



MINUTES

SESSION 21

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, NOVEMBER 25, 2009, 9:00 A. M.

COUNCIL CHAMBER

300 CITY CENTRE DRIVE

MISSISSAUGA, ONTARIO L5B 3C1

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PRESENT: Mayor Hazel McCallion
Councillor Carmen Corbasson Ward 1
Councillor Pat Mullin Ward 2
Councillor Maja Prentice Ward 3
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: Nil

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

1. CALL TO ORDER

The meeting was called to order at 9:05 a.m. by Mayor Hazel McCallion, with the saying of the Lord's Prayer.

2. DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST

At the calling of disclosures of direct or indirect pecuniary interest, no member declared a Conflict of Interest. Later in the meeting, Mayor Hazel McCallion declared Conflict of Interest for the Budget Committee Report as Recommendation BC-0032-2009 dealt with funding for the Judicial Inquiry.

MG.01

3. MINUTES OF PREVIOUS COUNCIL MEETINGS

(a) November 11, 2009 - Session 20

Approved as presented
MG.01

4. APPROVAL OF THE AGENDA

The following matters were introduced as part of the Agenda:

- (i) A motion to support the Town of Oakville's request to designate the TransCanada 900 Megawatt natural gas-fired power plant as an undertaking to which a full Environmental Assessment under Part II of the *Environmental Assessment Act* should apply.
- (ii) A petition from the residents Christopher Road with respect to reducing the speed limit to 40 kms. per hour due to volume of traffic and presence of Springwell Public School.

MG.01

5. PRESENTATIONS**(a) 2009 Mississauga Urban Design Awards**

Mayor Hazel McCallion, Ed Sajecki, Commissioner and Marilyn Ball, Director, Planning & Building Department, presented the 2009 Mississauga Urban Design Awards.

Marilyn Ball, Director, introduced the 2009 Mississauga Urban Design Award program. She explained the judging criteria and noted that it supported the pillars of the Strategic Plan. Steven Bell, Urban Designer, explained the categories, listed the jury panel and announced the winners.

Awards were presented to the following recipients in the following categories:

- (i) Award of Excellence – Vic Johnson Community Centre in Streetsville
- (ii) Award of Excellence – The Plastic Surgery Clinic on Hurontario Street
- (iii) Award of Merit for Significance – City wide scale – Eve Condominium on Kariya Drive
- (iv) Award of Merit for Execution and Context – Watercolours Community in Clarkson
- (v) Award of Merit for Efficient Design - Daniels Firsthome Eglinton West Project

Ed Sajecki, Commissioner, provided the closing remarks stating that there were many high level submissions and it was difficult to select the winners.

Councillor Carmen Corbasson, a member of the jury panel noted that she was impressed to see some of the architecture, especially the articulation of the tall buildings and how they relate to the street.

PR.04

(b) Women's Legal Education and Action Fund (LEAF)

Audrey Johnson, Executive Director of (LEAF) presented Mayor Hazel McCallion with an honorary pin as she was recognized as a trailblazer at their 80th. Anniversary of the Persons Case by LEAF. She explained the purpose of their organization which is to advance the equality of women and girls in Canada through litigation, law reform and public education.

PR.04

(c) Defibrillator – CANADA 9-1-1 RIDE/Jacox Harley- Davidson

Marshall Horner, General Manager/Partner of Jacox Harley Davidson presented the City of Mississauga with a Defibrillator on behalf of CANADA 9-1-1 RIDE which can be installed at a location of choice. He was joined by Dan Lawrence, President of the Canada 9-1-1 Ride Foundation and Hugh Heron of Heathwood Homes and spoke of their fund raising, scholarships and other community efforts through the Mikey network.

Mayor Hazel McCallion, Councillor Pat Saito and Fire Chief John McDougall received the defibrillator on behalf of the City.

PR.04

6. DEPUTATIONS

(a) Tax Adjustments Pursuant to Section 359 & 359.1

Gerry Swinkin, Blake Cassels, Legal Counsel for the owners of 7090 Kennedy Road, requested deferral of Roll No. 05-04-0-117-24050-0000 listed on Appendix 2 of the Corporate Report. He advised that they were not given an opportunity to review the background information on this matter.

Council dealt with the motion and deferred Roll No. 05-04-0-117-24050-0000 listed on Appendix 2 of the Corporate Report as requested by Mr. Swinkin.

Corporate Report R-1/Resolution 0276-2009
FA.35

(b) Mississauga Cycling Advisory Committee – Annual Update to Council

Jeff Wachman, Chair and Craig LaFerriere, Vice Chair, provided Council with an update with respect to the Mississauga Cycling Advisory Committee. Mr. LaFerriere advised that last year the Committee focussed on building bridges which they have accomplished and this year they wish to focus on “Mississauga is Cycling”. He explained their vision, noting that all related cycling information is available through their website including up to date maps. He also highlighted the successful Tour de Mississauga which had 30 cyclists in 2008 and grew to 400 cyclists in 2009, adding that they would like to see permanent signs.

Jeff Wachman explained their vision and accomplishments in more detail, including bike racks on buses, connectivity, signage, etc. Using a PowerPoint presentation, he also showed projects which are currently underway and when completed they will become vital links. Finally, Mr. Wachman advised that they work closely with staff so that cycling opportunities are not missed like the one that could have become the continuous link between Clarkson and Port Credit. Further, Mr. Wachman advised that the Committee has provided input into several major Mississauga studies and he thanked Council, Commissioners and staff for their support.

Councillor Pat Mullin thanked all members of the Cycling Committee for their work and commitment. Also, she thanked staff for their support to the committee. Councillor Mullin expressed the importance of having liveable communities and complete streets while stressing on safe cycling.

Councillor Nando Iannicca congratulated the Cycling Committee for working towards making cycling part of the culture and complemented that people were using the Queensway Trail even before it was fully complete.

Councillor Pat Saito recalled the change in attitude over the past 10 years from moving traffic on major roads to now looking at putting a bike lane on Glen Erin Drive.

Councillor Carolyn Parrish enquired if the Committee had considered putting a charitable aspect to the Tour de Mississauga event similar to the Mississauga Marathon. She suggested that through a partnership with a bike company, monies raised could be used to purchase bikes for those who could not afford.

Mayor Hazel McCallion also congratulated the Committee on their achievements and paid special tribute to Phil Green who lead the way with respect to cycling paths and trails. The Mayor enquired about electric bikes and was advised that the Cycling Advisory Committee would be making comment on them in the near future.

PR.04

(c) Living Arts Centre – Budget and Business Plan for 2010

Richard Schwartz, Chairman of the Board of Directors, Ron Nesbitt, Vice Chairman of the Board, and Gerry Townsend, CEO, addressed Council with respect to the Living Arts Centre – Budget and Business Plan for 2010 and financial results for the past year. The Business Plan for year ending August 31, 2010 and the Budget Summary for the year ending August 31, 2008 were previously distributed to Members of Council.

Richard Schwartz explained their mission statement and the composition of the Board. He also recognized the many volunteers who assist them in their operations.

Ron Nesbitt explained their programming, adding that the attendance numbers are slightly lower than the previous year but they continue to attempt to balance the books. He listed school performances, community productions, art classes, educational programs, workshops and camps as part of their wide variety of programming.

Gerry Townsend explained the financial results and the budget, adding that the City continued to provide several services including security, janitorial services and the lease of the building at no cost. Also, he recognized and introduced his managers and thanked members of council, city staff and volunteers for their support. He concluded the presentation with a short video of their programming.

Councillor Carolyn Parrish requested clarification of certain budgetary issues. More detailed information will be provided to the Councillor. Councillor Parrish also enquired if consideration had been given to including the parking fee in the cost of the ticket. Further, she asked if negotiations to work with the Burnhamthorpe and Meadowvale Theatres had occurred and was advised that this was underway.

Also Councillor Parrish enquired about the Children's Festival and asked if negotiations could take place with Square One as they conducted a children's program for Canada Day.

Councillor Pat Mullin advised that the Living Arts Centre has attempted to streamline processes to stay within budget but there have been challenges given the economy.

Councillor Maja Prentice suggested that the video be used for promotions and also suggested that it be put on their website.

Councillor Katie Mahoney suggested that developers in the City Centre be approached for sponsorships as the Living Arts Centre is of great advantage to them and those who live in proximity to the City Centre.

Mayor Hazel McCallion urged residents to support the events held at the two major facilities in the city of Mississauga i.e. Living Arts Centre and Hershey Centre.

FA.04.Liv

(d) Mississauga Tree Lighting Celebration

Melissa Agius provided a short video presentation regarding the 2010 Mississauga Tree Lighting Celebration which will take place on Friday, November 27, 2009. She acknowledged the sponsors, volunteers and staff who will assist in the event and advised Council that because this year's event will take place at the Living Arts Centre due to reconstruction of the Civic Square, the existing trees in front of the Living Arts Centre will be lit. In the past years, residents have donated trees which were lit on the civic square.

Lynn Lewis, Rotary Club, presented their contribution to this event making this an Annual Rotary Festival of Lights. This year's event will be more spectacular with the use of more LED lights on the trees and around the Living Arts Centre. Ms. Lewis extended an invitation to the Mayor and Members of Council to their VIP reception which will be attended by the Sponsors and volunteers.

PR.04

(e) General Committee Reports – (i) Code of Conduct for Mayor and Members of Council and Integrity Commissioner and (ii) Relocation of Square One Youth Centre to Central Library

Ms. Ursula Keuper-Bennett addressed Council with respect to the two following General Committee Reports:

(i) Code of Conduct for Mayor and Members of Council and Integrity Commissioner

Ms. Keuper-Bennett expressed opposition to the City hiring an Integrity Commissioner as she did not feel an investigation and report done by an Integrity Commissioner hired by the City would be independent since the individual would be a City employee. She felt that the Province should give the Ontario Ombudsman full investigative authority on the municipal sector. She showed a video clip from the discussions that occurred at a Standing Committee at the Province with respect to the hiring of an independent Ombudsman for municipalities under Bill 130. Also, she expressed concerns with the 6 month time line to file a complaint as she felt it was too short. Ms. Keuper-Bennett summarized that Ontarians needed an Ombudsman and not just for Mississauga but for all Ontario municipalities.

(ii) Relocation of Square One Youth Centre to Central Library.

Ms. Keuper-Bennett expressed loss to the Youth Drop In Centre at Square One. She felt that this was a convenient place for youth to drop in while the new location at the Central Library was not as suitable as the Central Library may not be as welcoming to them, especially for the "At risk" youth. She also expressed concern with certain Provincial Legislation which applied to Square One Security but not to Mississauga Corporate Security who have an exemption from Bill 159. Using overheads, Ms. Bennett provided examples of security data which explained how youth have been dealt with by Mississauga Corporate Security guards. She showed examples of Special Occurrence reports which indicate that they have been banned from not just the Civic Centre but also the Living Arts Centre and the Central Library. She also noted that the bans relate to skateboarding, loitering, etc., adding that there have also been some arrests.

Further, Ms. Keuper Bennett referenced the second Council meeting of November two years ago when Donald Barber called for the City to go public with broad disclosure of the Corporate Security's conduct and operations; noting that this resulted in a complaints procedure being put in place.

Ms. Keuper-Bennett concluded stating that Council needed to change Corporate Services from a force to a service, adding that she was not convinced that the Peel Youth Charter was being acknowledged at City facilities.

Mayor Hazel McCallion acknowledged the loss of the Youth Drop in Centre at Square One and the valuable service it provided. She stated that she contacted Square One Management in an attempt to have them reconsider this move, however, they have advised her that they needed the space and hence the Central Library was offered as an alternative location. The Central Library location will be evaluated in a year. Mayor McCallion suggested to Commissioner Paul Mitcham to consult with Square One on this service.

Councillor Carolyn Parrish also expressed disappointment with the closure of this service at Square One and wished further discussion could occur with management at Square One. Also, she expressed disappointment that the Library Board was not informed of the decision to move the Youth Drop In Centre into the Central Library until after the decision was made, adding that the Board expressed concern with additional services being provided within the library location and its impact on Library services.

Mr. Paul Mitcham advised that the Outreach workers (Nexus Youth Services) will go to Square One and direct the youth to the services at the Central Library. He advised that Nexus Youth Services who coordinate the Youth Drop-In at Square One were looking forward to the move. Further, Mr. Mitcham explained that the move had proceeded very quickly and hence the Library Board was only informed at the past meeting.

Ann Murphy, Manager, Central Library, clarified that they had space that could be used for this purpose. Representatives from Nexus Youth Services who were present at the meeting confirmed to Council that they had Youth Councillors who would outreach to the youth at Square One and that they were looking forward to the move to the Central Library.

Councillor Pat Saito noted that a similar situation occurred with the Drop In Centre in Meadowvale, however, after 3 years, they are now back at the Meadowvale Town Centre. She noted that Outreach staff worked with the “In risk” kids on a one to one basis but the biggest loss is felt in a major way by the drop ins who use the programs. She stressed that youth needed a safe place to go to and the mall was like a magnet for them.

Councillor Frank Dale noted that the youth assisted in designing the space and had confidence that the move to the Central Library will be positive.

HR.02.INT/PO.13

(f) Pedestrian Safety Poster Campaign – Road Safety Mississauga

Mubina Rahim, Chair and Heather Relf, Member of the Pedestrian Safety Review Team, and Staff Sgt. Todd Ruston, Traffic Services, Peel Regional Police, announced Phase II of its Pedestrian Safety Poster Campaign. Ms. Rahim advised that these educational posters were geared towards safety and will be made available at all City facilities.

Councillor Pat Saito expressed concern for the pedestrian collisions and fatalities indicating that it was important to get the message of safety out to both pedestrians and motorists. She advised that there were cards which could be given out and these posters could be booked out for display at public meetings.

She urged all Members of Council and School Councils to assist in spreading the message of safety. Councillor Saito explained how the educational message was being promoted through message boards, buses, etc.

Using an overhead, Staff Sgt. Todd Ruston, Traffic Services, Peel Regional Police, provided data with respect to time of day, age groups, vehicle type etc. with respect to accidents involving pedestrians.

Councillor Sue McFadden thanked the Committee Coordinator for her work on this project. She also expressed concern that people crossed major road mid-block.

PR.01.Ped

(g) General Committee Reports – (i) Code of Conduct for Mayor and Members of Council and Integrity Commissioner

Don Barber, resident, addressed Council with respect to the General Committee Report relating to Code of Conduct for Mayor and Members of Council and Integrity Commissioner. He stated that for years he has been asking for better accountability. He also noted that he has been before Committee suggesting the use of the Ontario Ombudsman. Mr. Barber felt that if the City hired the Integrity Commissioner, the individual would be a City employee and the public would not have access to all matters. Further, he suggested that the role of the Ombudsman should be reviewed as an option and public input should be sought.

Mr. Barber provided a letter he received in his mailbox from Google addressed to a retired City employee. Council was advised that Google had been contacted with respect to similar previous incorrect mail deliveries.

Councillor Pat Saito hoped that the Committee of Council that has been appointed with respect to the hiring of the Integrity Commissioner will bring back recommendations that address the concerns of the two deputants i.e. Ursula Keuper-Bennett and Don Barber.

Councillor George Carlson indicated that the position of the Integrity Commissioner was meant to be independent and he hoped that it would work to provide advice to avoid a situation from becoming serious.

Councillor Eve Adams explained that the committee would be looking at models throughout the Province and hoped that the individual was someone they could write to for advice or investigate if there was a breach.

HR.02.INT

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).

- (a) Ms. Ursula Keuper-Bennett addressed Council with respect to a By-law to amend By-law 0299-2004 which was introduced to Council under “Additional By-laws” at the May 13, 2009 Council meeting. She expressed concern that this by-law was not listed on the Agenda and the public would not be aware that this by-law was being passed. Ms. Keuper-Bennett did not feel that this by-law was a housekeeping matter as listed in the Minutes. In particular, she drew attention that the by-law approved Security Staff to give them Peace Officer status and therefore exempt from Bill 159. She asked if the Mayor was made aware of the by-law that was being passed.

Crystal Greer, City Clerk, explained that the by-law is a regular review which primarily updates the information including job titles. Also, additional by-laws are routinely added to the Agenda after those listed on the Agenda. Further, Ms. Greer advised that moving forward, the list of Additional By-laws will be provided along with the Agendas and Additional Agendas for the interested public and also copies will be distributed to all members of Council.

Brenda Breault further confirmed that this was not a new addition but has been revised since 2005 and applies to a number of staff and clearly outlines the by-laws that they can enforce. The by-law was put in place well before the legislation came into effect and not an effort to go around the Legislation.

Mayor Hazel McCallion suggested that Additional by-laws could be introduced at the Approval of the Agenda. This practice will be put in place immediately.

MG.20.Pub/PR.09.Res

8. **CORPORATE REPORTS**

R-1 Tax Adjustments Pursuant to Section 359& 359.1

Report dated November 11, 2009 from the Commissioner of Corporate Services and Treasurer with respect to the Tax Adjustments Pursuant to Section 359 & 359.1

RECOMMENDATION:

1. That the tax adjustments outlined in Appendix 1 attached to the report dated November 11, 2009 from the Commissioner of Corporate Services & Treasurer for applications for increase in taxes pursuant to section 359 of the *Municipal Act*, be adopted.
2. That the 2009 prior annualized adjustments outlined in Appendix 2 attached to the report dated November 11, 2009 from the Commissioner of Corporate Services & Treasurer for tax adjustments pursuant to Section 359.1 of the *Municipal Act*, be adopted and, the 2009 final taxes for the properties be recalculated accordingly.

Pursuant to a deputation by Gerry Swinkin, Blake Cassels, Legal Counsel for the owners of 7090 Kennedy Road, Roll No. 05-04-0-117-24050-0000 listed on Appendix 2 of the Corporate Report was deferred.

Council dealt with the motion and deferred Roll No. 05-04-0-117-24050-0000 listed on Appendix 2 of the Corporate Report as part of the deputation by Mr. Swinkin.

Deputation 6(a)/Resolution 0276-2009

FA.13.Mun

R-2 Bill 212 “Good Government Act, 2009”

Report dated November 17, 2009 from the City Solicitor, with respect to Bill 212 “Good Government Act, 2009”

RECOMMENDATION:

That the Report entitled Bill 212, “Good Government Act, 2009” from the City Solicitor be received for information.

Questions for the purpose of clarification were asked by members of council and Mary Ellen Bench, City Solicitor, advised that the Legislation was being put in place; however the details in the regulations were not yet available.

Councillor Carolyn Parrish pointed to Page 9 of the report. She asked for clarification with respect to election expenses.

Also, Councillor Parrish advised that she read an article in the Toronto Star that Toronto Council had the ability to ban campaign donates from corporate sponsors and trade unions. She read out a section of the article and suggested that Council may wish to look at individuals making donations and providing them with tax receipts as done by some municipalities including the City of Toronto. The Councillor suggested that staff look at individuals being able to give election donations and receive tax receipts and using the Toronto rebate formula, she wondered about the cost to the tax base. Further, the Councillor wondered if the Clerks could look at statistics in a chart form and report back to Council, showing the total amount of money donated to incumbents and to challengers by Corporations, trade unions and individuals as well as amounts donated by Candidates to their own campaigns. She stated that she would like to move a motion in this regard; verbal motion was subsequently withdrawn.

Councillor Nando Iannicca indicated that he could not support the concept of tax rebates and the information requested by Councillor Parrish was not the purvey of the Clerk, even if the information was readily available on-line.

Members of Council raised the issue of such a rebate which would also have an impact on the positions for the school boards and regions. Councillor Carmen Corbasson recalled a previous report before council on this matter which was also not supported.

Resolution 277-2009

LA.07.Goo

9. **COMMITTEE REPORTS**

- (a) **Mississauga Canada Day Committee – Report 8-2009 dated November 16, 2009**

Recommendations CDC-0026-2009 – CDC-0031-2009

Approved as Amended in CDC-0028-2009

Resolution 0274-2009

MG.11.Can

Councillor Maja Prentice requested an amendment to Recommendation CDC-0028-2009 to reflect that 2010 Canada Day Celebrations would take place in the Living Arts Centre rather than in the Civic Centre due to its construction.

CDC-0028-2009 (Amended)

That staff be permitted to utilize funds in the amount of \$10,000 from the 2009 Canada Day account (#24837) as deposits to retain the headlining acts for the 2010 Canada Day celebrations at the Living Arts Centre.

MG.11.Can

- (b) **Planning & Development Committee – Report 16-2009 dated November 16, 2009**
Recommendations PDC-0094-2009 – PDC-0096-2009
Approved as Amended in PDC-0095-2009
Resolution 0274-2009
MG.03

Councillor Eve Adams requested an amendment to PDC-0095-2009 to grant approval for the Sign Variance listed as 2(b) in the Agenda. It was now moved to 1(f) and approved. Further, Councillor Adams requested that the sign be limited to Mavis Road with no signage on the residential street.

PDC-0095-2009 (Amended)

That the Report dated October 27, 2009 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested six (6) Sign Variance Applications described in Appendices 1 to 6 to the Report, be adopted in accordance with the following:

1. That the following Sign Variances be granted:
 - (a) Sign Variance Application 09-05746
Ward 2
Bell Canada
1466 Southdown Rd.
To permit the following:
 - (i) One (1) illuminated fascia sign with an area of 1.25 sq. m. (13.41 sq. ft.) erected higher than the upper limits of the first storey.
 - (b) Sign Variance Application 09-05651
Ward 4
HSBC
4550 Hurontario Street
To permit the following:
 - (i) Five (5) illuminated fascia signs each with a sign area of 0.4 sq. m. (4.3 sq. ft.).
 - (ii) Four (4) fascia sign located above the upper limits of the first storey of the building.
 - (c) Sign Variance Application 09-05990
Ward 5
Bath & Body Works
5950 Rodeo Dr.
To permit the following:
 - (i) One (1) roof sign supported by and projecting above a canopy.
 - (d) Sign Variance Application 09-05548
Ward 6
Origin Evergreen
820 Scollard Crt.

To permit the following:

- (i) One (1) ground sign containing a changing copy sign.
- (ii) One (1) ground sign with a sign area of 3.07 sq. m. (33 sq. ft.) displaying the municipal address and commercial advertising.

(e) Sign Variance Application 09-04903

Ward 11

Maple Leaf

6897 Financial Dr.

To permit the following:

- (i) One (1) additional ground sign fronting Financial Dr.
- (ii) One (1) ground sign that does not display the municipal address.

(f) Sign Variance Application 09-05967

Ward 5

Daniels Gateway Rental Communities

720 Avonwick Ave.

To permit the following:

- (i) One (1) ground sign fronting Mavis Rd.
- (ii) The ground sign not exceed 2.97 sq. m. (31.95 sq. ft.) in sign area.
- (iii) The ground sign be located 50m (164 ft.) south of the property line fronting Avonwick Ave.

2. That the following Sign Variance not be granted:

(a) Sign Variance Application 09-05548

Ward 6

Origin Evergreen

820 Scollard Crt.

To permit the following:

- (i) One (1) fascia sign located on the south elevation of the building.

BL.03.SIG (2009)

- (c) **Budget Committee – Report 8-2009 dated November 17/18, 2009**
Recommendations BC-0032-2009 – BC-0035-2009
Approved with a recorded vote for BC-0032-2009
Resolution 0274-2009
MG.29

At this point, Mayor Hazel McCallion declared Conflict of Interest on Recommendation BC-0032-2009 which dealt with funding for the Judicial Inquiry. She left the Council Chamber and Acting Mayor Iannicca assumed the chair. A separate vote was requested with respect to BC-0032-2009.

Resolution 0274-2009

Moved by: E. Adams

Seconded by: C. Parrish

BC-0032-2009

1. That a new project titled “Judicial Inquiry” (PN09-643) be established with a gross and net budget of \$2,500,000.00.
2. That funds of \$1,000,000.00 from the Reserve for Commodities (Account #305305); \$1,000,000.00 from the Reserve for Contingency (Account #305125); and \$500,000.00 from the Reserve for Legal Settlement (Account #305130) be transferred into the Judicial Inquiry Project (PN09-643).

A recorded vote was called with the following results:

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

Recorded Vote

Carried – (7-4) 1 Absent due to declared Conflict of Interest

FA.19.JUD

The remainder of the motion was voted on in its entirety.

That CDC-0026-2009 to CDC-0031-2009 inclusive as contained in the Mississauga Canada Day Committee Report 8-2009 dated November 16, 2009 be approved as amended in CDC-0028-2009;

That PDC-0094-2009 to PDC-0096-2009 inclusive as contained in the Planning and Development Committee Report 16-2009 dated November 16, 2009 be approved as amended in PDC-0095-2009;

That BC-0033-2009 – BC-0035-2009 inclusive as contained in the Budget Committee Report 8-2009 dated November 17/18, 2009 be approved;

That GC-0740-2009 to GC-0774-2009 inclusive as contained in the General Committee Report 17-2009 dated November 18, 2009 be approved;

That AC-0019-2009 – AC-0023-2009 inclusive as contained in the Audit Committee Report 4-2009 dated November 23, 2009.

Mayor Hazel McCallion resumed the Chair.

(f) Extracts of the public meetings held by the Planning and Development Committee on November 16, 2009:

- (i) Official Plan Amendment and Rezoning Application
1150 and 1200 Derry Road East
1759787 Ontario Inc. (By Offer to Sell Agreement)
OZ 09/008 W5

Received

10. UNFINISHED BUSINESS

11. PETITIONS

- P-1 A petition from the residents Christopher Road with respect to reducing the speed limit to 40 kms. per hour due to volume of traffic and presence of the school on Springwell Avenue.

This petition was introduced by Councillor Pat Mullin during Approval of the Agenda.

Received and Referred to the Transportation and Works Department for appropriate action.

RT.10.Tra/RT.10.Spr

12. CORRESPONDENCE

- (a) Information Items I-4

I-1 Harmonized Sales Tax (HST)

Letter dated November 6, 2009 from Dwight Duncan, Minister of Finance, in response to City Council's resolution concerning the proposed harmonized sales tax (HST).

0275-2009 Moved by: G. Carlson

Seconded by: S. McFadden

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

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

NOW THEREFORE be it resolved that a portion of the Council meeting to be held on November 25, 2009, shall be closed under Section 239 (2) to the public to deal with the following matters:

- (i) Potential Litigation – Committee of Adjustment Appeal Matter – “A”
347/09 – 2342 Camilla Road (Ward 7)
- (ii) Potential Litigation – Committee of Adjustment Appeal Matter – “A”
301/09 – 929 Old Derry Road (Ward 11)
- (iii) Potential Litigation – Agreement with Smeal Fire Apparatus to repair
Mississauga Fire Aerial ladder trucks
- (iv) Proposed or Pending Acquisition or Disposition of Land by the
Municipality or Local Board – Acquisition of property for Intersection
Improvement Works in Ward 1

Carried
MG.20

0276-2009 Moved by: M. Prentice

Seconded by: P. Mullin

1. That the tax adjustments outlined in Appendix 1 attached to the report dated November 11, 2009 from the Commissioner of Corporate Services & Treasurer for applications for increase in taxes pursuant to section 359 of the *Municipal Act*, be adopted.
2. That the 2009 prior annualized adjustments outlined in Appendix 2 attached to the report dated November 11, 2009 from the Commissioner of Corporate Services & Treasurer for tax adjustments pursuant to Section 359.1 of the *Municipal Act*, be adopted with the exception of Roll No. 05-04-0-117-24050-0000, 7090 Kennedy Road, which is deferred, and, the 2009 final taxes for the properties be recalculated accordingly

Carried
FA.13.Mun

0277-2009 Moved by: M. Prentice Seconded by: P. Mullin

That the Report entitled Bill 212, “*Good Government Act, 2009*” from the City Solicitor be received for information

Carried

LA.07.Goo

0278-2009 Moved by: P. Mullin Seconded by: C. Corbasson

Whereas the Audit Committee held its meeting on November 23, 2009 and dealt with an In Camera Report with respect to the Review of Outstanding Utility Matters of Leases and Licenses of City-owned Property Administration by Realty Services, And Whereas, Audit Committee failed to move into Open Session after going In Camera to adopt the staff recommendation with respect to the above matter,

Therefore, be it resolved that the report dated November 16, 2009 from the Commissioner of Corporate Services and Treasurer entitled Updated Status – Review of Outstanding Utility Matters of Leases and Licenses of City-owned Property Administered by Realty Services, be received for information

Carried

MG.24/ CS.09.Cit

0279-2009 Moved by: P. Mullin Seconded by: C. Corbasson

WHEREAS the Ontario Power Authority announced that TransCanada Company was selected to design, build and operate a 900 Megawatt natural gas-fired power plant, in the Town of Oakville at Royal Windsor Drive which is a located within the western boundary of the Clarkson Airshed Study Area;

AND WHEREAS the Ministry of the Environment (“MOE”) has determined through the Clarkson Airshed Study, that the air quality in the Clarkson Airshed is a “taxed” airshed.

AND WHEREAS this Council has already adopted Resolutions No. 0078-2009, No.0192-2009 and No. 0230-2009 which addressed City concerns about adding any further air pollution to an already “taxed” airshed, and which Council in the most recent resolution called upon the Province to:

- (i) Ensure that the Provincial Task Force announced by the Province to develop and present a comprehensive action plan for improving air quality in the southwest GTA, specifically include as a goal the improvement of the air quality in the Clarkson Airshed Study Area, that the City have representation on the Task Force, that the Task Force be sufficiently

funded, and that the appropriate environmental, health and engineering experts be retained.

- (ii) Implement the recommendations made by the Task Force and to monitor and report any changes in the air quality in the Clarkson Airshed Study Area.
- (iii) Ensure that it will not consider any Certificates of Approval for large industrial users in the Clarkson Airshed Study Area, including the proposed gas fired power plant in the Town of Oakville, until the Task Force recommendations have been implemented and it can be verified that the Clarkson Airshed is no longer a “taxed” airshed.

AND WHEREAS on October 20, 2009 the Council for The Town of Oakville passed a resolution that adopted a staff report regarding the TransCanada Power Plant, that among other things, called upon Provincial Parliament to ensure “[t]hat the Minister of the Environment immediately elevate the required project environmental assessment to an “individual” Environmental Assessment (EA) under Part II of the *Environmental Protection Act* and not permit the continuation of any ‘Screening’- level EA for this proposed project.”

AND WHEREAS on November 10, 2009, The Town of Oakville, through its external environmental legal counsel, requested Provincial Cabinet to adopt a regulation pursuant to section 39(d) of the *Environmental Assessment Act*, to designate the proposed Trans Canada Company gas-fired electricity generating station as an undertaking to which a full individual Environmental Assessment applies under Part II of the Act;

NOW THEREFORE BE IT RESOLVED THAT:

1. The City of Mississauga is supportive of The Town of Oakville’s request to the Provincial Cabinet to designate the TransCanada Company 900 Megawatt natural gas-fired power plant as an undertaking to which a full Environmental Assessment, under Part II of the *Environmental Assessment Act*, would apply.
2. That a copy of this Resolution be forwarded to the Premier of Ontario, Minister of the Environment, Minister of Energy and Infrastructure, The Town of Oakville, all local MPPs, Region of Peel and Region of Halton.

Carried
EC.06.CLA

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

14. BY-LAWS

- 0357-2009 A by-law to establish certain lands as part of the municipal highway system to be known as Lakeshore Road East, Part of Lot 5, Concession 2, south of Dundas Street.

RT.04.Byl
- 0358-2009 A by-law to authorize the execution of the title Sponsorship Agreement with Walmart Canada Corp. for the “At Play Mississauga” program.

GC-0750-2009/November 18, 2009
RA.02.
- 0359-2009 A by-law to amend By-law 0225-2007 as amended, to change from R 15-2 to RM7 on lot 45, Plan F-12, lands located north of Lakeshore Road East, west side of Elmwood Road North, Ward 1

PDC-0073-2009/October 28, 2009
OZ 08/019 W1
- 0360-2009 A by-law to amend Traffic By-law 555-2000, as amended, to add stop signs at Waxwing Drive/Prairie Circle.

GC-0677-2009/November 4, 2009
BL.02.Tra (Ward 10)
- 0361-2009 A by-law to amend Traffic By-law 555-2000, as amended, to add stop signs at Front Street North and John Street North.

GC-0631-2009/October 7, 2009
BL.02.Tra (Ward 1)
- 0362-2009 A by-law to allocate \$222,100 to the replacement of underground storage tanks and piping project (PN 08-765) from the Facility Repair and Renovations Reserve Fund (Account 35381).

GC-0747-2009/November 18, 2009
PO.04.
- 0363-2009 A by-law to authorize the execution of a Ground Lease and Shared Facilities Agreement, Dufferin Peel District Catholic School Board for the construction of a facility to accommodate the Churchill Meadows Branch Library / St. Joan of Arc Secondary School at 3801 Thomas Street.

GC-0741-2009/November 18, 2009

PO.13.Chu

- 0364-2009 A by-law to authorize the execution of an Agreement of Purchase and Sale, Ontario Realty Corporation on behalf of the Ministry of Energy and Infrastructure, Ridgeway Drive Overpass, in the Parkway Belt/Hydro Corridor.

GC-0748-2009/November 18, 2009

PO.10.Rid

- 0365-2009 A by-law to authorize the execution of an Assumption Agreement, F. S. Port Credit Development Limited and Northshore Retirement Inc. 1 – 33 Hurontario street, Ward 1, pursuant to Committee of Adjustment Decision “B” 024/09.

RP R32961

- 0366-2009 A by-law to allocate sums from the Parkland Dedication Reserve Fund (Account 32121) to the Parkland Acquisition – Park Not Yet Named (F-424), Project PN09-354) and to authorize the withdrawal therefrom, Ward 7.

Resolution 0270-2009/November 11, 2009

OZ H 09/001 W1

- 0367-2009 A by-law to allocate sums from the New Development Charges Reserve Fund and to authorize the withdrawal for certain capital projects approved in prior Capital Budgets.

GC-0744-2009/November 18, 2009

FA.05.Inf

- 0368-2009 A by-law to allocate sums from the Capital Reserve Fund (Account 33121) to the Port Credit Branch Library Redevelopment ISF Project (PN 09-276) and to authorize the withdrawal therefrom.

GC-0744-2009/November 18, 2009

FA.05.Inf

- 0369-2009 A by-law to allocate sums from the Parkland Dedication Reserve Fund (Account 32121) and to authorize the withdrawal for certain capital projects approved in prior Capital Budgets.

GC-0744-2009/November 18, 2009

FA.05.Inf

0370-2009 A by-law to allocate sums from the Parkland Dedication Reserve Fund (Account 32121) to the Parkland Acquisition – Addition to P391 through Subdivision Application T-M07003 – Old Ridge Park Project (PN 09-308) and to authorize the withdrawal therefrom.

GC-0749-2009/November 18, 2009
T-M07003

0371-2009 A by-law to allocate sums from the Capital Reserve Fund (Account 33121) to the Cooksville Creek Erosion Control Work project (PN09-136) and to authorize the withdrawal therefrom.

GC-0751-2009/November 18, 2009
EC.01.Coo

0372-2009 A by-law to allocate sums from the Storm Water Management Account (Account 31350) from within the Development Charges Reserve Fund to the Cooksville Creek Erosion Control Work project (PN09-136) and to authorize the withdrawal therefrom.

GC-0751-2009/November 18, 2009
EC.01.Coo

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

15. OTHER BUSINESS

(a) Indoor Field Sports Facilities

Councillor Carolyn Parrish advised receipt of a letter dated November 20, 2009 from the North Mississauga Soccer Club expressing concern with the lack of indoor field sports facilities in Mississauga. Mayor Hazel McCallion advised that this letter has been referred to staff for a report.

RA.09.Soc

(b) Santa Claus Parade held at night/Tree Lighting

Mayor Hazel McCallion advised that in some areas, the Santa Clause Parade is being held at night which made it colourful and less cumbersome in ensuring the perfection of the floats.

Councillor George Carlson informed of the tree lighting to be held on Friday, November 27, 2009 in Streetsville.

PR.04

16. INQUIRIES

17. NOTICES OF MOTION

18. CLOSED SESSION

Mayor Hazel McCallion left the meeting to attend to another engagement. Councillor Nando Iannicca took the chair for the rest of the meeting.

Pursuant to Resolution 0275-2009, Council moved into Closed Session at 1.01 p.m. to discuss the following matters:

In Camera Report # 95 – “A” 347/09 – 2342 Camilla Road (Ward 7)

Councillor Nando Iannicca requested that the recommendation of receipt be moved.

Resolution 0280-2009
“A”347/09 (Ward 7)

In Camera Report # 95 – “A” 301/09 – 929 Old Derry Road (Ward 11)

Councillor George Carlson moved receipt of the In Camera Corporate Report dated November 13, 2009.

Resolution 0281-2009
“A”301/09 (Ward 11)

In Camera Report # 96 – Agreement with Smeal Fire Apparatus to repair Mississauga Fire Aerial ladder trucks

Councillor Maja Prentice moved the staff recommendation to enact the by-law authorizing entering into a Letter of Agreement with Smeal Fire Apparatus to inspect and carry out corrosion repairs to City aerial ladders at its cost as outlined in the In Camera Report dated November 11, 2009.

Resolution 0282-2009
FA.49.SME

