

Issue Date : February 24, 2010



MINUTES

SESSION 2

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, FEBRUARY 10, 2010, 9:00 A. M.

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

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20. ADJOURNMENT

17

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

ABSENT: Councillor Pat Mullin Ward 2
Councillor Maja Prentice Ward 3

STAFF: Brenda Breault, Commissioner of Corporate Services and Treasurer
Paul Mitcham, Commissioner of Community Services
Martin Powell, Commissioner of Transportation and Works
Ed Sajecki, Commissioner of Planning and Building
Mary Ellen Bench, City Solicitor
Crystal Greer, City Clerk
Grant Bivol, Deputy City Clerk
Shalini Alleluia, Legislative Coordinator
Marylu Javed, Administrative Assistant

1. CALL TO ORDER

The meeting was called to order at 9:12 a.m. by Mayor Hazel McCallion, with the saying of the Lord's Prayer.

2. DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST

- (i) Mayor Hazel McCallion declared conflict of interest with respect to Corporate Report R-2 as it related to the Judicial Inquiry. Discussion on this matter was deferred to the end of the open session (before the Closed Session).
- (ii) Councillor Frank Dale declared conflict of interest with respect to Motion 13 (f) as it dealt with the economic adjustment and his spouse is a part-time employee. He also wished to include in this declaration, any discussions relating to the economic adjustment on the General Committee Report that was before Council for approval.

MG.01

3. MINUTES OF PREVIOUS COUNCIL MEETINGS

- (a) January 20, 2010 - Session 1

Approved as presented
MG.01

4. APPROVAL OF THE AGENDA

- (i) Councillor Nando Iannicca requested that Council move into Closed Session to allow him to ask questions and receive verbal legal advice with respect to the Region of Peel Growth Strategy which has been challenged at the Ontario Municipal Board.

Resolution 0028-2010
MG.20

- (ii) Additional By-law - A by-law to authorize the expropriation of land and property rights, for the purpose of completing a bus rapid transit project (the "BRT Project), comprising of a dedicated east-west Bus Transit Corridor across Mississauga and running along Highway #403.

Resolution 0023-2010/January 20, 2010
TS.14.Brt

- (iii) Councillor Carolyn Parrish distributed a package containing a letter dated February 8, 2010 from Orchestra Mississauga and a draft resolution for Council's consideration.

Resolution 0035-2010
FA.16.Orc

- (iv) Councillor Parrish requested further discussion with respect to Corporate Grants (General Committee Report dated January 27, 2010)

MG.01

5. PRESENTATIONS

6. DEPUTATIONS**(a) City of Mississauga Accessibility Plan**

Rabia Khedr, Accessibility Advisory Committee Chair, addressed Council with respect to the City of Mississauga Accessibility Plan. Using a PowerPoint Presentation, she explained the Accessibility Standards and highlighted the Committee's past initiatives, noting that they fit into the Strategic Plan. Also, Ms. Khedr described initiatives that are currently underway and their priorities for 2010 and beyond.

MG.26

(b) Mayors for Peace

Janis and Douglas Alton, residents, addressed Council to present information with respect to 'Mayors for Peace'. Using a visual presentation, they spoke of the need to abolish nuclear weapons and urged Council to pass a resolution for Mayor McCallion to join the Mayors for Peace who have a goal to eliminate and abolish nuclear weapons.

Mayor Hazel McCallion requested the deputants to provide her office with more information on this group so that she could share the information with other Mayors (LUMCO). Additional copies of the DVD were provided.

The following resolution was passed:

0036-2010 Moved by: C. Corbasson Seconded by: C. Parrish

That Mayor McCallion join the "Mayors for Peace" group which has a goal of eliminating the threat of Nuclear Weapons.

Carried

Correspondence I-6

CA.10.MAY/PR.04

(c) Purple Day Campaign – Epilepsy Awareness

Tahverlee Dunlop, Executive Director, Canadian Epilepsy Alliance, addressed Council with respect to their Purple Day Campaign – Epilepsy Awareness. She requested that the City participate in raising awareness about Epilepsy by illuminating City buildings with purple lighting.

Received

Correspondence I-1

PR.04

7. **PUBLIC QUESTION PERIOD** (in accordance with Section 36 of the City of Mississauga Procedure By-law 0421-2003, as amended - Council may grant permission to a person who is present and at Council and wishes to address Council on a matter on the Agenda. Public Question Period is limited to a total of 15 minutes. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

Ursula Keuper Bennett addressed Council with respect to the Accessibility Plan. She asked several questions relating to matters reviewed by the Accessibility Committee as it related to policies such as the Violence, Vandalism and Bullying Policy, Internet Monitoring Policy, and draft 'Access to and Accessible use of Information Technology and Supporting Guidelines'. Ms. Bennett was requested to put her questions in writing so that staff can provide her with appropriate answers.

PR.09

8. **CORPORATE REPORTS**

R-1 Proposed Street Name Change from Sisbro Court to Canadian Place

Report dated January 25, 2010 from the Commissioner of Corporate Services and Treasurer with respect to the Proposed Street Name Change from Sisbro Court to Canadian Place (located east of Tomken Road and south of Eglinton Avenue East in Ward 3).

Resolution 0031-2010/By-law 0038-2010
RT.13.SIS (Ward 3)

R-2 Judicial Inquiry Funding for Parties with Standing

This report was dealt with immediately prior to Item 18 - Closed Session.

9. **COMMITTEE REPORTS**

(a) **General Committee – Grant Programs – Report 2-2010 dated January 27, 2010**

Recommendations GC-0029-2010 to GC-0043-2010 inclusive as contained in the General Committee Report 2-2010 (Grants) dated January 27, 2010 were approved as presented with the exception of GC-0035-2010 which was amended by Resolution 0034-2010 to add a Part (5) to the recommendation as follows:

Resolution 0034-2010

GC-0035-2010

Add:

5. That staff review the source of future funding to Safe City Mississauga other than the Corporate Grants program and report their recommendations to Council prior to the 2011 application date.

The entire recommendation now reads as follows:

GC-0035-2010

That the recommendation set out in the Corporate Report dated January 13, 2010 from the Commissioner of Community Services for a 2010 Corporate Grant to Safe City Mississauga in the amount of \$199,627.00, be received for information; and

1. That Safe City Mississauga be granted \$318,075.00 less their rent of \$16,590 including GST.
2. That 75% (\$226,114) be provided to Safe City Mississauga at this time and 25% (\$75,371) be released once staff have received and reconciled 2009 final financial statements.
3. That an exception to the Corporate Policy be approved, allowing the Grants Committee to fund in excess of 80% of the annual operating costs of Safe City Mississauga.
4. That the Director of Finance be directed to provide additional funding of \$118,448.00 for the 2010 Corporate Grant program.
5. That staff review the source of future funding to Safe City Mississauga other than the Corporate Grants program and report their recommendations to Council prior to the 2011 application date.

The above amendment was initiated by Councillor Pat Saito as she felt that funding to Safe City Mississauga did not fit in with the established criteria for grants for other organizations. She requested that staff bring back a report with funding recommendations for Safe City Mississauga before the next year's grants are considered. Councillor Saito noted that other organizations applying for grants are community organizations but Safe City Mississauga has been established by Council to provide a service to Council.

Resolution 0034-2010/

Resolution 0027-2010

Recommendation GC-0035-2010 (Amended)

FA.16/ MG.23

Councillor Carolyn Parrish introduced her request to deal with the package she distributed with respect to Orchestra Mississauga. This package included a letter dated February 8, 2010 from the General Manager of Orchestra Mississauga to Councillor Parrish.

Councillor Parrish explained the purpose of her draft motion and her commitment to work with Orchestra Mississauga. Copies of the draft motion were distributed to Council. Further, Councillor Parrish advised that since preparing the draft motion, she wished to delete a part of the draft resolution.

Mayor Hazel McCallion expressed disappointment at how Orchestra Mississauga and the Mississauga Choral Society were assessed during the Grants process. Also, she expressed concern that her Mayor's Gala Fund is depreciating because it is being used to financially help Arts Groups. Further, she urged that the Children's Festival be reintroduced if possible. Susan Burt, Director, explained the assessment process and the credentials of the assessors, pointing out that they were given advance information including the Mississauga Strategic Plan and the Arts and Culture Plan.

Susan Burt reminded that staffing and program decisions were made by the Board due to declining revenues and suggested that the Board be made aware of this resolution.

Resolution 0035-2010 was passed in this regard.

0035-2010 Moved by: C. Parrish

Seconded by: N. Iannicca

1. That sufficient additional funds be provided to return staffing to 2009 level;
2. That an additional amount be provided for a capacity-building fund to expand programming, solicit sponsorships and augment advertising - not to exceed a total budget allocation of \$195,000 for Orchestras Mississauga; and further,
3. That this funding should be a two-year commitment at the end of which Orchestras Mississauga must demonstrate its viability or cease to exist.

Carried

FA.16.ORB

Mayor Hazel McCallion also directed staff to report back on grants to the Choral Society as she felt that they too needed support. Councillor Katie Mahoney requested that the Heritage Foundation also be included in this request.

Resolution 0038-2010 directing staff to bring back the above report was voted on and carried.

Resolution 0038-2010

FA.16

- (b) **Budget Committee – Report-2-2010 dated January 27, 2010
Recommendations BC-0009-2010**

Approved
Resolution 0027-2010

MG.29

- (c) **Planning and Development Committee - Report 1-2010 dated February 1,
2010
Recommendations PDC-0001-2010 – PDC-0003-2010**

Approved
Resolution 0027-2010
MG.03

- (d) **General Committee – Report-3-010 dated February 3, 2010
Recommendations GC-0044-2010 to GC-0079-2010**

Approved.
Resolution 0027-2010
MG.23

- (e) **Official Plan Amendment and Rezoning Application
Daniels LR Corporation
2891 Rio Court
OZ 09/010 W9 (Ward 9)**

Councillor Pat Saito amended the first two sentences of the last paragraph on Page 1 of the Extract as follows:

“Councillor Pat Saito explained the current zoning which permitted an apartment building on the site. The Councillor advised that when constructed, access will be from Rio Court. She asked staff to ensure that construction access be directed via Hazelton Place or Plantation Place.”

Received as Amended
OZ 09/010 W9 (Ward 9)

10. UNFINISHED BUSINESS

11. PETITIONS**12. CORRESPONDENCE**

(a) Information Items I-1 – I-6

- I-1 Letter dated January 26, 2010 from The Canadian Epilepsy Alliance, requesting the City to participate in their Purple Day Campaign, on March 26, 2010 to raise awareness about epilepsy.

Received
Deputation 6(a)
PR.04

- I-2 Letter dated February 1, 2010, from the Mayor's Youth Advisory Committee (MYAC), requesting to represent the City of Mississauga at the Annual Forum for Young Canadians.

Resolution 0037-2010
MG.11.MAY/PR.04.FOR

- I-3 Letter dated February 2, 2010, from FCM to the Big City Mayors advising of a declaration of support from the City of Montreal which calls for a coordinated municipal response to the crisis in Haiti.

Received
MG.11.BIG

- I-4 Letter dated December 17, 2009 from the Streetsville Arena, requested full funding to upgrade/replace the ice plant equipment of Vic Johnston Community Centre, and amendments to their ground lease agreement.

Staff were given direction to bring back a report on recommended amendments to the Ground Lease Agreement.

Resolution 0038-2010
PO.04.VIC

- I-5 Letter dated January 27, 2010 from the Ministry of Energy and Infrastructure, in regards to a proposed gas-fired generating station in Oakville.

Received
EC.06.CLA

- I-6 E-mail dated January 22, 2010, from Janis and Douglas Alton, requesting that Mayor Hazel McCallion join the Mayors for Peace which has a goal of eliminating the threat of nuclear weapons.

Resolution 0036-2010

Deputation 6(b)

CA.10.MAY

- (b) Direction Items – Nil.

13. **RESOLUTIONS**

0027-2010 Moved by: C. Corbasson Seconded by: C. Parrish

That GC-0029-2010 to GC-0043-2010 inclusive as contained in the General Committee Report 2-2010 (Grants) dated January 27, 2010 be approved as amended in GC-0035-2010.

That BC-0009-2010 as contained in the Budget Committee Report 2-2010 dated January 27, 2010 be approved.

That PDC-0001-2010 – PDC-0003-2010 inclusive as contained in the Planning and Development Committee Report 1-2009 dated February 1, 2010 be approved.

That GC-0044-2010 to GC-0079-2010 inclusive as contained in the General Committee Report 3-2009 dated February 3, 2010 be approved.

Carried

MG.01

0028-2010 Moved by: N. Iannicca Seconded by: F. Dale

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

And Whereas the Act requires that the resolution states the Act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

Now Therefore be it resolved that a portion of the Council meeting to be held on February 10, 2010, shall be closed under Section 239(2) to the public to deal with the following matter:

- (i) Litigation or Potential Litigation, including matters before administrative Tribunals, affecting the municipality - Growth Plan before the Region of Peel which has been challenged at the OMB - Liability to the City of Mississauga.

Carried

MG.20.IN/LA.19.PEE

0029-2010

Moved by: P. Saito

Seconded by: K. Mahoney

Whereas the Mayor and Members of Council and staff of the City of Mississauga are saddened to learn of the passing of Dianne Boucher on January 17, 2010;

And Whereas Dianne began her career at the City of Mississauga on January 2, 1985 in the Transportation and Works Department, transferred to the Community Services Department in 1992; and then transferred as a Legal Secretary with Legal Services in 1993,

And Whereas Dianne retired on August 1, 2006 to continue with her passion for playing the piano and started her own PTA School of Music in Mississauga,

And Whereas Diane is survived by her husband of 48 years, Michael Frederick, her son Michael and daughter Donna and their families,

Now Therefore Be It Resolved that sincere condolences be extended on behalf of the Mayor and members of Council and staff of the City of Mississauga to the family of Dianne Boucher.

Carried

PR.04

0030-2010

Moved by: G. Carlson

Seconded by: C. Parrish

Whereas the Mayor and Members of Council and staff of the City of Mississauga are saddened to learn of the passing of Jim Wilde, on January 22, 2010;

And Whereas Jim Wilde was the Chair of the Mississauga Public Library Board and served on the Board since 2004, and as Chair since 2008, with very special interests in the promotion of Mississauga's history and heritage and service for students,

And Whereas in 1988, Jim Wilde became the founding member of the Friends of the Library group and worked hard on getting the new Mississauga Central Library opened in 1991, and in recognition of his dedicated service, the Library established its annual Jim Wilde Young Volunteer Award several years ago

0037-2010 Moved by: K. Mahoney Seconded by: N. Iannicca

That the following individual be sent from the City of Mississauga as a Youth Representative to the Forum for Young Canadians:

Saqib Mian, Chair, Mayor's Youth Advisory Committee

Carried

MG.11.MAY/PR.04.FOR

0038-2010 Moved by: C. Parrish Seconded by: N. Iannicca

That the following direction(s) was given to staff from its Council meeting on February 10, 2010:

- a) Staff return back with justification for its forwarding recommendations for grants to the Choral Society and Heritage Foundation and in assessment if impacts on those organizations.
- b) Staff report back with respect to appropriate amendments to the May 2003 Ground lease agreement with the Vic Johnston Community Centre.

Carried

FA.16/PO.13.CHU

0039-2010 Moved by: C. Parrish Seconded by: N. Iannicca

That staff be directed to report back to Council on the feasibility of remaining the Woodlands Library in honour of Jim Wilde.

Carried

PO.10.WOO

14. BY-LAWS

0038-2010 A by-law to authorize a street name change from Sisbro Court to Canadian Place (Ward 3)

Corporate Report R-1

Motion

RT.13.Sis

0039-2010 A by-law to appoint a Chief Building Official, Deputy Chief Building Officials and Inspectors for the enforcement of the Building Code Act, 1992, as amended, and to repeal By-law 0058-2009

BL.08

- 0040-2010 A by-law to authorize execution of a Servicing Agreement for Municipal Works only and other related documents, Mr. Gino Molinaro O/A Molinaro's fine Italian Foods Ltd., the City of Mississauga, the Region of Peel, 213 Isabella Avenue.
CD.06.MOL W7
- 0041-2010 A by-law to authorize the execution of a common elements Condominium Servicing Agreement, Gemini Urban Design Corp., 1980 – 1995 Rackus Crescent, 952-981 Toscana Place, 2010-2040 Lakeshore Road West, 2011-2017 Lushes Avenue North and 985-997 Southdown Road
SP 09/195 W2
- 0042-2010 A by-law to establish certain lands as part of the municipal highway system, to be known as Glen Erin Drive and Metcalfe Avenue, in the vicinity of Eglinton Avenue West and Glen Erin Drive.
R.P. 43M-682 and 43M-684
SP 08/228
- 0043-2010 A by-law to establish certain lands as part of the municipal highway system, to be known as Rathburn Road, Duke of York Boulevard and Living Arts Drive, in the vicinity of Rathburn Road and Duke of York Boulevard.
RT.04.Byl
R.P 43M-1010
- 0044-2010 A by-law to authorize the expropriation of land and property rights, for the purpose of completing a bus rapid transit project (the "BRT Project), comprising of a dedicated east-west bus transit corridor across Mississauga and running along Highway #403.
Resolution 0023-2010/January 20, 2010
TS.14.Brt

15. OTHER BUSINESS

1. George Carlson spoke to his recent tour of the Russell Langmaid School and advised that several user groups have expressed interest in this school. A report to Council will be forthcoming.

PO.10.Chu

2. Councillor Carolyn Parrish requested that information regarding the new Information Technology which was to come back to Council, be done in open session (unless it identified an individual in a negative way relating to misuse of the technology).

CA.02

3. Councillor Katie Mahoney complimented staff on receiving a package from the Animal Services Department; this package is sent to all homeowners who lose their licensed pet.

PR.11

4. Mayor Hazel McCallion highlighted the Job Summit held on February 9, 2010, attended by about 300 people resulting in some excellent recommendations. The Mayor expressed sympathy for the unemployed and advised that she would distribute the recommendations to members of council once they were finalized.

HR.22

5. Councillor Carolyn Parrish directed that staff review the feasibility of renaming the Woodlands Library in honour of Jim Wilde.

Resolution 0039-2010

PO.01.Woo

16. INQUIRIES

1. Councillor Carmen Corbasson requested clarification with respect to a City protocol requiring criminal checks on volunteers, part-time staff, etc. She indicated that it was brought to her attention that there was inconsistency in how the request for criminal checks was being applied and in some cases, it was onerous and costly, particularly for seasonal employees who are rehired on an annual basis. She asked that this protocol be reviewed.

HR.27

17. NOTICES OF MOTION

4. That Peter McCallion produce sufficient evidence that he is indeed unable to retain legal representation due to insufficient income and no access to assets; and further

that Peter McCallion be represented by Legal Counsel as per the above referenced guidelines for hours and fees approved by Council while Mr. McCallion is actually giving testimony at the Inquiry; and further

that Council withholds a decision on further legal funding for Mr. McCallion until such time as the Inquiry is concluded, when all relevant facts will be known and available as to the extent of Mr. McCallion's involvement in the key elements of the terms of reference set by Council when requesting the Inquiry.

5. That funding to OMERS be denied based on the criteria.

Carried
MG.01.Jud

18. CLOSED SESSION

Pursuant to Resolution 0028-2010, Council moved into Closed Session at 11.45 p.m. to discuss the following matter:

In Camera # 10 - Verbal - Litigation or Potential Litigation, including matters before administrative Tribunals, affecting the municipality - Growth Plan before the Region of Peel which has been challenged at the OMB - Liability to the City of Mississauga.

Councillor Nando Iannicca raised questions with respect to the Region of Peel Growth Plan which has been challenged at the OMB and requested staff to respond on how this could impact the City of Mississauga.

Direction was given to staff to respond to the questions raised.

LA.19.PEE

Council moved out of Closed Session at 12:15 p.m.

Councillor Pat Saito, Acting Mayor resumed the Chair.

RESOLUTIONS (AS A RESULT OF CLOSED SESSION)

Verbal direction - Staff were directed to respond to the questions raised with respect to the impacts and liability issues relating to the Regional Growth Plan as raised during this In Camera Session.

19. CONFIRMATORY BY-LAW

0045-2010 A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on February 10, 2010.

MG.01

20. ADJOURNMENT – 12.20 P.M.

MAYOR

CLERK