 Orana Ave. | dolgerbrecht@sympatico.ca | [Signature] |
| | J. Jensen | 1391 TROTWOOD AVE | | [Signature] |
| | F. MARCHESE | 1316 TROTWOOD AVE. | | [Signature] |
| | M. SARRINGELLA | 1316 TROTWOOD AVE. | | [Signature] |
| Rubyn | Tessaro | 361 Orana Ave | | [Signature] |
| Lisa | Brake | 365 Orana Ave | | [Signature] |
| Sung | Pham | 1321 Kenmuir Ave | 1321sungpham@yahoo.com | [Signature] |
| Heather Terry | TERRY | 1373 Kenmuir Ave | hterry1962@live.ca | [Signature] |
| Ivanka | Vuksinic | 1387 Kenmuir Ave | hunchi@sympatico.ca | [Signature] |
| Gisela | Duank | 1427 Kenmuir Ave | | [Signature] |

Petition:

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2. the **proposed CONSTRUCTION** of a 4 storey **condominium** building with **commercial** space at the south-west corner of Cawthra & Atwater

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| First Name | Last Name | Street Address | E-mail address | Signature |
|--------------|-----------|---------------------|-----------------------------|-----------|
| Tony | PARKIN | 17 OAKWOOD AVE S | tonyparkin@rogers.com | |
| Ron | WOOD | 945 AVIATION RD | ronwood@comsysinc.com | |
| Tom | O'CARROLL | 1411, GLENWOOD DR. | TomO@commisaires.ca | |
| PETER | REYN | 593 Lakeside Ave | | |
| Lorenz | BEVICK | 1 Hurontario | Juldor@rogers.com | |
| Woody | O'CARROLL | 1411 GLENWOOD DR | | |
| Eden | Roberts | 1055 Shawinmere | Eden.Roberts@rogers.com | |
| GABRIELE | BEVICK | 1 HURONTARIO STREET | JULDAR@ROGERS.COM | |
| JAYNE | PARKIN | 17 OAKWOOD AVE S | | |
| MERI | GLAMS | 4100 Dixie Rd | meri.toy.pliszka@rogers.com | |
| TOM | PLISZKA | 4100 Dixie Rd | meri.toy.pliszka@rogers.com | |
| PAT ANDERSON | ANDERSON | 1265 DEXTER CRES. | anderson.2000@rogers.com | |
| WAYNE | ANDERSON | 1265 DEXTER CRES. | anderson.2000@rogers.com | |

Petition:

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2. the **proposed CONSTRUCTION** of a 4 storey **condominium** building with **commercial** space at the south-west corner of Cawthra & Atwater

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-----------|--------------------|----------------|-------------|
| PATRICIA | WILKES | 1607 KENMUIR AVE. | | P. Wilkes |
| LUCY | MADRE | 4377 Northaven | | [Signature] |
| Jenny | Ran | 610 Arbor Road | | [Signature] |
| JOHN | KOVAC | 495 ARBOR RD | | [Signature] |
| SYD | OLIVEIRA | 575 EXBURY CRES. | | [Signature] |
| JULIE | OLIVEIRA | 575 EXBURY CRES. | | [Signature] |
| Daniel | Zuchiat. | 1467 Blenheim | | [Signature] |
| Sharon | Florio | 1212 Northaven Dr. | | [Signature] |
| Lolena | PEROZZO | 970 QUEEN ST E | | [Signature] |
| Michelle | MORGAN | 1462 Blenheim Dr | | [Signature] |
| Vivian | Dakus | 1574 Northmount | | [Signature] |
| Christy | Celeste | 1490 Cawthra Rd. | | [Signature] |
| Andrew | Langlois | 1274 Northaven | | [Signature] |
| JEFF | Cuddy | 310 Mineda R.d E. | | [Signature] |
| Stephanie | Church | 563 Atwater Ave | | [Signature] |
| Nick | Mendes | 503 atwaterave. | | [Signature] |

~~enacted~~

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-------------|----------------------|----------------|------------------|
| Lorraine | Reid | 1258 Northaven Dr | | Lorraine Reid |
| Willy | Slipota | 1268 Northaven | | Willy Slipota |
| Lorraine | Gillett | 1274 Northaven Dr | | L. Gillett |
| Laura | Cordovado | 1278 Northaven | | L. Cordovado |
| ALEXSEUS | BIGA | 1300 Northaven | | Alexseus Biga |
| B. | TYLER | 1311 NORTHAVEN | | B. Tyler |
| H. | McQuade | 1315 Northaven Dr. | | H. McQuade |
| Suzanne | Barrett | 1316 Northaven Dr | | S. Barrett |
| ANNIETTE | THOMPSON | 1321 NORTHAVEN DR | | Annette Thompson |
| FRANK | McWHINNIE | 1328 NORTH AVENUE DR | | Frank McWhinnie |
| AMP | H. Winfield | 13351 Aulham Dr | | Amp H. Winfield |
| Debra | Robinson | 1337 Northaven | | Debra Robinson |
| JANE | SEIP | 1352 NORTHAVEN | | Jane Seip |

P36d)

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-----------|----------------------|--------------------------|-------------------------|
| Colleen | Mellor | 606 Atwater Ave. | colleen.mellor@gmail.com | <i>Colleen Mellor</i> |
| Luke | Mellor | 606 Atwater Ave | mellorluke@gmail.com | <i>Luke Mellor</i> |
| Madeleine | Mellor | 606 Atwater Ave | madey.mellor@gmail.com | <i>Madeleine Mellor</i> |
| Deang | DeGrace | 1291 Mineola Gardens | deanadegrace@lvr.com | <i>Deang DeGrace</i> |
| Robert | Christie | 1291 Mineola Gardens | " | <i>Robert Christie</i> |
| WAYNE | CARDINALI | 1295 MINEOLA GDRS | info@wagnecardinalli.com | <i>Wayne Cardinali</i> |
| JEANNE | WRIGHT | " | jwright1@bell.com | <i>Jeanne Wright</i> |
| RICHARD | DRYGAS | 1305 MINEOLA GDRS | HOTELDRYGAS@gmail | <i>Richard Drygas</i> |
| MARTINA | MURRAY | " | MINEDAMAMA@GMAIL.COM | <i>Martina Murray</i> |
| DANIELE | DAXTER | 1327 MINEOLA GDRS | daxterdaxter@hotmail.com | <i>Daniele Daxter</i> |
| JOHN | FORD | 305 MINEOLA RD E | dearpaw@sympatico.ca | <i>John Ford</i> |
| REGGIE | FORD | 305 MINEOLA RD E | dearpaw@sympatico.ca | <i>Reggie Ford</i> |
| DAVE | Antonacci | 1218 Lakebreeze DR | N/A | <i>Dave Antonacci</i> |

Petition:

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We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

15

| First Name | Last Name | Street Address | E-mail address | Signature |
|--------------|-----------|----------------------|------------------------------|--------------------|
| Katherine | Luchetta | 1548 Northmount Ave | katherine.luchetta@gmail.com | Katherine Luchetta |
| Laura | Rodrigues | 1229 Northmount Ave | | Laura Rodrigues |
| IRENE | OLEONIK | 1063 Eastmount Ave | | Irene Oleonik |
| Linda | Longfield | 1236 Mona Rd. | lindalongfield@on.aibn.com | Linda Longfield |
| MARIA | SMITH | 1273 Dexter Cres | mmsmith340@gmail.com | M Smith |
| JOZEFA | STRAUBE | 1273 Dexter Cres | | J. Straube |
| | Martin | 1242 St. Mary's | - | M Martin |
| Helen | Luckese | 181 Troy St | | Helen Luckese |
| Ayesha | Rawlinson | 1460 Pepie Rd | | A Rawlinson |
| Alda Mello | | 763 Montbeck Cres. | | A. Mello |
| Brenda | Gawble | 204 Troy St. | | B. Gawble |
| ALISON | CAMPBELL | 24 HARRISON AVE. | | A. Campbell |
| Lois | Campbell | 24 Harrison Ave | | L. Campbell |
| CAROLE | MELBOURNE | 2249 DENISE RD | | C. Melbourne |
| Jane McBride | | 1213 Crossfield Bend | | J. McBride |

15

P-304

Petition:

We, the undersigned residents of the City of Mississauga, **OPPOSE:**

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13

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|------------|----------------------|----------------|------------------|
| MARIE | FARINACCIO | 599 ATWATER | | M. Farinaccio |
| LISA | FARINACCIO | 599 ATWATER | | L. Farinaccio |
| LUIGI | FARINACCIO | 599 ATWATER. | | Luigi Farinaccio |
| STEVE | SOCCOR | 411 " | | |
| BARBARA | MILNE | 407 " | | Barbara Milne |
| TEODOR | KOCHMAR | 387 ATWATER | | Teodor Kochmar |
| ALONA | KOCHMAR | 387 ATWATER | | A. Kochmar |
| Rose | Fuhl | 367 Atwater | | R. Fuhl |
| Don | Tricca | 367 Atwater | | D. Tricca |
| Barb | Wilson | 414 Atwater Ave | | Barb Wilson |
| WASRE | WASRE | " | | W. Wasre |
| Zhengping | JIN | 1200 Canterbury Road | | Z. Jin |
| JUN | LI | " | | J. Li |

Petition:

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14

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-------------|--------------------|----------------|-----------------------|
| ANNA | PERRI | 460 MARF AVE | | <i>Anna Perri</i> |
| JOE | PERRI | 460 MARF AVE | | <i>Perri</i> |
| ANTHONY | PERRI | 460 MARF AVE | | <i>Anthony Perri</i> |
| Jorge | Valencia | 1361 Strathy Ave | | <i>Jorge Valencia</i> |
| Sonia | Valencia | 1361 Strathy Ave | | <i>Valencia</i> |
| Maria | Ragozzino | 461 Marf. | | <i>Mr Rago</i> |
| John | Ragozzino | 461 Marf. | | <i>John</i> |
| Aleks | Poniatowski | 1034 Alexandra Ave | | <i>UP</i> |
| Justina | Poniatowska | 1034 Alexandra Ave | | <i>Poniatowska</i> |
| Anatol | Poniatowski | 1034 Alexandra Ave | | <i>An</i> |
| Edyta | Uniechowska | 1034 Alexandra Ave | | <i>E. Uniechowska</i> |
| David | Finelli | 1548 Cawthra Court | | <i>David Finelli</i> |
| Phil | Speer | 453 Marf Ave | | <i>Phil</i> |
| Natale | Frang | 453 Marf Ave | | <i>Natale</i> |

14

P-3071

Petition:

We, the undersigned residents of the City of Mississauga, **OPPOSE:**

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|------------------|-------------------|------------------------|-------------------|
| FIONA | MITTUN | 617 ATWATER AVE | fiona.mittun@gmail.com | Fiona mittun |
| ALAN | MITTUN | 617 ATWATER AVE | ALAN.MITTON@GMAIL.COM | A. mittun |
| Sheela | Cressman | 1311 Mineola Gens | | Sheela Cressman |
| SHARON | CURTIS | 310 MINEOLA RD E | curmae@rosoc.com | Sharon Curtis |
| NEIL | CURTIS | 310 MINEOLA RD E | NEIL.CURTIS@rosoc.com | Neil Curtis |
| LETICIA | PAJONILLO | 272 WINDSOAKS | | Leticia Pajonillo |
| MARIO | PERROTTA | 504 MINEOLA | | Mario Perrotta |
| Caterina | ARQUINO Perrotta | 304 Mineola Rd | | Caterina Perrotta |
| Cathy | Dimichile | 272 Mineola Rd | | Cathy Dimichile |
| Chris | Garner | 287 Mineola rd E | | Chris Garner |
| Cassie | Garner | 287 Mineola rd E | | Cassie Garner |
| Sandy | Garner | 287 Mineola rd E | | Sandy Garner |
| DEREK | MACKAY | 268 MINEOLA RD E | | Derek Mackay |

Petition:

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-----------|---------------------|----------------|-------------|
| JACK | TAYLOR | 1285 Northaven Dr | — | [Signature] |
| ARAF | Jessawi | 1341 Northaven Dr | — | [Signature] |
| Christine | Hucker | 624 Ridgemount Cres | — | [Signature] |
| Louise | Hucker | " | — | [Signature] |
| Alan | Renwick | " | — | [Signature] |
| DEDEH | WIDODO | 600 Ridgemount cres | — | [Signature] |
| Jane | Mone | " | — | [Signature] |
| A. AYWAZ | AYWAZ | 600 Ridgemount Cr. | — | [Signature] |
| C. Walling | Walling | 590 Ridgemount Cr. | — | [Signature] |
| G. WALLINS | WALLINS | 590 RIDGEMOUNT CR | — | [Signature] |
| D. | West | 584 Ridgemount Cr. | — | [Signature] |
| Marij | Hubert | 584 Ridgemount Cr | — | [Signature] |
| Kris | Hubert | " | — | [Signature] |

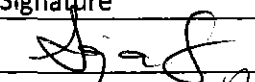
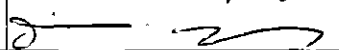
Petition:

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| First Name | Last Name | Street Address | E-mail address | Signature |
|------------------------|------------|------------------|----------------------|---|
| Sanja Lozic | LOZIC | 602 Drymen Cres. | lozic_sanja@yahoo.ca |  |
| ANNA | PIACENTINO | 127 MINEOLA | | Anne Piacentino |
| DINA | SHOUKRI | 173 MINEOLA | |  |
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| | | | | |
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Introduction:

Hi, I'm (name) a neighbour from (street) and I'd like to ask for your support by signing this petition to stop the 4 storey condo building planned for the corner of Cawthra and Atwater.

Petition:

Will be presented to Ward 1 Councillor Jim Tovey, Mayor Hazel McCallion and city council, as well as the Ontario Municipal Board

We, the undersigned residents of the City of Mississauga, oppose:

1. the **rezoning** of land at the south-west corner of Cawthra & Atwater from "R3-1" (Detached Dwellings-Typical Lots) to "RA1-Exception" (Apartment Dwellings)
2. the **proposed construction** of a 4 storey condominium building with commercial space at the south-west corner of Cawthra & Atwater

We believe a condominium with retail space is inconsistent with the character of the neighbourhood and as such think that Lethbridge & Lawson Inc./Windcatcher Development Corporation should be required to respect the existing zoning.

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| | First Name | Last Name | Street Address | E-mail address | Signature |
|---|------------|-----------|------------------------------|-------------------------|-------------|
| 1 | IVANKA | MAMIC | 630 ATWATER, MISSISS. | IvankaMamie@hotmail.com | |
| 2 | TOM | MAMIC | 630 Atwater, Mississauga | tel. 905 274 3225 | |
| 3 | ANTE | MAMIC | 630 Atwater ave. Miss. | tel. 905 274 3225 | |
| 4 | Diana | Mamic | 630 Atwater Ave, Miss | tel. 905 274 3225 | Diana Mamic |
| 5 | IVANA | MAMIC | 630 Atwater Ave, Mississauga | tel-905-274-3225 | Ivana Mamic |
| 6 | MIGUEL | SOUSA | 1227 ALEXANDRA AVE | Tel 416-816-2920 | |
| 7 | BERNARD | COLEMAN | 1209 ALEXANDRA AVE | 416 993 9970 | |

P-36m)

Petition:

We, the undersigned residents of the City of Mississauga, **OPPOSE:**

1. the **REZONING** of land at the south-west corner of Cawthra & Atwater from "R3-1" (Detached Dwellings-Typical Lots) to "RA1-Exception" (Apartment Dwellings)
2. the proposed **CONSTRUCTION** of a 4 storey *condominium* building with *commercial* space at the south-west corner of Cawthra & Atwater

A condominium with retail space is inconsistent with the character of the neighbourhood and as such think that Lethbridge & Lawson Inc./Windcatcher Development Corporation should be required to respect the existing zoning.

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|-------------|-----------|---------------------|--------------------------|-----------------|
| ANITA | GORDON | 594 RIDGEMOUNT CRES | anitagordon@sympatico.ca | [Signature] |
| Henry | GLIEST | 614 " " | | [Signature] |
| Rosmarie | GLIEST | 614 " " | | Rosmarie Gliest |
| GREG | WALLING | 592 " " | glwisc2@hotmail.com | [Signature] |
| Coileen | Walling | 590 " " | Pxwct3@hotmail.com | [Signature] |
| Valari | walling | 590 " " | v-walling@live.ca | [Signature] |
| ROSEK | LANK | 576 " " | | [Signature] |
| BREKSPER | | 564 " " | | [Signature] |
| Paul | BENNETT | 589 " " | | [Signature] |
| Jackie | GORDON | 594 " " | littleblack@Hotmail.com | Jackie Gordon |
| John Gordon | Gordon | 593 " " | | [Signature] |
| Amanda | Ruggieri | 593 " " | amandaburton@gmail.com | [Signature] |
| Doug | West | 594 " " | DougWest@coyeco.ca | [Signature] |

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-------------|-----------------------|--------------------------|------------------|
| Brian | LaCourbe | 125 Alameda | | Brian LaCourbe |
| CHERYL | Woodrow | 1233 Northmount | | Cheryl Woodrow |
| JOE | McLEAN | 1215 NORTHMOUNT | | Joe McLean |
| Sarah | Hanton | 1207 Northmount | | Sarah Hanton |
| Edyta | Chmura | 1177 Northmount | | Edyta Chmura |
| PAUL | PALSHI | 1218 WEST SHORE | | Paul Palshi |
| Cam | McMurray | 1244 West Shore | | Cam McMurray |
| Ther | Thaylork | 1235 Upper Village | | Ther Thaylork |
| KRISTINA | PANCIW | 1213 1/11 | | Kristina Panciw |
| RAND | Annasway | 1205 Upper Village | | Rand Annasway |
| KIERAN | CONROY | 1196 UPPER VILLAGE DR | | Kieran Conroy |
| Gemy | Jackson | 1224 Upper Village | | Gemy Jackson |
| MIRKO | CUJETICAVIN | 1420 ALEXANDRA AVE | mirko.cujetic@gmail.com | Mirko Cujetic |
| Rada | CUJETICAVIN | 1420 ALEXANDRA AVE | | Rada Cujetic |
| Nancy | Clankinny | 844 Atwater Ave | 477-7104185 | Nancy Clankinny |
| Robert | Moran | 844 Atwater Ave | Rob@wilrep.com | Robert Moran |
| Shawn | Sankar | 856 Atwater Ave | shawn.sankar@hotmail.com | Shawn Sankar |
| Carol | Wannamaker | 1234 Northmount Ave | | Carol Wannamaker |
| TERESA | MENDONCA | 1217 ALEXANDRA AV. | 905-891-1160 | Teresa Mendonca |
| FORD | SHERRY | 970 ATWATER AVE | 905-214-0128 | Ford Sherry |
| Isabel | Figueiras | 948 Atwater Av. | 905-891-6986 | Isabel Figueiras |
| Cheryl | Langford | 970 Atwater Av. | 905-211-2553 | Cheryl Langford |

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-------------|-------------------|----------------|--------------------|
| Dominik | Malukiewicz | 1543 Kenmuir Ave | | <i>[Signature]</i> |
| Ruth | Kondo | 1551 Kenmuir Ave | | <i>[Signature]</i> |
| Genevieve | Patch | 1569 Kenmuir Ave | | <i>[Signature]</i> |
| Cheryl | | 1624 Ken | | <i>[Signature]</i> |
| David | McCarthy | 1610 Kenmuir Ave | | <i>[Signature]</i> |
| Phil | Chasson | 1590 Kenmuir | | <i>[Signature]</i> |
| Connie | Valentino | 1538 Kenmuir Ave | | <i>[Signature]</i> |
| Jean | Hume | 1381 Trotwood | | <i>[Signature]</i> |
| David | Hume | 1381 Trotwood | | <i>[Signature]</i> |
| Patti | Hume | 1381 Trotwood | | <i>[Signature]</i> |
| Dale | Wilson | 1482 Trotwood | | <i>[Signature]</i> |
| Robert | Arthur | 1369 Trotwood Ave | | <i>[Signature]</i> |
| Linda | Rathur | 1369 Trotwood | | <i>[Signature]</i> |
| Karen | Simpson | 1341 Trotwood | | <i>[Signature]</i> |
| Kennedy | Costa | 1346 Trotwood | | <i>[Signature]</i> |
| Harve | Mihalic | 1348 Trotwood | | <i>[Signature]</i> |
| Mara | Pavlovic | 1354 Trotwood | | <i>[Signature]</i> |
| Paul | Christensen | 1376 Trotwood Ave | | <i>[Signature]</i> |
| Hilary | Christensen | 1376 Trotwood Ave | | <i>[Signature]</i> |
| Hona | Jurkiewicz | 1402 Trotwood Ave | | <i>[Signature]</i> |
| Mary | Euler | 1463 Trotwood Ave | | <i>[Signature]</i> |

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|-----------------------------|-----------------------|---|----------------------|--|
| Ed Manny MIKO | Medeiros WINTER | 1420 Kenmuir 1400 KENMUIR | | Manny Medeiros M. Winter |
| SHARON JOAN | WINTER EVANGELISTA | 14190 KENMUIR 1338 KENMUIR | | Sharon Winter Allie |
| MARISA BATIC | MARNO DUSANKA | 1292 CANTERBURY RD 1286 Canterbury Rd. | | Marmano D. Batic |
| Kent MELISSA | Rawlings BESON | 1278 Canterbury Rd 1268 Canterbury Rd | | Kent Rawlings M. Beson |
| ANNA | LEJA | 1266. Canterbury Rd | | A. Leja |
| Jennifer HEATH | Lamparter ANDRE JU | 1255 Canterbury Rd 269 Century St | | Jennifer A. Ju |
| LUCIE Therese | Jennings Mucalalad | 1371 TROTWOOD 1333 Trotwood | lawre@agmcc.com | L. Jennings Mucalalad |
| BOB | SHAW | 1340 Trotwood | | Bob Shaw |
| Cynthia Michelle | Shaw Poirier | 1340 Trotwood 1372 Trotwood. | cshaw@cynthiashaw.ca | C. Shaw M. Poirier |
| Denise MIKO | DUNDAS WASHUCK | 1382 Trotwood Ave 1382 Trotwood Ave | | D. Dundas W. Washuck |
| PHIL KYE | SANDERS WANWUM | 1412 TROTWOOD AVE 1422 TROTWOOD | | Phil Sanders K. Wanwum |
| Kyle Clyde | MCCORMACK Vida | 1491 Trotwood 1599 Trotwood | | K. McCormack Clyde |

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-------------|-------------------|----------------|---------------|
| MARIA | PACOBIANE | 1435 KENNEDIA | | Maria Cobiane |
| Lucy | " " | " " | | |
| LAURA | " " | " " | | |
| Robyn | Rosborough | 1469 " " | | Robyn |
| | Piccolo | 1460 " " | | |
| Ron | McGillivray | 1405 " | | Ron |
| STEFIE | GUYMILN | 1407 " | | Stefie |
| PATRICIA | HEBERBERG | 447 A & W | | Patricia |
| JOLANDA | RISONE | 1400 A & W DR | | Jolanda |
| Leona | Havlin | 437 Ogawa St | | Leona |
| TREVOR | Havlin | 27 Queen Str West | | Trevor |
| ROBERTO | CORONADO | 431 A & W DR | | Roberto |
| GEORGIE | LOWERY | 1545 Trotwood Ave | | Georgie |
| CAROL | ELKIN | 1551 TROTWOOD | | Carol |
| ANDREA | WAINWRIGHT | 1555 TROTWOOD AVE | | Andrea |
| PETER | FLINT | 1597 TROTWOOD AVE | | Peter |
| GRETTA | FLINT | 1597 TROTWOOD AVE | | Gretta |
| STYNN | BIPANCIE | 1610 TROTWOOD AVE | | Stynn |
| Debbie | MacLeod | 1594 TROTWOOD AVE | | Debbie |
| Robert | Dalkunt | 1578 TROTWOOD AVE | | Robert |
| Tony | Reale | 1552 Trotwood | | Tony |
| J.S | Dimpierre | 1500 trotwood | | J.S |
| MIRA | SKYINST | 1500 Kippes | | Mira |

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|--------------|------------------------|----------------|-------------------|
| RAJA | MASHAR | 1346 CAWTHRA RD | | Raja Mashar |
| JOE | DiFranco | 1361 NORVAVEN DR | | Joe DiFranco |
| WENDY | OLVER | 1166 NORTHAVEN PR | | Wendy Olver |
| Ursula | Babel | 911-1100 CAVON STR | | Ursula Babel |
| OLIVEIRA | QUALTER | 190 VOLTARIE - PRFS | | Oliveira Qualter |
| COSTA | CARLOS | 1405 RADLIFE BLVD | | Carlos Costa |
| MICHAEL | PALO | 1223 CLARODANCE RD | | Michael Palo |
| CAROLYN | FRANNELLY | 1231 PARKWEST. R #54 | | Carolyn Frannelly |
| DUEAN | RANACHAN | 585 EXBURY CRES | | Duean Ranachan |
| Ashley | Sampson | 54 George St | | Ashley Sampson |
| Katie | Paton | 23.6th Street | | Katie Paton |
| Andrew | Paton | 23 6th Street | | Andrew Paton |
| BRUSZKA | DOROTA | 451 AQUA DR. | | Dorota Bruska |
| Tara | Bigney | 1458 Cawthra Rd | | Tara Bigney |
| Tony | Mastromatteo | 1514 GRANET DR | | Tony Mastromatteo |
| BRUCE | MCCORD | 1349 NORTHAVEN PR | | Bruce McCord |
| Mario | deMedeiros | 1195 ALEXANDRA AVE | | M. deMedeiros |
| MARK | CLANKE | 1194 NORTHAVEN PR | | Mark Clanke |
| Catiana | WU | 1170 Upper Village Dr. | | Catiana Wu |
| ODETTE | COSTA | 134th TRONWOOD AV. | | O. Costa |
| Brandon | Gambou | 563 EXBURY CRES | | Brandon Gambou |
| Ryan | Chapman | 557 Exbury Cres | | Ryan Chapman |
| Andrea | Holler | 1509 Laurel Ave | | Andrea Holler |

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

JAY MORCAN 1462 Blane Field RD

[Signature]
P-3351

Donnie Florio 1212 Northaven Dr.

| First Name | Last Name | Street Address | E-mail address | Signature |
|-------------|-----------|---------------------|------------------------|--------------------|
| ANNA | MACBETH | 1515 Blane Field Rd | anna.macbeth@vopen.com | <i>[Signature]</i> |
| Lorraine | Gillett | 1274 Northaven Rd | | <i>[Signature]</i> |
| Stephane | Fente | 1114 Claredale Rd | | <i>[Signature]</i> |
| Carol | Hogarth | 10 Minnewawa Rd | carolannh@live.com | <i>[Signature]</i> |
| ALEX | RUSSELL | 1407 TROTWOOD AVE | | <i>[Signature]</i> |
| R. Kuhn | HARRISON | 1612 Kipper Ave | | <i>[Signature]</i> |
| Joe | Wozniak | 586 ATLANTIC @ DU. | | <i>[Signature]</i> |
| Michael | Salowski | 1539 Leda Ave | | <i>[Signature]</i> |
| Adam | McDonald | 1515 Garnet Ave | | <i>[Signature]</i> |
| Kris | Simak | 1516 Sunnyvale Dr | | <i>[Signature]</i> |
| Bryan | Stanley | 75 King St. east | | <i>[Signature]</i> |
| Joe | WILKINSON | 1151 Northaven Dr | | <i>[Signature]</i> |
| BRIAN | MCDONALD | 1515 GARNET AVE | | <i>[Signature]</i> |
| NORM | FIORINI | 1011 DOLLYWOOD HILL | | <i>[Signature]</i> |
| NANCY | BANDASSI | 584 ARBOR RD | | <i>[Signature]</i> |
| ANNA | DI FRANCO | 1361 NORTHAVEN DR. | | <i>[Signature]</i> |
| ERIC | WU | 606 ARBOR RD | | <i>[Signature]</i> |
| DAN | Jochim | 1354 STANLEY | | <i>[Signature]</i> |
| Yuko Quinn | | 1024 CLAREDALE DR | | <i>[Signature]</i> |
| Benny Kirch | | 1529 Dwyer Cres | | <i>[Signature]</i> |
| H. Modulier | FRY | 1543 Kenmoir Ave. | | <i>[Signature]</i> |
| Winston | DOTTIN | 1639 KENMUIR AVE | | <i>[Signature]</i> |
| Penny | Church | 563 Atwater Ave | | <i>[Signature]</i> |
| TERRY | BLAIR | 1258 NORTHAVEN DR | | <i>[Signature]</i> |

20/40

| First Name | Last Name | Street Address | E-mail address | Signature |
|-------------------------|-------------|----------------------|----------------|----------------------------|
| MARY | BERTHELLE | 551, EXBURY | | M Bertelle |
| LEIGH | MELANSON | 561 EXBURY | | Leigh Melanson |
| Doug | Azevedo. | 1573 Blane field. | | Doug Azevedo |
| Nancy | Azevedo | 1573 Blane field rd | | Nancy Azevedo |
| EVARISTO | VIEIRA | 1122 CLAREDALE RD | | Evaristo Vieira |
| CRAG | Polyschuk | 1251 Northview | | Crag Polyschuk |
| ZOFIA | RIENTKOWSKI | 590 ARBOR RD | | Zofia Rientkowski |
| JOHN | VIVETROS | 1549 BLANE FIELD RD. | | John Vivetros |
| NICOLE | FLORIO | 1212 Northaven DR. | | Nicole Florio |
| SHERYL | MORGAN | 1041 Dixie Rd | | Sheryl A. Morgan |
| John | Nelson | 5911 Curtis Dr | | John Nelson |
| David | Williams | 1424 Cowtra rd | | David Williams |
| Cameron | McConnell | 1624 Ogden Avenue | | Cameron McConnell |
| Warren | MOORE | 1437 Northaven DR. | | Warren Moore |
| Claudia | Barone | 1232 Claredale rd | | Claudia Barone |
| Andi | Manboch | 1349 Northaven | | Andi Manboch |
| Barbara King | Mccord | " " | | Barbara King |
| LINDA DENN | DENN | 1427 Northaven Dr. | | Linda Denn |
| Christie | CILIA | 946 Tenth St | | Christie Cilia |
| Derek Hadrahan | H ANDRAHAN | 1548 Northmount | | Derek Hadrahan |
| Jenny | D SOUZA | 584 Raphael | | Jenny Souza |
| Jackie Dean | DEAN. | 1427 NORTHAVEN DR. | | Jackie Dean |

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|------------|---|-----------------------|-----------|
| VASYL | DOVHOSHYIA | 1161 CLAREDALE RD | | |
| Trayne | Yakynsko | 484 AVONWOOD DR 1 | | |
| Rui | BORGES | 505 ETT RIDGE CRT | | |
| Spencer | Brennan | 468 LYND AVE | | |
| TONY | DI FRANCO | 1361 NORTHAVERN DR | | |
| NICOLA | DI FRANCO | 1361 NORTHAVERN DR. | | |
| STEVE | SURIANI | 1050 CLAREDALE RD | | |
| Anthony | Dimopoulos | 1555 BlaneField | | |
| Olivia | Lariviere | 1555 BlaneField RD | | |
| Mercedes | Mohseni | 1540 Gamet Ave | | |
| THOMAS | MARSHALL | 528 ARBOR RD | | |
| Michelle | FLOVIO | 1212 Northaven | mflori@live.ca | |
| Monica | Nigrello | 1457 Haig Blvd | | |
| Tom | TAYLOR | 1619 EWALD RD. | | |
| Amarda | McKenna | 1534 Cawthra Rd. | Trix-002@Hotmail.ca | |
| ALFRED | MACDONALD | 15183 Arbor Ave ^{1534 Rd} Cawthra | LSM-Aj-LSM@Hotmail.ca | |
| John | WILSON | 1423 NORTHAVERN | | |
| BILL | KAVANAGH | 557 ARBOR RD | | |
| BARB | HAYCRAFT | 1140 PARKWEST PLACE | | |
| SONY | Hengel | 553 DRY MAN | | |
| RYAN | Farin | 2437 De Kooj Crst | | |
| ED | SADZOWSKI | 540 LYND AVE. | | |

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

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| First Name | Last Name | Street Address | E-mail address | Signature |
|-----------------|-------------------|------------------------------------|----------------|-----------------|
| DAVID | BENSON | 152 CARTERBURY RD | | |
| MARCO STUART | Babissini Reid | 1188 Canterbury 1201 Canterbury | | |
| DIANE | Reid | 1201 Canterbury | | Diane Reid |
| STAN | BRODYK | 428 NIOW AVE. | | |
| WILLIAM | GARDNER | 1162 CARTERBURY RD | | |
| MARILYN | Gardner | 1045 ENOLA AVE | | |
| KAREN | WRIGHT | 407 MARF AVE. | | K. Wright |
| Mariene | Summerville | 401 Marf Ave | | M. Summerville |
| DOROTHY | LALONDE | 396 ATWATER | | Dorothy Lalonde |
| Hongbing Shi | Shi | 370 Atwater Ave | | |
| Wenhu | Hu | 370 Atwater Ave | | |
| MIKE | BENNINGER | 360 ATWATER AVE | | |
| Brenda | Verma | 124 MINEOLA GDS | | |
| ROSALBA | FRUSCIONE | 1227 MINEOLA GDS | | R.F. |
| Wilson | Cote | 1225 Mineola Gdns | | W.C. |
| Elizabeth | Cote | " | | " |
| Ashley | Cote | " | | " |
| TED | RUSSELL | 1207 MINEOLA GDN | | T. Russell |
| SHEILIA | RUSSELL | " " " | | S. Russell |
| LIZ | CHRISTIE | 1201 MINEOLA GDS | | |
| PAT | CHRISTIE | " " | | |

22

90

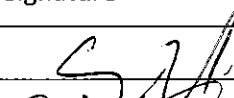
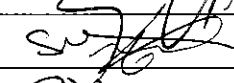
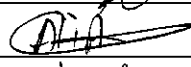
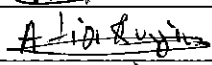
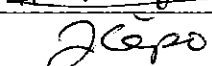
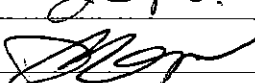
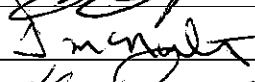
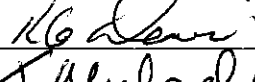
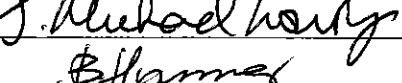
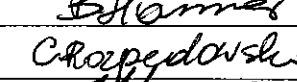
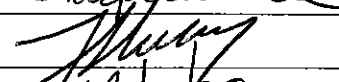
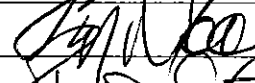
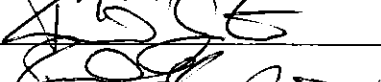
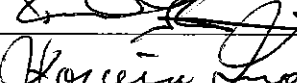
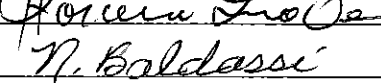
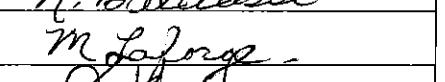
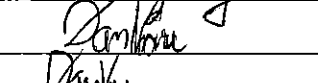
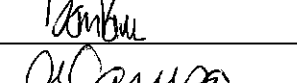
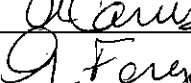
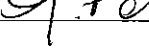


P-305

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

P-36W1

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-------------|-----------------------------|--------------------------|------------------|
| Donald | Bogaczewicz | 1226 Lakebreeze Mississauga | manedog@peel.ca | |
| And | P.W. | 1226 Lakebreeze Dr | amish@peel.ca | |
| Marilyn | Mason | 1262 Lakebreeze Dr | marilyn.d.mason@peel.ca | M. Mason |
| Eric | Mason | " " | " " | |
| Lrista | Kadai | 1266 Lakebreeze | | |
| Jennifer | Beasley | 1270 Lakebreeze Dr | | J. Beasley |
| Renata | Blasko | 1284 LAKEBREEZE | renatabl18@hotmail.com | |
| Meagan | Dier | 1284 LAKEBREEZE | | |
| Joanne | Plut | 1306 Lakebreeze | joanefaccz@hotmail.com | |
| Andy | Plut | 1306 Lakebreeze | | |
| Robert | Pebbles | 294 Mineda Rd. E | | Robert Peblles |
| MARLE | BELANGER | 1319 LAKEBREEZE DR | | |
| Meredith | Tuck | 1299 LAKEBREEZE | tucktwinsmom@xplora.com | |
| Donuta | Rabionka | 1293 Lakebreeze Dr | | |
| GABI | MANDL | 1787 Lakebreeze Dr | | Mandy |
| Bernie | MANDL | 1287 Lakebreeze Dr | bgmandl@gmail.com | |
| Cory | Kaylor | 1259 Lakebreeze Dr | | |
| Rob | Wilson | 1237 " " " | wilsonr@ | |
| Delbu | Katkin | 1241 Lakebreeze Dr | delmekatkin@sympatico.ca | |
| Michael | KATLIN | 1241 Lakebreeze Dr | michael.k@ids-east.ca | |
| Jeanine | Bower | 1238 Lakebreeze Dr | jeanineb@rogers.com | Jeanine Bower |
| Ken | Bower | 1238 Lakebreeze Dr | kenbower@rogers.com | Ken Bower |
| Cecilia | Hamilton | 1225 Lakebreeze Dr | | Cecilia Hamilton |

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------------|-------------|--------------------|----------------------|---|
| CASEY | ZAPU | 1364 Markham Drive | zaphe27@hotmail.com |  |
| Sam | Elmassan | 618 Atwater AVE | subwaysam1@gmail.com |  |
| Alia | RAJA | 618 Atwater AVE | Sub |  |
| ATIA | RAJA | 618 Atwater AVE | |  |
| Julie | Cepo | 624 Atwater Ave. | snupja@hotmail.com |  |
| DAVOR | CEPO | 624 Atwater Ave. | |  |
| TIM | MENULTY | 1314 CAWTHRA RD | |  |
| Kenneth | DAWSON | 1318 Cawthra Rd. | |  |
| JOHN MICHAEL | LOWRY | 1318 Cawthra Rd. | |  |
| BEATA | HAMMER | 1324 CANTHRA RD | hammer.2@live.ca |  |
| CLAUDIA | ROZPEDOWSKA | 1324 CANTHRA RD | |  |
| JANUSZ | HAMMER | 1324 CANTHRA RD | |  |
| NICK | WAGNER | 1352 CANTHRA RD | |  |
| RICHARD | GUNTER | 636 ARBOR RD | |  |
| VALELIEL | GUNTER | 636 ARBOR RD | |  |
| HORACIO MEDEIROS | MEDEIROS | 620 ARBOR RD | |  |
| NANCY | BALDASSI | 584 ARBOR RD | |  |
| MIKE LA FORGE | LA FORGE | 584 ARBOR RD | |  |
| Daniel Varela | Varela | 580 Arbor RD | |  |
| Julia | Goltsova | 580 Arbor RD | |  |
| Ange | Canuso | 563 Arbor Rd. | |  |
| Geordie | Ferguson | 563 Arbor Rd. | |  |

W1
P-364

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|------------|-----------------------|----------------|----------------------|
| Michael | D'ANDREIS | 1281 DEXTER CR | | <i>M. D'Andreis</i> |
| Jean | Roerig | 1306 Dexter Cres | | <i>Jean Roerig</i> |
| Alm | Schaubel | #1 1241 Parkwest Pl | | <i>A. Schaubel</i> |
| Laura | Turner | 1-1241 Parkwest place | | <i>L. Turner</i> |
| MARGARIDA | OLIVEIRA | 1261 DEXTER CRES | | <i>M. Oliveira</i> |
| Michael | DeAlmeida | 1310 Dexter cres | | <i>M. DeAlmeida</i> |
| YAROSLAV | DNISTRYAN | 1314 Dexter cres | | <i>Y. Dnistryan</i> |
| Jeanne | DeGraaf | 1332 Dexter Cres. | | <i>J. DeGraaf</i> |
| Jim | PATTERSON | 1346 Dexter cres | | <i>J. Patterson</i> |
| Mark | Patterson | 1346 Dexter Cres. | | <i>M. Patterson</i> |
| Tina | Shih | 1356 Dexter Cres. | | <i>Tina Shih</i> |
| YAREK | Ruskman | 1362 DEXTER CRES | | <i>Y. Ruskman</i> |
| Manhar | Patel | 1378 Dexter Cres | | <i>M. Patel</i> |
| Bipin | Patel | 1378 Dexter Cres | | <i>B. Patel</i> |
| Matthew | Dawid | 1386 Dexter Cres. | | <i>M. Dawid</i> |
| Jose Ramon | | 1390 DEXTER CRES | | <i>J. Ramon</i> |
| MEL | CULACA | 1394 DEXTER CR. | | <i>M. Culaca</i> |
| YDAD | AGUIAR | 654 ARBORA Rd. | | <i>Y. Aguiar</i> |
| Carol | Whalley | 1423 Lochlin Trail | | <i>C. Whalley</i> |
| JAMES | WHATLEY | 1423 LOCHLIN TRAIL | | <i>J. Whalley</i> |
| Leanne | Verscheure | 1157 Mineola Gdns | | <i>L. Verscheure</i> |
| Paul | Verscheure | 1157 Mineola Gdns | | <i>P. Verscheure</i> |

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|-----------|----------------------|----------------------|----------------|
| Messias | Farias | 1274 Cawthra Rd | farias5@sympatico.ca | M.F. |
| Nvette | Farias | 1274 Cawthra Rd | " | Y Farias |
| BIZARRIA | Maria | 1266 Dexter | | Maria Bizarric |
| CARLA | BIZARRIA | 1266 Dexter | | Carla |
| FRANCISCO | Zoela | 1266 Dexter | | Francisco |
| Bhander | Paul | 1270 DEXTER CR. | | B.P. |
| PARBATTY | PAUL | 1270 DEXTER CR. | | P Paul |
| BURHAN | HAG | 1282 " " | | Burhan |
| AFRINA | BURHAN | " " " | | Afrina |
| Zobe | Zobloty | 1290 Dexter Cr | | Zobloty |
| CARLOS | TRIAS | 1302 DEXTER CR | | Carlos |
| MARY | TRIAS | 1302 DEXTER CR | | Mary |
| Jol | Garcia | 1277 Dexter Cr | | Jol Garcia |
| Raquel | Garcia | 1277 Dexter Cr | | Raquel Garcia |
| Liz | Garcia | 1277 Dexter Cr | | Liz Garcia |
| Megan | Garcia | 1277 Dexter Cr | | Megan Garcia |
| Mareena | Mathew | 1269 Dexter Cr. | | m.mathew |
| Benny | mathew | 1269 Dexter Cr | | m.mathew |
| Epic | Culale | 1262 Dexter Crescent | | Epic |
| Maria | Smith | 1273 Dexter Cres | | Maria Smith |
| Josefa | Strauke | 1273 Dexter Cres | | J. Straube |
| W.M. Smith | Smith | 1273 Dexter Cres | | W.M. Smith |

with team

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

P-3(a)(a)

| First Name | Last Name | Street Address | E-mail address | Signature |
|-------------------------|-----------|--------------------|----------------|-----------|
| Brian | BAIRSTOW | 452 MARF AVE | | |
| DEBBIE | BAIRSTOW | 452 MARF AVE | | |
| Diana | Sutton | 443 MARF AVE | | |
| Michael | Sutton | 443 MARF AVE | | |
| ANGIE | ONGARO | 952 FOURTH ST | | |
| GIOVANNI | ONGARO | 952 FOURTH ST. | | |
| ROZANA MARIA | POZGAI | 457 MARF AVE | | |
| STEVE | COCKEIA | 456 MARF AVE | | |
| MANUEL | COCKEIA | 456 MARF AVE | | |
| ELDA | COCKEIA | 456 MARF AVE | | |
| MAZAR | RAJA | 1346 CAWTHRA RD | | |
| NASIB | RAJA | 1346 CAWTHRA RD | | |
| Jin Yong | Chung | 1261 Alexandra Ave | | |
| Me Nam | Bin | 1261 Alexandra Ave | | |
| Yong Dae | Kim | 1260 Alexandra Ave | | |
| Hee In | Kim | 1254 Alexandra Ave | | |
| SOO WOOK | Kim | 1260 Alexandra Ave | | |
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4/13

We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------------|-----------|--------------------|---------------------------|-----------|
| Tina | Kerr | 1220 Meredith Ave | tkerr01@hotmail.com | |
| HOWARD | CARR | 1216 MEREDITH AVE | MOLLN HOWARD@ATP001.ca | |
| Hong | Kim | 1204 Meredith Ave | dauidhkim2009@hotmail.com | |
| MILE | SIKIC | 958 PELHAM AVE | 905-274-9317 | |
| Anka | Sikic | 958 PELHAM AVE | 905 274-9317 | |
| Nell | GONSALVES | 1231 ALEXANDRA AV. | 905-274-6037 | |
| Cristina | DeSousa | 1227 Alexandra Av. | 905-891-3842 | |
| Halina | Wiecek | 1210 Strathly Ave | 905-274-8665 | |
| Brenda | Baird | 1200 Strathly Ave | 9-278-5570 | |
| Emilwa | Thoyat | 1282 Meredith Ave. | 905-278-9867 | |
| NORM | LIEPOLD | 1302 MEREDITH AVE | 905-891-9090 | |
| Lindsay | Liepold | " " | " " | |
| Grossi | Megan | 1324 Strathly Ave | Megan.Grossi@ruges.com | |
| Sandra | Baird | 1348 Strathly Ave | sandra.baird@rogers.ca | |
| N.Ramalakrishnan | Rubman | 1397 Meredith Ave | 416-271-1222 | |
| Luis | SOWSA | 1351 MEREDITH AVE | luis-sousa@sympatico.ca | |
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We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|------------|---------------------|------------------------|-----------------------|
| CLAUDINE | NIESCHULZE | 1191 MINNEOLA Gdns. | | <i>J. Nieschulze</i> |
| FRANK | OSATCHUK | 384 NIAR AVE. | FOSATCHUK@BELL.NET | <i>F. Osatchuk</i> |
| CHRIS | MCPHEE | 396 NIAR AVE | cmephee2002@yahoo.ca | <i>Chris McPhee</i> |
| DEBORA | TOTINO | 396 NIAR AVE | " | <i>Deborah Totino</i> |
| VICTORIA | HARBINSON | 401 NIAR AVE | tori321@hotmail.com | <i>V. Harbinson</i> |
| MATHEW | HAMMOND | 401 NIAR AVE. | mathewhammond@yahoo.ca | <i>M. Hammond</i> |
| DONALD | BARBER | 1614 EX BURY Cg | donbar@EOL.ca | <i>Donald Barber</i> |
| SAM | ELHASSAN | 618 ATWATER AVE | subwaysam1@gmail.com | <i>Sam Elhassan</i> |
| MIRZA | LEVACIC | 1431 NORTHAVEN DR | | <i>Mirza Levacic</i> |
| VID | LEVACIC | 1431 NORTHAVEN DR | | <i>Vid Levacic</i> |
| MARJA | LEVACIC | 1431 NORTHAVEN DR | | <i>Marja Levacic</i> |
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We call on our elected city officials to deny Lethbridge & Lawson Inc./Windcatcher Development Corporation's application (file OZ 11/016 W1).

| First Name | Last Name | Street Address | E-mail address | Signature |
|------------|------------|--------------------|----------------|--------------------|
| Herman | Beck | 1497 Kenmuir | — | HB |
| Jenny | Concannon | 1511 Kenmuir | — | J Concannon |
| Indu | Singh | 1531 Kenmuir Av | | I. Singh |
| Karen | Allington | 1545 Kenmuir | | K.A. |
| Queen | Turtmaglio | 1625 Kenmuir | | Ys. G.T. |
| Frances | Schweiger | 1616 Kenmuir | | Fs. |
| Elizabeth | Wikens | 1578 Kenmuir | | ED |
| Alvin | De Ruyck | 1579 Kenmuir | | AR |
| Kevin | Lynch | 452 Aqua Drive | | K.L. |
| RON | VOTH | 1611 TROTWOOD AVE. | | Ron Voth |
| Jeff | Araujo | 1629 Trotwood Ave | | Jeff Araujo |
| Chris | Day | 1606 Trotwood Ave | | Chris Day |
| Mary Ann | Johnston | 1524 Trotwood Ave | | M Johnston |
| Niall | Johnston | 1524 Trotwood Ave | | Niall Johnston |
| Joe | Soltész | 1510 Trotwood Ave | | Joe Soltész |
| MAGNETO | PENK | 1452 " " | | M. Penk |
| Tobiana | Kot | 1588 Kipper Ave | | T Kot |
| CHRISTINE | KOT | " " | | Christine Kot |
| INGE | TAYLOR | 1589 EWALD RD | | Inge-Cleane Taylor |
| DENIS | TAYLOR | 1589 EWALD RD | | Denis Taylor |
| | | | | |
| | | | | |
| | | | | |

City of Waterloo



I-1

Mayor Brenda Halloran

100 Regina St. S., Waterloo City Centre
Waterloo, ON Canada N2J 4A8
Phone: 519.747.8700 Fax: 519.747.8500
mayor@waterloo.ca, www.waterloo.ca

July 12, 2012

COUNCIL AGENDA
SEP 12 2012

The Honourable Kathleen Wynne MPP
Minister of Municipal Affairs and Housing
777 Bay St, 17th Floor
Toronto ON M5G 2E5

RECEIVED

REGISTRY No. 2833

The Honourable Dwight Duncan MPP
Minister of Finance and
Chair of Management Board of Cabinet
7 Queen's Park Crescent, 7th floor
Toronto, ON M7A 1Y7

DATE JUL 17 2012

FILE No.

MAYORS OFFICE

The Honourable Deb Matthews, Ph.D MPP
Ministry of Health and Long-Term Care
10th Floor - Hepburn Block
80 Grosvenor Street
Toronto ON M7A 2C4

The Honourable Glen Murray MPP
Minister of Training, Colleges and Universities
Public Inquiries Unit
2nd Floor, 880 Bay Street
Toronto ON M7A 1N3

Council of Ontario Universities
180 Dundas Street West - Suite 1100
Toronto, Ontario M5G 1Z8

Ontario Hospital Association
200 Front Street West - Suite 2800
Toronto, ON M5V 3L1

Association of Municipalities of Ontario (AMO)
200 University Ave., Suite 801
Toronto, Ontario M5H 3C6

Association of Municipalities of Ontario (AMO)
Attention: Large Urban Mayors Caucus of Ontario
200 University Ave., Suite 801
Toronto, Ontario M5H 3C6

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

I-1(a)

Dear Sirs and Madams:

Since 2006, the City of Waterloo has been making efforts to increase the "Heads and Beds" levy that municipalities receive in lieu of property taxes for provincial institutions such as universities and hospitals. The current amount of \$75 per head/bed has not been increased since 1987 when it was adjusted from \$50.

To date, we have received positive support from many municipalities across the province on this important issue. There is shared understanding among the municipalities that the current "Heads and Beds" rate does not reflect a fair compensation for providing the local resources necessary to support these provincial services. The City of Waterloo's resolution is open to alternative methodologies to calculate fair compensation. However, it is understood that if the "Heads and Beds" rate were indexed to inflation, the rate would be \$120 per head/bed

If the local provincial institutional properties had been classified and taxed pursuant to their use, assuming revenue is generated using a CVA x Residential Tax Rate methodologies, the municipal PIL revenue in 2012 would be \$5,239,305. The City of Waterloo's share would be \$1,977,883; an additional \$735,360 in revenue in 2012 and for each year thereafter.

On June 18, 2012, the Council for The Corporation of the City of Waterloo approved the following resolution:

"That FS2012-034 be approved and that Council requests the Minister of Finance for the Province of Ontario to:

- a) amend the current prescribed "heads & beds" rate used to calculate payment-in-lieu of taxes on public hospitals, universities, colleges and correctional facilities to an equivalent rate that would be raised if these public institutions used current value assessment (CVA) multiplied by residential tax rate methodology;
- b) and ensure that the "heads & beds" rate thereafter is adjusted regularly to reflect changes in current value assessment on public institutions and municipal tax rates;
- c) or, alternatively introduce legislative amendments to the Assessment Act and the Municipal Act, 2001, that would require payment-in-lieu amounts be calculated on equivalent taxation using full CVA multiplied by the appropriate municipal tax rates;
- d) or, alternatively index the "heads and beds" rate to the current rate of inflation; and
- e) direct the Mayor to forward this resolution and Staff Report 2012-034 (Heads and Beds - Payment in Lieu) to the Minister of Finance, Minister of Municipal Affairs and Housing, Minister of Health and Long Term Care, Minister of Training,

I-1(b)

Colleges and Universities, the Association of Municipalities of Ontario, the Large Urban Mayors Caucus of Ontario, the Council of Ontario Universities, the Ontario Hospitals Association and local area Members of Provincial Parliament.”

A copy of report FS2012-034 is attached for your assistance.

We would like all Ontario municipalities that have a post-secondary institution and hospital to unite on the matter of "Heads and Beds". Your support would be invaluable.

Sincerely,



Mayor Brenda Halloran
City of Waterloo

BH/sb
Encl.

c.c.

Mr. Rob Leone, MPP Cambridge
498 Eagle Street North
Cambridge, Ontario N4H 1C2


Mr. John Milloy, MPP Kitchener Centre
1770 King St. E, Unit 6C
Kitchener, ON N2G 2P1

Kitchener-Waterloo Constituent Office
375 University Avenue East
Waterloo, ON N2K 3M7

Michael Harris, MPP Kitchener-Conestoga
Unit 624, 2nd Floor
1187 Fischer-Hallman Road
Kitchener, Ontario N2E 4H9

Kris Fletcher, Regional Clerk
Regional Municipality of Waterloo
Corporate Resources Department
3rd Floor, 150 Frederick Street
Kitchener, ON N2G 4J3


E1(c)

| | | | |
|---|--|--|----------------|
|  | DATE: June 18, 2012 REPORT: FS2012 - 034 | TITLE: Heads & Beds - Payment-in-Lieu | C.A.O. T.A. |
| WARD: All Wards | PREPARED BY: John Morrison | | |
| FILE: | DEPARTMENT: Financial Services - Revenue | | |
| ATTACHMENTS: | CLEARANCE: Review Team SMT: FSP: June 18, 2012 Council: | | |

RECOMMENDATIONS:

That Council requests the Minister of Finance for the Province of Ontario to:

- a) amend the current prescribed "heads & beds" rate used to calculate payment-in-lieu of taxes on public hospitals, universities, colleges and correctional facilities to an equivalent rate that would be raised if these public institutions used current value assessment (CVA) multiplied by residential tax rate methodology;
- b) and ensure that the "heads & beds" rate thereafter is adjusted regularly to reflect changes in current value assessment on public institutions and municipal tax rates;
- c) or, alternatively introduce legislative amendments to the Assessment Act and the Municipal Act, 2001, that would require payment-in-lieu amounts be calculated on equivalent taxation using full CVA multiplied by the appropriate municipal tax rates;
- d) or, alternatively index the "heads and beds" rate to the current rate of inflation; and
- e) that this resolution be circulated to the Minister of Finance, Minister of Municipal Affairs and Housing, Minister of Health and Long Term Care, Minister of Training, Colleges and Universities, the Association of Municipalities of Ontario, the Council of Ontario Universities and the Ontario Hospitals Association and local area Members of Provincial Parliament."

| APPROVALS | | | |
|---|-------|----------|-------|
|  | _____ | _____ | _____ |
| Acting Chief Financial Officer | Date | Director | Date |
| Legal | Date | Other | Date |

EXECUTIVE SUMMARY:

Since 1987 the prescribed per capacity rate has been set at \$75 per head/bed. This prescribed per capacity rate is the basis upon which the Province provides payment-in-lieu (PIL) entitlements to municipalities for all public institutional properties, provincially owned or controlled, located within the municipal jurisdiction as an alternative or supplement to the real property tax. For public hospitals, universities, colleges and correctional institutions this prescribed per capacity rate is referred as the "heads and beds" rate. Once the Province has determined the capacity for its institutional properties, a municipality may calculate the provincial payment-in-lieu of taxes using the "heads and beds" rate. The payments-in-lieu are funded and paid by the provincial government.

This report is recommending that Council ask the Minister of Finance to amend the prescribed "heads and beds" rate to either an equivalent rate that would be raised if these public institutions used current value assessment (CVA) multiplied by the residential tax rate or use the full CVA multiplied by the appropriate municipal tax rate or index to the current rate of inflation. That the "heads and beds" rate be adjusted regularly to reflect changes in changes in either the current value assessment on public institutions and municipal tax rates or CPI. City staff has estimated that if revenue were based on a property's current value assessment times the residential tax rate, the City of Waterloo would receive additional revenue of \$735,360 per year and for each year thereafter.

The resolution seeks to increase the "heads and beds" capacity rate to \$120, a sum that would match the rate of inflation over the last 25 years.

Report:

Under the Assessment Act, public hospitals, universities, colleges of applied arts and technology, and correctional institutions are exempt from paying property taxes. However, section 323 of the Municipal Act, 2001, allows municipalities to annually raise a payment of taxes on such institutions. As such, the Province provides a payment-in-lieu (PIL) entitlement to be paid to a municipality for all public institutional properties, provincially owned or controlled, located within the municipal jurisdiction as an alternative or supplement to the real property tax.

Municipalities annually raise taxes on such institutions by multiplying the capacity of each institution by a specified "heads and beds" rate. Capacity is determined by the institution based on an annual census taken in November. This capacity amount is approved by the Province and forwarded to municipalities annually by the Minister of Municipal Affairs and Housing.

The "Heads and Beds" rates are specified in O.Reg.384/98. The "heads and beds" rate was last changed in 1987 from \$50 per-capacity to as follow:

- \$75.00 for each provincially rated hospital bed (public hospitals);
- \$75.00 for each full time student (universities & colleges); and

- \$75.00 for each resident place (correctional institutions)

Inflationary pressures have not been reflected in the "heads & beds" rate. The rate has not changed in almost 25 years.

In 2012, based on the current "heads & beds" rate of \$75 per capacity, local public institutions will contribute \$3,291,375 in municipal PIL revenue. This revenue is proportionately distributed between the City of Waterloo and the Region of Waterloo. The City's share is \$1,242,523.

Appendix 1 compares the 2012 amounts received as PIL levies using the "heads & beds" rate versus the equivalent taxation amount that could have been raised using an alternative methodology that being current value assessment (CVA) multiplied by the municipal tax rate. It is assumed that for the purpose of calculating equivalent taxation the applicable tax rate would be the current residential tax rate with no provincial education taxes payable.

If the Minister of Finance amended the "heads & beds" rate to an equivalent rate using the methodology described above, municipal PIL revenue from the local provincial public institutional properties would be \$5,239,305 in 2012. The City's share would be \$1,977,883, thereby potentially generating at least an additional \$735,360 in revenue in 2012 and for each year thereafter.

As part of this analysis, staff determined that in order to generate equivalent PIL revenue the current prescribed "heads & beds" rate would have to increase from \$75 to \$119 for 2012.

By adjusting the "heads & beds" rate to an equivalent amount using the alternative methodology, the rate itself would vary from municipality to municipality. However, these annual amendments would be made with relative ease as it would only require changes to the current O.Reg.384/98, not legislative changes.

Alternatively, the Province could introduce amending legislation to enshrine within the Assessment Act and the Municipal Act, 2001, the principal that the PIL amounts for provincial public institutional properties be calculated on the basis of equivalent taxation using the CVA multiplied by the appropriate municipal tax rate. This approach would eliminate the need to establish prescribed rates by regulation each year. However, the legislative process is subject to provincial priorities.

LINKS TO STRATEGIC PLAN:

A change in the provincially prescribed capacity rate for "heads & beds" could generate additional annual revenues of \$735,360 per year for the City. Accordingly, this report recommends that the Provincial government be requested to amend the current "heads & beds" rate used to calculate the PIL levy for provincial public institutions to \$120 per capacity.

FINANCIAL CONSIDERATIONS:

None

LEGAL CONSIDERATIONS:

None

Submitted by

Name: John Morrison
Position: Director of Revenue

Appendix 1**Comparison of 2012 Payment-in-lieu Revenues generated by the "Heads & Beds" Rate vs. Revenue generated using CVA x Residential Tax Rate.**

| Facility | Revenue Based on Heads & Beds Rate | | | Revenue Based on CVA x Residential Tax Rate | | | |
|-----------------------------|------------------------------------|---------|---------------------|---|-----------|------------------|------------------|
| | Capacity (#students) | Rate | Total | Exempt Assessment CVA | Tax Rate | Total | Difference |
| CONESTOGA COLLEGE INSTITUTE | 755 | \$ 75 | \$ 56,825 | \$ 5,680,000 | 1.011629% | \$ 57,455 | \$ 830 |
| UNIVERSITY OF WATERLOO | 30,286 | \$ 75 | \$ 2,271,375 | \$ 308,144,600 | 1.011629% | \$ 4,027,347 | \$ 1,755,972 |
| WILFRID LAURIER UNIVERSITY | 12,845 | \$ 75 | \$ 963,375 | \$ 114,134,351 | 1.011629% | \$ 1,154,602 | \$ 191,127 |
| | <u>43,885</u> | | <u>\$ 3,291,376</u> | <u>617,958,651</u> | | <u>6,239,304</u> | <u>1,947,929</u> |
| City Portion | | | | | | | |
| CONESTOGA COLLEGE INSTITUTE | | 37.751% | \$ 21,370 | \$ 5,680,000 | 0.381861% | \$ 21,690 | \$ 313 |
| UNIVERSITY OF WATERLOO | | 37.751% | \$ 857,484 | \$ 308,144,600 | 0.381861% | \$ 1,620,359 | \$ 862,895 |
| WILFRID LAURIER UNIVERSITY | | 37.751% | \$ 363,683 | \$ 114,134,351 | 0.381861% | \$ 435,835 | \$ 72,152 |
| | | | <u>1,242,523</u> | <u>617,958,651</u> | | <u>1,977,883</u> | <u>735,360</u> |

* Residential Tax Rate for the Upper and Lower Tier

KEY POINT(S):

The total current "Heads & Beds" capacity is 43,885. The revenue generated using the "Heads & Beds" capacity multiplied by the current capacity rate of \$75 per full student earned is \$3,291,375. The City's share is \$1,242,523.

In comparison, the revenue generated using current value assessment (CVA) multiplied by the residential tax rate (municipal portion only, education portion is excluded) is \$6,383,993. The City's share is \$1,977,883. This would generate additional revenue of \$735,360 per year.

The adjusted "Heads & Beds" rate required for equivalent revenue is determined as follows:

$$\$5,239,304 / 43,885 \text{ (capacity above)} = \$119$$

Appendix 2

Comparison of 2012 "Heads & Beds" Rate if indexed to rate of inflation.

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Annual |
|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 2012 | 120.70 | 121.20 | 121.70 | 122.20 | | | | | | | | | |
| 2011 | 117.80 | 118.10 | 118.40 | 118.70 | 119.00 | 119.30 | 119.60 | 119.90 | 120.20 | 120.50 | 120.80 | 121.10 | 119.80 |
| 2010 | 115.10 | 115.60 | 116.10 | 116.60 | 117.10 | 117.60 | 118.10 | 118.60 | 119.10 | 119.60 | 120.10 | 120.60 | 118.47 |
| 2009 | 113.00 | 113.50 | 114.00 | 114.50 | 115.00 | 115.50 | 116.00 | 116.50 | 117.00 | 117.50 | 118.00 | 118.50 | 114.49 |
| 2008 | 111.80 | 112.20 | 112.60 | 113.00 | 113.40 | 113.80 | 114.20 | 114.60 | 115.00 | 115.40 | 115.80 | 116.20 | 114.09 |
| 2007 | 109.40 | 110.20 | 111.00 | 111.80 | 112.60 | 113.40 | 114.20 | 115.00 | 115.80 | 116.60 | 117.40 | 118.20 | 111.49 |
| 2006 | 108.20 | 108.80 | 109.40 | 110.00 | 110.60 | 111.20 | 111.80 | 112.40 | 113.00 | 113.60 | 114.20 | 114.80 | 109.12 |
| 2005 | 105.30 | 105.70 | 106.10 | 106.50 | 106.90 | 107.30 | 107.70 | 108.10 | 108.50 | 108.90 | 109.30 | 109.70 | 108.99 |
| 2004 | 103.30 | 103.80 | 104.30 | 104.80 | 105.30 | 105.80 | 106.30 | 106.80 | 107.30 | 107.80 | 108.30 | 108.80 | 104.89 |
| 2003 | 102.00 | 102.50 | 103.00 | 103.50 | 104.00 | 104.50 | 105.00 | 105.50 | 106.00 | 106.50 | 107.00 | 107.50 | 102.74 |
| 2002 | 97.80 | 98.20 | 98.60 | 99.00 | 99.40 | 99.80 | 100.20 | 100.60 | 101.00 | 101.40 | 101.80 | 102.20 | 99.89 |
| 2001 | 96.30 | 96.80 | 97.30 | 97.80 | 98.30 | 98.80 | 99.30 | 99.80 | 100.30 | 100.80 | 101.30 | 101.80 | 97.79 |
| 2000 | 93.50 | 94.10 | 94.70 | 95.30 | 95.90 | 96.50 | 97.10 | 97.70 | 98.30 | 98.90 | 99.50 | 100.10 | 95.39 |
| 1999 | 91.60 | 92.20 | 92.80 | 93.40 | 94.00 | 94.60 | 95.20 | 95.80 | 96.40 | 97.00 | 97.60 | 98.20 | 92.89 |
| 1998 | 90.90 | 91.50 | 92.10 | 92.70 | 93.30 | 93.90 | 94.50 | 95.10 | 95.70 | 96.30 | 96.90 | 97.50 | 91.27 |
| 1997 | 88.90 | 89.50 | 90.10 | 90.70 | 91.30 | 91.90 | 92.50 | 93.10 | 93.70 | 94.30 | 94.90 | 95.50 | 90.37 |
| 1996 | 88.00 | 88.60 | 89.20 | 89.80 | 90.40 | 91.00 | 91.60 | 92.20 | 92.80 | 93.40 | 94.00 | 94.60 | 88.99 |
| 1995 | 86.80 | 87.40 | 88.00 | 88.60 | 89.20 | 89.80 | 90.40 | 91.00 | 91.60 | 92.20 | 92.80 | 93.40 | 87.59 |
| 1994 | 85.10 | 85.70 | 86.30 | 86.90 | 87.50 | 88.10 | 88.70 | 89.30 | 89.90 | 90.50 | 91.10 | 91.70 | 85.71 |
| 1993 | 83.00 | 83.60 | 84.20 | 84.80 | 85.40 | 86.00 | 86.60 | 87.20 | 87.80 | 88.40 | 89.00 | 89.60 | 83.67 |
| 1992 | 83.30 | 83.90 | 84.50 | 85.10 | 85.70 | 86.30 | 86.90 | 87.50 | 88.10 | 88.70 | 89.30 | 89.90 | 84.00 |
| 1991 | 82.00 | 82.60 | 83.20 | 83.80 | 84.40 | 85.00 | 85.60 | 86.20 | 86.80 | 87.40 | 88.00 | 88.60 | 82.77 |
| 1990 | 76.70 | 77.30 | 77.90 | 78.50 | 79.10 | 79.70 | 80.30 | 80.90 | 81.50 | 82.10 | 82.70 | 83.30 | 78.39 |
| 1989 | 72.70 | 73.30 | 73.90 | 74.50 | 75.10 | 75.70 | 76.30 | 76.90 | 77.50 | 78.10 | 78.70 | 79.30 | 74.79 |

CPI data for Canada is available from 1989 onward. CPI numbers are used to calculate inflation rates over a period of time. See Canadian Historical Inflation Rates.

KEY POINT(S):

If the "heads and bed" rate, last adjusted in 1987 to \$75 per capacity, had been indexed to inflation the current rate would be \$120.00 in 2012.

Over this period, the inflation rate averaged 2% per year.

The adjusted "Heads & Beds" rate = \$120

I-1(i)



OFFICE OF THE MAYOR

March 14, 2011

The Honourable Dalton McGuinty
Premier of Ontario
Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A1

Dear Mr. Premier:

Re: Request for Increase to Payments in Lieu of Taxes

The Council of the Corporation of the City of Mississauga at its meeting on March 9, 2011, adopted the enclosed Resolution 0069-2011 requesting an increase to the payments in lieu of taxes which are set by the Province and paid by hospitals, universities and colleges located in the municipality to compensate the municipality for municipal services.

I am certain that you will agree that an increase to this rate is overdue and I urge you to take the appropriate steps to ensure municipalities are adequately compensated in this regard.

I look forward to receiving your favourable reply.

Sincerely,

HAZEL McCALLION, C.M., LL.D.
MAYOR

cc: The Honourable Rick Bartolucci, Minister of Municipal Affairs and Housing
The Honourable Dwight Duncan, Minister of Finance
Mississauga MPPs
Members of Council
Association of Municipalities of Ontario
Municipal Services Office, Ministry of Municipal Affairs and Housing, Central Region
Brenda Breault, Commissioner, Corporate Services and Treasurer

Enc.



THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ON L5B 3C1
TEL: 905-896-5555 FAX: 905-896-5879
mayor@mississauga.ca

I-1(j)



RESOLUTION 0069-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on March 9, 2011

0069-2011 Moved by: Pat Mullin

Seconded by: Jim Tovey

WHEREAS payments in lieu of taxes (PILT) are set by the Province of Ontario and are paid for by hospitals, universities and colleges located in the municipality to compensate the municipality for municipal services;

AND WHEREAS the Province of Ontario established in 1987 a PILT rate of \$75 per student and per hospital bed;

AND WHEREAS this was the only increase from the PILT rate established in 1973 of \$50 per student and per hospital bed;

AND WHEREAS this PILT rate has not been increased since 1987;

AND WHEREAS if the rate had been increased from 1973 in line with inflation, it would now be \$240;

AND WHEREAS the Trillium Health Centre (Mississauga site), University of Toronto Mississauga and Credit Valley Hospital paid total PILTS of \$834,900 in 2010;

AND WHEREAS had the rate increased to \$240, the amount paid in 2010 would have been \$2,671,680 or \$1,836,780 more than currently paid;

AND WHEREAS the assessment times the commercial tax rate on these properties would have levied taxes of \$6,433,950 in 2010;

AND WHEREAS the costs to provide municipal services increase annually;

E-1(K)

NOW THEREFORE BE IT RESOLVED:

That the Minister of Municipal Affairs and Housing be requested to increase the PILT rate paid under section 323 of the Municipal Act to \$240;

AND THAT the PILT rate paid under section 323 of the Municipal Act be increased annually in line with the rate of inflation;

AND THAT the Minister of Finance be requested to include this in the upcoming Provincial budget.

I-2

From: Brendon Campbell [mailto:bcampbell@fcm.ca]
Sent: 07/17/2012 4:48 PM
To: Hazel McCallion
Subject: Reformatted Shark Fin Resolution

COUNCIL AGENDA
SEP 12 2012

Hello,

FCM would like to thank you for putting forth a resolution surrounding the issue of Shark Finning. There is obvious support for this issue across the country as we have received many similar but not identical resolutions. As is procedure when this happens we try to combine key aspects of submissions received and create a resolution that captures all the intentions of the originals.

Attached is a copy of the new resolution that would be put forward to our board. We would ask that you indicate your support and if you are willing to sponsor this restructured resolution via e-mail.

Please feel free to contact with any questions or concerns
Thanks,

Brendon

Brendon Campbell
Special Projects Officer | Agent des projets speciaux

Policy and Research
Politiques et recherches



FEDERATION
OF CANADIAN
MUNICIPALITIES

FEDERATION
CANADIENNE DES
MUNICIPALITES

24, rue Clarence Street, Ottawa, Ontario K1N 5P3
T. 613-907-6293 | F. 613-241-7440

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

I-2(a)

Month day, YEAR

ENV12.3.09

Shark Fins and Related Products

WHEREAS, The practice of shark finning is a major cause of the slaughter of sharks in other parts of the world; and

WHEREAS, The number of municipalities to have introduced municipal bylaws banning the possession of shark fins continues to grow; and

WHEREAS, The Bill C-380 has been introduced in the House of Commons in an effort to prohibit the importation of shark fins in Canada and to prohibit the practice of shark finning; therefore be it

RESOLVED, That Federation of Canadian Municipalities support the proposed legislation to prohibit the importation of, possession, sale and consumption of imported shark fin products, where such products are obtained via shark finning; and be it further

RESOLVED, That Federation of Canadian Municipalities urge the Canadian Government to support proposed Bill-C380 seeking to amend the Fish Inspection Act to prohibit the importation of shark fins in Canada.

City of, Province



RESOLUTION 0186-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on July 6, 2011

0186-2011 Moved by: Pat Mullin

Seconded by: Pat Saito

WHEREAS shark-finning is a major cause of the slaughter of sharks in other parts of the world;

AND WHEREAS the Municipal Act, 2001 authorizes municipalities to regulate with respect to animals;

AND WHEREAS the Municipal Act, 2001 also authorizes municipalities to have broad authority in regulating matters with respect to the health, safety and well-being of persons, and protection of persons and property;

AND WHEREAS shark fin products are sold in the City of Mississauga making shark-finning a matter of municipal concern;

AND WHEREAS the Municipal Act, 2001 also states that the powers of a municipality under the Act shall be interpreted broadly so as to confer broad authority on the municipality to enhance the municipality's ability to respond to municipal issues;

NOW THEREFORE BE IT RESOLVED THAT:

- 1) Staff report back on a bylaw to be enacted to prohibit the consumption and sale of shark fins or shark fin food products within the City of Mississauga.

I-2(c)



RESOLUTION 0236-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on October 12, 2011

0236-2011 Moved by: Pat Mullin

Seconded by: Chris Fonseca

WHEREAS shark finning is a major cause of the slaughter of sharks in other parts of the world;

AND WHEREAS Health Canada is responsible for the safe food supply within the country;

AND WHEREAS the Canadian Food Inspection Agency (CFIA) is responsible for enforcing the food safety policies and standards set by Health Canada;

AND WHEREAS the CFIA maintains a list of fish species that are allowed into Canada, including numerous species of sharks;

AND WHEREAS the United Nations Environment Programmes (UNEP) mandate is to help governments further develop and strengthen their national, subregional and regional policies, laws and institutions underpinning environmental governance and to help national governments to use partnerships to harness a results-oriented approach to address environmental challenges;

AND WHEREAS the UNEP helps governments develop and strengthen their judicial, political and legal systems to provide a sound basis for environmental governance;

AND WHEREAS the UNEP's mandate is to work with States and other stakeholders to strengthen their laws and institutions, helping them achieve environmental goals, targets and objectives.

NOW THEREFORE BE IT RESOLVED THAT:

1. Health Canada be requested to prohibit the import of shark fins and shark fin food products into Canada.
2. The Canadian Food Inspection Agency be tasked with vigorously enforcing the ban on the import of shark fins and shark fin food products into Canada.
3. This resolution be forwarded to other municipalities in the GTA seeking their support.
4. The Council of the City of Mississauga forward a copy of this resolution to the United Nations seeking its support.
5. The City of Mississauga requests other municipalities to join with the City in lobbying the Federal government to take the necessary actions for a ban on shark finning.

A recorded vote was requested with respect to this motion, the results of which are as follows:

| | YES | NO | ABSENT |
|------------------------|-----|----|--------|
| Mayor H. McCallion | X | | |
| Councillor J. Tovey | X | | |
| Councillor P. Mullin | X | | |
| Councillor C. Fonseca | X | | |
| Councillor F. Dale | X | | |
| Councillor B. Crombie | X | | |
| Councillor R. Starr | X | | |
| Councillor N. Iannicca | X | | |
| Councillor K. Mahoney | | | X |
| Councillor P. Saito | | | X |
| Councillor S. McFadden | X | | |
| Councillor G. Carlson | X | | |

Carried (10-0 - 2 Absent)

I-2(e)



RESOLUTION 0255-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on October 26, 2011

0255-2011 Moved by: Nando Iannicca Seconded by: Bonnie Crombie

That representatives of the Mississauga Chinese Business Association be invited to participate on the Committee formed to work on the action plan to enforce By-law 268-2011, the by-law to prohibit the possession, sale, trade, distribution of shark fins.



THE CITY OF WINDSOR

COUNCIL SERVICES DEPARTMENT

VALERIE CRITCHLEY
CITY CLERK

IN REPLY, PLEASE REFER
TO OUR FILE NO. MMA/6661

I-3

July 20, 2012

COUNCIL AGENDA
SEP 12 2012

The Corporation of the City of Mississauga
Mr. Jim Tovey, Acting Mayor
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Mr. Tovey:

Thank you for your letter dated July 6, 2012 respecting the resolution of the City of Mississauga concerning *The Provincial Offences Act* - Parking Enforcement through Administrative Monetary Penalties System.

Windsor City Council does not entertain requests from persons, organizations, associations and other municipal governments to endorse resolutions in accordance with its Procedure By-law.

I note that your resolution has been forwarded to the appropriate Provincial Association for consideration.

Yours very truly,

Valerie Critchley
City Clerk

VC/ks

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

I-3(a)



July 6, 2012

The Honourable Dalton McGuinty
Premier of Ontario
Legislative Building
Room 281
Toronto, Ontario
M7A 1A1

Dear Mr. Premier

Re: The Provincial Offences Act – Parking Enforcement through Administrative Monetary Penalties System

The Council of the Corporation of the City of Mississauga at its meeting on July 4, 2012, adopted the enclosed Resolution 0172-2012 with respect to *Provincial Offences Act – Parking Enforcement through Administrative Monetary Penalties System*.

The City of Mississauga requests that you increase the penalty cap for parking enforcement from \$100 to \$500 so that the enforcement by-laws respecting all parking matters can be dealt with through an administrative monetary penalties system. This will benefit the City by increasing the capacity for scheduling other provincial offences matters and decreasing the need for officer attendance.

On behalf of the members of Council, I urge you to increase the penalty cap for parking enforcement matters as the administrative monetary penalties system is capped at \$100 which significantly limits the ability for this system to be used for many other provincial offences.

Sincerely,

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

Jim Tovey
ACTING MAYOR

I-3(b)

cc: Mississauga MPPs
Association of Municipalities of Ontario
Members of Council
All Ontario Courts of Justice Provincial Offences Offices

Enc.



RESOLUTION 0172-2012
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on July 4, 2012

0172-2012 Moved by: Ron Starr

Seconded by: Jim Tovey

WHEREAS the volume of matters proceeding through the Provincial Offences court has created a significant backlog for the court from time to time;

AND WHEREAS the *Municipal Act, 2001* authorizes the use of administrative monetary penalties to enforce by-laws relating to parking, licensing and other municipal matters;

AND WHEREAS an administrative monetary penalty system would allow municipalities to better control the handling of parking and licensing offences in particular;

AND WHEREAS the Law Commission of Ontario recently released its final report "Modernizing the *Provincial Offences Act: A New Framework and Other Reforms*" which recommends among other matters that the *Provincial Offences Act* be amended to remove the prosecution of Part II parking infractions in the Ontario Court of Justice;

AND WHEREAS many municipalities have established a system of administrative monetary penalties and staff have been advised that court time for parking offences in particular will be reduced shortly as a *Provincial Offences Act* streamlining measure;

AND WHEREAS the removal of parking and certain licensing offences from the *Provincial Offences Act* court system will require the City to establish administrative monetary penalties for these offences, and will also benefit the City by increasing the capacity for scheduling other matters and decreasing the need for officer attendance;

AND WHEREAS currently administrative monetary penalties are capped at \$100 regarding parking enforcement matters, which significantly limits the ability of this system to be used for many offences such as fire route and disabled parking violations, which limits the value of this system to municipalities;

AND WHEREAS staff are preparing a report for Council's consideration in September however, as the Province is currently undertaking its five-year review of the *Municipal Act, 2001* and other legislation governing municipalities; it is important that the issue of increasing the penalty cap from \$100 to \$500 for parking enforcement be addressed as soon as possible;

NOW THEREFORE BE IT RESOLVED:

1. That the Province of Ontario be requested to increase the penalty cap for parking enforcement from \$100 to \$500 so that the enforcement of by-laws respecting all parking matters can be dealt with through an administrative monetary penalties system; and
2. That a copy of this resolution be circulated to Premier Dalton McGuinty, Minister John Garretson, Attorney General of Ontario, all local MPPs, all 52 municipal partners responsible for the administration of *Provincial Offences Act* courts in the Province of Ontario and to the Association of Municipalities of Ontario (AMO) for consideration and any necessary action.

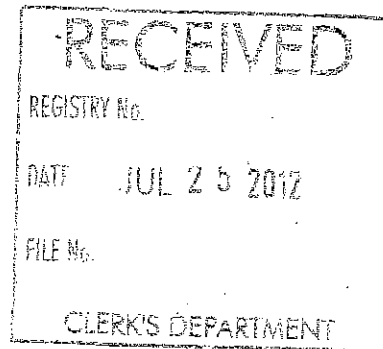
Ministry of the Environment
Environmental Approvals Branch
2 St. Clair Avenue West
Floor 12A
Toronto ON M4V 1L5
Tel.: 416 314-8001
Fax: 416 314-8452

Ministère de l'Environnement
Direction des autorisations
environnementales
2, avenue St. Clair Ouest
Étage 12A
Toronto ON M4V 1L5
Tél. : 416 314-8001
Télééc. : 416 314-8452



COUNCIL AGENDA
SEP 12 2012

July 23, 2012



MEMORANDUM

TO: Government Review Team
Distribution List (see attached)

FROM: Lorna Zappone, Project Officer
Environmental Approvals Branch

RE: Review of Proposed Terms of Reference for the Lakeview Waterfront Connection
Environmental Assessment
EA FILE NO. 03-02

On July 27, 2012, Credit Valley Conservation (CVC) and its co-proponent, the Region of Peel, will be submitting a Terms of Reference (ToR) to the Minister of the Environment for approval. The role of the ToR is to provide the proponents with an approved framework for the completion of the Environmental Assessment (EA) for the Lakeview Waterfront Connection (LWC) Project. The goal of LWC Project is to create a new natural waterfront park that will establish ecological habitat and public linkages on the eastern Mississauga waterfront. The ToR sets out how CVC and the Region of Peel are proposing to assess the potential environmental effects of the LWC Project.

The goal of the ToR is to promote early identification of potential issues relevant to the completion of an environmental assessment (EA) for the proposed undertaking. This is to ensure that proponents have clear, concise direction with respect to what is required by key regulatory agencies when preparing their EA. This step has considerable benefits for review agencies, as it allows for early participation and provides an opportunity to sign off on a proposal at the ToR stage, if appropriate. This emphasis on early participation will result in a more streamlined and focussed EA for all parties involved.

Purpose of this Review

We believe your agency has an interest in the review of this ToR. If this is not the case, please complete the attached "Acknowledgement of Receipt" form indicating that your agency's involvement is no longer required for this ToR and/or the future EA preparation process. You have been identified as the contact person for your agency. If you are not the appropriate contact person in your agency, please immediately forward this material to the appropriate person and notify me of the change.

We are interested in knowing whether you feel your agency's mandated responsibilities would be addressed if the EA were to be completed as proposed in the ToR. Given this, you are asked to focus your review on the identification of any concerns your agency may have with the manner in which the CVC and the Region of Peel are proposing to complete their EA.

Should you identify any concerns, please indicate how you feel they could be addressed by modifying the existing ToR. Please indicate any specific modifications to this ToR that you think are necessary to address your agency's mandated responsibilities, and provide your comments to the Environmental Approvals Branch. Your comments will be provided to the proponent for its consideration and response.

The following documents are enclosed:

- Terms of Reference for the Lakeview Waterfront Connection Environmental Assessment, and Record of Consultation;
- Acknowledgement of Receipt Form - please complete and return to the Environmental Approvals Branch immediately upon receipt.

Timing

In order to ensure consideration within the final decision-making process, the Environmental Approvals Branch should receive your comments **no later than August 27, 2012**. Should you have any questions or require additional information about your agency's review of this ToR, please contact me at (416) 314-7106 or by e-mail at lorna.zappone@ontario.ca.

Thank you for your participation.



Lorna Zappone

Enclosures.

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

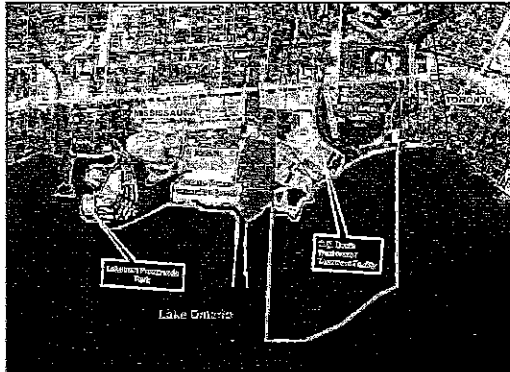
NOTICE OF SUBMISSION OF TERMS OF REFERENCE

**Credit Valley Conservation and Region of Peel
Lakeview Waterfront Connection Environmental Assessment**

As part of the planning process for the Lakeview Waterfront Connection (LWC) Environmental Assessment (EA), a Terms of Reference (ToR) is being submitted to the Ministry of the Environment, other agencies and the public for review as required under the Ontario *Environmental Assessment Act (EA Act)*. If approved, the ToR will serve as a framework for the preparation and review of the EA for the proposed undertaking. This ToR is being prepared in accordance with Section 6(2)c and 6.1(3) of the Ontario *EA Act*.

THE STUDY

Credit Valley Conservation (CVC) and Region of Peel, with the support of the City of Mississauga and the Toronto and Region Conservation Authority (TRCA), are undertaking the LWC Project EA. The LWC Project has the potential to create a new natural waterfront park that will establish ecological habitat and public linkages on the eastern Mississauga waterfront. The LWC Project Study Area is outlined in the figure to the right.



You may inspect the ToR during normal business hours at the following locations, or at any time on the Project website (www.creditvalleyca.ca/lwc):

| | |
|---|--|
| Ministry of the Environment Environmental Approvals Branch 2 St. Clair Avenue West, Floor 12A Toronto, ON M4V 1L5 416-314-8001 / 1-800-461-6290 | Ministry of the Environment Halton-Peel District Office 4145 North Service Road, Suite 300 Burlington ON L7L 6A3 905-319-3847 / 1-800-335-5906 |
| Port Credit Library 20 Lakeshore Rd. East Mississauga ON L5G 1C8 905-615-4835 | Cooksville Library 3024 Hurontario Street, Suite 212 Mississauga, ON L5B 4M4 905-615-4855 |
| Central Library 301 Burnhamthorpe Rd. W Mississauga, ON L5B 3Y3 905-615-3500 | Lakeview Library 1110 Atwater Avenue Mississauga, ON L5E 1M9 905-615-4805 |
| Alderwood Branch - Toronto Public Library 2 Orianna Drive Toronto, ON M8W 4Y1 416-394-5310 | Long Branch - Toronto Public Library 3500 Lake Shore Blvd. West, Toronto, ON M8W 1N6 416-394-5320 |

Your written comments regarding the ToR must be received before August 27, 2012. All comments should be submitted to:

Lorna Zappone, Project Officer
 Ministry of the Environment, Environmental Approvals Branch
 2 St. Clair Avenue West, Floor 12A, Toronto, ON M4V 1L5
 T: 416-314-7106 lorna.zappone@ontario.ca



A copy of all comments will be forwarded to the co-proponents for consideration. For further information on the EA please contact:

Kate Hayes, Project Leader – Restoration and Stewardship
 Credit Valley Conservation
 1255 Old Derry Road, Mississauga, ON L5N 6R4
 T: 905-670-1615 ext. 428 khayes@creditvalleyca.ca



Under the *Freedom of Information and Protection of Privacy Act* and the *Environmental Assessment Act*, unless otherwise stated in the submission, any personal information such as name, address, telephone number and property location included in a submission will become part of the public record files for this matter and will be released, if requested, to any person.

Attorney General
 McMurtry-Scott Building
 720 Bay Street
 11th Floor
 Toronto ON M7A 2S9
 Tel: 416-326-4000
 Fax: 416-326-4016

Procureur général
 Édifice McMurtry-Scott
 720, rue Bay
 11^e étage
 Toronto ON M7A 2S9
 Tél.: 416-326-4000
 Téléc.: 416-326-4016



Our Reference #: MC-2012-2865



August 2, 2012

Acting Mayor Jim Tovey
 The Corporation of the City of Mississauga
 300 City Centre Drive,
 Mississauga, ON L5B 3C1

Dear Acting Mayor Tovey,

Thank you for your letter informing me of your city's Resolution on enforcing parking through administrative monetary penalties (AMPs). You raise the matter of an increase in the penalty cap for parking enforcement to permit all parking matters to be dealt with through AMPs.

The Law Commission of Ontario's report, "Modernizing the *Provincial Offences Act*", recommends an increase in the penalty cap for parking enforcement as you request in your letter. This Ministry is currently reviewing options for moving forward on the Law Commission's recommendations.

I appreciate your concerns about scheduling and the need for officer attendance at hearings. Ministry officials plan to consult with municipalities, municipal partners, and members of the legal profession as we clarify how to improve the enforcement of provincial and municipal infractions. If you have any further thoughts on parking AMPs or any of the other ideas in the Law Commission report, I would appreciate your input.

Thank you again for writing.

Sincerely,

John Gerretsen
 Attorney General

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



July 6, 2012

The Honourable John Gerretsen
Minister of Attorney General
McMurtry-Scott Building
720 Bay Street 11th Floor
Toronto, Ontario
M7A 2S9

Dear Mr. Minister

Re: The Provincial Offences Act – Parking Enforcement through Administrative Monetary Penalties System

The Council of the Corporation of the City of Mississauga at its meeting on July 4, 2012, adopted the enclosed Resolution 0172-2012 with respect to *Provincial Offences Act – Parking Enforcement through Administrative Monetary Penalties System*.

The City of Mississauga requests that you increase the penalty cap for parking enforcement from \$100 to \$500 so that the enforcement by-laws respecting all parking matters can be dealt with through an administrative monetary penalties system. This will benefit the City by increasing the capacity for scheduling other provincial offences matters and decreasing the need for officer attendance.

On behalf of the members of Council, I urge you to increase the penalty cap for parking enforcement matters as the administrative monetary penalties system is capped at \$100 which significantly limits the ability for this system to be used for many other provincial offences.

Sincerely,

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

Jim Tovey
ACTING MAYOR

I-5(b)

cc: Mississauga MPPs
Association of Municipalities of Ontario
Members of Council
All Ontario Courts of Justice Provincial Offences Offices

Enc.

I-5(c)



RESOLUTION 0172-2012
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on July 4, 2012

0172-2012 Moved by: Ron Starr

Seconded by: Jim Tovey

WHEREAS the volume of matters proceeding through the Provincial Offences court has created a significant backlog for the court from time to time;

AND WHEREAS the *Municipal Act, 2001* authorizes the use of administrative monetary penalties to enforce by-laws relating to parking, licensing and other municipal matters;

AND WHEREAS an administrative monetary penalty system would allow municipalities to better control the handling of parking and licensing offences in particular;

AND WHEREAS the Law Commission of Ontario recently released its final report "Modernizing the *Provincial Offences Act*. A New Framework and Other Reforms" which recommends among other matters that the *Provincial Offences Act* be amended to remove the prosecution of Part II parking infractions in the Ontario Court of Justice;

AND WHEREAS many municipalities have established a system of administrative monetary penalties and staff have been advised that court time for parking offences in particular will be reduced shortly as a *Provincial Offences Act* streamlining measure;

AND WHEREAS the removal of parking and certain licensing offences from the *Provincial Offences Act* court system will require the City to establish administrative monetary penalties for these offences, and will also benefit the City by increasing the capacity for scheduling other matters and decreasing the need for officer attendance;

AND WHEREAS currently administrative monetary penalties are capped at \$100 regarding parking enforcement matters, which significantly limits the ability of this system to be used for many offences such as fire route and disabled parking violations, which limits the value of this system to municipalities;

AND WHEREAS staff are preparing a report for Council's consideration in September however, as the Province is currently undertaking its five-year review of the *Municipal Act, 2001* and other legislation governing municipalities; it is important that the issue of increasing the penalty cap from \$100 to \$500 for parking enforcement be addressed as soon as possible;

NOW THEREFORE BE IT RESOLVED:

1. That the Province of Ontario be requested to increase the penalty cap for parking enforcement from \$100 to \$500 so that the enforcement of by-laws respecting all parking matters can be dealt with through an administrative monetary penalties system; and
2. That a copy of this resolution be circulated to Premier Dalton McGuinty, Minister John Garretson, Attorney General of Ontario, all local MPPs, all 52 municipal partners responsible for the administration of *Provincial Offences Act* courts in the Province of Ontario and to the Association of Municipalities of Ontario (AMO) for consideration and any necessary action.

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels

Office of the Minister

Bureau de la ministre

25 Grosvenor Street
18th Floor
Toronto ON M7A 1Y6
Tel: 416-325-0408
Fax: 416-325-6067

25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Tél. : 416-325-0408
Télééc. : 416-325-6067



AUG 14 2012

MC-2012-2646

I-6

His Worship Jim Tovey
Acting Mayor
City of Mississauga
300 City Centre Drive
Mississauga ON L5N 3C1

Dear Mayor Tovey:

Thank you for your letter of July 9, 2012, concerning animal welfare.

As you know, the McGuinty government has clamped down on animal abusers by updating and strengthening the *Ontario Society for the Prevention of Cruelty to Animals (OSPCA) Act* for the first time in nearly a century. These revisions were proclaimed into force on March 1, 2009. The texts of the new legislation and its regulations are publicly available.

The Ministry of Community Safety and Correctional Services (MCSCS) takes the issue of animal welfare very seriously, which is why we moved forward with the new law, one that gives Ontario the strongest animal welfare legislation in Canada.

Since 1919, the *OSPCA Act* has authorized OSPCA inspectors and agents to enforce any law in Ontario pertaining to the welfare of animals. Police may also enforce these laws.

With respect to operations known as "puppy mills" or kitten mills", the revised *OSPCA Act* includes standards of care that may be applied to any animal including those in such premises. There is also new inspection authority for the OSPCA to check premises where animals are kept for exhibit, entertainment, boarding, hire, or sale to check for compliance with the standards of care, and an accompanying provincial offence for failing to comply with the standards.

As you are aware, under the *Municipal Act 2001*, a municipality may pass bylaws pertaining to animals. The *OSPCA Act* clarifies that, in the event of a conflict between the act and a municipal bylaw, the provision that affords the greater protection to animals prevails and may be enforced by the OSPCA. As well, a municipality may prohibit or license a business within its jurisdiction while imposing licensing conditions.

With respect to providing support to the OSPCA, MCSCS provides an annual grant of \$500,000 to help support the OSPCA training program. The OSPCA and its affiliates are charitable organizations but are operationally independent from the provincial government.

Please be assured that this ministry will continue to support a strong and effective animal welfare system in Ontario.

Sincerely,

Madeleine Meilleur
Minister

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| | <input type="checkbox"/> Report |

I-6(a)



July 9, 2012

The Honourable Madeleine Meilleur
Minister of Community Safety and Correctional Services
80 Grosvenor Street
Toronto, Ontario
M7A 1E9

Dear Madam Minister:

Re: Banning the Sale of Cats and Dogs from Licensed Pet Shops

The Council of the Corporation of the City of Mississauga at its meeting on July 4, 2012, adopted the enclosed recommendation banning the sale of cats and dogs from licensed pet shops.

The City of Mississauga requests that additional support be provided to the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) so that further action can be taken against puppy and kitten mills in Ontario.

On behalf of the members of Council, I urge you to consider our request and I look forward to receiving your favourable reply.

Sincerely,

A handwritten signature in black ink that reads "Jim Tovey".

Jim Tovey
ACTING MAYOR

cc: Mississauga MPPs
Members of Council
Martin Powell, Commissioner, Transportation and Works
Mickey Frost, Director, Enforcement

Enc.



RECOMMENDATION GC-0477-2012
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on July 4, 2012

GC-0477-2012

1. That a by-law be enacted to amend Schedule 20 of the Business Licensing By-law 1-06, as amended, to require pet shops to provide every purchaser of a cat or dog with a health assessment from a licensed veterinarian for all cats and dogs kept in the shop that receive veterinary care; and, that all pet shops that sell more than 10 cats or dogs per year, obtain these animals from one of the following sources only: municipal animal shelters; registered humane societies; registered shelters or rescue groups.
2. That staff conduct quarterly proactive inspections of licensed pet shops that sell cats and/or dogs.
3. That staff work with the Ontario Society for the Prevention of Cruelty to Animals Investigation Unit on a continual basis to determine if any information exists related to the existence of kitten and puppy mills in Mississauga; and, that staff take appropriate enforcement action with local pet shops in Mississauga if these issues are uncovered.
4. That pet shops be permitted to sell their existing inventory of cats and/or dogs up to and including December 31, 2012 and that all future cat and/or dog acquisitions by pet shops who sell more than 10 cats or dogs per year be from one of the following sources only: municipal animal shelters; registered humane societies; registered shelters or rescue groups and that staff work with pet shop owners on a program for animal licensing, in accordance with the amendments to Schedule 20 of the Animal Licensing By-law 1-06, as amended.
5. That the Minister of Community Safety and Correctional Services be requested to provide additional support to the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) so that they can take further action against puppy mills in the Province of Ontario.

I-7

From: Peter Pellier

Sent: 08/23/2012 5:15 AM

To: Hazel McCallion; Jim Tovey; Pat Mullin; Chris Fonseca; Frank Dale; Bonnie Crombie; Ron Starr; Nando Iannicca; Katie Mahoney; Pat Saito; Sue McFadden; George Carlson; Mickey Frost; Daryl Bell; Brad Parliament; City Manager

Subject: ACCESSIBLE TAXI PLATES

COUNCIL AGENDA
SEP 12 2012

THE MAYOR & MEMBERS OF COUNCIL:

It has come to my attention that the City continues to issue Accessible Taxi Owner's Licences to our brokerages, in light of the fact serious problems persist regarding the provision of such service. These include overcharging; refusal to provide service in a timely fashion, or at all; and inconsideration for the health and welfare of passengers.

Given Accessible licences are used to transport the general public, the fact additional Accessible plates continue to be issued is justifiably galling to applicants on the Priority List, many of whom have occupied a position for as long as 23 years, in the hope of being issued a standard plate. Where is the fairness in this?

Pending a thorough review of the Accessible Taxicab programme, in the strongest language possible, I urge Council to declare a moratorium on the issuance of any new Accessible plates.

Furthermore, I urge each and every member of Council to contact Ron Baumber -
- who, for years, has provided quality accessible taxicab service, and to whom frustrated patrons direct their many concerns.

Thank you.

PETER D. PELLIER
CAB OWNER

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From: Kathy McKague
Sent: August 23, 2012 1:09 PM
To: Pat Mullin
Subject: Building Permit Application



Hi Ms. Mullin

My name is Kathy McKague and I am a home owner in your ward. I lived in my home at 1888 Balsam Avenue since I purchased it in October of 1992. The front part of my home was originally built in the 1940's as a cottage and a previous owner added to the home in the mid 1970's to make it a back split. I am currently in the process of trying to obtain a building permit for the purpose of upgrading my home by adding a small 6' x 8' entrance way to my home.

I am writing to you for 2 separate purposes: 1) to provide you with a proposal to assist other homeowners who attempt to go through the process of upgrading their homes and 2) to determine if you would be able to assist with a hurdle I am facing.

Prior to submitting the application for a building permit to the City of Mississauga, I undertook to research the process on the city website. Between my husband and I, we personally visited the permit office on three separate occasions. I am now being told there are a number of other processes which need to be completed to obtain the permit. I understand the reasons for the additional requirements and have no issue with these requirements. The part of the process that I have found extremely frustrating is the lack of available information about the requirements.

My proposal which I am hoping you will be able to take forward to your colleagues at City Hall is to enhance service by providing the citizens of Mississauga with the information of the entire process both on the city website and in the permit office.

For example, in addition to the building permit application, I have now found out (10 days after submission of the application) that I also need to

- obtain Site plan approval
- obtain Conservation Authority approval
- Submit plans to Transportation and Works
- Pay of a lot grading deposit
- Pay of a municipal services protection deposit

It is my belief that provision of this type of information would make a seemingly bureaucratic process more palatable and less frustrating.

The issue which I am hoping you may be able to assist with concerns a Mississauga bylaw which states the minimum setback for all dwellings to a railway right of way shall be 30 meters. The distance from the current front of my home, where the addition will be placed, to my property line (which I am assuming is the start of the railway right of way) is 28.2 meters. I have been

I-8(a)

told that in order to obtain a permit I must apply to the Committee of Adjustment for a minor variance allowance. I was hoping that there is some way to avoid the delay and additional cost this will create. Any information you may be able to provide or anything you may be able to do in your capacity as City Councillor would be greatly appreciated.

Thank you for your time and consideration
Kathy McKague

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OZ 12/003 W7

I-9

COUNCIL AGENDA
SEP 12 2012

April 19, 2012

Mississauga City Council
%Diana Haas, Office of the City Clerk
300 City Centre Dr.
Mississauga, Ont. L5B 3C1

RE: File OZ 12/003 W7, Applicant IBI Group, Gordon Woods Developments Ltd.

Dear Madam:

I am definitely against this proposal; my condo unit faces Hurontario directly across the road from the proposed apartment building. My unit faces the area on the West side of Hurontario and now enjoys a view of sky and trees, I would be very unhappy to see this replaced by another high density structure. We need more green space and parks. Being surrounded by concrete, steel and noise is not a healthy environment.

I hope you will take this under consideration.

Yours truly,

Gloria Hall

Gloria Hall

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WRITTEN SUBMISSION

TO: Mississauga City Council
c/o Laura Wilson
Office of the City Clerk
2nd Floor
300 City Centre Drive
Mississauga ON L5B 3C1

COUNCIL AGENDA
SEP 12 2012

FROM: Margorie Austin
(First and Last Name)

4058 Justine Dr
(Street #, Street Name, Unit Number)

MISSISSAUGA ON L4T 1M5
(City, Province, Postal Code)

SIGNATURE: Margorie Austin

COMMENTS:

You cannot guarantee that what has happened before will not happen again. Crematoriums emit chemicals & too much smoke for a crematorium. - St. James Cemetery.
There is a public health impact. Particulate emissions and no laws or supervision operating procedures exist by the crematorium operator.
I am enclosing documentation I have -
THIS SHOULD NOT BE IN OR NEAR A RESIDENTIAL NEIGHBOURHOOD - Anywhere in Mississauga, Ontario, Canada or the world.

I-10(a)



WRITTEN SUBMISSION

FILE NUMBER:

CD02 CAE - 02 09/02 W5.

OWNER/ APPLICANT:

Bvnisagia Funeral Home (1429036 Ontario Ltd.)

SUBJECT LANDS:

Proposed Mississauga Official Plan and Zoning

(Please ensure you have completed all sections. Information can be found on the Agenda Outline)

Bylaw Respecting
Crematoriums

Under the *Planning Act*, R.S.O. 1990, c.P.13, as amended and with respect to Bill 51 applications:

- i) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board (OMB).
- ii) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the OMB unless, in the opinion of the Board, there are reasonable grounds to do so.

A copy of your written submission will be forwarded to Mississauga City Council to become part of the public record with respect to the above noted matter.

The personal information requested on this form is collected under authority of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and the applicable implementing Ontario Regulation. This information will be used to inform you of future meetings including OMB Hearings regarding the above application. Questions about the collection of personal information should be directed to the Access and Privacy Officer, City of Mississauga, 300 City Centre Drive, Mississauga, ON L5B 3C1 or by telephone at 905-615-3200, Ext. 5181.

NOTE: PLEASE COMPLETE THE BACK OF THIS FORM AND PLACE IN THE DROP BOX PROVIDED OR MAIL IT TO MISSISSAUGA CITY COUNCIL AT THE ADDRESS NOTED ON PAGE 2.
ALTERNATIVELY YOU MAY CHOOSE TO WRITE A LETTER ADDRESSED TO MISSISSAUGA CITY COUNCIL.

Crematorium soot envelops Ottawa homes



Smoke can be seen coming from the Hope Crematorium in Mike Ball's 2008 home video. A spokesman for the crematorium said the video was likely taken before a faulty cremator was shut down about 18 months ago. Soot from an Ottawa crematorium has been falling and blowing on nearby homes, residents say, making it impossible at times to open their windows or sit outside.

"We've all smelt it, we've all seen it, and it makes you ... feel sick," said Dawn Lynch, whose home is about 250 metres away from the crematorium. "It makes you feel like you're breathing in the remnants of a ... dead body."

The crematorium is located at the Hope Cemetery on Bank Street, south of Leitrim Road, where Tamarack Homes and Tartan Land Corp. have been building the Findlay Creek Village development, which is expected to be completed in three months.



"It makes you feel like you're breathing in the remnants of a ... dead body," Findlay Creek resident Dawn Lynch says. (CBC) Lynch's neighbour, Mike Ball, said Tuesday that since a row of trees was cut down to make room for new housing about three years ago, the soot has had "free reign" to blow into his backyard.

"It's very thick smoke and it'll last maybe about five or 10 minutes and then that could happen two or three times a day — it depends," said Ball, who encourages his kids not to play in the yard during those periods. "It's not pleasant."

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I-10(C)

Ball showed CBC News a home video shot in 2008 demonstrating how bad the smoke can get. The images show an enormous black plume billowing from the crematorium's chimney, obscuring everything behind it.

Lynch, Ball and other residents of the Findlay Creek development said they have complained to the city and the developer for more than two years and nothing has changed.

Meets emissions regulations

Benoit Bariteau, director of cemeteries for the Catholic Archdiocese of Ottawa, which runs Hope Crematorium, said the facility has a certificate of approval from the Ontario Ministry of the Environment, is inspected by the ministry regularly, and adheres to strict emissions regulations for crematoriums. In addition, work has been going on in recent months to upgrade the crematorium with equipment that will further reduce emissions.

'My question is how the developer and the city has allowed that houses could be so near the line.'— *Benoit Bariteau, Archdiocese of Ottawa*

Bariteau added that he has received no complaints from residents for months.

There was a problem with one cremator at the cemetery about a year and half ago, he said, and suggested that was when Ball's video was taken. But that problem was solved and there is no issue now, he said.

"I don't want to push back and to say it's fun for people to have a crematorium in their backyard, but, you know, at the same time it's a reality and it's very, very controlled," he said Wednesday, adding that the cemetery wants to have a good relationship with its neighbours.

However, he said, he did not know whether the level of emissions allowed by the Ministry of the Environment could result in soot falling on nearby homes.

Bariteau said that when the cemetery opened in 1987, it was far from the city, which has since expanded. It was years later when the city approved the Findlay Creek development.

"My question is how the developer and the city has allowed that houses could be so near the line," Bariteau said.

Pierre Dufresne, a spokesman with Tartan Land Corp., said the developers have offered to cover the cost of moving the crematorium farther away from Findlay Creek, but even if that goes ahead, it won't happen for several years.

Local Coun. Steve Desroches said he thinks that's a fair offer and he wants to discuss it with church officials.

But Bariteau doesn't think relocation to another part of the narrow cemetery would help:

"Everywhere you would move the crematorium, it would eventually be in the middle of the city."

I-10(d)



I-10(e)



Crematorium smokes out neighbours

DONNA CASEY, SUN MEDIA

FIRST POSTED: THURSDAY, OCTOBER 01, 2009 06:28 AM EDT | UPDATED: THURSDAY, OCTOBER 01, 2009 07:01 AM EDT

Recommend

Tweet 0

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Report an error

A residential developer says it's working with a south-end crematorium to relocate its facility away from houses now under construction after complaints that soot from human remains was covering nearby homes.

An official with Tartan Land Corp., which is one of the builders of the Findlay Creek Village development, says it's working with Hope Cemetery on Bank St. to relocate its crematorium away a new swathe of homes that will go up over the next year.

Pierre Dufresne, vice-president of land development at Tartan, acknowledged the builder has worked with the cemetery to fix a defective cremator unit that was releasing excessive emissions into the air - and nearby backyards.

"They are currently upgrading the existing facility so there will be no emissions," said Dufresne of ongoing upgrades.

Mike Ball has watched the smoke billow in the distance from the crematorium chimney from his backyard.

<http://www.ottawasun.com/news/ottawa/2009/09/30/11216466.html>

15/05/2012

I-10(f)

Ball, whose home is about 250 metres away from the crematorium, said he worries for his future neighbours whose homes will be literally on the facility's doorstep.

^{May 15}
~~2012~~
"This is like a poster for bad city planning. We've got a cemetery, so let's build homes 10 feet away from this crematorium," said Ball who lives on Devonwood Circle with his wife Jennifer and their four children.

Benoit Bariteau, the director of cemeteries for the Catholic Archdiocese of Ottawa, said the Hope crematorium has replaced its defective unit.

Bariteau said the crematorium, which has been operating for 22 years, undergoes regular emissions testing by the Ministry of the Environment and has received no complaints over the last several months.

However, Bariteau said he was "very surprised" the developer and the city agreed to zoning that allows houses so close to the Hope Cemetery property boundary.

"I can understand how someone would be a bit reluctant to have a crematorium in their backyard," he said.

donna.casey@sunmedia.ca

I-10(g)

too much smoke for a crematorium - YouTube - Windows Internet Explorer

http://www.youtube.com/watch?v=d0o-1WC2c

smokey crematoriums

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dublin0850 [Subscribe](#) 35 videos



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Like Share

465 views

- Cremation gone wrong by CRAZEDMIDGETXBOX 362 views
- St. James Cemetery puffs (February 2nd, 2011) by St. James Cemetery 428 views
- A MONSTER CREMATORIUM / by ThePagsman 2,468 views
- The process of a cremation and a by bilstmax 16,287 views
- Fire Response To A Fire In A Crematory, by mabes21 8,689 views
- Cremation Smoke Stacks

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I-10(h)

Public Health impact of Crematoria

There are no legal requirements for emission control for crematoria in British Columbia.

This is in contrast with other jurisdictions where regulators often require strict temperature control and temperature recording at various locations. Some countries require continuous monitoring and have emission limits for specific pollutants and for parameters that indicate the completeness of combustion.

Crematoria are licensed to operate under the **Cremation, Interment and Funeral Services Act (CIFSA)**[1]. The agency overseeing the implementation of the Cemetery and Funeral Services Act is the **BPCPA** (Business Practices and Consumer Protection Authority of British Columbia).

- Section 28 of the act specifies:
 - That in order to get licensed a test of the operation of the crematorium has been completed and the test demonstrated that the crematorium operates in accordance with the manufacturer's specifications, the bylaws of the applicable local government and the laws of the Province.
 - That the professional engineer has the necessary knowledge, skill and experience to certify this document.
- Section 10: The container enclosing the human remains for the purpose of cremation does not contain: plastic; fiberglass; foam or styrofoam; rubber; polyvinyl chloride; and zinc.

Some shortcomings of the act are that there are no legal requirements for emission control, for monitoring, and for recordkeeping of maintenance activities to keep the unit operating at an optimal level to protect public health.

The Business Practices and Consumer Protection Authority (BPCPA) provides on their website a crematorium operator application checklist.

http://www.bccpa.ca/Docs/cf_crematoria_application_guidelines.pdf (last updated Nov 2005, accessed Dec 2005). Some excerpts:

- The crematorium operator is required to create bylaws himself which address:
 - Cremation and operational procedures
 - Training
 - Document and authorization requirements
 - Proper processing of paper work
 - Housekeeping
 - Company policy matters
 - Identification process
- In addition each crematoria operator is required to keep a maintenance log.
- Another technical checklist to guide applicants who are working with a professional engineer in the design, construction and completion of a crematorium is provided at http://www.bccpa.ca/Docs/cf_crematoria_checklist_technical_requirements.pdf.
 - The guide asks for a copy of temperature recording and stack emission analysis for:
 - Carbon Dioxide CO₂ %
 - Carbon Monoxide CO %
 - Oxygen O₂ %
 - Nitrogen N₂ %
 - Water H₂O %
 - Particulate emission
- The major public health concern for the people living in the vicinity of crematoria is probably not mercury but other pollutants such as particulate matter and pollutants from incomplete combustion.
- Mercury is of concern because of long-range transport. Most Mercury is volatilized as elemental mercury, some is oxidized and a small fraction is bound to particulate matter. Volatilized Mercury re-deposits and may bio-accumulate in the food chain after methylation by microbiota.

I-10(i)

- The best option would be to remove amalgam fillings before cremation, but in practice this might be difficult to achieve for practical and cultural reasons. This option is worth to explore with the crematorium operator.

The number of cremations is increasing in BC, as in the rest of North America.

- According to the Cremation association of North America (CANA) 78 % of deaths were cremated in BC in 2004, (approximately 23107 cremations). There has been a steady increase since 1996 when 71.4 % of bodies were cremated. CANA predicts that the absolute number and the percentage of deaths cremated will further increase in the future.
- The percentage of cremation for the whole of Canada was 56% in 2004.
- Emissions from crematoria contains a varying degree of pollutants such as particulate matter, volatile organic compounds, carbon monoxide, nitrogen oxides, sulfur dioxides, hydrogen chloride, heavy metals (cadmium, mercury, and lead), and dioxins and furans.
- Technology is available to reduce these emissions significantly. It is assumed that, if modern crematoria operate correctly, emissions are relatively small with a small impact on public health. Emission data in North America are sparse and only done on crematoria with new installations.
- Case 1: Crematory emissions testing at The Woodlawn Cemetery (New York, June 1999), one of the only crematoria in North America with additional pollution control equipment in New York, was funded jointly by CANA and the EPA. Sampling was done upstream and downstream from pollution control equipment (wet scrubber). The CANA website gives the test results but doesn't specify if the data are up or downstream from the scrubber. The data from this single test serve as national reference for mercury and other pollutants from crematoria for pollutant inventories. [2]
- Case 2: The environmental Protection Office of Toronto Public Health reported on stack testing for PM, heavy metals including Mercury, dioxins and furans, dispersion modeling and actual ambient air monitoring before and after Saint Johns crematorium became operational. They found low pollutant emission rates and concluded that the contribution of the studied crematorium to the ambient air quality was very small.[3]
- Case 3: In September 1997 the provincial government granted First Memorial Funeral Services a certificate to operate its crematorium. From the beginning of the operation, the crematorium has regularly contaminated the neighborhood with dense black smoke. First Memorial was ordered to stop its emissions by the Ministry of Environment, but appealed the order to the Environmental Appeal Board. The crematorium questioned the jurisdiction of the regional waste manager since crematoria are licensed to operate under the Cemetery and Funeral Services Act and are exempt from the provisions of the Waste Management Act. [4] The Board concluded that the air emissions being released from the Appellant's crematorium may be the subject of a Pollution Prevention Order under the *Waste Management Act*. The crematorium voluntarily closed the unit while they upgraded their equipment, and ultimately dropped their appeal.

Mercury:

Estimates of average mercury release per cremation of a human body vary considerably:

- 5 to 3.41g in Sweden and Finland[5]. Similar to the 3g in finding from studies from Mills in UK[6] and Kunzler and Andree[7] in Switzerland.
- Emissions from crematoria were estimated to be the third highest emission source of Mercury in Sweden[8].
- 1.5 g to 4.5 g in the UK (National Atmospheric Emissions Inventory or NAEI).
- NAEI estimates that in 1998, crematoria accounted for 11% of the United Kingdom's total atmospheric mercury emissions. Between 0.4 to 1.23 tonnes mercury (for 446,000 cremations)[9]
- 0.94×10^{-3} g in US. Results of the testing for uncontrolled mercury emissions of a propane-fired incinerator at a crematorium in California ranged from 3.84×10^{-8} to 1.46×10^{-6} kg/body burned; the average mercury emission factor was 0.94×10^{-3} g/body burned. The test results were obtained from a confidential test report to the California Air Resource Board (FIRE, 1995).[10]

- EPA estimated that all US crematories, together, would have produced a total of 108 kg of mercury emissions in 1999 (598,721 cremations).
- A US flow model estimates cremation as the third largest source of air emissions of mercury from products at 2436 kg a year in 2005 (3.4 g per cremation and approximate 709,000 cremations)[11].

I-10(j)

In Canada, amalgam continues to be used for tooth restorations due to its durability and low cost. The use of amalgam for new fillings in dentist office is declining and may eventually even become phased out. Maybe this problem resolves itself spontaneously in the future. In the immediate future though emissions from mercury will probably increase since there is an increase in the number of cremations and more people retain their heavily restored teeth into old age.

- Amalgam contains approximately 50% mercury. It is considered special waste through application of the BC Special Waste Regulation (BCSWR) under the BC Waste Management Act.[12]
- Canada-wide Standard (CWS) on Mercury for Dental Amalgam Waste was endorsed by the Canadian Council of Ministers of the Environment (CCME) in 2001.[13]
- The release from crematoria is not considered in the CWS for Dental amalgam waste.
- Dentists have a legal requirement to use a mercury separator in their office.
- According to environment Canada Approximately 1.3 T/yr of mercury in new filling material is placed each year in the mouths of Canadians and approximately 2 Tonnes/yr of mercury in amalgam waste is generated from the removal of old fillings and from the placing of new fillings. [14]
- Of the 215,742 deaths in Canada in 2004, 120,714 bodies have been cremated.[15].
- This gives an estimate of 109 kg to 411.6 kg mercury emissions from cremations for the year 2004 (If we use the estimates of 0.9 to 3.41 g mercury emissions per cremation).
- The total mercury emission for Canada in 2000 was estimated as 8,025 kg.[16]
- The OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic calls for Application of Best Available Techniques (BAT) to prevent the dispersal into the environment of mercury from crematoria[17].
- National emission standards that require gas cleaning to remove mercury vapor at new or large crematoria are in place in several European countries (Austria, Belgium, Germany, Great Britain, The Netherlands, Norway Sweden and Switzerland).

Mercury has been found to be significantly elevated in the hair of crematorium workers especially in administrators who work in closed environment with limited air ventilation. Of the 97 crematoria workers, 3% had concentrations higher than 6 ppm which is considered as the maximum tolerable level. Mean mercury concentrations were 1.96 ppm for administrative personnel and 1.47 ppm for ground personnel compared to 0.97 ppm for controls. The number of amalgam fillings was taken into consideration. A limiting factor of the study is that there is no information on possible diet exposure to mercury. The authors argue that fish is only a minor part in the diet in the UK. The authors conclude that this study contributes to the evidence that emission monitoring and control is warranted. [18]

- Mercury levels found around crematoria are below the levels that are believed to cause health problems. In New Zealand Nieschmidt and Kim [19] found soil mercury levels in the neighborhood of crematoria up to a maximum of six times the background level. They calculated that only 0.05% of the likely total mercury emissions were deposited in the local soil.
- A detailed review of references on Mercury emissions from crematoria is done by John Reindl from Wisconsin¹⁰.
- Canada Wide standards for mercury apply to industrial incinerators of which crematoria are exempt.

For new or expanding facilities of any size, application of best available pollution prevention and control techniques, such as a mercury waste diversion program, to achieve a maximum concentration in the exhaust gases from the facility as follows:

- Municipal waste incineration 8,9 20 µg/Rm³
- Medical waste incineration 20 µg/Rm³
- Hazardous waste incineration 50 µg Rm³
- Sewage sludge incineration 70 µg/Rm³

Dioxins and furans:

I-100K)

Since cremation is a combustion process of organic matter dioxin and furans may be formed during the process due to incomplete combustion or new formation in the stack induced by high temperatures.

In the USA the emission of dioxins and furans measured at a crematorium with new technology was 0.5 µg TEQ per cremated body.

European test data found higher values: 4.9 µg TEQ per body at two Dutch crematoria and 70–80 µg TEQ in a British crematorium with older technology. Reviewers of the EPA dioxin emission inventory report recommend to use the Dutch Data as reference.[20]

A Japanese study, Takeda et al (2001) found an average of 3.9 µg and a median of 1.8 µg TEQ/body with a maximum of 24 µg TEQ/ body. The operational condition of the crematorium, mainly the temperature control, influenced to a large extent the emission of dioxins and furans. Takeda found in a study in Japan 1998 measurements ranging from 9.9pg to 6500 pg TEQ/m³ and in a second study in 2001 measurements between 64 pg TEQ/m³ and 24000 pg TEQ/m³. [21]

The authors concluded that it is necessary to take measures immediately to reduce emissions given the high volume of cremations.

A recent stack test conducted by Environment Canada at a crematorium located in Mainland, Ontario detected a dioxins and furans concentration of 227 picograms I-TEQ/m³ resulting in an estimated annual emission rate of .079 milligrams/year. Higher individual test run results have been noted in testing performed by a commercial source testing firm on a similar new facility in Windsor, Ontario.[22]

Canada-wide standards have been developed for waste incineration, burning salt laden wood in coastal pulp and paper boilers, iron sintering, electric arc furnace steel manufacturing, and conical municipal waste combustion, crematoria are exempt.

- Municipal waste incineration 80pg I-TEQ/m³
- Medical waste incineration 80pg I-TEQ/m³
- Hazardous waste incineration 80pg I-TEQ/m³
- Sewage sludge incineration 80pg I-TEQ/m³

Particulate matter and greenhouse gases.

Particulate matter produced by crematoria may impact the air quality level.

The production of greenhouse gases such as carbon dioxides and nitrogen oxides is another factor to consider. The required energy, mostly from natural gas, electricity or propane, for the combustion of human remains is considerable. Cremation generally takes 2-3 hours in a sealed chamber, during which the temperature ranges between 760 – 1149 °C.

In Sweden a liquid nitrogen freeze-dry process is under investigation as alternative for cremation. Another innovative idea in Sweden is the recuperation of heat generated in some crematoria. For example water used to cool exhaust gases to prevent the formation of dioxins and furans, contributes to the warming of municipal heating system.

Conclusion and recommendations:

- Crematoria have the potential to have a negative impact on public health.
- There is a lack of emission data of existing facilities in Canada and North America. The few emission studies that have been done are on new facilities.
- Internationally there is clearly a concern around the polluting capacity of crematoria. Crematoria emissions are strictly regulated in most European countries, Japan, and Hongkong. In Canada and the USA, emissions of crematoria are 'assumed' to have only a small impact on public health.
- Crematoria should use the best available technology economically achievable to reduce air pollutant emissions and should operate at an optimal level with strict temperature control to obtain complete combustion.

- Minimum operating temperatures, minimum oxygen levels, maximum carbon monoxide levels, maximum opacity measures, maximum PM levels should be established based on work in other jurisdictions.
- A crematorium should not be cited *[sic]* close to a neighborhood.
- Stack emissions and ambient air quality should be monitored before and after a crematorium starts functioning.

I-10(1)

Veerle Willaëys

Resident Community Medicine UBC

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- [1] The Cremation, Interment and Funeral Services Act. May 2004.
http://www.qp.gov.bc.ca/statreg/stat/C/04035_01.htm [accessed Jan 2006]
- [2] Cremation association of North America. *Environmental/Safety Issues:Emissions Tests Provide Positive Results for Cremation Industry*. <http://www.cremationassociation.org/html/environment.html>
- [3] The environmental Protection Office of Toronto Public Health Monica Campbell. *Towards Healthy Public Policy: Assessing and mitigating Health Burden from Air*. May 2005.
- [4] Appeal to the Environmental Appeal Board under section 44 of the Waste Management Act APPEAL NO. 98-WAS-03 <http://www.eab.gov.bc.ca/waste/98was03a.htm>.
- [5] Mukherjee AB, Melanen M, Ekqvist M, Verta M. 2000. *Assessment of atmospheric mercury emissions in Finland*. The science of the total environment. 259:73-83.
- [6] Mills A (1990) Mercury and the crematorium chimneys. *Nature* 346:615.
- [7] Kunzler P, Andree M (1991) More mercury from crematoria. *Nature* 349:746-747.
- [8] Hogland W. (1994). Usefulness of selenium for the reduction of mercury emission from Crematoria. *Journal of environmental quality*;23(6) :1364-1366.
- [9] Government of UK. Department for Environment Food and Rural Affairs (Defra) *Mercury emissions from crematoria*. 2003. <http://www.defra.gov.uk/corporate/consult/crematoria/consultation.pdf> [accessed 4 Jan 05]
- [10] Mercury Study Report to Congress, December 1997.
<http://www.epa.gov/ttn/oarpg/t3/reports/volume2.pdf>. [Accessed 16 Jan 2005].
- [11] John Reindl. *Mercury Emissions from Crematoria*. *Great Lakes Binational Toxic Strategy* December 6, 2005.
<http://www.epa.gov/glnpo/bns/reports/stakesdec2005/mercury/Reindl.pdf>. Accessed 5 Jan 2005.
- [12] *Environmental Regulations & Best Management Practices - Dental Operations in the Capital Regional District*.
http://www.crd.bc.ca/es/environmental_programs/source_control/documents/bestpractices_dental.pdf
- [13] *Canada-wide Standard (CWS) on Mercury for Dental Amalgam Waste*.
http://www.ccme.ca/assets/pdf/cws_merc_amalgam_e.pdf [accessed Jan 2006]
- [14] Environment Canada. *Mercury and the environment. Dental amalgam waste*.
<http://www.ec.gc.ca/MERCURY/DA/EN/da-i.cfm?SELECT=DA> [accessed Jan 2006]
- [15] Statistics from the Cremation Association of North America.
<http://www.cremationassociation.org/html/statistics.html> [accessed Jan 2006]
- [16] Environment Canada. *Mercury and the environment. Basic facts*.
<http://www.ec.gc.ca/MERCURY/EN/bf.cfm>

I-10(m)

[17] OSPAR Recommendation 2003/4 on Controlling the Dispersal of Mercury from Crematoria.
<http://www.ospar.org/measures/recommendations/or03-04e.doc> [accessed Jan 2006]

[18] Maloney Sr, Phillips CA, Mills A. 1998. Mercury in the hair of crematoria workers. *Lancet* 352 (9140):1602.

[19] Nieschmidt AK, Kim ND. 1997. Effects of Mercury release from amalgam dental restorations during cremation on soil mercury levels of three new Zealand crematoria.

[20] EPA dioxin peer review: August 7, 1998.

<http://www.epa.gov/NCEA/pdfs/dioxin/dioxinpr.pdf>. [accessed Jan 2006]

[21] Takeda N, Takaoka M, Fujiwara T, Takeyama H, Eguchi S. 2001. Measures to prevent emissions of PCDDS/DFs and co-planar PCBs from crematories in Japan. *Chemosphere*;43:763-771.

[22] CCME Dioxins and Furans CWS Development Committee. *Status of activities related to dioxins and furans Canada wide standards*. October 2004.

http://www.ccme.ca/assets/pdf/d_f_2004_sector_status_rpt_e.pdf [accessed on Jan 4 2006].

Many people choose cremation over burial because they think cremation is better for the environment. While it is true that cremation does not take up any space, it is also true that cremation creates a lot of air pollution. Think about it for a minute. A typical human body plus the cremation casket will weigh somewhere between 200 and 300 pounds. After cremation, just 1 or 2 pounds of ashes remain. Where did all the other material go? Well the answer is quite literally up in smoke.

Some of the pollutants found to come from the smokestacks of crematoria include heavy metals, hydrogen chloride, dioxins and furans. A few crematoria have installed scrubbers on their smokestacks, but most have not. Click [here](#) for results of air pollution tests that were done on the smokestacks of crematoria.

Nicholas Albery, Natural Death Centre director and an editor of *The New Natural Death Handbook*, writes, "Anyone with green pretensions should think twice about cremation," which pollutes the atmosphere "with dioxin, hydrochloric acid, hydrofluoric acid, sulfur dioxide and carbon dioxide."

A portion of the air pollution created during cremation comes from the foam rubber mattress, polyester fabric, urethane finish and composite wood of conventional caskets. Because the Eco Casket is made from all natural materials, it is also a good environmental choice as a cremation casket. The handles of the Eco Casket are bolted on, and can easily be removed by funeral home personnel just before the actual cremation.



AUGUSTA

COUNCIL AGENDA
SEP 12 2012

Augusta National Inc., Queens 400 Executive Offices, 178 Main Street, Unionville, Ontario L3R 2G9
Telephone: (905) 944-9709 Fax: (905) 944-9710 Cellular: (416) 464-0145 E-Mail: everard@rogers.com

May 24, 2012.

Mr. Edward R. Sajecki, RPP.,
Commissioner of Planning and Building,
The Corporation of the City of Mississauga,
300 City Centre Drive,
Mississauga, ON. L5B 3C1

Dear Mr. Sajecki:

Re: May 14, 2012, Crematorium Public Meeting
Proposed amendments to the Official Plan and Zoning By-law

Be advised, that the urban planning consulting firm, Augusta National Inc., acts on behalf of Catholic Cemeteries Archdiocese of Toronto, registered owner of Assumption Cemetery, 6933 Tomken Road.

The subject lands, designated on the Official Plan as 'Greenbelt' and 'Private Open Space (Cemetery)' and zoned 'G1' Greenbelt and 'OS3' Open Space, By-law 0225-2007, are presently occupied by a mausoleum, office, operations building and a 763 s.m. crematory.

In response to your request for comments concerning proposed amendments to the Zoning By-law and Official Plan in connection with the permitted location of crematoriums pursuant to the pending July 1, 2012, Provincial enactment of the Funeral, Burial and Cremation Services Act, 2002, please confirm your receipt of this submission.

We request confirmation that the five (5) expanded conditions together with any additional new permission in the proposed amendments to both the Official Plan and Zoning By-law are not applicable to the ongoing operation of the existing crematorium and/or any building expansion to the existing crematorium.

Thank you for your consideration in this matter.

Yours truly,

Mike Everard, RPP.,
Principal.

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

WRITTEN SUBMISSION

TO: Mississauga City Council
c/o Laura Wilson
Office of the City Clerk
2nd Floor
300 City Centre Drive
Mississauga ON L5B 3C1

COUNCIL AGENDA
SEP 12 2012

| | |
|--------------------|-------------|
| RECEIVED | |
| REGISTRY No. | |
| DATE | JUN 18 2012 |
| FILE No. | |
| CLERK'S DEPARTMENT | |

FROM: ALICIA - MURRAY RUSSELL
(First and Last Name)

1050 HENLEY ROAD
(Street #, Street Name, Unit Number)

MISSISSAUGA ON L4Y1E1
(City, Province, Postal Code)

SIGNATURE: *Alicia Murray Russell* *Murray Russell*

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

COMMENTS:

WE DO NOT WANT A PARKING LOT AT THE BACK OF OUR
HOUSE - NOT SURE WHY IT'S NEEDED SINCE ADDITIONAL BLDGS.
HAVE BEEN REMOVED FROM THE SITE PLAN.

WE HAVE HAD MANY ISSUES WITH EFFORT TRUST - THEY DO NOT RESPOND
TO OUR CONCERNS REGARDING PLAZA LIGHTS SHINING INTO OUR HOME OR
TRUCKS IDLING FOR UP TO AN HOUR ALONG OUR BACK FENCE!

WE WANT THE PLAZA - BUT EFFORT TRUST IS NOT A GOOD
NEIGHBOUR. THE BACK OF THE PLAZA NEEDS TO BE CLEANED
UP BUT ADDING FURTHER DISCOMFORT TO THE ENJOYMENT OF OUR
HOME IS NOT ACCEPTABLE.

PLEASE CONSIDER OUR CONCERNS. HENLEY RD. RESIDENTS ALREADY
DEAL WITH INCREASED + SPEEDING TRAFFIC IN FRONT - WE DON'T WANT
TO BE SANDWICHED BETWEEN 2 ROADWAYS!

I-12(a)



WRITTEN SUBMISSION

FILE NUMBER: 02 10/003 W1

OWNER/ APPLICANT: EFFORT TRUST?

SUBJECT LANDS: APPLEWOOD PLAZA

(Please ensure you have completed all sections.
Information can be found on the Agenda Outline)

Under the *Planning Act*, R.S.O. 1990, c.P.13, as amended and with respect to Bill 51 applications:

- i) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board (OMB).
- ii) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the OMB unless, in the opinion of the Board, there are reasonable grounds to do so.

A copy of your written submission will be forwarded to Mississauga City Council to become part of the public record with respect to the above noted matter.

The personal information requested on this form is collected under authority of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and the applicable implementing Ontario Regulation. This information will be used to inform you of future meetings including OMB Hearings regarding the above application. Questions about the collection of personal information should be directed to the Access and Privacy Officer, City of Mississauga, 300 City Centre Drive, Mississauga, ON L5B 3C1 or by telephone at 905-615-3200, Ext. 5181.

NOTE: PLEASE COMPLETE THE BACK OF THIS FORM AND PLACE IN THE DROP BOX PROVIDED OR MAIL IT TO MISSISSAUGA CITY COUNCIL AT THE ADDRESS NOTED ON PAGE 2.
ALTERNATIVELY YOU MAY CHOOSE TO WRITE A LETTER ADDRESSED TO MISSISSAUGA CITY COUNCIL.

Diana Haas

From: Mel Lee |
 Sent: 2012/09/04 10:54 AM
 To: Katie Mahoney
 Cc: Marcia Taggart; Mary Ellen Bench; Debbie Thomson; Ben Phillips; Diana Haas; Suellen Wright; Ed Sajecki
 Subject: Re: Dunpar Appeal to OMB again - Lee

| |
|---|
| <p>COUNCIL AGENDA SEP 12 2012</p> |
|---|

Hi Katie

In reply per your August 15th, 2012 e mail herein quoted "Legislation dictates that a decision with respect to the City's representation at the OMB is one that is made by the Mayor and Council by resolution of Council. Council does not meet until early September which is the earliest that this decision can be made. You will recall that City of Mississauga staff did not provide a recommendation to Council on this matter, Council determined that staff should no longer process the application, and that Council refused the application without further processing by City Planning and Development staff. This is an unusual situation which all of Council are required to discuss and vote on."

**Please advise when city council is meeting this September month as you indicated when council will vote on whether they will send legal and planning resources to defend against Dunpar's second appeal to the OMB?
 Please advise when your promised notices to all residents affected will be forthcoming.**

BTW, why would the City NOT defend its residents and the council voted position, especially after all the fight and determination ON RECORD from yourself, fellow councillors, and madam mayor?

Or will the city do nothing is the serious question being asked by residents?

If the latter, residents will know that the city and councillors will be responsible for letting us and future generations down.

Regards

~~Mississauga Residents for Preservation of Low Density Development and the environment of Mississauga Road~~
 Mr Lee
 Lee Resource Associates Inc

From: Katie Mahoney <Katie.Mahoney@mississauga.ca>
 To: Mel Lee <>
 Cc: Marcia Taggart <marcia.taggart@mississauga.ca>; Mary Ellen Bench <maryellen.bench@mississauga.ca>; Debbie Thomson <Debbie.Thomson@mississauga.ca>
 Sent: Wednesday, August 15, 2012 5:12:55 PM
 Subject: RE: Dunpar Appeal to OMB again - Lee

Mr. Lee,

Legislation dictates that a decision with respect to the City's representation at the OMB is one that is made by the Mayor and Council by resolution of Council. Council does not meet until early September which is the earliest that this decision can be made.

I-13(a)

You will recall that City of Mississauga staff did not provide a recommendation to Council on this matter, Council determined that staff should no longer process the application, and that Council refused the application without further processing by City Planning and Development staff. This is an unusual situation which all of Council are required to discuss and vote on.

This is not fluff it is standard and legislated operating procedure.

You may wish to contact to OMB yourself to verify this, or seek out advice from a Planning consultant, or a lawyer versed in the Ontario Planning Act, and the Ontario Municipal Board procedure and processes.

Katie

Katie Mahoney
Councillor, Ward 8
The Corporation of the City of Mississauga
300 City Centre Drive
Mississauga ON L5B 3C1
Tel: 905-896-5800
Fax: 905-896-5463
Email: katie.mahoney@mississauga.ca

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

This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential and may constitute non-public information. It is intended to be conveyed only to the designated recipient(s) named above. Any unauthorized use, copying, forwarding, distribution or other dissemination or use of this transmission by persons other than the addressees is strictly prohibited. If you are not an intended recipient of this e-mail transmission, please notify the sender by return e-mail and permanently delete any record of this transmission. Thank you for your co-operation.

From: Mel Lee
Sent: August-15-12 2:43 PM
To: Katie Mahoney
Cc: Ed Sajecki; Ben Phillips; Diana Haas
Subject: Fw: Dunpar Appeal to OMB again - Lee

Katie

Please help us understand. The appeal Form Part 7 asks the city to list who will be representing the city from planning and from legal. Dunpar appeal requested that information as well.

What we are reading below from your legal staff appears like more fluff again whereby the city is just considering whether to even attend the OMB hearing let alone have legal representation?

With all the involvement of city and residents why would their even be a question of attending or not?

What happened to "We will support you" "We don't want this development either"

Now the city is thinking about it?

From what we see Dunpar must think this is a cake walk for their well paid experienced lawyers to push their wealthy builders wishes down your residents throats.

Their appeal arguments have comments to influence the judge

1. that it was always a scenic road that OMB approved on,
2. that their units are turned sideways with some three storey.
3. that customers want smaller units according to their marketing

However:

1. OMB approves intensification like this on main arterial roads only.
2. Dunpar did zero marketing for years.
3. Their product has always been the same for years like Pony Trail.
4. Only the end unit is now 3 storey or has a lowered roof line they say.
5. The reason they turned the units north south is so they will fit better with phase II when they acquire and try to build another 55 units on the nursery lands.

Its clearly a plan from the start to push this through, grab the nursery lands while possibly lobby with those in influence and power, to increase revenues and profits at your residents expense.

Please advise the cities position on attending and legal representation to defend against this second appeal to the OMB by Dunpar.

Thanks again.

Mississauga Residents for Preservation of Low Density Development and the environment off Mississauga Road

— Forwarded Message —

From: Katie Mahoney <Katie.Mahoney@mississauga.ca>
To: 'Mel Lee'
Cc: Katie Mahoney <Katie.Mahoney@mississauga.ca>
Sent: Wednesday, August 15, 2012 9:44:56 AM
Subject: Dunpar Appeal to OMB again - Lee

Good morning, Mr. Lee -

I-13 (c)

Councillor Mahoney has received the following response from our Legal staff

Once an appeal has been filed, as in this case, the City is required to provide the Board with a record that includes the prescribed information and material under section 34(19) of the Planning Act. This step in the process has been completed and the required documentation forwarded to the Board by letter dated August 9, 2012.

The next step on the City's behalf in this matter will be for Legal Services to prepare a report to the Mayor and Council seeking direction with respect to whether or not the City will be attending at the hearing of this appeal before the Ontario Municipal Board. Legal Services will also seek direction with respect to retaining any necessary consultants to provide evidence before the Board.

Beyond this there are no further steps required by the City. The Board will schedule a pre-hearing date, as requested by the applicant. The Board will provide direction as to how notice of the pre-hearing is to be given to the surrounding residents. Normally a hearing date is selected at the pre-hearing conference.

If you are seeking further information with respect to the OMB procedures, I would recommend that you refer to their website which contains detailed information that I believe would be helpful. The Board's website is <http://www.omb.gov.on.ca/>.

Please let me know if you require any further information.

Thanks,

Debbie Thomson
Ward 8, Admin Assistant to
Councillor Katie Mahoney
City of Mississauga

Tel: 905-896-5800
katie.mahoney@mississauga.ca

From: Mel Lee
Sent: 2012/08/14 5:17 PM
To: Debbie Thomson
Cc: Katie Mahoney
Subject: Re: Dunpar Appeal to OMB again

Hi Debbie

Yes appreciate we see Dunpar's (McMillan) lawyers notice of appeal and their prescribed Form A1 planning act, along with

internal July 30th memo to Ed Sajecki, then the August 9th dated cities couriered letter to OMB with points 1,2 and 3 listed.

What we do not see is the cities **Appeal Form A1** in particular Part 7 Municipal Representative Information, indicating that the city will be representing **both the city and the residents with city legal assistance along with city planning.**

We reiterate again that the city and its planners and lawyers must consider the long term plans for the nursery land as it is destined for towns and semis as no builder would be able to sell detached with 4 storey towns looking into the properties.

Confirmation of city legal being provided in said appeal forms or other format would be appreciated.

We feel Dunpar's articulate experienced well paid legal team, as proven in other cases before, will walk all over us if we do not script the proceedings and rehearse the arguments with total logical defence.

Thanks again.

~~Mississauga Residents for Preservation of Low Density Development and the environment off Mississauga Road~~
Mr Lee

Mel Lee

From: Debbie Thomson <Debbie.Thomson@mississauga.ca>
To: 'Mel Lee'
Cc: Katie Mahoney <Katie.Mahoney@mississauga.ca>
Sent: Tuesday, August 14, 2012 2:48:20 PM
Subject: FW: Dunpar Appeal to OMB again

Good afternoon, Mr. Lee -

I am resending a copy of the email I sent this morning at 9:30 am with the two attachments - the Notice of Appeal and the Appeal letter.

Thanks,

Debbie Thomson

Ward 8, Admin Assistant to
Councillor Katie Mahoney
City of Mississauga

Tel: 905-896-5800

katie.mahoney@mississauga.ca

I-13(e)

From: Katie Mahoney
Sent: 2012/08/14 9:35 AM
To: 'Mel Lee'
Cc: Katie Mahoney
Subject: RE: Dunpar Appeal to OMB again

Good morning, Mr. Lee:

I have attached a copy of the OMB appeal and the appeal letter.

Thanks,

Debbie Thomson
Ward 8, Admin Assistant to
Councillor Katie Mahoney
City of Mississauga

Tel: 905-896-5800
katie.mahoney@mississauga.ca

From: Mel Lee |
Sent: 2012/08/12 7:12 AM
To: Katie Mahoney
Subject: Re: Dunpar Appeal to OMB again

Yes Please forward copy of their appeal. Yes please confirm city will be representing both the city and the residents with city legal assistance.

I heard last Thursday from Frank Marchese the older gentleman who owns the nursery that Dunpar would be appealing.

If we don't stop Dunpar from increasing the density, it will follow that the nursery will suffer the same double density fate with more of these 4 storey less desirable towns with the added congestion along scenic Mississauga Road.

The lawyers must consider the long term plans for the nursery land as it is destined for towns and semis as no

builder would be able to sell detached with 4 story towns looking into the properties.

Thanks again.

~~Mississauga Residents for Preservation of Low Density Development and the environment of Mississauga Road~~

Mr Lee

Lee Resource Associates Inc

From: Katie Mahoney <Katie.Mahoney@mississauga.ca>
To: Mel Lee
Sent: Saturday, August 11, 2012 2:42:21 PM
Subject: RE: Dunpar

We did receive notification that they did appeal. I assume it would be on the OMB site. It is not on a city website. I can forward you a copy of the appeal next week on request.

Katie

Katie Mahoney
 Councillor, Ward 8
 The Corporation of the City of Mississauga
 300 City Centre Drive
 Mississauga ON L5B 3C1
 Tel: 905-896-5800
 Fax: 905-896-5463
 Email: katie.mahoney@mississauga.ca

This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential and may constitute non-public information. It is intended to be conveyed only to the designated recipient(s) named above. Any unauthorized use, copying, forwarding, distribution or other dissemination or use of this transmission by persons other than the addressees is strictly prohibited. If you are not an intended recipient of this e-mail transmission, please notify the sender by return e-mail and permanently delete any record of this transmission. Thank you for your co-operation.

From: Mel Lee ;
Sent: August-11-12 2:00 PM
To: Katie Mahoney
Subject: Dunpar

Katie

Do we know if Dunpar appealed to the OMB by the August 7th deadline?

If so did you find a link or will city site have information?

I-13 (g)

Thanks

Mel Lee

I-14

Carmela Radice

From: Diana Haas
Sent: 2012/09/05 9:52 AM
To: Carmela Radice
Subject: FW: Mississauga Scenic Road and Dunpars second appeal.
Attachments: Mississauga Road Scenic Route forever.jpg; Mississauga Road Scenic Route forever.jpg

COUNCIL AGENDA
SEP 12 2012

From: Mel Lee
Sent: 2012/09/04 5:14 PM
To: Katie Mahoney
Cc: Ben Phillips; Ed Sajecki; Diana Haas; Suellen Wright; Debbie Thomson
Subject: Mississauga Scenic Road and Dunpars second appeal.

Hi Katie
Thought you should have the attached items for your Sept 12th agenda, Set 26th council meeting, and planning department files indicating as always **Mississauga Road declared scenic road and NOT a main arterial road.**

We understand from the objection filed, Dunpar is NOW claiming to the OMB that they were approved to build these towns off Mississauga Road designated as scenic.

Intensification as defined by OMB is for main arterial roads NOT for scenic roads which Mississauga Road has always been declared as by the City of Mississauga.

If we don't stop Dunpar from increasing the density and this horrific 4 storey 15 foot town tandem garage subarea plans, it will follow that the nursery will suffer the same double density fate with more of these 4 storey less desirable towns with the added congestion along scenic Mississauga Road.

The city lawyers and planners must consider the long term plans for the nursery land as it is destined for towns and semis as no builder would be able to sell detached with 4 story towns looking into the properties.

Wonder why something like the attached "simulation" prepared by residents for planning purposes only, was not in the numbers and traffic studies from the "experts" or from city planning?

Studies should include traffic from Eglinton to Burnhamthorpe and frozen for projected 5 year potential low density growth..

For example Frank Marchese wants his son Pat to have semis or detached built not these types of high density towns when the land passes to him.

In addition consideration to keeping Moorvale Court always court with pedestrian access to subject developments ONLY should be laid out now for any future development on both Dunpar and Bursery marcheslands.

Please advise as early as possible the cities position on attending with legal representation to defend against this second appeal to the OMB by Dunpar.

T-14(a)

Thanks again.

Mississauga Residents for Preservation of Low Density Development and the environment off Mississauga Road

Mr Lee

Lee Resource Associates Inc.

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| <input checked="" type="checkbox"/> Planning & Building | <input checked="" type="checkbox"/> Appropriate Action |
| <input type="checkbox"/> Transportation & Works | <input type="checkbox"/> Information <input type="checkbox"/> Reply <input type="checkbox"/> Report |



4.3m
↓

I-1406)

I-15

Carmela Radice

From: Diana Haas
Sent: 2012/09/05 9:52 AM
To: Carmela Radice
Subject: FW: Mississauga Scenic Road and Dunpars second appeal.
Attachments: PossibleGardenCentreProjectedUsePart1.pdf; Mississauga Road Scenic Route forever..jpg



From: Mel Lee
Sent: 2012/09/04 5:24 PM
To: Katie Mahoney
Cc: Ben Phillips; Diana Haas; Suellen Wright; Debbie Thomson
Subject: Re: Mississauga Scenic Road and Dunpars second appeal.

Second file "possible garden centre projected use" now attached, and minor corrections with apologies.

From: Mel Lee
To: Katie Mahoney <katie.mahoney@mississauga.ca>
Cc: Ben Phillips <Ben.Phillips@mississauga.ca>; Ed Sajecki <ed.sajecki@mississauga.ca>; Diana Haas <diana.haas@mississauga.ca>; Suellen Wright <suellen.wright@mississauga.ca>; Debbie Thomson <Debbie.Thomson@mississauga.ca>
Sent: Tuesday, September 4, 2012 5:14:00 PM
Subject: Mississauga Scenic Road and Dunpars second appeal.

Hi Katie

Thought you should have the attached items for your Sept 12th agenda, Sept 26th council meeting, and planning department files indicating as always Mississauga Road declared scenic road and NOT a main arterial road.

We understand from the objection filed, Dunpar is NOW claiming to the OMB that they were approved to build these towns off Mississauga Road designated as scenic.

Intensification as defined by OMB is for main arterial roads NOT for scenic roads which Mississauga Road has always been declared as by the City of Mississauga.

If we don't stop Dunpar from increasing the density and this horrific 4 storey 15 foot town tandem garage subarea plans, it will follow that the nursery will suffer the same double density fate with more of these 4 storey less desirable towns with the added congestion along scenic Mississauga Road.

The city lawyers and planners must consider the long term plans for the nursery land as it is destined for towns and semis as no builder would be able to sell detached with 4 story towns looking into the properties.

Wonder why something like the attached "simulation" prepared by residents for planning purposes only, was not in the numbers and traffic studies from the "experts" or from city planning?

I-15(a)

Studies should include traffic from Eglington to Burnhamthorpe and frozen for projected 5 year potential low density growth..

For example Frank Marchese wants his son Pat to have semis or detached built not these types of high density towns when the land passes to him.

In addition consideration to keeping Moorvale Court always court with pedestrian access to subject developments ONLY should be laid out now for any future development on both Dunpar and Nursery marcheselands.

Please advise as early as possible the cities position on attending with legal representation to defend against this second appeal to the OMB by Dunpar. Thanks again.

Mississauga Residents for Preservation of Low Density Development and the environment off Mississauga Road

Mr Lee

Lee Resource Associates Inc

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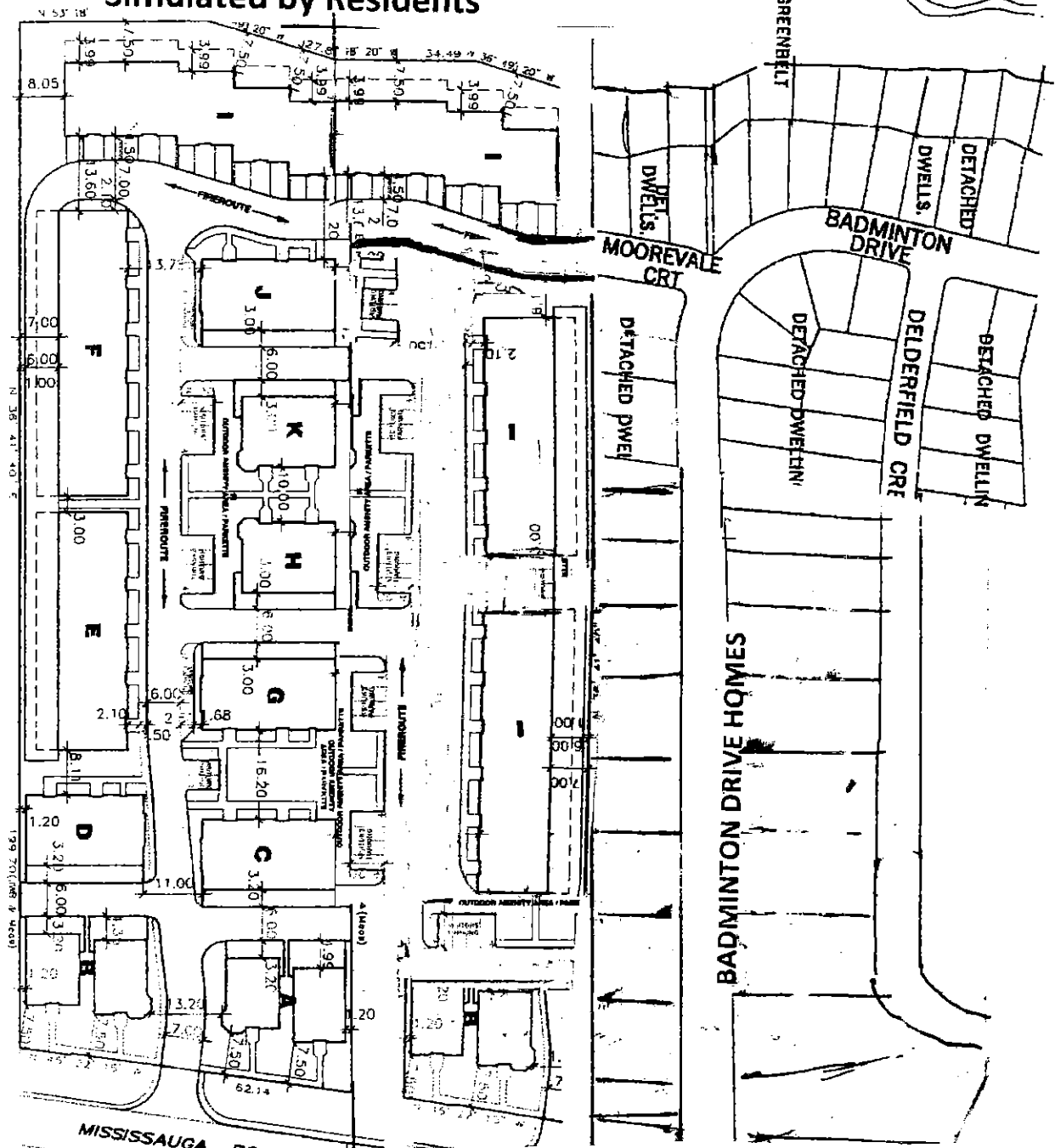
POSSIBLE Garden Centre Projected Use

Simulated by Residents

This is a Ministry of Health Long Term Care Facility MH LHIN
Not a seniors apartment as PDC states

CONCEPT PLAN

(NOT IN SCALE)



Dunpar Lands on left Side,

POSSIBLE Garden Centre Projected Use Simulated by Residents

Rezoning asks for 60 FOUR Storey Towns and 8 Four Storey Semis

Garden Centre Land on Right side

When land sold future 44 FOUR storey Towns and 4 Four Storey Semis

Land is Unattractive to Detached Dwellings if Towns and semis are build of any quantity on Dunpar land next door

TOTAL FORECAST 104 Four storey towns and 12 Four Storey Semis

I-15(c)



4.3m



MESSISSAUGA ROAD GENVIC ROUTE

WRITTEN SUBMISSION

TO: Mississauga City Council
c/o Laura Wilson
Office of the City Clerk
2nd Floor
300 City Centre Drive
Mississauga ON L5B 3C1

COUNCIL AGENDA
SEP 12 2012

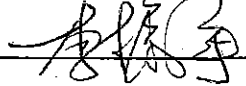
FILE NUMBER: 02 11/010 W1

OWNER/ APPLICANT: Lethbridge & Lawson Inc./ Windcatcher -

FROM: ZHENYU LI
(First and Last Name)

1232 Parkwest Place
(Street #, Street Name, Unit Number)

Mississauga, ON, L5E 3K2
(City, Province, Postal Code)

SIGNATURE: 

(Please ensure you have completed all sections. Information can be found on the Agenda Outline)

COMMENTS: Dear Councillors,

I came from China 7 years ago for a better life. I earned it.

You may have heard some tragedy happened during the fast development in China. Fortunately, we have a mechanism here to prevent the similar thing ~~to~~ from happening here.

That's why Canada is better. That's why I came here.

Please stop this condo project. The reason has been stated in the meeting. This government works for residents, not for capital.

Sincerely yours,
Zhenyu Li

I-16(a)



WRITTEN SUBMISSION

Under the *Planning Act*, R.S.O. 1990, c.P.13, as amended and with respect to Bill 51 applications:

- i) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board (OMB).
- ii) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the OMB unless, in the opinion of the Board, there are reasonable grounds to do so.

A copy of your written submission will be forwarded to Mississauga City Council to become part of the public record with respect to the above noted matter.

The personal information requested on this form is collected under authority of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and the applicable implementing Ontario Regulation. This information will be used to inform you of future meetings including OMB Hearings regarding the above application. Questions about the collection of personal information should be directed to the Access and Privacy Officer, City of Mississauga, 300 City Centre Drive, Mississauga, ON L5B 3C1 or by telephone at 905-615-3200, Ext. 5181.

NOTE: PLEASE COMPLETE THE BACK OF THIS FORM AND PLACE IN THE DROP BOX PROVIDED OR MAIL IT TO MISSISSAUGA CITY COUNCIL AT THE ADDRESS NOTED ON PAGE 2.

ALTERNATIVELY YOU MAY CHOOSE TO WRITE A LETTER ADDRESSED TO MISSISSAUGA CITY COUNCIL.

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| <input checked="" type="checkbox"/> Planning & Building | <input type="checkbox"/> Information |
| <input type="checkbox"/> Transportation & Works | <input type="checkbox"/> Reply |
| | <input type="checkbox"/> Report |



My NAME IS KEN-TRAN and Diép TRAN
and I have Lived at 3361 and 3351
DIXIERD for 20 YEARS We have GIVEN
a Notice that the city of MISSISSAUG
will be building the Townhouse
NEAR My FENCE READ THAT 3 FEED.
and I would live TO REQUEST THAT
it will be MADE at LEAST
20 feed away from my FENCE.
FOR SAFTY MY FAMILY.

KEN-TRAN

Diép Tran

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| | <input type="checkbox"/> Report |

To; City of Mississauga
Re: Public Meeting File Number, OZ 11/016 W1
Property Location; 1224, 1230,1236, 1240 Cawthra Road
And 636, 642 Atwater Avenue

September 4th, 2012



On behalf of the residents on Dexter Cres;
1302 Dexter Cres, Carlos and Mary Trias
1298 Dexter Cres Robert and Brenda Graham
1294 Dexter Cres Donna
1290 Dexter Cres Joseph
St Dominic's Church, Father Phil Jones

In regard to the development proposed above, we the residents are concerned that a structure being constructed on the property noted will restrict the spill route of the Cawthra Creek when the creek floods periodically.
Over the past 20 years of observed history this creek has flooded on occasion coming within 3 meters of my building at 1298 Dexter Cres. and also at 1294 Dexter Cres.
We are concerned that the proposed structure will impede the flow of the spillway which currently runs across the back of the properties being developed and causing the water to back up sufficiently to cause damage to our buildings and threaten our neighbors if consideration is not taken to improve the current spillway.

Attached is;
Flood risk map CVC provided to us.
Expanded flood risk map showing the area in question.
Photograph of our yards during a flood.

The map indicates the water flow to run off onto Cawthra Rd.
We have marked in red arrows based on Father Phil's observation during the latest flood indicating the true path of the water as the map is not entirely accurate.
The photograph shows the amount of water that backs up into our yards coming precariously close to our buildings.


We are requesting a full review of the drainage of Cawthra Creek to ensure there will be no damage to our properties as a result of the proposed buildings.

Sincerely,

Robert & Brenda Graham
Donna Baruk *Donna Baruk*
Zablotny Jozef
John *CARLOS - TRIAS*

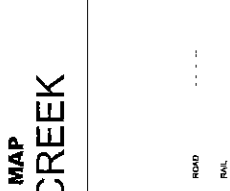
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| <input type="checkbox"/> Transportation & Works | <input type="checkbox"/> Report |


F18(a)



MISSISSAUGA
Transportation and Works

FLOOD RISK MAP CAWTHRA CREEK





GENERAL INFORMATION

Horizontal Datum: North American (1974)
 Central Meridian: 81° West Longitude
 Vertical Datum: City of Mississauga
 Aerial Photography: April 2002

Note: To obtain 1978 Geodetic Survey of Canada vertical datum, add 0.127 metres from the vertical datum of this map.

Ontario Regulation No. 191/03
NO. DU RÉGLEMENT DE L'ONTARIO

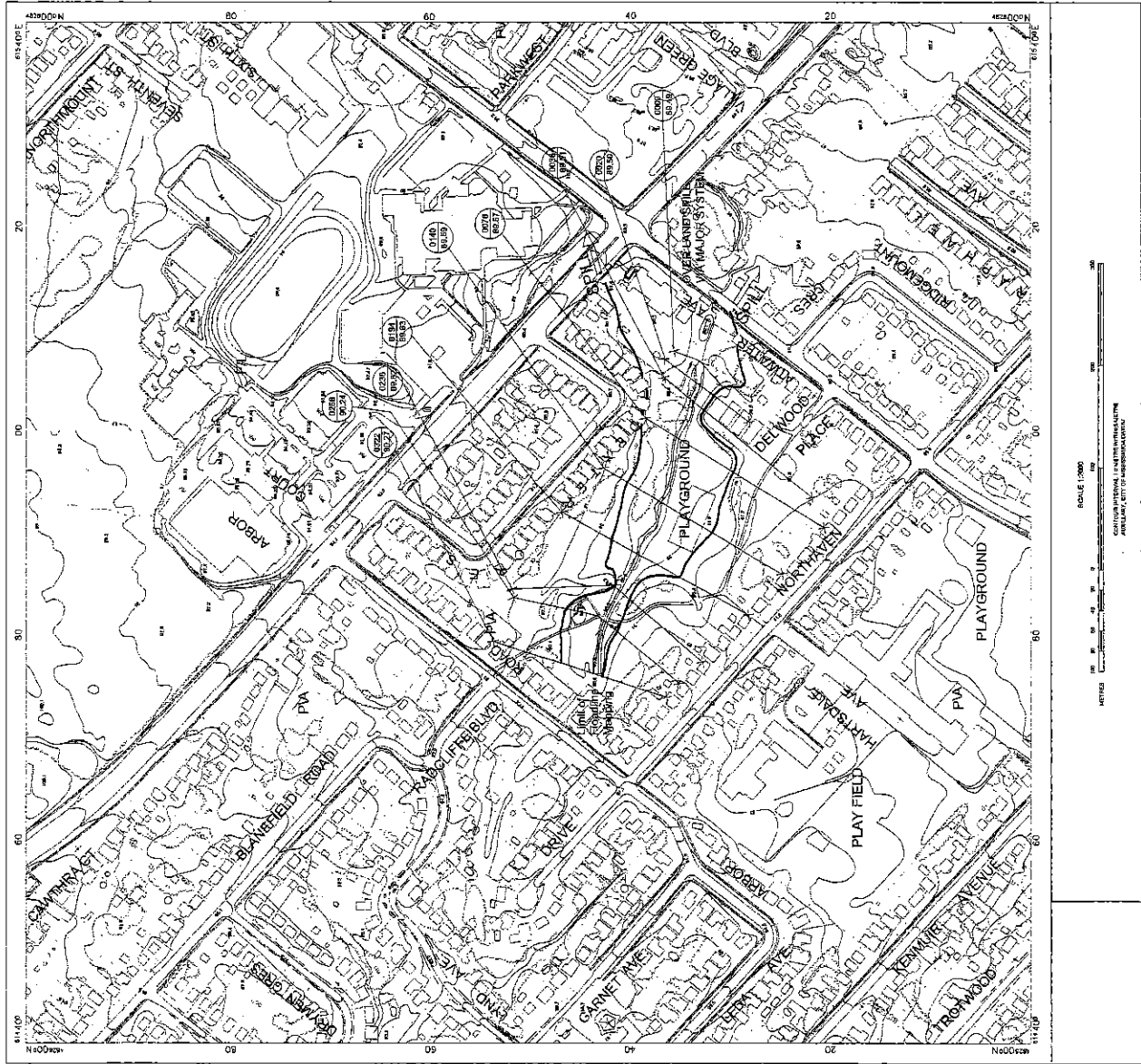
SCHEDULE No. _____
 CEEULE No. _____

MAP NO. _____
 DATE: JUNE 2003
 SHEET NO. _____ of _____

**Aquafor
Beech
Limited**

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Scale: Corporation of the City of Mississauga



SPILL

OVERLAND SPILL
VIA MAJOR SYSTEM

SPILL
AT WALTER
DELWOOD PL

GROUND

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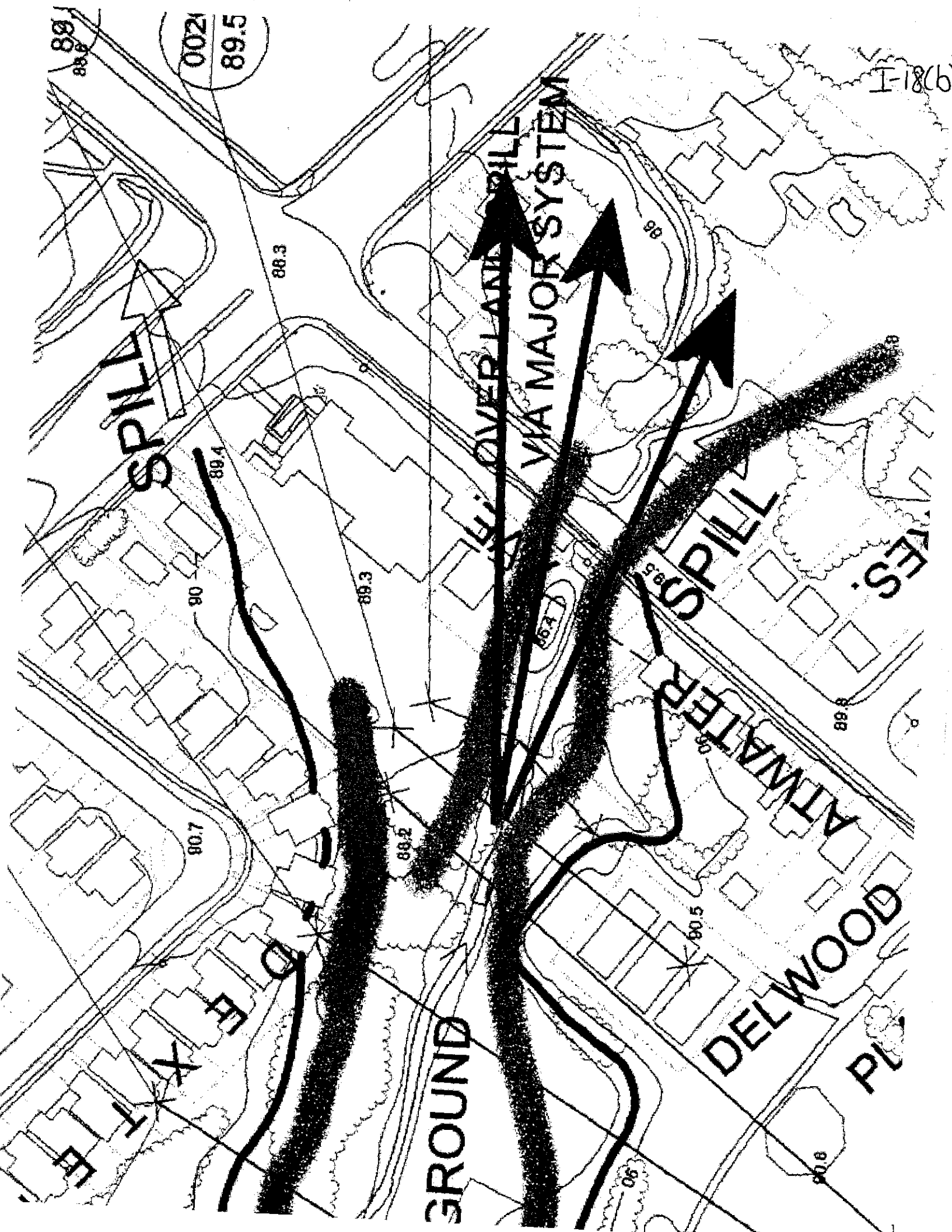
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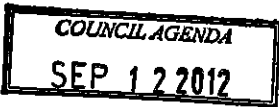
90.8



E-19

Diana Haas

From: John Hardcastle
Sent: 2012/09/06 8:06 AM
To: Virginia Baksh; Chris Fonseca
Cc: Diana Haas; John Hardcastle
Subject: RE: Opposition to development @ Rathburn/Ponytrail



Good Morning Virginia,

Thank you for your email. I will include it in the Planning File and add your contact information to the notification list. In addition I have copied the Office of the City Clerk on this email to ensure that Council is provided with your concerns.

Please feel free to contact me if you have any questions or further concerns.

Regards,

John

JOHN HARDCASTLE | MCIP | RPP
Planner - Development South | Development and Design
Planning and Building | City of Mississauga
905-615-3200 ext. 5525 | john.hardcastle@mississauga.ca

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From: Virginia Baksh
Sent: 2012/09/05 4:30 PM
To: Chris Fonseca; John Hardcastle
Subject: Opposition to development @ Rathburn/Ponytrail
Importance: High

Dear Madam/Sir,

I am writing to register my opposition to the proposed development at Rathburn and Ponytrail. I own townhouse 147 at 1951 Rathburn Road East, Mississauga, ON, L4W 2N9.

My concerns regarding this development include the following:

- this proposal does not fit with the official plan or places to grow initiative as this is not a designated intensification area;
- additional traffic congestion and road safety - this is right by a busy plaza with the local Longos and Shoppers
- the current infrastructure is inadequate
- The very likely potential for increased crime - as a board member of this complex, we had already asked Mississauga community policing to patrol the neighborhood for the high number of youth loitering in the park and in our complex. There is no reason to believe this will diminish with more people in the area.
- diminishment of property value in the neighborhood given the current property management of the apartment buildings

I-19(a)

I would like to be notified of any town halls or community meetings that are planned regarding this development and can be reached at this email or by the address I have provided.

Sincerely,
Virginia Zarate de Baksh

Please be informed of a proposed development
in your neighbourhood



I-20

This is to inform you that the landowners at 375 Lakeshore Road West and 14 Ben Machree Drive, southeast corner of Lakeshore Road West and Godfrey's Lane, have applied to the City to permit nineteen (19), 4-storey townhouse dwellings on a common element condominium private road. Below is a short description of the applications. The City will be processing the applications as required by the Provincial *Planning Act* and we would welcome any comments you may have.

COUNCIL AGENDA
SEP 12 2012

Proposal:

- This proposal will require an amendment to the Mississauga Plan Policies for the Port Credit District from "Residential - Medium Density III" and "Residential - Low Density I" to "Residential - Medium Density II";
- To change the zoning for the subject lands from "RA1-25" (Apartment Dwellings) and "R15" (Detached Dwellings - Port Credit) to "RM6-Exception" (Townhouse Dwellings on a CEC - Private Road);
- An amendment to proposed New Mississauga Official Plan, which designates the subject property "Residential Medium Density" and "Residential - Low Density I", will be required to implement the current proposal.

File:

OZ 12/008 W1

**Applicant/
Owners:**

Zelinka Priamo Ltd. / 375
Lakeshore Development Inc.
and Christopher Boyd

**More
Information:**

Suellen Wright, Project
Coordinator, Planning &
Building Department at
905-615-3200, ext. 4121
or by e-mail at
suellen.wright@mississauga.ca

Notice Date:

June 29, 2012

To Be Received

The following studies/information were submitted in support of the applications:

- Planning Justification Report
- Functional Servicing Report
- Traffic Impact Assessment
- Environmental Noise Impact Study
- Stage 1-2 Archaeological Assessment
- Tree Inventory
- Green Development Initiatives

**Planning Act
Requirements:**

The *Planning Act* requires that all complete applications be processed.

The above-noted application is now being circulated to City Departments and Public Agents for technical review.

Once this has been completed, a report summarizing the development and the comments received will be prepared by staff and presented at a Public Meeting.

Notice of the Public Meeting will be given in accordance with the *Planning Act* requirements.

A recommendation on the application will not be presented until after the Public Meeting and all technical comments have been received.

Please contact Mississauga City Council, c/o Diana Haas, Office of the City Clerk, in writing by mail at 300 City Centre Drive, Mississauga ON L5B 3C1 or by e-mail at diana.haas@mississauga.ca if:

- you would like to forward your views on the proposed development. Written submissions will become part of the public record, or
- you wish to be notified of any upcoming meetings.

More Information:

Contact the person responsible for the file (noted above) for further details on the actual proposal.

The public may view planning documents and background material at the Planning and Building Department, 3rd floor, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday.

For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

Marilyn Ball, Director
Development and Design Division
Planning and Building Department

Please be informed of a proposed development in your neighbourhood



E21

This is to inform you that the landowner at 1850 Rathburn Road East and 4100 Ponytrail Drive, northwest of Burnhamthorpe Road East and Ponytrail Drive has applied to the City to permit the intensification of the existing high density residential site by adding 308 units in 4 apartment buildings and 105 stacked townhouse units. Below is a short description of the applications. The City will be processing the applications as required by the Provincial *Planning Act* and we would welcome any comments you may have.

COUNCIL AGENDA
SEP 12 2012

Proposal:

- This proposal will require an amendment to the Mississauga Plan Policies for the Rathwood District from "Residential - High Density I" to "Residential - High Density II - Special Site";
- To change the zoning for the subject lands from "RA4-1" (Apartment Dwellings) to "RA4-Exception" (Apartment Dwellings);
- An amendment to proposed New Mississauga Official Plan, which designates the subject property "Residential High Density", will be required to implement the current proposal.

File: OZ 12/009 W3

Applicant/ Owner: Urban Strategies Inc./ Forest Park Circle Ltd.

More Information: Suellen Wright, Project Coordinator, Planning & Building Department, at 905-615-3200, ext. 4121, or by e-mail at suellen.wright@mississauga.ca

Notice Date: July 4, 2012

To Be Received

The following studies/information were submitted in support of the application:

- Concept Plan, Elevations, Underground Parking Plan
- Plan of Survey
- Utility Plan
- Landscape Master Plan
- Planning Justification Report
- Tree Inventory and Analysis Report
- Existing Tree Inventory Plan
- Sun/Shadow Study
- Functional Servicing Report
- Preliminary Environmental Noise Report
- Traffic Impact and Parking Study
- List of Green Site and Building Initiatives

Planning Act Requirements:

The *Planning Act* requires that all complete applications be processed.

The above-noted application is now being circulated to City Departments and Public Agents for technical review.

Once this has been completed, a report summarizing the development and the comments received will be prepared by staff and presented at a Public Meeting.

Notice of the Public Meeting will be given in accordance with the *Planning Act* requirements.

A recommendation on the application will not be presented until after the Public Meeting and all technical comments have been received.

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- you would like to forward your views on the proposed development. Written submissions will become part of the public record; or
- you wish to be notified of any upcoming meetings.

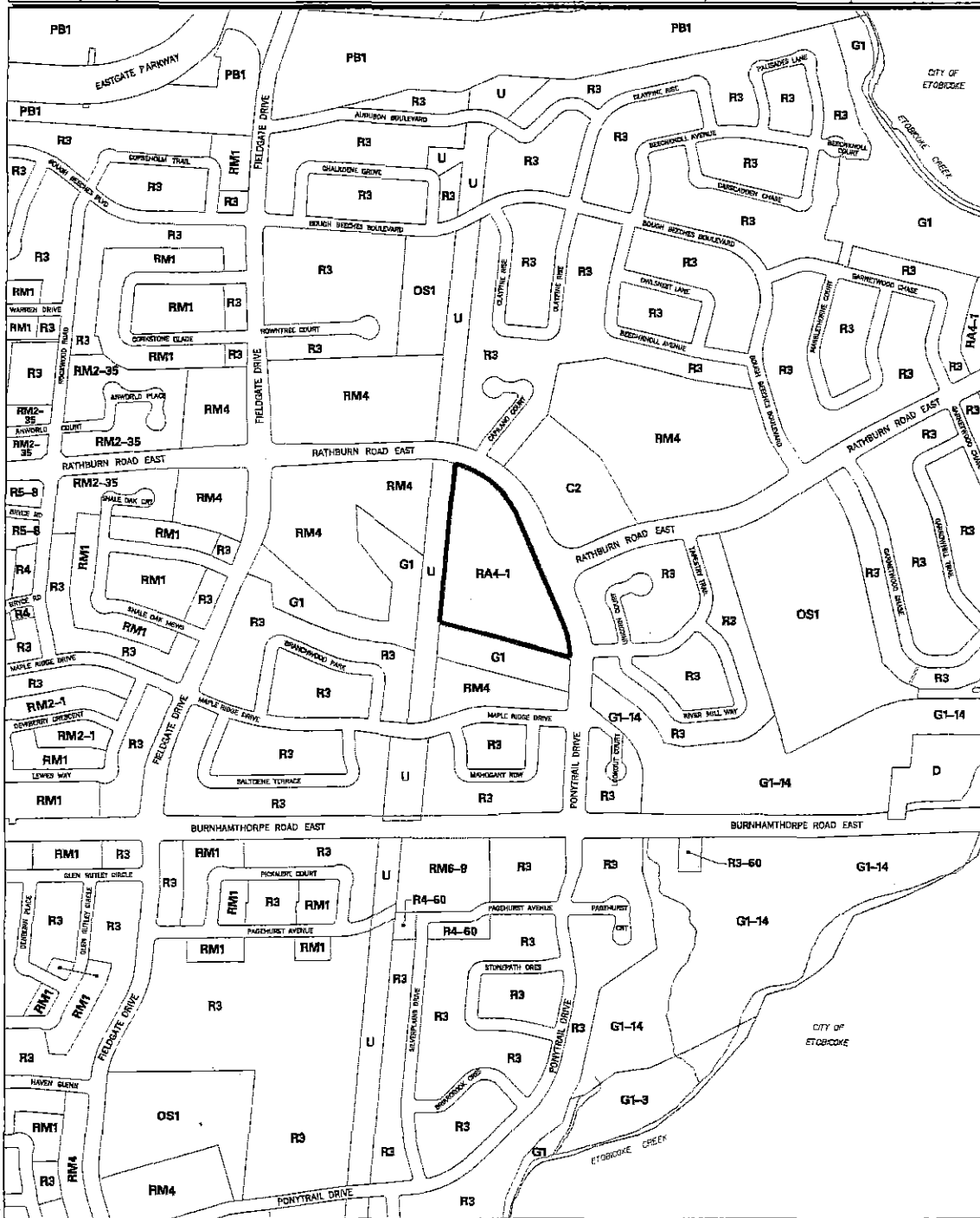
More Information:

Contact the person responsible for the file (noted above) for further details on the actual proposal.

The public may view planning documents and background material at the Planning and Building Department, 3rd floor, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday.

For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

Marilyn Ball, Director
Development and Design Division
Planning and Building Department



Please be informed of a proposed development in your neighbourhood



COUNCIL AGENDA SEP 12 2012

This is to inform you that the landowner at 1484 Hurontario Street, northwest corner of Hurontario Street and Indian Valley Trail, has applied to the City to permit medical office and residential uses within a converted detached dwelling. Below is a short description of the application. The City will be processing the application as required by the Provincial Planning Act and we would welcome any comments you may have.

Proposal:

- To change the zoning for the subject lands from "R2-4" (Detached Dwellings - Typical Lots) to "R2-Exception" (Medical Office and Residential).

The following studies/information were submitted in support of the application:

- Planning Justification Report
- Cultural Heritage Impact Report
- Arborist Report
- Stormwater Management Report
- Phase I Environmental Site Assessment
- Noise Feasibility Study
- Site Plan
- Plan of Survey
- Tree Inventory Plan
- Utility Plan

File:

OZ 12/006 W1

Applicant/ Owner:

Greg Dell & Associates / Dr. M. Sous and J. Sous

More Information:

Suellen Wright, Project Coordinator, Planning & Building Department at 905-615-3200, ext. 4121 or by e-mail at suellen.wright@mississauga.ca

Notice Date:

August 24, 2012

To Be Received

Planning Act Requirements:

The Planning Act requires that all complete applications be processed.

The above-noted application is now being circulated to City Departments and Public Agents for technical review.

Once this has been completed, a report summarizing the development and the comments received will be prepared by staff and presented at a Public Meeting.

Notice of the Public Meeting will be given in accordance with the Planning Act requirements.

A recommendation on the application will not be presented until after the Public Meeting and all technical comments have been received.

Please contact Mississauga City Council, c/o Diana Haas, Office of the City Clerk, in writing by mail at 300 City Centre Drive, Mississauga ON L5B 3C1 or by e-mail at diana.haas@mississauga.ca if:

- you would like to forward your views on the proposed development. Written submissions will become part of the public record; or
- you wish to be notified of any upcoming meetings.

More Information:

Contact the person responsible for the file (noted above) for further details on the actual proposal.

The public may view planning documents and background material at the Planning and Building Department, 3rd floor, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday.

For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

Marilyn Ball, Director Development and Design Division Planning and Building Department



COUNCIL AGENDA
SEP 12 2012

Monte McNaughton, MPP
Lambton-Kent-Middlesex

Constituency Offices:

81 Front Street West
Strathroy, ON N7G 1X6
Tel. (519) 245-8696
Fax (519) 245-8697

360 James Street
Wallaceburg, ON N8A 2N5
Tel. (519) 627-1015
Fax (519) 627-7174

Queen's Park Office:

Rm. 202 NW, Legislative Bldg.
Toronto, ON M7A 1A8
Tel. (416) 325-3362
Fax (416) 325-3275

Wednesday July 18, 2012

Ms. Hazel McCallion
300 City Centre Drive
Mississauga Ontario L5B 3C1

Dear Ms. McCallion,

I am writing today to bring to your attention my private members bill, Bill 76 and ask that your council consider drafting a resolution in support of it.

Bill 76, an *Act to Amend the Ontario Lottery and Gaming Act of 1999*, entitled *Ensuring Local Voices in New Casino Gambling Development Act, 2012* aims to ensure that local communities are given a say prior to the development of any new casino within their municipality.

If passed, my bill would require a successful referendum in the community in which a new casino is being proposed. Bill 76 aims to ensure that local communities are willing hosts of casinos. New casino development is a sensitive issue and it is important that the local people are involved in this process.

As my bill is currently at the crucial committee stage, any support that you or your councils can give to this legislation would be important in ensuring its passage.

Please find the attached sample resolution for your perusal. If you have any questions regarding this bill, or wish to discuss it further, please do not hesitate to contact me.

Sincerely,

Monte McNaughton, MPP
Lambton-Kent-Middlesex
PC Critic, Economic Development and Innovation

REGISTRATION No. 2934
DATE JUL 28 2012

FILE NO.

MAYORS OFFICE

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



D-1(a)

| | |
|-------------------------|-------------------|
| Date: | Motion No. |
| Moved By: | |
| Seconded By: | |

WHEREAS the Government of Ontario has proposed building up to 29 new casinos throughout the province,

AND WHEREAS new casino development brings with it a broad-spectrum of opinions including both positive and negative considerations;

AND WHEREAS any new casino development may significantly impact the community and surrounding areas;

AND WHEREAS, the municipality recognizes the importance of a referendum on the issue and prior to the development of any new casino;

THEREFORE BE IT RESOLVED THAT the municipality requests the Legislative Assembly of Ontario to immediately pass Bill 76, Ensuring Local Voices in New Casino Gambling Development Act to help ensure that local voices are respected prior to the development of any new casino,

AND THAT this resolution be circulated to Premier Dalton McGuinty; the Honourable Dwight Duncan, Minister of Finance; Monte McNaughton, MPP; and the MPP for the region in which the municipality resides.

D-1(b)

Bill 76

2012

Projet de loi 76

2012

**An Act to amend the
Ontario Lottery and Gaming
Corporation Act, 1999**

**Loi modifiant la
Loi de 1999 sur la Société des loteries
et des jeux de l'Ontario**

Note: This Act amends the *Ontario Lottery and Gaming Corporation Act, 1999*. For the legislative history of the Act, see the Table of Consolidated Public Statutes – Detailed Legislative History at www.e-Laws.gov.on.ca.

Remarque : La présente loi modifie la *Loi de 1999 sur la Société des loteries et des jeux de l'Ontario*, dont l'historique législatif figure à la page pertinente de l'Historique législatif détaillé des lois d'intérêt public codifiées sur le site www.lois-en-ligne.gouv.on.ca.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, édicte :

1. (1) Section 12 of the *Ontario Lottery and Gaming Corporation Act, 1999* is amended by adding "Subject to subsection (2)" at the beginning.

1. (1) L'article 12 de la *Loi de 1999 sur la Société des loteries et des jeux de l'Ontario* est modifié par insertion de «Sous réserve du paragraphe (2),» au début de l'article.

(2) Section 12 of the Act is amended by adding the following subsections:

(2) L'article 12 de la Loi est modifié par adjonction des paragraphes suivants :

Same, casinos and charity casinos

Idem : casinos et casinos de bienfaisance

(2) The Corporation shall not authorize a casino or charity casino to be established unless the Corporation has taken the steps specified in the Regulation and the conditions specified in the Regulation have been met.

(2) La Société ne doit pas autoriser la création d'un casino ou d'un casino de bienfaisance à moins qu'elle n'ait pris les mesures précisées dans le Règlement et que les conditions qu'il précise ne soient remplies.

Expansion

Agrandissement

(3) The requirements mentioned in this section for establishing a casino or charity casino at a specific location do not apply to expanding a casino or charity casino that has been established in accordance with this Act if the expansion is done at that location.

(3) Les exigences visées au présent article en matière de création d'un casino ou d'un casino de bienfaisance à un endroit déterminé ne s'appliquent pas à l'agrandissement d'un casino ou d'un casino de bienfaisance créé conformément à la présente loi dès lors que l'agrandissement est réalisé à cet endroit.

Definition

Définition

(4) In this section,

(4) La définition qui suit s'applique au présent article.

"Regulation" means Ontario Regulation 347/00 (Requirements for Establishing a Casino or Charity Casino) made under this Act, except for subsection 4 (5), as that Regulation read on January 1, 2003.

«Règlement» Le Règlement de l'Ontario 347/00 (Exigences relatives à la création d'un casino ou d'un casino de bienfaisance) pris en vertu de la présente loi, à l'exception du paragraphe 4 (5), dans sa version du 1^{er} janvier 2003.

(3) Subsection 12 (4) of the Act, as enacted by subsection (2), is amended by adding the following definitions:

(3) Le paragraphe 12 (4) de la Loi, tel qu'il est édicté par le paragraphe (2), est modifié par adjonction des définitions suivantes :

"casino" means the part of a gaming site that is used for the purpose of playing or operating games of chance, but does not include a charity casino or slot machine facility; ("casino")

«casino» La partie d'un site de jeu qui est utilisée pour y jouer à des jeux de hasard ou y exploiter de tels jeux, à l'exclusion toutefois d'un casino de bienfaisance ou d'une salle d'appareils à sous. («casino»)

"charity casino" means a gaming site at which the betting limits and number of games of chance do not exceed the prescribed limit; ("casino de bienfaisance")

«casino de bienfaisance» Site de jeu où les plafonds des paris et le nombre de jeux de hasard ne dépassent pas la limite prescrite. («charity casino»)

"game of chance" means a lottery scheme conducted and managed by the Corporation,

- (a) that is played on or through a slot machine, or
- (b) that is played on tables or on wheels of fortune, including card games, dice games, roulette or keno, and includes all other lottery schemes that are prescribed; ("jeu de hasard")

"slot machine facility" means a gaming site where games of chance are operated on or through a slot machine and includes the premises where services ancillary to the games of chance are provided, but does not include a casino or a charity casino. ("salle d'appareils à sous")

Commencement

2. (1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.

(2) Subsection 1 (3) comes into force on the later of the day this Act receives Royal Assent and the day section 9 of Schedule 34 to the *Better Tomorrow for Ontario Act (Budget Measures), 2011* comes into force.

Short title

3. The short title of this Act is the *Ensuring Local Voices in New Casino Gambling Development Act, 2012*.

«jeu de hasard» Loterie mise sur pied et exploitée par la Société :

- a) soit qui se joue par un appareil à sous ou à l'aide d'un tel appareil;
- b) soit qui se joue sur des tables ou sur des roues de fortune, y compris les jeux de cartes, les jeux de dés, la roulette ou le keno.

S'entend en outre de toutes les autres loteries prescrites. («game of chance »)

«salle d'appareils à sous» Site de jeu où des jeux de hasard sont exploités par un appareil à sous ou à l'aide d'un tel appareil, y compris les lieux où des services accessoires aux jeux de hasard sont fournis, à l'exclusion toutefois d'un casino ou d'un casino de bienfaisance. («slot machine facility»)

Entrée en vigueur

2. (1) Sous réserve du paragraphe (2), la présente loi entre en vigueur le jour où elle reçoit la sanction royale.

(2) Le paragraphe 1 (3) entre en vigueur le dernier en date du jour où la présente loi reçoit la sanction royale et du jour de l'entrée en vigueur de l'article 9 de l'annexe 34 de la *Loi de 2011 sur des lendemains meilleurs pour l'Ontario (mesures budgétaires)*.

Titre abrégé

3. Le titre abrégé de la présente loi est *Loi de 2012 visant à garantir la consultation des populations locales avant la création de nouveaux casinos*.

Joanne Foote
Community Development, Youth

City of Mississauga
300 City Centre Drive
MISSISSAUGA ON L5B 3C1

Tel: 905-615-3200 x5319
joanne.foote@mississauga.ca



Leading today for tomorrow



July 20, 2012
File: PR.04.MYAC

Dear Madame Mayor and Council,

We have received a request from Kevin Michael, chair person of The Mississauga Youth Advisory Committee (MYAC) asking for your endorsement to send him as a representative of Mississauga to the Forum for Young Canadians in Ottawa on March 17 to 22, 2013. There will be no cost to the City as the MYAC board of directors have approved covering all expenses (\$900.00) including transportation, accommodation, meals and participation.

Forum for Young Canadians is in its 37th year and is a series of one week sessions that provide youth aged 15 to 19 years old an opportunity to come to Ottawa and learn more about our parliamentary system. The forum's goal is to make government interesting and relevant to young people.

Many of you are familiar with Kevin from his recent MYAC deputation at Council on July 4th and from the 2012 City Manager's Leadership Conference where he participated as a panellist on "How Other People Perceive Mississauga".

I believe Kevin has proven himself worthy of your endorsement to have him represent Mississauga.

Yours truly,

Joanne Foote

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| <input checked="" type="checkbox"/> Receive | <input checked="" type="checkbox"/> Resolution |
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George Thelwell

Licensed Paralegal
3120 Glen Erin Drive,
Unit 2,
Mississauga, Ontario
L5L 1R6

Phone: 905-606-2166 FAX: 905-606-2043



Wednesday, August 15, 2012

The Corporation of the City of Mississauga

RE: Bylaw 507-05

Dear Sir,

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|--|--|
| <input checked="" type="checkbox"/> Receive | <input type="checkbox"/> Resolution |
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| | <input type="checkbox"/> Report |

In my capacity as a licensed paralegal, it has come to my attention that there may be a defect in the above mentioned bylaw as it is currently enacted.

One must first premise that the city bylaws are passed in order to ensure that the citizenry has an interest in insuring compliance with those bylaws. For that to come to pass, the bylaws must be clear, unambiguous, and easily understood.

The bylaw regarding The Adult Entertainment Business in Mississauga is overly broad in its scope. It lacks clear definitions and it limits the power given to the inspectors without logical reason.

“Adult Entertainment Business- any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.”

If one first looks at the definitions, it is noted that the Adult Entertainment Business is defined as appealing to erotic or sexual appetites or inclinations; however an Adult Entertainment Establishment does not have the same limitation. Surely it would be better if both included the appeal or neither did as this seems somewhat superfluous given the intent of the bylaw.

D-3(a)

“Adult Entertainment Establishment- includes an Adult Entertainment Business, Body Rub Business, Adult Bookstore or an Adult Videotape Store.”

Next, the definition of a Body Rub or a Body Rub Business, while clearly defined as being an Adult Entertainment Establishment, but not an Adult Entertainment Business, is defined as touching any part of a person's body. This would surely include pedicures and manicures if taken to a logical conclusion. (Notwithstanding the recent case law that seems to have lost this concept). Surely this leaves this part of the bylaw open to an appeal against conviction to a higher court than that recent illogical decision.

“Body Rub- an activity where the primary function is kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.”

“Body Rub Business- any premises or part thereof where a body rub is performed, offered or in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where body rubs are performed for medical or therapeutic reasons by persons otherwise duly qualified, licensed or registered so to do under the laws under the Province of Ontario.”

The next problem is the definition of a person who is exempt from this bylaw as: otherwise duly qualified, licensed or registered by the Province of Ontario. This lends itself to abuse if the intent is only to have registered massage therapists performing this function as oppose to a diploma from a business college in a study of massage which may, arguably, make one duly qualified. It is also unclear as to whom aspiring attendants or owners should be registering with. This aspect of the law can mislead the public, and may result in them unknowingly committing a Bylaw offence.

And finally, with the authority given to inspectors under this bylaw, it is understood that without proper authority, inspections may face challenges under the *Charter of Rights and Freedoms*. The inspectors are limited to only having power to enter and inspect premises of those whose application for a licence has been received (Section 7), or to currently licensed premises

(Section 19). They are unable to inspect premises of those registered or duly qualified.

“(S.7) Inspection: On receipt of an application for a Licence or for renewal of a Licence, the Licence Manager may:

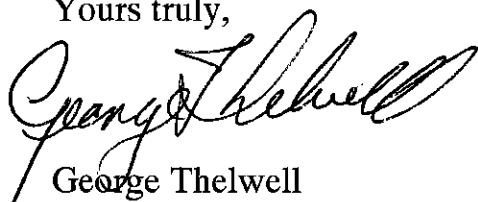
(1)- At any reasonable time enter upon the business premises of the Owner to make an inspection to ensure that all the provisions of this By-law have been satisfied.”

“(S.19) Right of Inspection of Licensed Premises:

(1)- The Inspector may at any reasonable time enter upon and inspect the business Premises of any Licensee to ensure that the provisions of this By-law are complied with.”

All of the above is humbly submitted to this Council. It is my belief that with some minor housekeeping, this bylaw would accomplish the goals of the City without having to face any significant ambiguity or lack of clarity.

Yours truly,



George Thelwell

D-3(c)



**THE CORPORATION OF THE CITY OF MISSISSAUGA
ADULT ENTERTAINMENT ESTABLISHMENT LICENSING
BY-LAW NUMBER 507-05**

(amended by 192-08, 310-11)

WHEREAS subsection 150(1) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality even if the business is being carried on from a location outside the municipality;

AND WHEREAS the Council of the City of Mississauga is authorized pursuant to section 151(1) of the *Municipal Act* 2001 to define the area of the municipality in which Adult Entertainment Establishments may or may not operate and limit the number of licences granted in any defined area in which they are permitted;

AND WHEREAS the Council of the City of Mississauga is authorized pursuant to section 151(1) of the *Municipal Act* 2001 to regulate and prohibit the placement, construction, size, nature and character of signs, advertising, and advertising devices, including any printed matter, oral or other communication or thing used to promote Adult Entertainment Establishments;

AND WHEREAS the Council of the City of Mississauga is authorized pursuant to section 151(1) of the *Municipal Act* 2001 to prohibit any person carrying on or engaged in an Adult Entertainment Establishment Business for which a licence is required from permitting any person under the age of 18 years to enter or remain in the Adult Entertainment Establishment or any part of;

AND WHEREAS "Adult Entertainment Establishment" is defined in subsection 151(2) of the Act to mean any premises or part thereof if goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided, in pursuance of a business, in the premises or part of the premises;

AND WHEREAS the Council of the City of Mississauga considers it desirable and necessary to license, regulate and govern Adult Entertainment Establishments for the purpose of Health and Safety to ensure that the business is conducted in a fashion and manner that will not adversely affect or could possibly adversely affect the health and safety of person(s) or result in illness, hazardous conditions, injury or loss;

AND WHEREAS the Council of the City of Mississauga considers it desirable and necessary to license, regulate, and govern owners of Adult Entertainment Establishments for the purposes of Nuisance Control to ensure that the facility is operated in a manner and location such that it will not adversely affect or become a nuisance to other persons or businesses.

AND WHEREAS a public meeting was held on December 7, 2005 at which time a report entitled Adult Entertainment Establishment Licensing relating to the licensing of the business was presented and considered;

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

DEFINITIONS AND INTERPRETATION

1. In this by-law:

"Additional Fee" means a fee, in addition to the licence fee, imposed by the municipality on a business at any time during the term of the licence for costs incurred by the municipality attributable to the activities of the business;

"Adult Book" means any book or magazine appealing to or designed to appeal to sexual or erotic appetites or inclinations;

"Adult Book Store" means any premises or part thereof where Adult Books are provided in the pursuance of a business;

"Adult Entertainment Business" means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

"Adult Entertainment Establishment" includes an Adult Entertainment Business, Body-rub Business, Adult Book Store or an Adult Videotape Store;

"Adult Videotape" means any Videotape the content of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject-matter distinguished or characterized by the portrayal of one or more persons involved or engaging in specified sexual activities, or by an emphasis on the display of specified human body areas and, in the absence of evidence to the contrary, a videotape classified by the Ontario Film Review Board as "restricted" with the added information piece "adult sex film" shall be deemed to be an Adult Videotape, while a Videotape without such classification and sticker shall be deemed not to be an Adult Videotape;

"Adult Videotape Area" means an identifiable part of any premises, which part is used for the provision of Adult Videotapes;

"Adult Videotape Store" means any premises or part thereof where Adult Videotapes are provided in the pursuance of a business;

"Appeal Tribunal" means the all-citizen Tribunal duly appoint by Council to conduct hearings under this By-law; (192-08)

"Applicant" means a person applying for a new or renewing a Licence under this by-law;

"Attendant" means any person who performs, offers, solicits or receives a Body-rub for gain or reward;

"Body-rub" is an activity where the primary function is the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

"Body-rub Business" means any premises or part thereof where a Body-rub is performed, offered or in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where Body-rubs are performed for medical or therapeutic reasons by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

D-3(e)

“Book or magazine appealing to or designed to appeal to sexual or erotic appetites or inclinations” means any book or magazine of which a feature or characteristic is the portrayal or depiction, by means of photographs, drawings or otherwise, of the specified body areas of any person or persons;

“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;

“Clerk” means the Clerk of the City of Mississauga or their duly appointed Deputy;

“Corporation” means the Corporation of the City of Mississauga;

“Council” means the Council for The Corporation of the City of Mississauga;

“Designate” means the person in charge of and responsible for the operation of the Body-rub Business in the absence of the Owner;

“Entertainer” means a person who, in pursuance to a trade, business or occupation, provides services designed to appeal to erotic or sexual appetites or inclinations at an Adult Entertainment Business;

“Erotic or sexual appetites” means the bent of mind, desire, inclination or preference to satisfy a craving or desire pertaining to or related to sex;

“Individual” means a natural person and does not include a corporation, partnership or association;

“Inspector” means a duly appointed Municipal Law Enforcement Officer and includes members of the Peel Regional Police;

“Licence” means the certificate issued by the Licence Manager under this By-law;

“Licensee” means any person licensed under this By-law;

“Licence Manager” means the Manager of the Compliance and Licensing Enforcement unit of the City’s Enforcement Division and includes his or her designates. (192-08)

“Licensing Unit” means the Compliance and Licensing Enforcement Unit of the Corporation's Enforcement Division;

“Main Stage” means, in relation to an Adult Entertainment Business, the principal setting, scene or area on any floor in the premise upon which performances, services or an event or a series of events are presented, exclusive of patron seating areas;

“medical Officer of Health” means the Medical Officer of Health for the Regional Municipality of Peel, duly appointed under the *Health Protection and Promotion Act*, R.S.O. 1990, c. H. 7, as amended, and includes any staff official acting on behalf of the Medical Officer of Health;

“Municipal Act, 2001” means the *Municipal Act*, 2001, S.O. 2001, c.25, as amended and any regulations thereunder;

"Notice of Additional Fee" means a written notice from the Licence Manager to a Licensee advising them of their requirement to pay an Additional Fee;

"Owner" means a person who alone or with others, owns and/or has ultimate control over, and/or directs the operation of the trade, calling, business or occupation carried on at an Adult Entertainment Establishment, and includes an owner, lessee, tenant, or licensee of the premises from which the Adult Entertainment Establishment is operated;

"Person" includes a corporation and its directors and officers, and the heirs, executors, assignees and administrators or the other legal representatives of an Individual and their respective successors and assignees;

"Premises" include lands, and any fence, buildings, sheds or similar structures situated thereon;

"Restaurant" means any premises or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure or off the premises and may include a drive-through window;

"Services" includes Body-rubs, performances, dances, exhibitions and viewings;

"Services designed to appeal to erotic or sexual appetites or inclinations" includes services of which a principal feature or characteristic is the nudity or partial nudity of any person, and services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement:

"Specified Body Areas" means, in the case of a female, her breasts and in the case of all persons, the pubic, perineal and perianal areas and the buttocks;

"Specified Sexual Activities" means one or more of the following: actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, and oral sexual intercourse, direct physical stimulation of unclothed genital organs, and flagellation or torture in the context of a sexual relationship or activity;

"To provide" means any one or more of the following: when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings. when used in relating to any Videotape, means to sell, offer to sell or display for sale by retail, or to rent, offer to rent or display for rental, whether or not the cost, fee or other consideration passes at the time of such rental or sale, or is effected through the cost of membership, subscription, admission or any other manner. when used in relation to any book or magazine means to sell, offer to sell or display for sale by retail or otherwise, such book or magazine, and "provider", "providing" and "provision" shall have corresponding meanings.

"Videotape" means cinematographic film, Videotape and any other medium from which may be produced visual images that may be viewed as moving pictures;

"Zoning Certificate" means a certificate duly issued by the City approving the use for which the Licence application has been made on the property where the business is located.

D-3(g)

LICENSING REQUIRED

2. (1) No Owner shall operate any Adult Entertainment Establishment unless the Owner is licensed under this By-law.
- (2) No Person shall act as an Attendant unless they are licenced under this By-law.

REPRESENTATION OF LICENSING

3. No person shall hold himself out to be licenced if he is not.

LICENSING UNIT

4. The Licensing Unit shall:
 - (1) Receive and process all applications for Licences and for renewal of Licences;(191-08)
 - (2) Issue all Licences when an application is made in accordance with the provisions of this By-law and attached Schedules, and meets all requirements under this By-law and attached Schedules; (192-08)
 - (3) Impose terms and conditions on a Licence where the Licence Manager is of the opinion that a term or condition should be imposed under Section 10; (192-08)
 - (4) Refuse to issue, renew a Licence or revoke or suspend a Licence, where the Licence Manager is of the opinion that the Applicant is disentitled to a Licence under Section 11; (192-08)
 - (5) Maintain complete records showing all application received and licences issues; (192-08)
 - (6) Enforce the provision of this By-law and attached Schedules; and (192-08)
 - (7) Generally perform all the administrative functions conferred upon it by this By-law and the attached Schedules. (192-08)

APPLICATION FOR A LICENCE AND FOR RENEWAL OF A LICENCE

5. (1) An application for an Owner's Licence and an application for the renewal of an Owner's Licence shall be completed on the forms provided by the Licensing Unit.
- (2) Each executed application shall be submitted to the Licensing Unit by the Owner and be accompanied by:
 - (a) the fee in the appropriate amount as set out in Schedule I to this By-law;
 - (b) a Zoning Certificate indicating that the use for which the application has been made is approved under the Zoning By-law as an approved use of the premises; and
 - (c) if the Owner is a corporation, a copy of the incorporating document and a copy of the last annual information filed or, if a registered partnership, a copy of the registered declaration of partnership and a copy of the business name registration;

- (3) Notwithstanding paragraph 5(2)(b), where an application is made for the renewal of a Licence and where a Zoning Certificate has been received, approving the use of the property for that which the renewal application has been made, no new Zoning Certificate is required.
 - (4) Notwithstanding paragraph 5(2)(b), where an application is made for a new or the renewal of a Licence and where a Zoning Certificate has been issued based upon the use being approved by a Committee of Adjustment Decision, the Zoning Certificate is subject to all conditions and restrictions imposed by the Committee of Adjustment on the use, including the term that the use is permitted, and upon expiry of the term, as permitted by the Committee of Adjustment, the Zoning Certificate shall no longer be valid.
 - (5) Notwithstanding paragraph 5(2)(c), where a corporation applies for a renewal of a Licence and there has been no change in the officers or directors of the corporation, only a copy of the last annual information filed must be submitted by the Owner with the Owner's executed application.
 - (6) Where an application for a Licence or for renewal of a Licence is refused, the fee paid pursuant to paragraph 5(2)(a) shall be fully refunded.
 - (7) Notwithstanding the above, no refund shall be made where an Additional Fee imposed pursuant to this By-law remains outstanding at the time of renewal and where the Additional Fee is equal to or greater than the Licence renewal fee, except where the outstanding Additional Fee is less than the renewal fee for the Licence, the Applicant shall be refunded the difference between the renewal fee and the Additional Fee outstanding.
 - (8) An Owner must obtain a separate licence for each of the premises at which the Owner carries on business.
 - (9) The provisions of paragraph 5(2)(b) do not apply to a person who was carrying on the business of an Adult Entertainment Business since May 28, 1979 at the same location.
6. (1) Each executed application for an Attendant's Licence shall be submitted to the Licensing Unit by the Attendant and be accompanied by:
- (a) the fee in the appropriate amount as set out in Schedule 1 to this By-law;
 - (b) a Police Criminal Record Data Request form duly executed by the Peel Regional Police for the Attendant;
 - (c) proof of the Attendant's age by way of their birth certificate or provincial drivers licence; and
 - (d) a certificate on a form supplied by the Licensing Unit, signed by a duly qualified medical practitioner within one (1) month immediately prior to the date of the executed application certifying that the Attendant is free from communicable diseases and is medically fit to perform Body-rubs.

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- (2) Notwithstanding paragraph 6(1)(d), where an Attendant applies for a renewal of a licence no proof of age is required.
- (3) No corporation may hold an Attendant's Licence.
- (4) Where an application for a Licence or for renewal of a Licence is refused, the fee paid pursuant to paragraph 6(1)(a) shall be fully refunded.
- (5) Notwithstanding the above, no refund shall be made where an Additional Fee imposed pursuant to this By-law remains outstanding at the time of renewal and where the Additional Fee is equal to or greater than the Licence renewal fee, except where the outstanding Additional Fee is less than the renewal fee for the Licence, the Applicant shall be refunded the difference between the renewal fee and the Additional Fee outstanding.

7. **INSPECTION**

On receipt of an application for a Licence or for renewal of a Licence, the Licence Manager may:

- (1) At any reasonable time enter upon the business premises of the Owner to make an inspection to ensure that all the provisions of this By-law have been satisfied; and
 - (2) Circulate the application and supporting documents to the Peel Regional Police for their review and comment.
8. No individual shall be licensed under this By-law unless the individual is eighteen (18) years of age or over.

ISSUE OF LICENCE OR RENEWAL OF LICENCE

9. When an application for a Licence or for a renewal of a Licence is made in accordance with the provisions of this by-law and the Applicant meets all the requirements of this by-law the Licence Manager shall issue a Licence.

LICENCE ON TERMS AND CONDITIONS

10. (1) Notwithstanding any other provisions of this By-law, Licence Manager may impose terms and conditions on any Licence at issuance, at renewal or at any time during the Licence period, including special conditions, as are necessary to give effect to this By-law and may include, but are not limited to, conditions restricting the hours of business other than those set out in this By-law and the attached Schedules or conditions that the business Owner have employees in attendance at the business location during the hours of operation to ensure compliance with this By-law. (192-08)
- (2) Notwithstanding any other provisions of this By-law, Licence Manager may impose Additional Fees on a Licensee, by way of a Notice Of Additional Fee at any time during the term of the Licence for costs incurred by the municipality attributable to the activities of the Licensee. (192-08)
- (3) The Notice of Additional Fee shall be sent to the Licensee by Registered Mail and shall provide the Licensee with sixty (60) days to pay the outstanding amount from the date of such Notice.

GROUND FOR REFUSAL TO ISSUE OR TO RENEW A LICENCE

11. An Applicant whose application meets all the requirements of this By-law and its Schedules is entitled to a Licence or the renewal of a Licence except where:
- (1) There are reasonable grounds to believe that any application or other document provided to the Licensing Unit by or on behalf of the Applicant contains a false statement or provided false information; or
 - (2) The past or present conduct of the Applicant, or of any partner, in the case of an Applicant which is a partnership, or of any director or officer of the corporation, if the Applicant is a corporation, affords reasonable grounds for the belief that the Applicant will not carry on the activity for which he is to be licensed or to continue to be licensed in accordance with law and with integrity and honesty; or
 - (3) The financial position of the Applicant affords reasonable grounds to believe that the activity for which he is to be licensed or to continue to be licensed in accordance with law will not be carried on in a financially responsible manner; or
 - (4) The issuance of the Licence or renewal of the Licence would be contrary to the public interest; or
 - (5) The Applicant has failed to pay the fine or fines imposed by a court as a sentence arising from convictions for breach of a By-law enacted by the City; or
 - (6) The fee payable in respect of the Licence applied for has not been paid; or
 - (7) Any Additional Fee imposed on a Licencee remains unpaid after the due date as indicated in the Notice of Additional Fee sent to the Licencee; or
 - (8) There are reasonable grounds to believe that the Applicant does not meet all the requirements of this By-law or any other City By-law, or that the building, premises or place or part thereof in which the business is carried on or intended to be carried on does not comply with the provisions of this By-law, or with any other law, or by-law, including any applicable zoning and building requirements; or
 - (9) The Applicant fails or refuses to comply with any requirement set out in the By-law to obtain or maintain or renew a Licence issued under this By-law;

LICENCE MANAGER'S POWER TO REFUSE TO ISSUE, RENEW A LICENCE OR REVOKE OR SUSPEND A LICENCE

- 12
- (1) The powers and authority to refuse to issue or renew a Licence, to cancel, revoke or suspend a Licence, or to impose terms and conditions on a Licence, are hereby delegated to the Licence Manager and his or her delegates. (192-08)
 - (2) Where the Licence Manager is of the opinion that: (192-08)
 - (a) an application for a licence or renewal of a licence should be refused,
 - (b) a reinstatement should not be made,
 - (c) a licence should be revoked

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- (d) a licence should be suspended, or
 - (e) a term or condition of a licence should be imposed,
- he or she shall make that decision
- 13 (1) After a decision is made by the Licence Manager, written notice of that decision shall be given to the Applicant or Licensee advising the Applicant or Licensee of the Licence Manager's decision with respect to the application or licence. (192-08)
- (2) The written notice to be given under subsection 13(1), shall: (192-08)
- (a) set out the grounds for the decision;
 - (b) give reasonable particulars of the grounds;
 - (c) be signed by the Licence Manager; and
 - (d) state that the Applicant or Licensee is entitled to a hearing by the Appeal Tribunal if the Applicant or Licensee delivers to the Clerk, within seven(7) days after the Notice under subsection (1) is served, a notice in writing requesting a hearing by the Appeal Tribunal and the appeal fee as set out in Schedule 1 of this By-law.
- (3) Where no appeal is registered within the required time period, the decision of the Licence Manager shall be final.

THE HEARING BEFORE THE APPEAL TRIBUNAL

14. (1) The powers and authority to conduct appeal hearings under this By-law are hereby delegated to an all-citizen Appeal Tribunal duly appointed by By-law. (192-08)
- (2) The provisions of sections 5 to 15 and 21 to 24 of the *Statutory Powers Procedure Act* R.S.O. 1990, c.S.22, as amended, shall apply to all hearings conducted by the Appeal Tribunal under this by-law. (192-08)
- (3) When the Applicant or Licensee who has been given written notice of the hearing does not attend at the appointed time and place, the Appeal Tribunal may proceed with the hearing in his or her absence and the Applicant or Licensee shall not be entitled to any further notice of the proceedings. (192-08)
- (4) At the conclusion of a hearing, the Appeal Tribunal may give its decision orally or reserve its decision, but in any case it shall provide its decision in writing, with reasons, within fourteen (14) days of the hearing to the Applicant or Licensee and the Licence Manager. (192-08)

TRIBUNAL DECISION FINAL

15. In making its decision the Appeal Tribunal may uphold or vary the decision of the Licence Manager, or make any decision the Licence Manager was entitled to make in the first instance, The decision of the Appeal Tribunal issued under this By-law is final. (192-08)

RETURN OF THE LICENCE AFTER REVOCATION OR SUSPENSION

- 16. (1) When a Licence has been revoked, deemed unrenovable, cancelled or suspended, the holder of the Licence shall return the Licence to the Licensing Unit within twenty-four (24) hours of service of written notice of the decision of Licence Manager or, where an appeal has been filed, the decision of the Appeal Tribunal, and the Licence Manager may enter upon the business Premises of the Licensee for the purpose of receiving, taking, or removing the said Licence. (192-08)
- (2) When a person has had his or her Licence revoked or suspended under this By-law, he or she shall not refuse to deliver up or in any way obstruct or prevent the Licence Manager from obtaining the Licence in accordance with subsection (1). (192-08)

CANCELLATION OF A LICENCE

- 17. Any Licence issued under this by-law may be cancelled at any time upon the written request of the Licensee.

LICENCE TRANSFERABLE

- 18. A Licence issued under this By-law is not transferable.

RIGHT OF INSPECTION OF LICENSED PREMISES

- 19. (1) The Inspector may at any reasonable time enter upon and inspect the business Premises of any Licensee to ensure that the provisions of this By-law are complied with.
 - (2) Upon an inspection every person shall produce all relevant Licences and permits, invoices, vouchers, or like documents which may be removed for the purpose of photocopying and returned to the Licensee within forty eight (48) hours of removal.
- 20. No person shall obstruct the person inspecting or withhold, destroy, conceal or refuse to furnish any information or thing required by the person inspecting for the purpose of the inspection.

DISPLAY OF LICENCE

- 21. (1) Every Owner shall prominently display the Licence at the licensed premises at all times and shall produce the Licence upon request by the Licence Manager or an Inspector.
- (2) Every Attendant shall carry his/her Licence at all times while working at a Body-rub Business and shall produce the Licence upon request by the Licence Manager or an Inspector.

NOTIFICATION OF CHANGE OF INFORMATION

- 22. (1) A Licensee shall carry on business in the City in the name which is set out on the Licence and shall not carry on business in the City in any other name.

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- (2) When a Licensee changes his name or address or any information relating to his Licence, he shall notify the Licensing Unit within thirty two (32) hours of the change of address or any other information relating to his Licence and shall return the Licence immediately to the Licensing Unit for amendment.
- (3) When the Licensee is a corporation, and there is any change in the following information given on the application namely: the names and addresses of officers and directors, the location of the corporate head office, change of ownership of shares, the Licensee shall report the change to the Licensing Unit within seven (7) days of the change, and if necessary, the Licence shall be returned immediately to the Licensing Unit for amendment.
- (4) A Licensee shall not alter, erase or modify or permit such alteration, erasure or modifications of their Licence or part thereof unless approved by the Licensing Manager.

ORDER TO COMPLY

23. Where a Licensee contravenes any provision of this By-law, or its Schedules the Inspector may:
 - (1) Serve a written notice on the Licensee, advising of the contravention and directing compliance: or
 - (2) Direct in a written order that a thing or matter is required to be done and in default of such matter or thing being done, the matter or thing will be done at the Licensee's expense by the City and the City will recover the expense by action or in like manner as municipal taxes.

NOTICE

24. (1) Any notice or order required to be given or served under this By-law is sufficiently given or served if delivered personally or sent by registered mail, addressed to the person to whom delivery or service is required to be made at the last address for service appearing on the records of the Licensing Unit.
- (2) When service is made by registered mail, the service shall be deemed to be effected on the seventh (7) day after the date of mailing, unless the person on whom service is being made establishes that he did not, acting in good faith, through absence, accident, illness, or other cause beyond his control, receive the notice or order until a later date.

PENALTY

25. (1) Every person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction is liable to a fine, exclusive of costs, not exceeding \$25,000 or to imprisonment for a term not exceeding one year, or to both.
- (2) If a corporation is convicted the maximum penalty, exclusive of costs, that may be imposed is \$50,000.

PROHIBITION ORDER

26. Pursuant to the provisions of section 442 of the *Municipal Act*, 2001, when a person has been convicted of an offence under this By-law, the Ontario Court of Justice (Provincial Division) of the City of Mississauga, or any court of competent jurisdiction thereafter may, in addition to any other penalty or order imposed, make an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation of the repetition of the offence.

RESTRAINING ORDER

27. Pursuant to the provisions of section 443 of the *Municipal Act*, 2001 in addition to any other remedy and to any penalty imposed by the schedule, any such further contraventions may be restrained by action by the City.

SEVERABILITY

28. Notwithstanding that any section of this By-law, or any part thereof, may be found by any court of law to be invalid or beyond the power of the Council to enact, such section or part thereof shall be deemed to be severable, and the remainder of the By-law shall continue to be validly enacted.

SCHEDULES

29. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

INTERPRETATION

30. (1) The provisions of the *Interpretation Act* R.S.O. 1990, c.I.11, shall apply to this By-law as required.
- (2) In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context so requires.

SHORT TITLE

31. This By-law shall be known as the Adult Entertainment Establishment Licensing By-law.

REPEAL

32. By-law 0087-2001, as amended, being the Adult Book Licensing By-law is hereby repealed.
33. By-law 0313-2000, as amended, being the Adult Entertainment Parlour Licensing By-law is hereby repealed.
34. By-law 0002-2001, as amended, being the Adult Videotape Licensing By-law is hereby repealed.
35. By-law 0003-2001, as amended, being the Body-rub Parlour Licensing By-law is hereby repealed.

ENACTED AND PASSED this 14th day of December, 2005.

Signed by: Hazel McCallion, Mayor and Crystal Greer, City Clerk

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Index to By-law 507-05

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Schedule 1 to By-law 507-05
Relating to fees

(amended by 192-08, 310-11)

| <u>TYPE OF LICENCE</u> | <u>New</u> | <u>Renewal</u> |
|------------------------------------|-------------------|-----------------------|
| Adult Book Store Owner | \$207.00 | \$202.00 |
| Adult Entertainment Business Owner | \$4,837.00 | \$4,817.00 |
| Adult Videotape Store Class A | \$313.00 | \$233.00 |
| Adult Videotape Store Class B | \$207.00 | \$202.00 |
| Attendant | \$381.00 | \$358.00 |
| Body-rub Business Owner | \$6,202.00 | \$6,063.00 |

OTHER FEES (taxes not included)

| | |
|-----------------------------|----------|
| Appeal Tribunal Hearing Fee | \$392.00 |
| Replacement Licence Fee | \$12.00 |

NOTE: These rates shall automatically increase and be rounded to the nearest dollar on the first day of January each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the 12 month period ending on October 1 in the year immediately preceding the rate increase. The fees listed in this Schedule will be subject to Harmonized Sales Tax (H.S.T.), where applicable

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Schedule 2 to By-law 507-05
Relating to licence expiry dates

1. The Owner's Licences issued pursuant to this By-law shall expire according to the name of the street on which the business premise is located and the Licence expiry dates shall be divided as follows:
 - (1) Where the first letter of the street name begins with the letter A through and including D, the Licence expiry date shall be March 31, of each year;
 - (2) Where the first letter of the street name begins with the letter E through and including K, the Licence expiry date shall be August 31, of each year;
 - (3) Where the first letter of the street name begins with the letter L through and including P, the Licence expiry date shall be October 31, of each year;
 - (4) Where the first letter of the street name begins with the letter Q through and including Z, the Licence expiry date shall be December 31, of each year.

1. The Attendant's licences issued pursuant to this By-law and the attached Schedules shall expire on December 31 of any given year.

3. Where a new Licence has been issued ninety (90) days or less prior to the Licence expiry date, the Licence period shall be extended and the Licence shall be deemed to be valid, subject to the other provisions of this By-law, until the Licence expiry date in the following year.

4. Where a new Licence has been issued ninety-one (91) days or more prior to the Licence expiry date, the Licence period shall not be extended and the Licence shall be deemed to be valid, subject to the other provisions of this By-law, only until the current year's Licence expiry date.

5. Where a completed application for renewal of a Licence is not submitted to the Licensing Unit within three (3) months after the expiry date, the Owner will be required to submit a new application and pay all appropriate fees as set out in Schedule 1 to this By-law.

Schedule 3 to By-law 507-05
Relating to Adult Book Stores

1. Every Owner who provides Adult Books in any premise or part thereof shall:
 - (1) Not permit any Adult Book to be displayed at a height of less than 1.5 metres above floor level, unless such book or magazine is in a part of the premise where the public is not permitted physical access and which is not visible to the public;
 - (2) Ensure that all Adult Books offered for sale or displayed in such premises or part thereof shall be placed behind an opaque barrier of a size and nature which shall ensure that the cover of every such book or magazine while so displayed, except for the name thereof, may not be seen by any member of the public;
 - (3) Maintain on the premises, available for inspection by the Licence Manager during all business hours, a current list of all Adult Books available on the premises;
 - (4) Ensure that exterior signs and advertisements relating to Adult Books and to the provision of Adult Books, shall be restricted to the words "Adult Books" or "Adult Book sales" and shall not include pictorial representation of Specified Body Areas or sexual activities;
 - (5) Ensure that no person under the age of eighteen (18) years is permitted within one meter of any Adult Book area, in accordance with this By-law;
 - (6) Ensure that no Adult Book shall be displayed in such a manner so as to be visible from outside the store; and
 - (7) Keep the premises in a clean and sanitary condition;

ADVERTISING

2. No person shall advertise an Adult Book Store by way of a sign unless the sign;
 - (1) Is erected only on the property where the Adult Book Store is located;
 - (2) Contains only readable text which shall be free from any words or slang referring to any part of the human body or the word nude, naked, topless, bottomless, sexy or any other word or picture, symbol or representation having like meaning or implication; and
 - (3) Is in compliance with the City's Sign By-law, as amended.
3. No Person shall advertise or cause or permit to be advertised an Adult Book Store in anyway or by any means, or publish anything, erect, post or maintain any sign, notice or any other publication or device, relating to or drawing attention to an Adult Book Store, except as specifically permitted in this By-law;

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Schedule 4 to By-law 507-05
Relating to Adult Entertainment Businesses

1. In addition to the general licensing provisions contained in this By-law, every applicant for a new Adult Entertainment Business Owner's Licence shall submit;
 - (1) A Police Criminal Record Data Request form duly executed by the Peel Regional Police for the Owner where the Owner is an individual, for each partner where the Owner is a partnership and for each director of the corporation where the Owner is a corporation;
 - (2) Two passport size photographs of the Owner where the Owner is an individual, for each partner where the Owner is a partnership and for each director of the corporation where the Owner is a corporation; and
 - (3) A floor plan of the Adult Entertainment Business, in a fashion acceptable to the Licence Manager, which clearly depicts where the Main Stage is in relation to all patron seating areas in the Adult Entertainment Business;

2. No licence will be issued or renewed under this By-law and this Schedule unless;
 - (1) The Owner is Licensed under the Business Licensing By-law to operate a Restaurant and that Licence is in good standing; or
 - (2) The Owner is a holder of a Licence issued under the *Liquor Licence Act*, R.S.O. 1990, c. L. 19, as amended; and
 - (3) The Adult Entertainment Business is located in zone where such use is permitted under the City of Mississauga Zoning By-laws, as amended, and is not located closer than 800 metres measured in a straight line from the nearest part of the Adult Entertainment Business buildings to the lot line of a residential zone;
 - (4) Despite section 2(3), the following premises in actual use as an Adult Entertainment Business will be permitted and are hereby defined as a premise in which one (1) Adult Entertainment Business is, if in compliance with all other law, eligible to apply for and be considered for an Owner's licence:
 - (1) 7222 Torbram Road
 - (2) 7040 Torbram Road, Unit 1
 - (3) 2630 Royal Windsor Drive, Unit 1
 - (4) 1820 Dundas Street East
 - (5) The Adult Entertainment Business may continue to locate in the premises listed in subsection (4) so long as the Owner continues to renew his Licence or sells his business and the use as a Adult Entertainment Business continues with no period of interruption in the business;

Schedule 4 to By-law 507-05
Relating to Adult Entertainment Businesses

- (6) If the use as a Adult Entertainment Business in the premises listed in subsection (4) ceases for any period of time or if the Owner's Licence is not renewed or if the Owner's Licence is revoked by Council, no further Owner's Licence shall be issued for that location;
- (7) The total number of Owner's Licences for Adult Entertainment Businesses in the City of Mississauga which may be issued under and in accordance with this By-law shall hereby be limited to nine (9).

ADVERTISING

3. No Person shall advertise an Adult Entertainment Business by way of a sign unless the sign;
 - (1) Is erected only on the property where the Adult Entertainment Business is located;
 - (2) Contains only readable text which shall be free from any words or slang referring to any part of the human body or the word nude, naked, topless, bottomless, sexy or any other word or picture, symbol or representation having like meaning or implication; and
 - (3) Is in compliance with the City's Sign By-law, as amended.

REGISTRATION OF ENTERTAINERS

4.
 - (1) Every Owner shall require an Entertainer to complete a registration form as set out in Schedule 5 to this By-law prior to performing in the Adult Entertainment Business.
 - (2) The completed registration form shall include the following information pertaining to the Entertainer:
 - (a) legal name;
 - (b) current address;
 - (c) former address if changed within the previous two years; and
 - (d) proof of age of majority as evidenced by production of at least two of the following documents of which one must contain photographic identification of the Entertainer:

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Schedule 4 to By-law 507-05
Relating to Adult Entertainment Businesses

- (i) Birth Certificate;
 - (ii) Baptismal Certificate;
 - (iii) Drivers Licence;
 - (iv) Passport;
 - (v) Social Insurance Card.
- (3) Every Owner shall retain with the completed registration form a photocopy of the identification provided by the Entertainer.
- (4) Every Owner shall, upon request of an Inspector or the Licence Manager, provide forthwith to that individual the valid, completed registration form for any and all Entertainers, together with photocopies of the identification retained with the registration form.
- (5) Every Owner shall retain all completed registration forms and photocopies of identification for a period of three years from the date of completion.
- (6) A registration form is valid for one (1) year from the date it is completed.
- (7) Every Owner shall have the Entertainer complete a registration form at least once a year or where any change in information occurs.

CONDUCT ON PREMISES

5. No Owner shall,
- (1) Permit any individual under the age of eighteen (18) years to enter or remain in the Adult Entertainment Business or any part thereof;
 - (2) Employ or otherwise use the services of individuals under the age of eighteen (18) years;
 - (3) Allow any person to act as an Entertainer who is under the age of eighteen (18) years;
 - (4) Permit any Entertainer to touch, sit, or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any other person;
 - (5) Permit any employee or patron to touch, sit, or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any Entertainer;

Schedule 4 to By-law 507-05
Relating to Adult Entertainment Businesses

- (6) Permit any Entertainer to perform any service in a location which is not clearly visible from the Main Stage and from a patron seating area for that particular floor of the Adult Entertainment Business, and which location is without obstruction by any person or any thing, including but not limited to walls, curtains, glass, enclosures, structures, fog, or inadequate lighting;
 - (7) Permit any person to loiter, create a disturbance or cause undue noise while on the licensed premises;
 - (8) Advertise or cause or permit to be advertised an Adult Entertainment Business in any way or by any means, or publish anything, erect, post or maintain any sign, notice or any other publication or device, relating to or drawing attention to an Adult Entertainment Business, except as specifically permitted in this By-law;
6. No Entertainer shall:
- (1) Permit any person to touch or make any physical contact with their breasts, buttocks, genital or pubic areas;
 - (2) Touch, sit, or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any other person; or
 - (3) Perform any services in a location which is not clearly visible from the Main Stage and from a patron seating area for that particular floor of the Adult Entertainment Business and which location is without obstruction by any person or any thing, including but not limited to walls, curtains, glass, enclosures, structures, fog, or inadequate lighting.

MAIN STAGE

- 7. No Owner shall make or cause to be made a Main Stage or make or cause to be made any alterations to the composition, design or location of the Main Stage for the Owner's Adult Entertainment Business without first receiving approval from the Licence Manager for such alterations.

BUSINESS OPERATION

- 8. (1) No Owner shall permit any person to provide Services or Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations in an Adult Entertainment Business:
 - (a) on any day, other than a Sunday, before twelve (12) o'clock noon of one day and after two (2) o'clock in the forenoon of the following day; and

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Schedule 4 to By-law 507-05
Relating to Adult Entertainment Businesses

- (b) on a Sunday, before four (4) o'clock in the afternoon and after two (2) o'clock in the forenoon of the following day.
 - (2) Notwithstanding paragraph 8(1)(a), no Owner shall permit any person to provide Services or Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations in an Adult Entertainment Business on December 31, where December 31 is not a Sunday, before twelve (12) o'clock noon and after three (3) o'clock in the forenoon of January 1.
 - (3) Notwithstanding paragraph 8(1)(b) no Owner shall permit any person to provide Services or Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations in an Adult Entertainment Business: on December 31, where December 31 is a Sunday, before four (4) o'clock in the afternoon and after three (3) o'clock in the forenoon of January 1.
9. Notwithstanding anything contained in section 8, no Owner shall operate an Adult Entertainment Business on Christmas Day, Good Friday or Easter Sunday;
10. Every Owner shall keep the Owner's premises in a clean and sanitary condition.

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**Schedule 5 to By-law 507-05
Relating to Entertainers Registration form**

(PLEASE PRINT ALL INFORMATION)

DATE INFORMATION RECEIVED: _____

Adult Entertainment Business: _____

INFORMATION TAKEN AND VERIFIED BY: _____
(OWNER OR DESIGNATE)

ENTERTAINER INFORMATION: (ALL QUESTIONS MUST BE ANSWERED)

NAME: _____
(SURNAME) (FIRST) (MIDDLE)

Maiden Name: _____ STAGE NAME: _____

BIRTH DATE: _____ / _____ / _____ SEX: MALE _____ FEMALE _____
YEAR MONTH DAY

HOME ADDRESS: _____

PHONE NUMBER: _____

PREVIOUS ADDRESS: _____
(LAST TWO YEARS)

DESCRIPTION: HEIGHT: _____ WEIGHT: _____
EYE COLOUR: _____ HAIR COLOUR: _____
SCARS/TATTOOS: _____
(DESCRIPTION)

FREELANCE: _____ SCHEDULED: _____

LAST BUSINESS WORKED AT: _____

PERSONAL IDENTIFICATION:

- 1) _____
- 2) _____

At least two pieces of identification from any of the following is acceptable: passport, birth certificate, driver's licence, social insurance card.

At least one of the above identifications must have a photograph with a photocopy attached to this application and further, the Entertainer agrees to have the Business Owner take one photograph of the entertainer, to be signed and dated by the entertainer to attach to this registration form.

I acknowledge the information on this registration is true and accurate.

ENTERTAINER'S SIGNATURE: _____

DATE: _____ / _____ / _____
(YEAR) (MONTH) (DAY)

D-3(4)

**Schedule 6 to By-law 507-05
Relating to Adult Videotape Stores**

1. Every person licenced under this By-law and Schedule shall obtain the proper-class of Adult Videotape Store licence the classes of which are described as follows:
 - (1) *"Adult Videotape Store Class A"* means any premises where the principal activity is the provision of Adult Videotapes; or in which Adult Videotapes are provided in the pursuance of a business and to which premises entry by persons under the age of eighteen (18) years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or in which Adult Videotapes are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an "Adult Video Store", an "Adult Videotape Store", an "Adult Video rental Store", or are otherwise described by words of like meaning;
 - (2) *"Adult Videotape Store Class B"* means any premises or part thereof where Adult Videotapes are provided in the pursuance of a business where the principal business is something other than providing Adult Videotapes;
2. Every licensed Owner shall:
 - (1) Maintain on the premises, available for inspection by the License Manager during all business hours, a current list of all Adult Videotapes available on the premises;
 - (2) Ensure that any person working in an Adult Videotape Store Class A, or in that part of any Adult Videotape Store Class B in which Adult Videotapes are provided, is of the age of eighteen (18) years or older;
 - (3) Ensure that exterior signs and advertisements relating to Adult Videotape Stores Class A or Class B and to the provision of Adult Videotapes, shall be restricted to the words "adult videos", "Adult Videotapes", or "Adult Videotapes sales or rentals" and shall not include pictorial representation of specified body areas or specified sexual activities;
 - (4) Ensure that no person under the age of eighteen (18) years is permitted to enter an Adult Videotape Store Class A, or within one meter of any Adult Videotape area in an Adult Videotape Store Class B;
 - (5) Post and keep posted at every entrance to any Adult Videotape Store Class A, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in such store or any part thereof;
 - (6) Ensure that no Adult Videotape, or container for an Adult Videotape shall be displayed in such a manner so as to be visible from outside the store; and
 - (7) Keep the premises in a clean and sanitary condition.
3. (1) Every Owner of a Adult Videotape Store Class B shall affix, in a prominent location inside such store and at every entrance to any Adult Videotape Area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in any Adult Videotape Area; and

**Schedule 6 to By-law 507-05
Relating to Adult Videotape Stores**

- (2) Every Owner of a Adult Videotape Store Class B shall ensure that no Adult Videotape, or container for an Adult Videotape, shall be displayed in a location where it can be seen by persons in the store, unless such Adult Videotape or container is in a separate location in such store to which persons under the age of eighteen (18) years are not permitted to enter, and such Adult Videotape or container is displayed in a location where it cannot be seen from outside such area or the Adult Videotape or container is behind an opaque barrier located at least 1,5 meters from floor level.

DEFINED AREAS AND LIMITATION ON THE NUMBER OF ADULT VIDEOTAPE STORE CLASS A LICENCES

- 4. (1) No licence will be issued or renewed under this By-law and this Schedule unless The Adult Videotape Store Class A is located in zone where such use is permitted under the City of Mississauga Zoning By-laws, as amended, and is not located closer than 800 metres measured in a straight line from the nearest part of the Adult Videotape Store Class A buildings to the lot line of a residential zone;
- (2) That part of premises at each of the following municipal addresses in actual use for the purpose of an Adult Videotape Store Class A business as of March 11, 1998:
 - 1. 41A Dundas Street East, Unit 3
 - 2. 1370 Dundas Street East, Unit 9
 - 3. 141 Queen Street South

is hereby defined as an area in which one Adult Videotape Store Class A is, if in compliance with all other applicable law, permitted to operate and eligible to be licensed for so long as such part of such premises continues to be lawfully used for such purposes.

- 5. The total number of licences for Class A Adult Videotape Stores in the City which may be issued under and in accordance with this By-law and attached Schedules shall be limited to 6.
- 6. If the use as a Class A Adult Videotape Store in any of the premises listed in section 4(1) ceases for any period of time or if the Owner's Licence is not renewed or if the Owner's Licence is revoked by council, no further Owner's Licence shall be issued for that location and the total number of Class A Adult Videotape Store Licences available for issue shall be reduced by one (1);

ADVERTISING

- 7. No person shall advertise an Adult Videotape Store by way of a sign unless the sign;
 - (1) Is erected only on the property where the Adult Videotape Store is located;

D-3(a)(a)

**Schedule 6 to By-law 507-05
Relating to Adult Videotape Stores**

- (2) Contains only readable text which shall be free from any words or slang referring to any part of the human body or the word nude, naked, topless, bottomless, sexy or any other word or picture, symbol or representation having like meaning or implication;
and
 - (3) Is in compliance with the City's Sign By-law, as amended.
8. No Person shall advertise or cause or permit to be advertised an Adult Videotape Store in any way or by any means, or publish anything, erect, post or maintain any sign, notice or any other publication or device, relating to or drawing attention to an Adult Videotape Store, except as specifically permitted in this By-law;

**Schedule 7 to By-law 507-05
Relating to Body-rub Businesses**

1. In addition to the general licensing provisions contained in this By-law, every applicant for a new Body-rub Business Owner's Licence shall submit;
 - (1) A Police Criminal Record Data Request form duly executed by the Peel Regional Police for the Owner where the Owner is an individual, each partner where the Owner is a partnership and for each director of the corporation where the Owner is a corporation;
 - (2) Two passport size photographs of the Owner where the Owner is an individual, each partner where the Owner is a partnership and for each director of the corporation where the Owner is a corporation;;
 - (3) A list showing the names, addresses and birth dates of all those individuals who will be acting as designates for the Owner;
 - (4) Where the information contained on the list referred to in subsection (3) changes, the Owner shall notify the Licensing Unit within thirty two (32) hours of the change;
 - (5) Notwithstanding paragraph 1(2), and upon application for renewal of any licence, the Owner shall not furnish new photographs unless required to do so by the Licensing Unit.
2. Each Owner shall, if they perform a Body-rub, be licensed as an Attendant pursuant to the provisions of this By-law and Schedule.

OWNERS DUTIES

3. Every Owner shall:
 - (1) Ensure that there is posted in a prominent location at the entrance to the Body-rub Business a sign indicating that no person under the age of eighteen (18) years may enter or remain in the Body-rub Business;
 - (2) Ensure that no Body-rubs are provided at the Body-rub Business other than in accordance with the requirements of this By-law;
 - (3) Ensure that he only use the services of licenced Attendants; and
 - (4) Ensure that when he is not in attendance at the business, a Designate is present.
4. No Owner shall:
 - (1) Permit any individual under the age of eighteen (18) years to enter or remain in the Body-rub Business or any part thereof;
 - (2) Employ or otherwise use the services of individuals under the age of eighteen (18) years;
 - (3) Permit any person, except a person holding a valid Attendant's licence to perform any Body-rubs at a Body-rub Business;

D-3(c)(c)

**Schedule 7 to By-law 507-05
Relating to Body-rub Businesses**

- (4) Permit any Attendant to touch, sit, or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any other person;
- (5) Permit any person to touch, sit, or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any Attendant;
- (6) Permit the Body-rub Business to be open for business unless the Owner or their Designate is in attendance;
- (7) Use or permit any person to use a camera or other photographic or other electronic recording device except where the use of the camera or other device is used by a public authority for the enforcement of the law or where the camera is located at the main entrance to the Body-rub Business and is used for security purposes only;
- (8) Permit any person to loiter, create a disturbance or cause undue noise while on the licensed premises;
- (9) Install or use any type of warning device or signaling system to alert staff or customers that an Inspector or the Police are in attendance;
- (10) Perform or provide any service or services or permit the performing or providing of any service or services in any Body-rub Business which is constructed or equipped so as to hinder or prevent the enforcement of this By-law;
- (11) Advertise or cause or permit to be advertised a Body-rub Business in any way or by any means, or publish anything, erect, post or maintain any sign, notice or any other publication or device, relating to or drawing attention to Body-rub Business, except as specifically permitted under this By-law; or

ADVERTISING

5. No Person shall advertise a Body-rub Business by way of a sign unless the sign;
 - (1) Is erected only on the property where the Body-rub Business is located;
 - (2) Contains only readable text which shall be free from any words or slang referring to any part of the human body or the word nude, naked, topless, bottomless, sexy or any other word or picture, symbol or representation having like meaning or implication;
and
 - (3) Is in compliance with the Sign By-law, as amended.

ATTENDANTS DUTIES

6. No Attendant shall:
 - (1) Provide Body-rubs at a premises that is not licenced as a Body-rub Business under this By-law;
 - (2) Permit any patron to touch, sit, or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any other person;

**Schedule 7 to By-law 507-05
Relating to Body-rub Businesses**

- (3) Make any physical contact with the breasts, buttocks, genital or pubic areas of any patron;
 - (4) Provide any services at the Body-rub Business unless the licenced Owner or Designate is in attendance;
7. Every Attendant shall carry his licence with him at all times while he is working at a Body-rub Business.

BUSINESS OPERATION

8. Every Body-rub performed in a Body-rub Business shall be given in an individual room or cubicle, but no Owner shall cause or permit the door or other means of access to any room or cubicle where Body-rubs are or may be provided, to be equipped or constructed with a locking device of any kind, or with any other device or structure which could delay or hinder anyone from entering or obtaining access to such room or cubicle.
9. No person shall permit the obstruction, hindrance or delay of any person attempting to gain entry into a room or cubicle in a Body-rub Business in which a service is or may be provided in respect of such Body-rub Business.
10. Every Owner in the operation of the Body-rub Business shall ensure that:
 - (1) Adequate toilet and washroom accommodations are provided in accordance with the Building Code, as amended, issued pursuant to the *Building Code Act, 1992*, S.O. 1992 c.23;
 - (2) The Body-rub Business is kept in a clean and sanitary condition;
 - (3) Every table, mat or other surface upon which persons lie or sit while being given or provided with a Body-rub shall be clean and in good repair, and shall have a top surface of impervious material;
 - (4) Every table, mat or other surface referred to in subsection (3) hereof shall be covered with a fresh, clean individual paper or cloth sheet before any person receives a Body-rub thereon; and
 - (5) Every sheet or towel shall, immediately after being used by any person, be deposited in a receptacle reserved for that purpose and shall not be utilized again for any purpose before being freshly laundered.
11. No Owner or Attendant shall perform or permit to be performed a Body-rub in any Body-rub Business by or upon any person whom he has reasonable cause to suspect has been exposed to or is suffering from any communicable disease, including any communicable skin disease.
12. Every Owner and Attendant or other person performing services in, at or upon a Body-rub Business or in attendance at a Body-rub Business in pursuance of a trade, calling, business or occupation carried on by the Owner of such Body-rub Business, shall upon a request made to him by any peace officer or public health inspector acting under the direction of the Medical Officer of Health, provide his name and residential address, and if he is licensed under this By-law in respect of any trade, calling, business or occupation relating to such Body-rub Business, he shall produce his licence.

D-3(e)(e)

**Schedule 7 to By-law 507-05
Relating to Body-rub Businesses**

13. A peace officer, or public health inspector acting under the direction of the Medical Officer of Health, may enter and inspect all areas of a Body-rub Business, at any time of the night or day, for the purposes of carrying out the enforcement of this By-law.
14. No Person shall offer, sell, give, perform or solicit any service or goods in a Body-rub Business except in accordance with all applicable law.
15. Subject to section 16 of this Schedule, the number of Owner's Licences which may be granted by the Licensing Unit in respect of a Body-rub Business in each of the areas defined below shall be limited to the number set forth herein at the end of the definition of each area:
 - (1) The area of the City of Mississauga bounded by Lake Ontario on the south, the eastern boundary of the City of Mississauga on the east, the south side of Eglinton Avenue East on the north and the east side of Hurontario Street on the west - two (2);
 - (2) The area of the City of Mississauga bounded by Lake Ontario on the south, the west side of Hurontario Street on the east, the south side of Eglinton Avenue West on the north and the westerly boundary of the City of Mississauga on the west - two (2);
 - (3) The area of the City of Mississauga bounded by the north side of Eglinton Avenue West on the south, the west side of Hurontario Street on the east, the northerly boundary of the City of Mississauga on the north and the westerly boundary of the City of Mississauga on the west - two (2);
 - (4) The area of the City of Mississauga bounded by the north side of Eglinton Avenue East on the south, the easterly boundary of the City of Mississauga on the east, the northerly boundary of the City of Mississauga on the north and the east side of Hurontario Street on the west - two (2); provided that no licence shall be issued or renewed under this By-law unless the Body-rub Business is located in an industrial zone within the planning area subject to the City of Mississauga Zoning By-law, as amended, and is not located closer than 800 metres measured in a straight line from the nearest part of the Body-rub Business buildings to the lot line of a residential zone.
16. (1) Despite section 15(4), notwithstanding that the number of Body-rub Businesses in the area will exceed the number permitted, the following premises in actual use as a Body-rub Business will be permitted and are hereby defined as a premise in which one (1) Body-rub Business is, if in compliance with all other law, eligible to apply for and be considered for an Owner's licence:
 - (1) 1380 Matheson Boulevard East, Unit 1
 - (2) 7050 Bramalea Road, Units 15 and 16
 - (3) 5315 Tomken Road, Unit 2
 - (4) 5225 Orbitor Drive, Unit 24
 - (5) 392 Gibraltar Drive, Unit 3
 - (6) 1080 Tristar Drive, Unit 15
 - (7) 151 Brunel Road, Unit 6
 - (8) 1616 Matheson Boulevard East, Units 5 and 6.

D3(f)(f)

**Schedule 7 to By-law 507-05
Relating to Body-rub Businesses**

- (2) The Body-rub Business may continue to locate in the premises listed in subsection (1) so long as the Owner continues to renew his Licence or sells his business and the use as a Body-rub Business continues with no period of interruption in the business;
- (3) If the use as a Body-rub Business in the premises listed in subsection (1) ceases for any period of time or if the Owner's Licence is not renewed or if the Owner's Licence is revoked by Council, no further Owner's Licence shall be issued for that location and the number of Body-rub Businesses shall be reduced by one (1);
- (4) The total number of Owner's Licences for Body-rub Businesses in the City of Mississauga which may be issued under and in accordance with this By-law shall hereby be limited to 14.

MOTION: Direction to staff to intervene in Schlifer Legal Clinic case to protect data collected from the federal long-gun registry

COUNCIL AGENDA
SEP 12 2012

WHEREAS on October 25, 2011, the Minister of Public Safety introduced Bill C-19, An Act to amend the Criminal Code and Firearms Act (ending the Long-gun Registry Act and requiring the destruction of the existing information); and

WHEREAS the Peel Regional Police, among many other agencies and organizations as well as individual citizens, believe that the long-gun registry is an important tool in preserving the safety of citizens and officers in their day to day duties; and

WHEREAS the Council of the City of Mississauga adopted a resolution on December 14, 2011 requesting that "the federal government to reconsider the proposed legislation or at a minimum permit the provinces to retain the information currently in the registration database. That a letter be sent to the Prime Minister transmitting this resolution with copies to the MPs and requesting them to support and a response from them as to the action they are prepared to take on this issue;" and

WHEREAS the City of Toronto has offered legal support to the Barbara Schlifer Legal Clinic to seek an injunction to prevent the federal government from destroying data collected by the long-gun registry;

THEREFORE, BE IT RESOLVED THAT:

1. Mississauga City Council direct the City Solicitor to seek leave to intervene in support of the Barbara Schlifer Clinic's motion for an injunction to provide the City of Toronto perspective on the importance of why the Federal and Provincial government's long-gun registry data should not be destroyed as it supports the health, safety and protection of the citizens of Mississauga and in particular, it supports the Mississauga's efforts and commitment to end violence against women; and
2. Mississauga City Council write to the Premier of Ontario, with copies to the Ministry of the Attorney General and the Ministry of Community Safety and Correctional Services, asking the Province to introduce regulations on the sales of non-restricted firearms by businesses.

B. Crombie

Sept 5, 2012.

WHEREAS on July 4, 2012 Council passed resolution 0161-2012 where recommendation TIAC-0014-2012 was included;

AND WHEREAS the TIAC recommendation 0014-2012 was put into effect with an immediate moratorium against the issuance of Tow Truck Plates and Tow Truck Driver Licenses to allow staff the opportunity to bring forward recommended changes to the Tow Truck By-Law 521-04;

AND WHEREAS due to the moratorium on issuing Tow Truck Plates and Tow Truck Driver Licenses, problems have occurred in the Towing Industry and as a result, Tow Truck companies in possession of a Tow Truck License issued by the City of Mississauga are not able to fully operate;

AND WHEREAS the Tow Truck companies have had a loss of licenses¹ drivers and are unable to operate all licensed trucks. This has resulted in a risk to business for a number of tow truck companies while other companies, such as CAA are struggling with the lack of drivers and the constant demand to keep their trucks on the road 24/7 to provide adequate service to meet the demands of their customers;

NOW THEREFORE LET IT BE RESOLVED THAT

The following amendments are to be made to the Tow Truck Plates and Tow Truck Driver Licensing moratorium to alleviate some of the concerns being raised by the Towing Industry:

- a. Tow Truck companies specifically identify the tow truck driver shortages and specify the truck information for which they require a driver and provide the justification for the request for a new driver.
- b. A new tow truck driver application must be accompanied by a clear criminal record search in order to be exempt from the Tow Truck Plates and Tow Truck Driver Licensing moratorium.
- c. A new tow truck driver applicant must have a clear driver abstract in order to be exempt from the Tow Truck Plates and Tow Truck Driver Licensing moratorium.
- d. The tow truck driver's licence would be issued with strict conditions and limited to a specific tow truck and tow truck company.

[Handwritten Signature]
Sept 5/2012