



## AGENDA

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### GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA  
[www.mississauga.ca](http://www.mississauga.ca)

**WEDNESDAY, FEBRUARY 27, 2013 – 9:00 A.M.**

COUNCIL CHAMBER – 2<sup>nd</sup> FLOOR – CIVIC CENTRE  
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

#### Members

Mayor Hazel McCallion	
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4 (Chair)
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	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

Contact:

Sacha Smith, Legislative Coordinator, Office of the City Clerk  
905-615-3200 ext. 4516 / Fax 905-615-4181  
[sacha.smith@mississauga.ca](mailto:sacha.smith@mississauga.ca)

INDEX – GENERAL COMMITTEE – FEBRUARY 27, 2013

CALL TO ORDER

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST

APPROVAL OF THE AGENDA

PRESENTATIONS

DEPUTATIONS

- A. Item 4 Jodi Robillos, District Manager, Northwest

MATTERS TO BE CONSIDERED

Unfinished Business

1. Councillors' Office Budgets and Newsletter Expenses

New Business

2. Request for Amendments to the Adult Entertainment Establishment Licensing By-law 507-05, as amended
3. Update on Key Terms and Conditions for a License Agreement with Mississauga Legends Row
4. Draft Mississauga Sports Plan
5. Malton Business Improvement Areas (BIAs) Request for Cash Advance
6. 2013 Sidewalk and Multi-Use Trail Construction Programs (Wards 3, 4, 5, 9, 11)
7. 15-hour Parking – Falconer Drive between Creditview Road and Kenninghall Boulevard/Come by Chance Mews (Ward 11)
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10. Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – July 1, 2012 to December 31, 2012
11. 2013 Budgets for Consulting Services

ADVISORY COMMITTEE REPORTS

Mississauga Cycling Advisory Committee – Report 2-2013 - February 12, 2013

Towing Industry Advisory Committee – Report 1-2013 - February 19, 2013

COUNCILLORS' ENQUIRIES

CLOSED SESSION

(Pursuant to Subsection 239 (2) of the *Municipal Act, 2001*)

ADJOURNMENT

CALL TO ORDER

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST

APPROVAL OF THE AGENDA

PRESENTATIONS

DEPUTATIONS

- A. Item 4 Jodi Robillos, District Manager, Northwest

MATTERS TO BE CONSIDERED

Unfinished Business

1. Councillors' Office Budgets and Newsletter Expenses

Extracts of Budget Committee Minutes for the meeting dates on October 17, 2012, November 27, 2012, December 4, 2012, December 5, 2012 and December 12, 2012, related agenda material and handouts with respect to Councillors' office budgets and newsletter expenses.

This matter was referred to General Committee as per Budget Committee recommendation BC-0064-2012 adopted by Council on January 16, 2013.

New Business

2. Request for Amendments to the Adult Entertainment Establishment Licensing By-law 507-05, as amended

Corporate Report dated January 28, 2013 from the Commissioner of Transportation and Works with respect to a request for amendments to the Adult Entertainment Establishment Licensing By-law 507-05, as amended.

RECOMMENDATION

That the report titled Request For Amendments to Adult Entertainment Establishment Licensing By-law 507-05, as amended from the Commissioner of Transportation and Works, dated January 28, 2013, be received for information.

3. Update on Key Terms and Conditions for a License Agreement with Mississauga Legends Row

Corporate Report dated February 13, 2013 from the Commissioner of Community Services with respect to an update on key terms and conditions for a License Agreement with Mississauga Legends Row.

RECOMMENDATION

1. That the following terms and conditions for the license agreement between Mississauga Legends Row and the City of Mississauga, for installation of recognition plaques on a portion of Mississauga Celebration Square, as outlined in the Report "Update on Key Terms and Conditions for a License Agreement with Mississauga Legends Row" dated February 13, 2013 from the Commissioner of Community Services, be approved as below:
  - i. Five year term with renewal for up to two additional 5 year terms, each term to be approved by Council;
  - ii. 30 Day termination clause, with no liability against the City;
  - iii. Locate Legends Row within the collonades outside the Jubilee Gardens on Mississauga Celebration Square;
  - iv. Legends Row Board of Directors approve a new draft by-law regarding the nomination and selection process for inductees to Legends Row and recommended revisions to their governance by-law;
  - v. Legends Row assumes full responsibility for the cost of fabricating, installing, removing and maintenance of all totems and plaques;
  - vi. Installation, removal and repairs to the totem and plaques be managed by the City and charged back to Legends Row.; and
  - vii. The design of the totems and plaques be approved by both Legends Row and the City.
2. That a member of Council be appointed to the Legends Row Selection Committee for the balance of the current term of Council.

4. Draft Mississauga Sports Plan

Corporate Report dated February 8, 2013 from the Commissioner of Community Services with respect to the Draft Mississauga Sports Plan.

RECOMMENDATION

1. That the Draft Mississauga Sport Plan attached as Appendix 1 to the Corporate Report dated February 8, 2013 from the Commissioner of Community Services be approved in principle.
2. That staff be authorized to proceed with a public meeting and online engagement for the Draft Mississauga Sport Plan.

5. Malton Business Improvement Areas (BIAs) Request for Cash Advance

Corporate Report dated February 7, 2013 from the Commissioner of Corporate Services and Treasurer with respect to a cash advance to the Malton BIA.

RECOMMENDATION

That the Commissioner of Corporate Services and Treasurer be authorized to provide a cash advance to the Malton BIA in the amount of \$54,200 which represents 50 per cent of the proposed 2013 budget of \$108,400 (Appendix 1).

6. 2013 Sidewalk and Multi-Use Trail Construction Programs (Wards 3, 4, 5, 9, 11)

Corporate Report dated February 7, 2013 from the Commissioner of Transportation and Works with respect to the 2013 Sidewalk and Multi-Use Trail Construction Programs.

RECOMMENDATION

That the proposed 2013 Sidewalk and Multi-Use Trail Construction Programs, as outlined in the report titled "2013 Sidewalk and Multi-Use Trail Construction Programs" from the Commissioner of Transportation and Works dated February 7, 2013, be approved.

7. 15-hour Parking – Falconer Drive between Creditview Road and Kenninghall Boulevard/Come by Chance Mews (Ward 11)

Corporate Report dated February 4, 2013 from the Commissioner of Transportation and Works with respect to 15-hour parking on Falconer Drive between Creditview Road and Kenninghall Boulevard/Come by Chance Mews.

RECOMMENDATION

That a by-law be enacted to amend By-law 555-2000, as amended, to implement 15-hour parking anytime except Monday to Friday, 8:00 a.m. to 5:00 p.m., on various sections of Falconer Drive between Creditview Road and Kenninghall Boulevard/Come By Chance Mews where 15-hour parking anytime is currently permitted.

8. Assumption of Municipal Services (Ward 5)

Corporate Report dated January 24, 2013 from the Commissioner of Transportation and Works with respect to the assumption of municipal services.

RECOMMENDATION

That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Municipal Works Agreement for SP 03/088, associated with 6600 Goreway Drive, FedEx Ground Inc. (c/o Elia Corporation and A. Mantella & Sons Limited), (lands located north of CN Railways, east of Mimico Creek, west of Goreway Drive and south of Derry Road East, in Z-40E, known as Mimico Creek Storm Sewer Outlet) and that the cash security in the amount of \$23,848.00 be returned to the developer.

9. South Common Pool Acoustic Panel Replacement (Ward 8)

Corporate Report dated February 13, 2013 from the Commissioner of Community Services with respect to the South Common Pool acoustic panel replacement.

(9.)

RECOMMENDATION

1. That additional funds in the amount of \$200,000 be allocated from the Capital Reserve Fund (Account #33121) to PN 13-701, Pool Dehumidification System at South Common Community Centre for replacement of acoustic panels as outlined in the Corporate Report from the Commissioner of Community Services dated February 13, 2013 be approved.
  
2. That all necessary by-laws be enacted.

10. Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – July 1, 2012 to December 31, 2012

Corporate Report dated February 11, 2013 from the Commissioner of Corporate Services and Treasurer with respect to the delegation of authority for the acquisition, disposal, administration and lease of land and property between July 1, 2012 to December 31, 2012.

RECOMMENDATION

That the report dated January 30, 2013 from the Commissioner of Corporate Services and Treasurer entitled Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – July 1, 2012 to December 31, 2012 be received for information.

11. 2013 Budgets for Consulting Services

Corporate Report dated February 6, 2013 from the Commissioner of Corporate Services and Treasurer with respect to the 2013 budgets for consulting services.

RECOMMENDATION

That the Corporate Report dated February 6, 2013 from the Commissioner of Corporate Services and Treasurer, entitled “2013 Budgets for Consulting Services” be received.

ADVISORY COMMITTEE REPORTS

Mississauga Cycling Advisory Committee – Report 2-2013 - February 12, 2013  
(Recommendation MCAC-0009-2013 to MCAC-0014-2013)

Towing Industry Advisory Committee – Report 1-2013 - February 19, 2013  
(Recommendation TIAC-0001-2013 to TIAC-0004-2013)

COUNCILLORS' ENQUIRIES

CLOSED SESSION

(Pursuant to Subsection 239 (2) of the *Municipal Act, 2001*)

ADJOURNMENT

**BUDGET COMMITTEE MINUTES EXTRACT**  
**MEETING ON OCTOBER 17, 2012**

General Committee

FEB 27 2013

11. 2013 Council Ward Budgets

Memorandum dated October 2, 2012 from the Commissioner of Corporate Services and Treasurer with respect to 2013 Council ward budgets.

Committee members raised various issues including:

- The advantages and disadvantages of allocating Councillors' expenses budgets based on population, businesses, and/or taxes generated per ward;
- The possibility of Members of Council reducing their individual budgets by 1 percent for a total of \$25,500;
- The higher newsletter expenses incurred by some Councillors with larger populations and the possibility of these individual Councillors approaching Council on a case-by-case basis to secure additional newsletter funding;
- The possible reductions to Councillors' expenses budgets on Appendices 1 and 2;
- The different ways that Councillors manage their expenses budgets, run their offices, and deal with their newsletters;
- The need for Members of Council to communicate with businesses more effectively, as discussed at a recent business roundtable meeting, and to ascertain the views and get the support of businesses on issues like infrastructure funding;
- The Mayor's limited communications budget;
- The possibility of Councillors combining their City and Regional communications to streamline messaging to residents regarding issues such as the total tax bill;
- The challenges for Councillors' expenses budgets throughout the years;
- The advantages and disadvantages of hard copy newsletters as a means of communicating with residents and businesses and the need to consider other methods of communication (e.g., email, Twitter, etc.) that may be more effective;
- The possibility of reviewing how Members of Council in other municipalities communicate with residents and businesses via newsletters and other means; and
- The possibility of Councillors meeting in small groups and/or forming an ad hoc/information subcommittee to further discuss Councillors' expenses budgets, newsletter expenses, and options for funding communications-related expenses.

Ms. Baker responded to the Committee's above-noted comments and questions. She stated that Ivana Di Millo, Director, Communications, could provide a refresher to the Committee on the feedback received from the Communications Master Plan which would deal with the corporate side, rather than with the ward communications by Councillors.

Received (P. Saito)

Recommendation BC-0036-2012

BC-0036-2012

That the Memorandum dated October 2, 2012 from the Commissioner of Corporate Services and Treasurer entitled "2013 Council Ward Budgets" be received.

# Memorandum



BUDGET COMMITTEE

OCT 17 2012

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**TO:** Mayor and Members of Council

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

**DATE:** October 2, 2012

**SUBJECT:** 2013 Council Ward Budgets

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The City Clerk sought feedback from Members of Council with respect to a proposed reduction in the Council Support Staff budget which was identified in response to the City Manager's direction that all service areas submit a 2013 base budget that included a 1% reduction from 2012. The total reduction proposed in the Council Support Staff budget is \$25,500.

In addition, Members of Council were asked for their input with regard to any changes they would like Council to consider for 2013 in the individual Councillor's expenses budget. These budgets, allocated for Councillor specific expenses, including newsletters and Ward related communications, are currently \$26,800 per Ward.

In response to this inquiry, Members of Council indicated support for reduction in the Council Support Staff budget, which is primarily a cut to the office supplies budget. Based on a review of expenditures over the past few years, these funds have not been spent and the reduction is not expected to have any impact on service provision.

With respect to the request for feedback on changes to the Councillor's expenses budget, a number of comments were received and are summarized below.

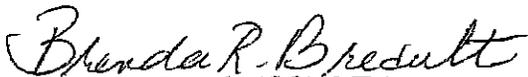
- It was suggested that Members of Council reduce their individual expenses budgets by 1%.
- It was suggested that \$22,000 from the proposed decrease in the Council Support Staff budget be allocated to pay honorariums to student volunteers who work in the Councillors' offices (The suggestion was to provide \$2,000 for a summer student for each Ward). Some members of Council indicated that this honorarium should be an allowable expense under the Elected Officials' Expense policy, but should be paid from the existing Councillor's expenses budget.

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- It was suggested that the reduction in the Council Support Staff budget be redirected to the Councillor's expenses budgets to allow for increased resident contact and communication through a second newsletter. (If the total amount proposed to be cut from the Council Support Staff budget were reallocated to the 11 Wards, each Ward would receive an additional \$2,318 for communication with their residents.)
  - It was suggested that the total budget provided for Councillor's Expenses be allocated to the Wards based on population, eligible voters or businesses located in each Ward.

With respect to the suggestion that Councillor Expense's budgets be allocated based on population, eligible voters or businesses, staff have provided some analysis of the implications. The attached appendices provide two scenarios. In both scenarios, the total funding for Councillor's expenses has been distributed on the basis of combined population and businesses.

Appendix 1 shows the distribution of funds by Ward assuming the total Councillor's Expenses budget remains unchanged at \$294,800. Appendix 2 is similar but is based on redirecting the Council Support Staff budget savings to the Councillor's Expenses budget (ie the total budget distributed increases by \$25,500 to \$320,300).

In order to obtain Council's direction with regard to these suggestions for the 2013 Budget, this memo will be included in the agenda for the October 17, 2012 Budget Committee. Please let me know if you require any additional information in order to assist in this regard.



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

Attachments

- c. Janice Baker, City Manager  
Crystal Greer, City Clerk

Appendix 1

**Allocation of Total Current Councillors' Expenses Budget Based On Population And Businesses Per Ward**

2012 Total Expenses Budget \$294,800

Population in Mississauga 713,443  
 Number of Businesses in Mississauga 21,010  
 Total Population and Businesses 734,453

Allocation per person and business \$0.40  
 (\$294,800 divided by 734,453)

Ward	Population	Businesses	Total Population and Businesses	Allocation Based On Population and Businesses (rounded to hundred) (\$)	2012 Budget (\$)	Change (\$)
Ward 1	42,672	1958	44,630	17,900	26,800	-8,900
Ward 2	48,198	861	49,059	19,700	26,800	-7,100
Ward 3	59,854	1370	61,224	24,600	26,800	-2,200
Ward 4	67,741	1248	68,989	27,700	26,800	900
Ward 5	79,356	8966	88,322	35,400	26,800	8,600
Ward 6	78,503	893	79,396	32,000	26,800	5,200
Ward 7	79,900	1562	81,462	32,700	26,800	5,900
Ward 8	68,970	1594	70,564	28,300	26,800	1,500
Ward 9	58,822	1240	60,062	24,100	26,800	-2,700
Ward 10	69,934	186	70,120	28,100	26,800	1,300
Ward 11	59,493	1132	60,625	24,300	26,800	-2,500
<b>TOTAL</b>	<b>713,443</b>	<b>21,010</b>	<b>734,453</b>	<b>294,800</b>	<b>294,800</b>	<b>0</b>

Note:

Population source:

2011 Statistics Canada population with estimation split by Planning and Building to align with Municipal Ward Boundaries

Businesses source:

2011 Planning and Building employment survey excluding home based businesses.

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**Allocation of Total Current Councillors' Expenses Budget Plus Council Support Staff Budget Reduction Based on Population and Businesses Per Ward**

2012 Total Expenses Budget	\$294,800
Add Councillor Support Staff Budget Reduction	<u>\$25,500</u>
	<u>\$320,300</u>

Population in Mississauga	713,443
Number of Businesses in Mississauga	<u>21,010</u>
Total Population and Businesses	<u>734,453</u>

Allocation per person and business  
(\$320,300 divided by 734,453)

\$0.44

Ward	Population	Businesses	Total Population and Businesses	Allocation Based on Population and Businesses (rounded to nearest \$100)	2012 Budget (\$)	Change (\$)
Ward 1	42,672	1,958	44,630	19,500	26,800	-7,300
Ward 2	48,198	861	49,059	21,400	26,800	-5,400
Ward 3	59,854	1,370	61,224	26,700	26,800	-100
Ward 4	67,741	1,248	68,989	30,100	26,800	3,300
Ward 5	79,356	8,966	88,322	38,500	26,800	11,700
Ward 6	78,503	893	79,396	34,600	26,800	7,800
Ward 7	79,900	1,562	81,462	35,500	26,800	8,700
Ward 8	68,970	1,594	70,564	30,800	26,800	4,000
Ward 9	58,822	1,240	60,062	26,200	26,800	-600
Ward 10	69,934	186	70,120	30,600	26,800	3,800
Ward 11	59,493	1,132	60,625	26,400	26,800	-400
<b>TOTAL</b>	<b>713,443</b>	<b>21,010</b>	<b>734,453</b>	<b>320,300</b>	<b>294,800</b>	<b>25,500</b>

Note:

Population source:

2011 Statistics Canada population with estimation split by Planning and Building to align with Municipal Ward Boundaries

Businesses source:

2011 Planning and Building employment survey excluding home based businesses.

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**BUDGET COMMITTEE MINUTES EXTRACT**  
**MEETING ON NOVEMBER 27, 2012**

2013 Council Ward Budgets

Committee members raised various issues including:

- The higher newsletter expenses incurred by some Councillors with larger populations and the possibility of increasing such funding or individual Councillors seeking additional funding for Council on a case-by-case basis; and
- The advantages and disadvantages of allocating Councillors' expenses budgets based on population, businesses, and/or other measurements per ward.

Ms. Breault and Ms. Baker responded to the Committee's above-noted comments and questions. Ms. Breault said that staff were currently researching the newsletter practices for Members of Council in other municipalities and would have this benchmarking information prepared for consideration at the Committee's next meeting.

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**BUDGET COMMITTEE MINUTES EXTRACT**  
**MEETING ON DECEMBER 4, 2012**

15

8. Councillor Newsletters Survey

Memorandum dated November 28, 2012 from Commissioner of Corporate Services and Treasurer with respect to the councillor newsletters survey.

Committee members raised various issues including:

- The higher newsletter expenses incurred by Councillors with larger populations and the possibility of increasing funding for postage and printing costs, allocating funding per capita/household/municipal address, or according to other measures, individual Councillors seeking additional funding from Council on a case-by-case basis, or Councillors combining their City and Regional budgets for newsletters;
- The advantages and disadvantages of allocating Councillors' office budgets based on population, businesses, and/or other measurements per ward;
- The challenges and changes to Councillors' office budgets throughout the years;
- The advantages and disadvantages of hard copy newsletters as a means of communicating with residents and businesses and the need to consider other methods of communication (e.g., Twitter) that may be more effective; and
- The different ways that Councillors manage their budgets, run their offices, deal with their newsletters, and communicate with their constituents.

In response to a request from the Chair, Mr. Sajecki said that he would provide the Committee with the number of households per ward at the Committee's next meeting.

# Memorandum

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Re. Item 8  
(distributed at meeting)  
Budget Committee Agenda –  
December 3, 4, and 5, 2012

BUDGET COMMITTEE DEC 03 2012
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**TO:** Mayor and Members of Council

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

**DATE:** November 28, 2012

**SUBJECT:** Councillor Newsletters Survey

Communications staff surveyed a number of municipalities to obtain information on Councillors' newsletters – in particular how they are funded and co-ordinated.

The following provides an overview of the survey findings.

Staff surveyed 11 municipalities/regions.

- 8 out of 11 produce a printed councillor newsletter.
- 5 of the 8 who produce newsletters coordinate them via the Councillor/Mayor's Office and the remaining 3 are produced by Communications.

Key Findings:

- Most produced one or two newsletters per year with distribution primarily to residents; some sent to businesses.
- Funding for newsletter production and distribution came from either the Corporate Communications budget or from the Councillor's expense budget.
- Funding for newsletters is not based on ward size, although in municipalities where newsletters are corporately funded, there is no set allocation by ward.
- There was no set standard look and feel for newsletters produced by councillors for the cities identified.

Other Highlights:

- Brampton and Burlington's newsletters were produced by Communications. They send out a newsletter/magazine to all residents and allocate councillor content/pages, in addition to the corporate content.

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- Vaughan councillors do not produce printed newsletters. They do however send out e-newsletters. Vaughan was the only city surveyed that had a councillor expense budget formula based on ward. This council budget formula was adopted January 31, 2012 and includes a discretionary component of each budget be based on a rate of \$0.70 per resident in each ward, plus a rate of \$1.25 per business in each ward.
- Oakville produces a magazine that is mailed to all residents, coordinated by the mayor's office. Councillors are allotted one page for ward specific content.
- Waterloo did not have a regular distribution cycle as they produce newsletters based on issues. Spending is based on need. They are relying on e-newsletters more and more.

The complete survey results are provided in the attached chart. As can be seen, there is no consistent approach amongst municipalities in the way in which Councillor newsletters are managed or funded.



Brenda R. Breault, CMA, MBA

Commissioner of Corporate Services and Treasurer

Attachment:

Councillor Newsletter – Research conducted November 2012

c: Leadership Team

Ivana Di Millo, Director Communications

Crystal Greer, Director Legislative Services & Clerk

## Councillor Newsletter - Research Conducted November 2012

Municipality Contacted	Mississauga	Brampton	Burlington	Caledon	Kitchener	London	Oakville	Region of Peel	Region of York	Toronto	Vaughan	Waterloo
Inquiry												
<b>Do they produce councillors' newsletters?</b>	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes
<b>If so, who coordinates? Communications, councillors' office?</b>	Councillor's EA writes messages and asks Communications for corporate articles and City staff for ward specific articles. Communications supports councillor by providing corporate articles, editing and creative services.	Communications	Communications	Office of the CAO produces coordinates. Communications provides layout and design, editing and deliver to printer. Some councillors produce their own newsletter.		Councillors' office	Mayor's office	Communications in partnership with councillors.		Councillor's office. Each councillor office drafts and produces their own newsletter.	Councillors send out e-newsletters	Councillors' Office
<b>How many are produced a year? What is the distribution? Homes/businesses?</b>	Mostly residential. Distribution is set by the councillor.	Twice a year/residents	Three times a year/residents	Communications manager new to this role. One newsletter has been produced in the past six months. Distributed in the local newspaper to 20,000 residents.		Frequency depends on ward issues/residents	Twice a year/residents.	One regional newsletter is produced per year. Varies/residents and businesses		Councillor newsletters are distributed to residents in their ward, using either private distributors, staff or Canada Post admail.	Residents, some businesses	Only 2 of the 6 councillors produce
<b>Who pays for the newsletter? Council budget – expense account. Corporate budget.</b>	Councillor's expense budget. Communications services are at no cost - editing, coordination and creative services. Councillor pays for the printing and Canada Post costs.	Corporate budget/Communications	Corporate budget/Communications	Councillors have a budget allocated for communications with constituents.		Councillor's expense budget	Town budget	Corporate budget with in-house design/outsource printing.		Councillors can choose to use their office budget (\$30,000 per year) for design, printing and distribution for newsletter. They also receive a newsletter distribution entitlement from a Council General Expenses Budget. This is about \$2,000 per councillor.	Council budget	Councillor's expense budget
<b>How is the budget allocated? Same amount for all. Or maximum amount. Is there a funding formula based ward size?</b>	Budget is the same amount for all. For 2012, \$26,800 for all, includes the \$7,000 newsletter cost transferred in. No cap on amount they can spend on newsletters.	n/a	n/a	Each councillor has the same amount regardless of ward size.		Councillors all have the same amount in their expense accounts. No cap on the amount that they can spend on Communications.	Max \$75,000 per year for all newsletters.	Don't cap the spending - what ever it costs to produce. Yes. Bigger ward sizes are taken into consideration when budgeting.		The Constituency Services and Office budget for each councillor is \$30,000, irrespective of size of ward. The newsletter distribution entitlement is dependent on the number of households in each ward.	Based on ward pop size. Reference Council Office Expenditure Budgets 2013-2016 - City of Vaughan	Spending is based on need. While some wards may contain larger populations or size than others, the spending is based on issues. One ward may have issues going on that warrant more communication than another ward in any given year.
<b>Guidelines/policies to follow.</b>	Corporate Policy and Procedure - 04-05-04 Elected Officials' Expenses	n/a	n/a	Councillors are encouraged to run content through senior staff to ensure content is correct.		Would just have to follow the code of conduct (Section 5 30) and ensuring that (during an election year) the "contents of any communication material...hosted or distributed by the City, is not directly election related	Mayor's office staff produce the newsletter, mayor's message, town news and councillor is allocated one page to include ward specific news.	n/a		Link to Constituency Services and Office Expense Policy which guides councillor expenses <a href="http://www.toronto.ca/city_council/pdf/office-budget-policy.pdf">http://www.toronto.ca/city_council/pdf/office-budget-policy.pdf</a>		n/a

## Councillor Newsletter - Research Conducted November 2012

Municipality Contacted	Mississauga	Brampton	Burlington	Caledon	Kitchener	London	Oakville	Region of Peel	Region of York	Toronto	Vaughan	Waterloo
<b>Corporate/Communications budget – Does the budget cover newsletter production and distribution?</b>		Production and distribution costs are covered by Communications.	Communications budget includes printing, design, photography and distribution.	This budget does not cover specific councillor communications.				Budget covers cost of production and distribution.				
<b>Communications coordinates – same look and feel/size?</b>	Size dependant on content 4-8 pages. Standard masthead offered. Some councillors have requested their own masthead. We are currently surveying the councillors on new masthead options.	8 page newsletter produced, 2 page councillor content 6 pages corporate content.	One magazine produced by Communications, mayor allocated two pages and each councillor is allocated two pages for their message.	Looking to move to a template look/feel to ensure equitable communications.								
<b>Corporate/Council budget – Does the municipality fund the cost to produce and distribute the newsletter regardless of size? Are there any limitations?</b>	Councillors can choose to use their expense account to produce their newsletters. Some will produce one regional newsletter and one City newsletter per year.			There is a budget limit.		Councillors can use their expense account (expense accounts allocated from City funds, equal amount available to each councillor) to fund newsletter - there are no limitations on how money is spent.	Same newsletter to all residents. Councillors are allocated one page per ward for their message to residents.			Councillor can choose to produce and distribute newsletters, using their office expense budget.	Follow up e-mails sent Nov. 8 and 12 for information on funding formula. November 13 voice message.	Funds come out of town hall budget. One budget line to be used for all. Spending is based on need. Postage comes out of town hall budget but e-newsletters are being relied upon more and more.

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**BUDGET COMMITTEE MINUTES EXTRACT**  
**MEETING ON DECEMBER 5, 2012**

8. Councillor Newsletters Survey

Memorandum dated November 28, 2012 from Commissioner of Corporate Services and Treasurer with respect to the councillor newsletters survey.

Mr. Sajecki discussed information from the 2006 and 2011 Censuses that was distributed to the Committee and said that staff had asked Statistics Canada staff for the number of households per ward based on 2011 Census data.

Committee members raised various issues including:

- The number of households per ward according to the 2006 and 2011 Censuses versus the Canada Post figures and the accuracy of these respective figures;
- The higher newsletter expenses incurred by Councillors with larger populations and the possibility of increasing funding for postage, allocating and calculating funding per capita/household or according to other measures, and/or individual Councillors seeking additional funding from Council on a case-by-case basis;
- Current funding for Councillors' office budgets and the possibility of reallocating budgets based on population, households, and/or other measures per ward;
- The different ways that Councillors manage their budgets, deal with ward-specific issues, hold public meetings, run their offices, and deal with their newsletters;
- The advantages and disadvantages of hard copy newsletters as a means of communicating with residents and businesses and the need to consider newer methods of communication (e.g., Twitter) that may be more effective.

Mr. Sajecki, Mr. Czajka, Ms. Breault, and Ms. Baker responded to the Committee's above-noted comments and questions.

Received/Direction (R. Starr)

Recommendation BC-0062-2012

BC-0062-2012

1. That the Memorandum dated November 28, 2012 from the Commissioner of Corporate Services and Treasurer entitled "Councillor Newsletters Survey" be received; and
2. That the City Manager and Chief Administrative Officer be directed to prepare information for consideration at the next Budget Committee meeting regarding the possibility of calculating the portion of Councillors' budgets for newsletters on a per household basis.

At this point, Councillor Saito raised a Point of Order and requested clarification on the vote count regarding the above-noted recommendation. Councillor Carlson clarified that he abstained from the vote and Ms. Greer confirmed that an abstention is a negative vote. The Chair said that she broke the tie and voted in support of the recommendation.

Ward	Population	Occupied Dwellings
1	42,672	17,870
2	48,198	16,930
3	59,854	21,500
4	67,741	24,250
5	79,356	23,340
6	78,503	22,060
7	79,900	30,320
8	68,970	22,340
9	58,822	19,620
10	69,934	19,040
11	59,493	17,300
<b>Total</b>	<b>713,443</b>	<b>234,570</b>



*Estimates based on 2011 Census.*

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### 2006 Census

	Total Population	Number of Households
Ward 1	41,765	17,170
Ward 2	47,360	16,280
Ward 3	59,485	20,750
Ward 4	60,175	20,670
Ward 5	75,415	21,740
Ward 6	75,970	21,005
Ward 7	71,880	26,555
Ward 8	68,295	21,265
Ward 9	58,895	19,115
Ward 10	52,915	14,635
Ward 11	53,495	15,725
<b>Total</b>	<b>665,650</b>	<b>214,910</b>

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In

**BUDGET COMMITTEE MINUTES EXTRACT**  
**MEETING ON DECEMBER 12, 2012**

- *Councillors' Office Budgets*

Committee members raised various issues including:

- The possibility of deferring the above-noted matter until a General Committee meeting in January 2013 due to the small amount of money involved and to accommodate the two Members of Council absent at today's Committee meeting;
- The importance of all Members of Council being present for the discussion regarding the above-noted matter;
- The possibility of Clerk's Office staff surveying all Members of Council on their availability to ensure that everyone is present for future discussions at a General Committee meeting regarding the above-noted matter; and
- The inclusion of the above-noted matter on today's Committee agenda and whether the two Committee members absent at today's Committee meeting had requested that this matter be deferred prior to the meeting.

Deferred (K. Mahoney)

Recommendation BC-0064-2012

BC-0064-2012

That the matter of Councillors' office budgets and newsletter expenses be deferred to a General Committee meeting date in early 2013 and that Clerk's Office staff survey Members of Council to ensure that all Members will be present at the General Committee meeting, prior to listing the matter on a General Committee agenda.

**Julie Lavertu**

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**From:** Brenda Breault  
**Sent:** 2012/12/11 9:34 AM  
**To:** MC  
**Cc:** LT; Crystal Greer; Patti Elliott-Spencer; Julie Lavertu  
**Subject:** REVISED: Councillor's Expense Budget Revision  
**Attachments:** Revised Councillor Newsletter Allocation 2012.pdf

BUDGET COMMITTEE  
DEC 12 2012

Good Morning,

Please note the information below provided to you yesterday has been corrected as has the chart showing Councillor's expense budgets using ward population as the basis for distributing the newsletter component of the budget. The correction was changing the current amount in the Councillor's expense budget, excluding the newsletter provision, to \$19,800 not \$19,000 as shown in the previous analysis.

Brenda

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**From:** Brenda Breault  
**Sent:** December 10, 2012 10:19 AM  
**To:** MC  
**Cc:** Crystal Greer; Patti Elliott-Spencer; LT  
**Subject:** Re: Councillor's Expense Budget Revision

Good Morning Madame Mayor and Members of Council,

At the Budget Committee meeting of December 5, 2012, staff were requested to recalculate each Councillor's expense budget allocation by allocating the newsletter component of the expense budget based on households in the Ward.

The per household newsletter amount was determined by dividing the historic \$7,000 newsletter funding provision included in the each Councillor's expense budget by the number of households in the Ward with the fewest households (using 2011 household data provided by the Planning & Building Department). Based on this calculation, the newsletter provision is 41.35 cents per household. This amount was multiplied by the number of households in a Ward to determine that Ward's newsletter funding allocation. The revised amount, rounded to the nearest \$100, was then added to the balance of the Councillor's expense budget of \$19,800 to determine the total Councillor expense budget for each Ward.

The attached schedule shows the revised Councillor expense budgets by Ward. The revised budgets range from \$26,800 (current expense budget allocation for each Councillor) to \$32,300 and results in an overall \$20,000 increase in the total budget.

It should be noted that although the newsletter allocation has been separated out for the purpose of this calculation, Councillors are able to allocate their total expense budget allocation as they deem appropriate to best meet the needs of their Ward, subject to the Elected Officials' Expense policy provisions.

Brenda

1P

**Allocation of Councillor Newsletter Provision by Households**  
(Revised)

Ward	Households*	Revised Newsletter Portion of Budget (\$)	Total Expense Budget (\$)	Change from Existing Budget (\$)
1	17,870	7,400	27,200	+400
2	16,930	7,000	26,800	-
3	21,500	8,900	28,700	+1,900
4	24,250	10,000	29,800	+3,000
5	23,340	9,700	29,500	+2,700
6	22,060	9,100	28,900	+2,100
7	30,320	12,500	32,300	+5,500
8	22,340	9,200	29,000	+2,200
9	19,620	8,100	27,900	+1,100
10	19,040	7,900	27,700	+900
11	17,300	7,200	27,000	+200
Total	234,570	97,000	314,800	20,000

\* 2011 household data as provided by Planning & Building Department

19 **Households Analysis (Global Budget)** 19 **Household Analysis (Newsletter) Brenda Breault**

Ward	Households	Current Budget	Expenditure per Household	Total Expense Budget using Ward 2 expedniture per HH (\$1.58)	Change from Current Budget	Average expenditure per HH (\$1.25) X total number of HHs per ward	Change from Current Budget	Current Newsletter Budget	Revised Newsletter Portion of the Budget using HH expenditure per Ward (\$4135)	Change from current budget	Total Revised Budget
1	17870	\$26,800.00	\$1.50	\$28,288.01	\$1,488.01	\$22,337.50	-\$4,462.50	\$7,000.00	\$7,389.25	\$389.25	\$27,189.25
2	16930	\$26,800.00	\$1.58	\$26,800.00	\$0.00	\$21,162.50	-\$5,637.50	\$7,000.00	\$7,000.56	\$0.55	\$26,800.56
3	21500	\$26,800.00	\$1.25	\$34,034.26	\$7,234.26	\$26,875.00	\$75.00	\$7,000.00	\$8,890.25	\$1,890.25	\$28,690.25
4	24250	\$26,800.00	\$1.11	\$38,387.48	\$11,587.48	\$30,312.50	\$3,512.50	\$7,000.00	\$10,027.38	\$3,027.38	\$29,827.38
5	23340	\$26,800.00	\$1.15	\$36,946.96	\$10,146.96	\$29,175.00	\$2,375.00	\$7,000.00	\$9,651.09	\$2,651.09	\$29,451.09
6	22060	\$26,800.00	\$1.21	\$34,900.00	\$8,100.00	\$27,575.00	\$775.00	\$7,000.00	\$9,121.81	\$2,121.81	\$28,921.81
7	30320	\$26,800.00	\$0.88	\$47,996.22	\$21,196.22	\$37,900.00	\$11,100.00	\$7,000.00	\$12,537.32	\$5,537.32	\$32,337.32
8	22340	\$26,800.00	\$1.20	\$35,363.97	\$8,563.97	\$27,925.00	\$1,125.00	\$7,000.00	\$9,237.59	\$2,237.59	\$29,037.59
9	19620	\$26,800.00	\$1.37	\$31,058.24	\$4,258.24	\$24,525.00	-\$2,275.00	\$7,000.00	\$8,112.87	\$1,112.87	\$27,912.87
10	19040	\$26,800.00	\$1.41	\$30,140.11	\$3,340.11	\$23,800.00	-\$3,000.00	\$7,000.00	\$7,873.04	\$873.04	\$27,673.04
11	17300	\$26,800.00	\$1.55	\$27,385.71	\$585.71	\$21,625.00	-\$5,175.00	\$7,000.00	\$7,153.55	\$153.55	\$26,953.55
<b>TOTAL</b>	<b>234570</b>	<b>\$294,800.00</b>	<b>\$1.25 (Average)</b>	<b>\$371,300.95</b>	<b>\$76,500.95</b>	<b>\$293,212.50</b>	<b>-\$1,587.50</b>	<b>\$77,000.00</b>	<b>\$96,994.70</b>	<b>\$19,994.70</b>	<b>\$314,794.70</b>
<b>DIFFERENCE FROM CURRENT BUDGET</b>				<b>\$76,500.95</b>		<b>-\$1,587.50</b>					<b>\$19,994.70</b>

Re. Item 1 (distributed at meeting by Councillor Bonnie Crombie, Ward 5) Budget Committee Agenda – December 12, 2012

BUDGET COMMITTEE  
**DEC 12 2012**

**Per Capita Analysis (Global Budget)** **Per Capita Analysis (Newsletter) Clr McFadden**

Ward	Residents	Current Budget	Per Capita Expenditure	Total budget using Ward 1 per capita amount (\$0.63)	\$ 0.50	Average expenditure per resident (\$0.43) X total number of residents per Ward	Current Newsletter Budget	Per capita expenditure for newsletters	Per capita expenditure equalized to Ward 1 (\$0.16)	Difference from current newsletter budget
1	42,672	\$26,800.00	\$0.63	\$26,883.00	\$ 21,336.00	\$ 18,348.96	\$7,000	\$ 0.16	\$ 7,000.00	\$ -
2	48,198	\$26,800.00	\$0.56	\$30,270.58	\$ 24,099.00	\$ 20,725.14	\$7,000	\$ 0.15	\$ 7,906.50	\$ 906.50
3	59,854	\$26,800.00	\$0.45	\$37,591.09	\$ 29,927.00	\$ 25,737.22	\$7,000	\$ 0.12	\$ 9,818.57	\$ 2,818.57
4	67,741	\$26,800.00	\$0.40	\$42,544.50	\$ 33,870.50	\$ 29,128.63	\$7,000	\$ 0.10	\$ 11,112.37	\$ 4,112.37
5	79,356	\$26,800.00	\$0.34	\$49,839.26	\$ 39,678.00	\$ 34,123.08	\$7,000	\$ 0.09	\$ 13,017.72	\$ 6,017.72
6	78,503	\$26,800.00	\$0.34	\$49,303.53	\$ 39,251.50	\$ 33,756.29	\$7,000	\$ 0.09	\$ 12,877.79	\$ 5,877.79
7	79,900	\$26,800.00	\$0.34	\$50,180.91	\$ 39,950.00	\$ 34,357.00	\$7,000	\$ 0.09	\$ 13,106.96	\$ 6,106.96
8	68,970	\$26,800.00	\$0.39	\$43,316.37	\$ 34,485.00	\$ 29,657.10	\$7,000	\$ 0.10	\$ 11,313.98	\$ 4,313.98
9	58,822	\$26,800.00	\$0.46	\$36,942.95	\$ 29,411.00	\$ 25,293.46	\$7,000	\$ 0.12	\$ 9,649.28	\$ 2,649.28
10	69,934	\$26,800.00	\$0.38	\$43,921.80	\$ 34,967.00	\$ 30,071.62	\$7,000	\$ 0.10	\$ 11,472.11	\$ 4,472.11
11	59,493	\$26,800.00	\$0.45	\$37,364.37	\$ 29,746.50	\$ 25,581.99	\$7,000	\$ 0.12	\$ 9,759.35	\$ 2,759.35
<b>TOTAL</b>	<b>713,443</b>	<b>\$294,800.00</b>	<b>\$0.43 (Average)</b>	<b>\$448,158.37</b>	<b>\$ 356,722.00</b>	<b>\$ 306,780.49</b>	<b>\$77,000</b>		<b>\$ 117,034.61</b>	<b>\$ 40,034.61</b>
<b>DIFFERENCE FROM CURRENT BUDGET</b>				<b>\$153,358.37</b>	<b>\$61,922.00</b>	<b>\$11,980.49</b>			<b>\$ 40,034.61</b>	



# Corporate Report

Clerk's Files

**DATE:** January 28, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Martin Powell, P. Eng.  
Commissioner of Transportation and Works

**SUBJECT:** **Request For Amendments to the Adult Entertainment Establishment Licensing By-law 507-05, as amended**

**RECOMMENDATION:** That the report titled Request For Amendments to Adult Entertainment Establishment Licensing By-law 507-05, as amended from the Commissioner of Transportation and Works, dated January 28, 2013, be received for information.

**BACKGROUND:** On August 15, 2012 Mr. George Thelwell, a licensed paralegal by the Law Society of Upper Canada, wrote a letter (Appendix 1) to City Council identifying concerns regarding certain provisions of the Adult Entertainment Establishment Licensing By-law 507-05, as amended, (the "By-law") (Appendix 2). Mr. Mickey Frost, Director, Enforcement wrote a letter of response dated August 22, 2012, (Appendix 3), advising Mr. Thelwell that his letter would be reviewed with Legal Services staff and a response would be provided.

On September 12, 2012 City Council adopted Resolution 0197-2012 (Appendix 4) receiving Mr. Thelwell's letter and referred it to the Transportation and Works Department for a report back to General Committee.

**COMMENTS:**

Due to the legal nature of the questions raised by Mr. Thelwell, Compliance and Licensing Enforcement staff liaised with Legal Counsel from Legal Services for assistance in responding to the concerns raised by Mr. Thelwell.

Mr. Thelwell's letter to City Council sets out various concerns with the By-law, suggesting that it is overly broad, lacks clear definitions and limits the power given to inspectors. Specifically, Mr. Thelwell sites a number of definitions contained in the By-law for lacking in clarity such as Adult Entertainment Business; Adult Entertainment Establishment; Body Rub; and Body Rub Business. Mr. Thelwell suggests the manner in which the By-law is drafted may cause confusion when applied to certain businesses, such as those providing manicures and pedicures.

Legal Services staff have reviewed the By-law and do not agree with the concerns raised by Mr. Thelwell. City staff have historically not had any difficulty in the application of the By-law and have successfully prosecuted those charged under the By-law. Further, Legal Services staff are quite satisfied that the By-law has been enacted in accordance with the applicable enabling legislation, case law, and see no reason to amend the By-law at this time.

**FINANCIAL IMPACT:** There is no financial impact.

**CONCLUSION:**

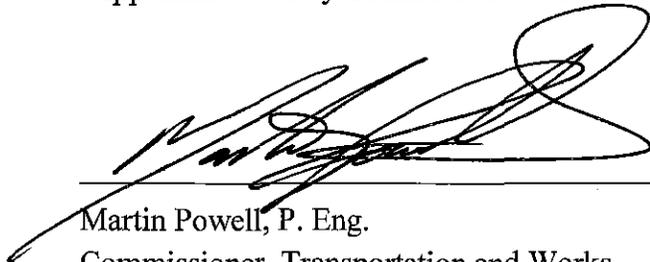
No amendments are required to the Adult Entertainment Establishment Licensing By-law 507-05, as amended, based on review of the By-law and recommendations provided by Legal Services staff.

**ATTACHMENTS:**

- Appendix 1: Letter from Mr. George Thelwell, Licensed Paralegal dated August 15, 2012
- Appendix 2: Adult Entertainment Establishment Licensing By-law 507-05, as amended

Appendix 3: Letter from Mr. Mickey Frost, Director, Enforcement  
dated August 22, 2012

Appendix 4: City Council Resolution 0197-2012



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Martin Powell, P. Eng.  
Commissioner, Transportation and Works

*Prepared By: Douglas Meehan, Manager, Compliance and  
Licensing Enforcement*

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AUG 20 2012

Appendix 1  
ENFORCEMENT

# 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,

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.

***“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. (Not withstanding 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

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(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



**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:

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## **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;

**"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.

**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 1 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;

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- (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.

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**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 Licensee remains unpaid after the due date as indicated in the Notice of Additional Fee sent to the Licensee; 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 of 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.

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### **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)

<b><u>TYPE OF LICENCE</u></b>	<b><u>New</u></b>	<b><u>Renewal</u></b>
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

**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.

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**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;

**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)

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**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

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**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;

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**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;

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**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;

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**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.

**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.

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**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.

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Transportation and Works Department  
Enforcement Division  
Mobile Licensing Enforcement

City of Mississauga  
300 City Centre Drive  
Mississauga, Ontario  
L5B 3C1

[www.mississauga.ca](http://www.mississauga.ca)



Leading today for tomorrow

Appendix 3

August 22, 2012

George Thelwell  
3120 Glen Erin Drive  
Unit 2  
Mississauga, Ontario  
L5L 1R6

Dear Mr. Thelwell:

This will confirm receipt of your letter dated August 15, 2012. Thank you for your interest in City by-laws.

Given the nature of the issues you raised in your letter, we will be meeting with staff from the City's Legal Services Division to review your letter and respond to it. You can expect our response in the near future.

Once again, thank you for your interest in City by-laws.

Yours truly,

Mickey Frost  
Director, Enforcement

cc: Douglas Meehan, Manager, Compliance and Licensing Enforcement  
Steve Dickson, Legal Counsel



RESOLUTION 0197-2012  
adopted by the Council of  
The Corporation of the City of Mississauga  
at its meeting on September 12, 2012

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0197-2012 Moved by: Nando Iannicca Seconded by: Katie Mahoney

The letter dated August 15, 2012, from George Thelwell, licensed paralegal be received and referred to the Transportation and Works Department for a report back to a future General Committee meeting.



# Corporate Report

Clerk's Files

Originator's Files

General Committee  
FEB 27 2013

**DATE:** February 13, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Paul A. Mitcham, P.Eng., MBA  
Commissioner of Community Services

**SUBJECT:** Update on Key Terms and Conditions for a License Agreement with Mississauga Legends Row (Ward 4)

- RECOMMENDATION:**
1. That the following terms and conditions for the license agreement between Mississauga Legends Row and the City of Mississauga, for installation of recognition plaques on a portion of Mississauga Celebration Square, as outlined in the Report "Update on Key Terms and Conditions for a License Agreement with Mississauga Legends Row" dated February 13, 2013 from the Commissioner of Community Services, be approved as below:
    - i. Five year term with renewal for up to two additional 5 year terms, each term to be approved by Council;
    - ii. 30 Day termination clause, with no liability against the City;
    - iii. Locate Legends Row within the collonades outside the Jubilee Gardens on Mississauga Celebration Square;
    - iv. Legends Row Board of Directors approve a new draft by-law regarding the nomination and selection process for inductees to Legends Row and recommended revisions to their governance by-law;
    - v. Legends Row assumes full responsibility for the cost of fabricating, installing, removing and maintenance of all totems and plaques;

- vi. Installation, removal and repairs to the totem and plaques be managed by the City and charged back to Legends Row.; and
  - vii. The design of the totems and plaques be approved by both Legends Row and the City.
2. That a member of Council be appointed to the Legends Row Selection Committee for the balance of the current term of Council.

**REPORT  
HIGHLIGHTS:**

- Mississauga Legends Row is a volunteer, not-for profit, incorporated organization established to annually recognize and celebrate the achievements of current and former Mississauga residents in a variety of fields.
- Staff and representatives of Legends Row are working to address the conditions required to enact a license agreement for the use of a portion of Mississauga Celebration Square to install recognition plaques.
- Seven terms and conditions for inclusion in the license agreement are outlined in the Recommendation section of this report.

**BACKGROUND:**

Mississauga Legends Row is a newly formed volunteer, not-for profit organization established to annually recognize and celebrate the achievements of current and former Mississauga residents in the fields of athletics, arts and culture, entertainment and media, public service, business, innovation and science, community building/leadership and philanthropy. Public recognition of inductees to Legends Row is planned in the form of individual plaques installed at a prominent public location and a celebratory gala following the induction.

At the meeting of July 4, 2012, Council approved recommendation GC-0498-2012 authorizing staff to develop a license agreement with Mississauga Legends Row to install recognition plaques on a portion of Mississauga Celebration Square. The Commissioner of Community Services has been authorized to execute the agreement subject to a number of conditions outlined in the original Report, in a form satisfactory to the City Solicitor. Discussions between staff and representatives of Legends Row are on-going regarding the terms and conditions of the license agreement.

**COMMENTS:**

The following topics formulate the key terms and conditions recommended for inclusion in the proposed license agreement:

- Duration of the Agreement
- Early Termination Option
- Location of Legends Row
- Alternate Location of Legends Row
- Legends Selection Committee
- Selection Criteria and Decision Making Model
- Board Governance
- Responsibility for Costs
- Responsibility for Installation, Removal and Repairs
- Totem and Plaque Design

Duration of the Agreement

The license agreement is proposed to be for five years. At the end of this first five year period, Legends Row may request Council approve renewal for an additional five years. At the conclusion of this extension, Legends Row may request Council approve a final five year term.

Early Termination Option

Notwithstanding the above proposed term of the agreement, both parties will have the right to terminate with thirty (30) days prior written notice for any reason whatsoever. In the event the City requests early termination, Legends Row will not have a liability or legal claim against the City for damages.

Location of Legends Row

Legends Row originally requested access to the exterior walls and columns of the southeast side of the Civic Centre to affix the inductee plaques. However, as this concept developed a number of concerns were raised about the appropriateness of this location. Staff believe the proposed design and the manner of displaying the plaques was too informal. It was not fitting for the entrance to the seat of municipal government of Canada's sixth largest city or to the architecture of this award winning building. To address these concerns, staff consulted with CS&P Architects who designed Mississauga Celebration Square. CS&P advise the architectural principles of the Civic Centre building are of a classical design on a grand scale with strong lines, restrained decor and unembellished brick columns. They believe this initial location and design for Legends Row undermines the integrity of the

Civic Centre's architecture and strongly recommended against it. Staff concur with this assessment.

Although this was a disappointment to Legend Row they agreed to work with staff to find an acceptable location within Mississauga Celebration Square. Representatives of CS&P Architects and staff from Park Development, Mississauga Celebration Square, Facility and Property Management and Culture, along with the ward councillor and members of Legends Row reviewed a number of options. It was also recognized that in the absence of walls to install inductee plaques, a system of pillars or totems was designed to display the plaques. Accommodating totems along with the necessary clearance to view them influenced the options available on the Square.

Staff recommend Legends Row be located within the collonades at the northwest side of the Raised Gardens immediately outside the Jubilee Gardens. This area is large enough to accommodate the proposed totems and allow for adequate room for people to wander at their leisure to view them. The collonnade is covered and provides protection from the elements with improved viewing. The area is fully accessible. Staff believe this proposal is complementary to the quiet space of Jubilee Gardens and will add another activity for people to engage in on the Square. A conceptual rendering is attached as Appendix 1.

The draft agreement provides Legends Row with a license for the non-exclusive use of this area.

#### Alternate Location of Legends Row

Although Legends Row is satisfied with the recommended location outside of the Jubilee Gardens, their preferred location is the north end of the Forested Garden. This is larger location, visible from all areas of the Square and Duke of Your Boulevard. However, the ground cover in this area is crushed granite, and not fully accessible. As a result it requires the installation of a pathway for viewing the plaques. The cost of hard surfacing was not anticipated in the original proposal from Legends Row. Although a full cost estimate is yet to be completed, it is understood a significant investment is required to meet this obligation. Staff from Facilities and Property Management will develop a cost estimate in the coming weeks. In order for Legends Row to relocate to this area, they will seek grants and alternate sources of funding for a walkway to address this issue. In the event Legends Row is successful in this, the totems bolted into the concrete on the

collonade can be easily removed. Legends Row will be responsible for returning the concrete on the collonade to its original state.

The draft agreement will require Council's approval for use of this alternate location. Further discussion on this item is expected following completion of cost estimates for the pathway/ hard surface.

The recommended and alternate locations for Legends Row are shown on Appendix 2.

#### Legends Selection Committee

A selection committee will be formed to oversee the nomination and selection of each year's inductees into Legends Row. Membership of the committee will rotate every three years. Members of the committee will be:

- Representatives from 10 different Mississauga organizations with expertise in the various nomination categories such as the Mississauga Board of Trade, Mississauga Sports Council, Mississauga Arts Council etc.;
- 10 members of the Legends Row Board of Directors; and
- A member of the Culture Division staff as ex-officio.

In addition, Legends Row requests a member of Mississauga City Council be appointed to the selection committee.

#### Selection Criteria and Decision Making Model

Legends Row have committed to adhering to the process outlined below for the nomination and selection of inductees:

- Nominations will be advertised to the public via local media outlets well in advance of the submission deadline;
- Selection criteria include demonstrated examples of the nominees contributions to Mississauga, how they have been a Mississauga booster and concrete examples of how they have inspired and been a leader in the community;
- The selection committee oversees the nomination process including verifying the information received regarding selected nominees;
- No member of the Legends Row Board or selection committee or those directly related to members of the Board or the selection committee are eligible for induction into Legends Row;

- All nominees put forward by the selection committee must be approved unanimously by the Legends Row Board of Directors; and
- Legends Row must notify the City of any changes to the criteria or selection process.

This process will form a new by-law which the Legends Row Board of Directors expects to ratify at a meeting prior to the end of February, 2013. The Legends Row Board of Directors must pass this new by-law prior to the execution of the licence agreement, as it forms one of the appendices to the agreement.

Notwithstanding the above process, for 2013 only, the Board of Legends Row alone determined the inductees for their inaugural awards. This allows them to kick start the program and ensures its initial success in order to attract volunteers to the selection committee and garner public and corporate support for the program.

#### Board Governance

Legends Row is now incorporated as a not-for-profit organization and has a five year business and financial plan as required. As such they developed a by-law outlining how the organization proposes to govern itself. Staff reviewed this by-law and recommend a number of changes and additional sections. These changes include:

- Statement of the minimum and maximum number of Board members;
- Annual minimum number of Board meetings required;
- A rotating term for the Board of Directors to ensure a reasonable level of continuity while allowing for new members to join the Board and bring new ideas and insights;
- A commitment to promote the opportunity to join the Board through the use of various local media;
- Commitment to notify the City of changes to the Board;
- A clause to allow for the removal of Directors; and
- Dissolution clause which states how the organization's assets will be dealt with in the event Legends Row disbands.

Legends Row is including these in a revised by-law scheduled for Board approval by the end of February, 2013. The Legends Row Board of Directors must pass this revised by-law prior to the execution of the licence agreement, as it forms one of the appendices to the agreement.

Responsibility for Costs

As previously stated by Legends Row, they will assume all costs associated with the fabrication, installation and maintenance of the totems and plaques. This includes the cost of insurance as recommended by Risk Management staff and the annual \$2.00 license fee.

Responsibility for Installation, Removal and Repairs

The installation, removal and maintenance of the totems and plaques will be contracted and managed by the City and charged back to Legends Row to ensure City standards and timelines are adhered to at all times. Legends Row is supportive of this approach.

Totem and Plaque Design

A series of four-sided totems, with the plaques of inductees displayed on each side is proposed for installation on the collonade. CS&P Architects will develop designs for these with final approval required from both the City and Legends Row. Initial conceptual drawings were approved by both parties.

The design of the totems, plaques and display locations will be appended to the agreement.

**STRATEGIC PLAN:** This proposal supports a number of the City's strategic goals in the Belong pillar including Build Vibrant Communities, Create Great Public Spaces and Celebrate our Community.

**FINANCIAL IMPACT:** There is no impact on the approved City budget as all costs associated with the fabrication, installation and maintenance of the Legend Row totems and plaques will be funded by Legends Row.

**CONCLUSION:** Mississauga Legends Row proposes to establish a program to celebrate the achievements of Mississauga residents in a variety of fields. Staff and representatives of Legends Row are working to develop a license agreement to install recognition plaques on the collonade outside the Jubilee Gardens of Mississauga Celebration Square.

Key terms and conditions of the license agreement include:

- Renewable five year term upon Council's approval;
- 30 day termination clause;
- Locating Legends Row on the collonade outside the Jubilee Gardens;
- Legends Row Board of Directors to approve a new draft by-law regarding the nomination and selection process for inductees to Legends Row and recommended revisions to their governance by-law;
- Legends Row assumes full responsibility for the cost of fabricating, installing, removing and maintenance of the all totems and plaques;
- Installation, removal and repairs to the totem and plaques will be managed by the City and charged back to Legends Row; and
- The design of the totems and plaques must be approved by both Legends Row and the City.

**ATTACHMENTS**

Appendix 1: Concept for Legends Rows on the Collonade outside Jubilee Gardens

Appendix 2: Locations for Legends Row at Mississauga Celebration Square



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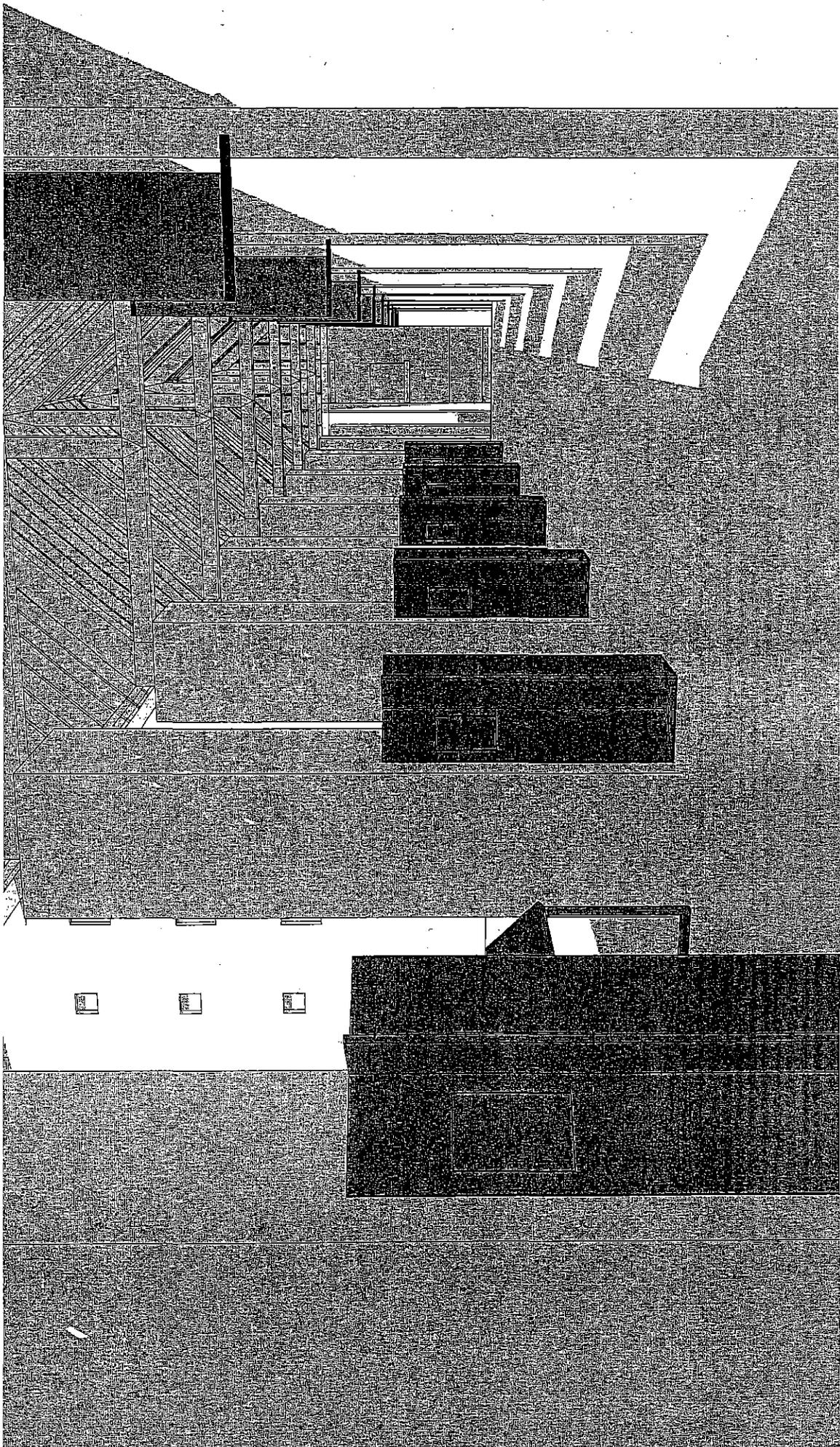
Paul A. Mitcham, P.Eng., MBA  
Commissioner of Community Services

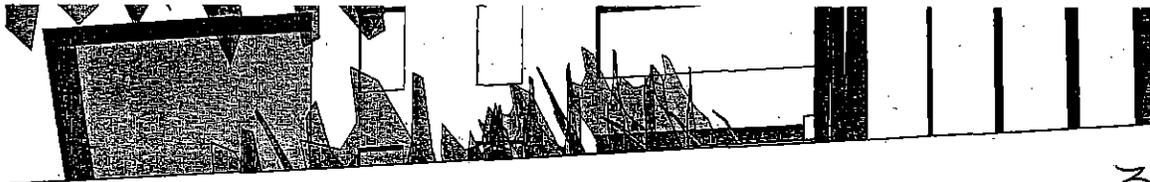
*Prepared By: Susan Burt, Director, Culture Division*



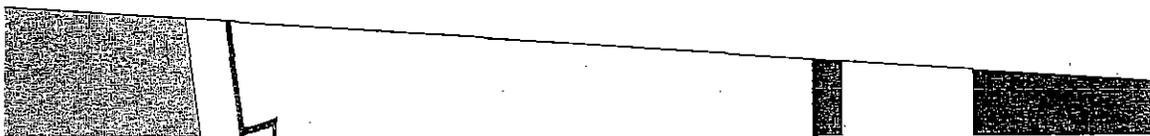
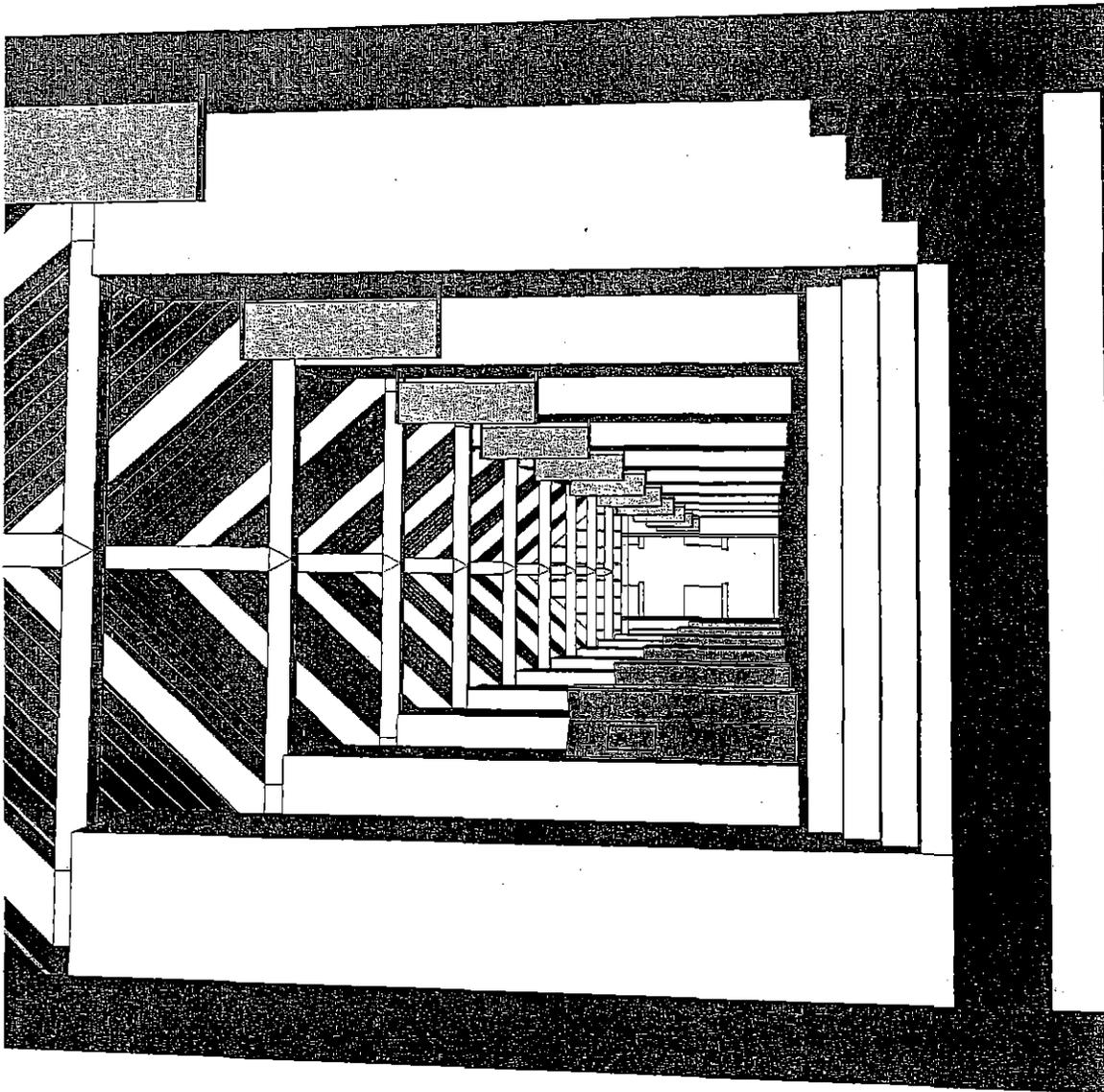
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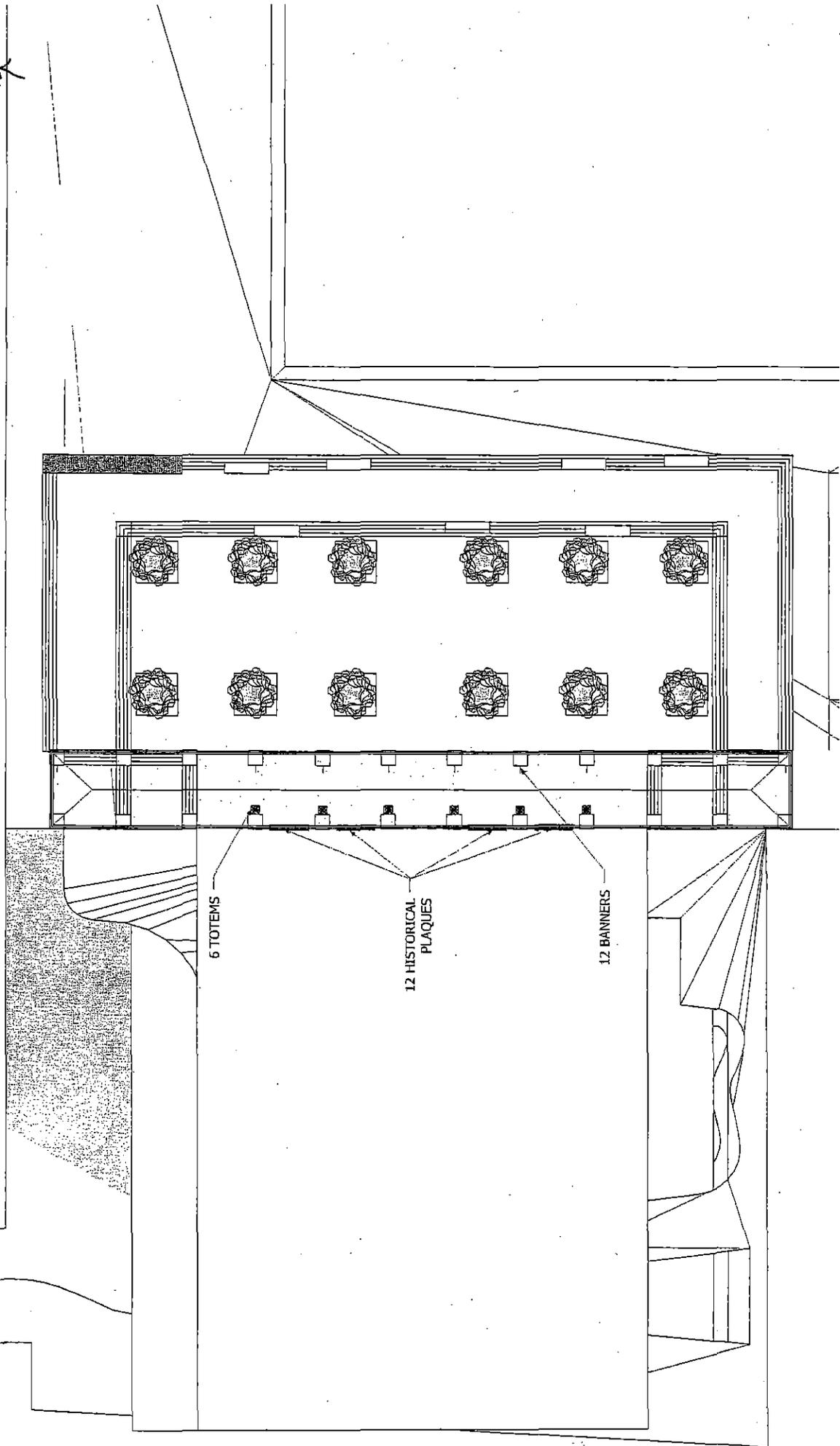




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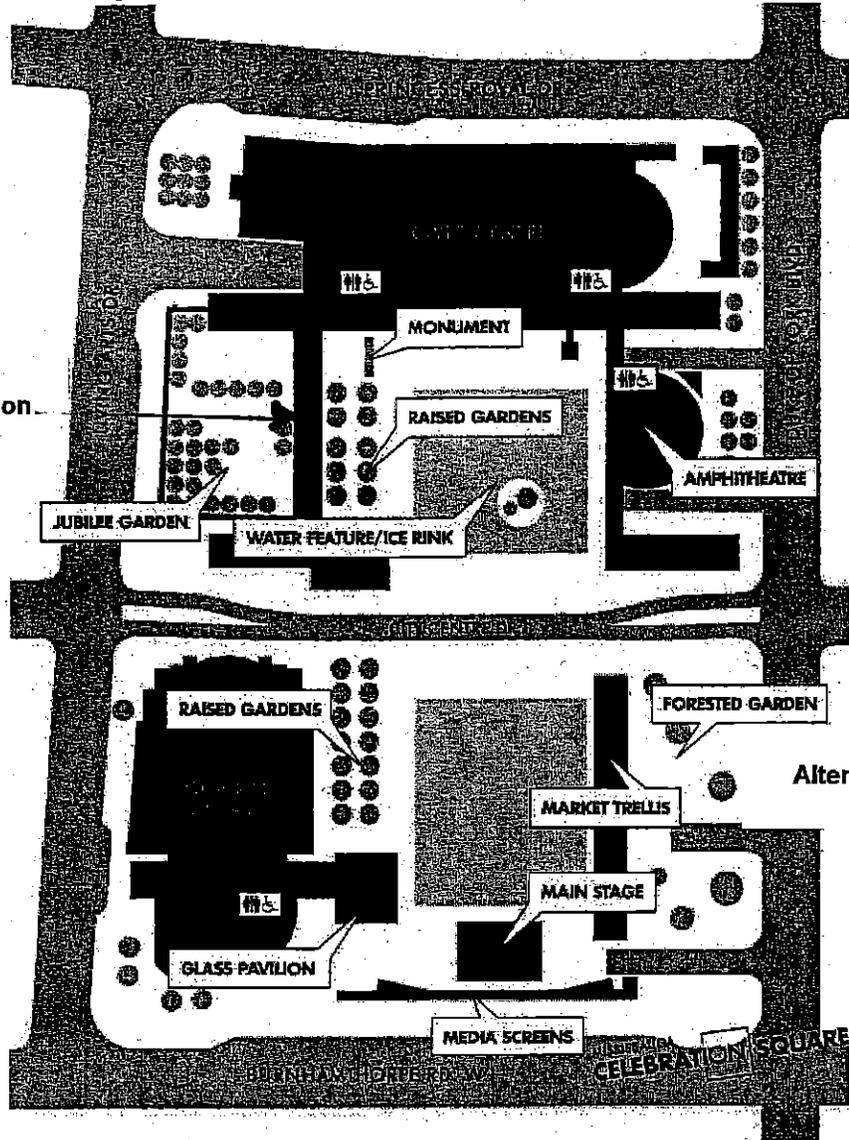
6 TOTEMS

12 HISTORICAL  
PLAQUES

12 BANNERS

3L

Proposed Location



Alternate Location



# Corporate Report

Clerk's Files

Originator's Files

General Committee  
**FEB 27 2013**

**DATE:** February 8, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Paul A. Mitcham, P.Eng., MBA  
Commissioner of Community Services

**SUBJECT:** Draft Mississauga Sports Plan

- RECOMMENDATION:**
1. That the Draft Mississauga Sport Plan attached as Appendix 1 to the Corporate Report dated February 8, 2013 from the Commissioner of Community Services be approved in principle.
  2. That staff be authorized to proceed with a public meeting and online engagement for the Draft Mississauga Sport Plan.

<b>REPORT HIGHLIGHTS:</b>	<ul style="list-style-type: none"> <li>• The Draft Mississauga Sport Plan (The Sport Plan) is a 5 year strategic plan that provides a series of recommendations designed to build a more collaborative and effective sport system in the city. The Sport Plan focuses on 7 strategic areas and includes 40 recommendations.</li> <li>• Strategic focus areas include Sport Leadership, Sport for All, Sport for Life, Celebration and Promotion of Sport, Building Capacity of our Sports System, Sport Tourism and Sport Infrastructure.</li> <li>• The recommendations are the result of consultations with the broader sport community, a best practices review, research and</li> </ul>
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input from the Sport Plan Steering Committee.

- Input from General Committee will be incorporated into the final draft plan, to be shared with the public in a Public Open House to be scheduled in March.

**BACKGROUND:**

In January 2010, The Task Force on Sport was established by Mayor Hazel McCallion. Its findings were received by Council on May 11, 2011. Staff were asked to review and comment on the report and its recommendations. In response, the Commissioner of Community Services appointed a Sport Review Steering Committee and Core Team, with the responsibility for developing a long term plan for sport in the City of Mississauga, incorporating input from the Mayor's Task Force on Sport, as well as the Mississauga Sports Council staff, public and key community stakeholders.

Members of the Sport Review Core Team included: Howie Dayton (Director, Recreation and Project Sponsor); Jodi Robillos (District Manager, Northwest Recreation and Project Lead); Jason Klomp (Manager, Sports); Maurice Swaby (Business Advisor); Pat Craigmile (Former Manager, Sports) and Danielle Menary (Administrative Assistant).

Following a comprehensive consultation and research process, the Sport Plan recommendations have been fully endorsed by the Steering Committee, whose contributions to this process have been invaluable.

Thank you to the Steering Committee members: Lisa Alexander, (President, Mississauga Sports Council); Frank Dale (Councillor Ward 4, City of Mississauga); Chris Fonseca, (Councillor Ward 3, City of Mississauga); Janet Johnson (General Manager, YMCA Mississauga) and Paul Mitcham (Commissioner, Community Services, City of Mississauga)

**PRESENT STATUS:**

Staff have incorporated feedback received into the final draft plan being considered by Council. Staff have presented the Sport Plan recommendations to the Mississauga Sports Council, affiliated sport groups (through two engagement sessions) and the co-chairs of the Mayor's Task Force on Sport. A public open house will be scheduled

upon Council's approval to ensure interested residents have an opportunity to review the recommendations and provide comment.

The Sport Plan will be available on the City's website for those unable to attend the meeting, but who wish to provide comment. Council's formal approval of the Sport Plan is expected in the spring of 2013 pending the results of the public meeting.

**COMMENTS:**

The Sport Plan focuses on seven key strategic focus areas. These include:

- Sport Leadership- Develop a shared leadership model for the implementation of the Sport Plan which ensures collaboration, investment and involvement from key stakeholders within the Mississauga Sport Delivery System.
- Sport for All- Develop inclusive and targeted programs, services and funding that address barriers to participation in sport.
- Sport for Life- Increase participation in and understanding of the life-long benefits of quality sport and physical activity.
- Celebration and Promotion of Sport- Actively promote sport and celebrate the achievements of athletes, volunteers and organizations.
- Building Capacity of our Sport System- Increase capacity and sustainability of community sport providers, programs and services.
- Sport Tourism- Mississauga will be recognized as a sport event-friendly city and sports tourism destination of choice.
- Sport Infrastructure- Ensure sport facilities meet community needs and are allocated in a fair and equitable manner.

A separate Sport Tourism Strategy is currently being developed in partnership with Mississauga Toronto West Tourism, expected to be brought to Council this spring.

The Mayor's Task Force on Sport was an invaluable resource in the development of this plan. Many of its recommendations are reflected with the exception of two that pertain to establishing a new Sports Board and Executive Director for Sport.

With a new 3 year strategic plan, the Mississauga Sports Council has the capacity to be a champion, advocate and advisory body for sport in Mississauga. Rather than creating a new organization and executive director, the Sport Plan Steering Committee endorsed the review and renewal of the Mississauga Sports Council's governance, mission, board composition and operational model. The City is well positioned to facilitate those discussions immediately upon Council's approval of the Sport Plan.

The consultations and research identified a number of key themes which helped to inform the strategic focus areas and recommendations. These are outlined on Page 12 of the attached Plan.

The implementation of the Sport Plan, once approved, will require a concentrated effort by an implementation committee. Stakeholders that have been considered for this committee include members of the Sport Council's Board of Directors, representatives of the Boards of Education, community sport and city staff.

The Sport Plan will be implemented over a 5 year period. Staff will identify resource requirements and organizational roles and responsibilities in the implementation plan. A priority will be to assist the Mississauga Sport Council undertake a governance review process to ensure the Council is positioned for success in playing a leadership role in the implementation of the Plan.

**STRATEGIC PLAN:** Having a sustainable sport delivery system that addresses changing community and demographic needs is necessary to achieve the strategic pillars "connect" and "belong".

**FINANCIAL IMPACT:** Recommendations requiring funding will be considered in future budget submissions.

**CONCLUSION:** The process for the development of the Mississauga Sport Plan has been extensive and inclusive. Feedback on the draft plan has been positive to date. The Sport Plan brings forward a holistic set of recommendations for the future sustainability of sport in the City of Mississauga.

**ATTACHMENTS:**      Appendix 1: Draft Mississauga Sport Plan



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Paul A. Mitcham, P.Eng., MBA  
Commissioner of Community Services

*Prepared By: Jodi Robillos, District Manager, Recreation Division*



# Corporate Report

Clerk's Files

Originator's  
Files

5

General Committee

FEB 27 2013

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**DATE:** February 7, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

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

**SUBJECT:** **Malton Business Improvement Areas (BIAs) Request for Cash Advance**

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**RECOMMENDATION:** That the Commissioner of Corporate Services and Treasurer be authorized to provide a cash advance to the Malton BIA in the amount of \$54,200 which represents 50 per cent of the proposed 2013 budget of \$108,400 (Appendix 1).

**BACKGROUND:** In December, 2012, Council endorsed the establishment of a new Malton Business Improvement Area. Since that time, the Malton BIA has appointed their Board of Directors and approved their first inaugural budget for the 2013 calendar year.

**COMMENTS:** In November 2012, Council approved a staff report to provide City BIAs with a cash advance of up to 50 per cent of the "previous" year BIA tax levy amount, until the final tax bills are levied.

The BIAs rely on these cash advances from the City to help sustain their operations during the first half of the year, until Council approves the BIA tax levy. Without these advances, the BIAs are unable to adequately support their operations or projects during the first half of the year and this situation could cause the BIAs financial hardship. Since the Malton BIA is newly created, they do not have previous levy history to base a cash advance on, nor do they have any financial assets or resources. Therefore, the Malton BIA is requesting a one-time exception from Council to approve a 50 percent advance based

5a

on their proposed 2013 budget.

The 2013 Malton BIA proposed budget was ratified by their Board of Directors on February 5, 2013. Finance staff have subsequently reviewed their budget proposal. No concerns were identified and Finance staff recommends the budget going forward to Council in May 2013:

In March 2013, City staff will collect all the other 2013 BIA budgets and levy requirements and review for reasonability. If no concerns are identified, City Finance will forward the all BIA budgets and levy requests to the Revenue Division to be incorporated into the final tax levy bylaw which is presented to Council in May.

Once the BIA budgets and levy request are approved by City Council, the BIA levies are added to the City's final tax bill. At the end of June, the BIA's will receive the balance of their levy request.

**FINANCIAL IMPACT:** There is no financial impact on the City by advancing a portion of their annual levy. The advances are recognized as a City receivable until such time the final levy is transferred to the BIAs.

If a BIA becomes insolvent or dissolved by Council, the City would be able to recapture the advance receivable through a subsequent tax levy on the former BIA membership.

**CONCLUSION:** The Malton BIA requests Council's consideration in providing a cash advance of 50 percent of the 2013 proposed budget levy to help start up and subsequently sustain their operations during the first half of a calendar year.

**ATTACHMENTS:** Appendix 1: Malton BIA Proposed 2013 Budget



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

*Prepared By: Mark Beauparlant, Manager, Corporate Financial Services*

**Malton BIA Budget 2013**

Approved by BIA Board

2013  
**BUDGET****EXPENSES**

<b>Office and General Expenses</b>	
Software (Quickbooks)	\$700.00
Meetings (monthly and AGM)	\$1,500.00
Memberships (OBIAA)	\$500.00
Insurance	\$2,000.00
Bank charges	\$500.00
Audit Fees	\$3,000.00
Book Keeping	\$3,500.00
Rent	\$0.00
Telephone and Office supplies (paper, etc.)	\$2,500.00
<b>SUBTOTAL</b>	<b>\$14,200.00</b>

<b>Advertising and Promotion Expenses</b>	
Printing (Flyers, posters, etc.)	\$2,000.00
Website	\$1,000.00
SNAP (advertisement)	\$1,000.00
Mississauga News (advertisement)	\$1,200.00
Other publications (advertisement)	\$7,000.00
Mobile Signs	\$3,000.00
Branding	\$20,000.00
Promotional Materials	\$2,000.00
<b>SUBTOTAL</b>	<b>\$37,200.00</b>

<b>Beautification and Maintenance</b>	
Banners (Printing)	\$20,000.00
Brackets for Banners	\$12,000.00
Banner Installation	\$10,000.00
Other beautification initiatives- Planters and other	
<b>SUBTOTAL</b>	<b>\$42,000.00</b>

<b>Sponsorships</b>	
Sponsorship of Events	
Mississauga Marathon	
Malton Festival	\$5,000.00
Nagar Kirtin	\$5,000.00
Neighbourhood BBQ	
Street Festival	
<b>SUBTOTAL</b>	<b>\$10,000.00</b>

<b>Reserves</b>	
Reserves	\$5,000.00
<b>SUBTOTAL</b>	<b>\$5,000.00</b>

<b>Total Expenses</b>	<b>\$108,400.00</b>
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**REVENUES**

<b>Revenues</b>	
<b>2013 BIA LEVY</b>	<b>\$108,400.00</b>
BIA Fundraising	\$0.00
Donations	\$0.00
Transfer from Accum. Surplus	NA
Bank/Interest Income	\$0.00
Govt Grants	\$0.00
Other Revenue	\$0.00
<b>Total Revenues</b>	<b>\$108,400.00</b>

<b>Net Budget</b>	<b>\$0.00</b> Must equal zero
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# Corporate Report

Clerk's Files

Originator's Files MG.23.REP

General Committee

FEB 27 2013

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**DATE:** February 7, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Martin Powell, P.Eng.  
Commissioner of Transportation and Works

**SUBJECT:** **2013 Sidewalk and Multi-Use Trail Construction Programs  
(Wards 3, 4, 5, 9, 11)**

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**RECOMMENDATION:** That the proposed 2013 Sidewalk and Multi-Use Trail Construction Programs, as outlined in the report titled "2013 Sidewalk and Multi-Use Trail Construction Programs" from the Commissioner of Transportation and Works dated February 7, 2013, be approved.

**REPORT  
HIGHLIGHTS:**

- New sidewalks will be constructed in 2013 with an emphasis on transit accessibility, for a total of 5.8 kilometres (3.6 miles)
- A total of 1.9 kilometres (1.2 miles) of new multi-use trails will be constructed as part of the 2013 Capital Budget, based on the Mississauga Cycling Master Plan
- Funding for these projects is available through the approved 2013 Capital Budget and sidewalk developer contributions. The multi-use trail program outlined in this report is estimated at \$800,000. The sidewalk program is estimated at \$1,021,500

**COMMENTS:**

The Transportation and Works Department has reviewed and prioritized new sidewalk construction needs, taking into consideration a compiled inventory of requests with emphasis on transit accessibility, to determine the recommended 2013 sidewalk construction program.

In addition, staff has reviewed and prioritized new multi-use trail construction needs based on the Mississauga Cycling Master Plan approved by Council in September 2010.

Candidates for these programs have been assessed based upon safety considerations, transit servicing, alignment with the Cycling Master Plan, construction feasibility, timing of adjacent land development and connections to the existing sidewalk and cycling networks.

Sidewalk Program

The following provides a description of the proposed works at various locations. All proposed sidewalks are 1.5 metre (5 foot) concrete sidewalks.

1. Kaneff Crescent (Ward 4)  
South side of Kaneff Crescent from Arista Way to 70 metres (230 feet) westerly.
2. Admiral Boulevard (Ward 5)  
North side of Admiral Boulevard from Hurontario Street to Kenderry Gate.
3. Admiral Boulevard (Ward 5)  
South side of Admiral Boulevard from 115 metres (377 feet) west of Kenderry Gate to Kennedy Road.
4. Beverley Street (Ward 5)  
North side of Beverley Street from Airport Road westerly to the existing bus stop.

5. York Street (Ward 5) 66  
East side of York Street from Scarboro Street northerly to Beverley Street.
6. Britannia Road East (Ward 5)  
South side of Britannia Road East from Netherhart Road easterly to the existing bus stop.
7. Orlando Drive (Ward 5)  
South side of Orlando Drive from Airport Road to Viscount Road.
8. Orlando Drive (Ward 5)  
South side of Orlando Drive from Viscount Road to 115 metres (377 feet) easterly.
9. Orlando Drive (Ward 5)  
South side of Orlando Drive from Northam Drive to 50 metres (164 feet) westerly.
10. Thamesgate Drive (Ward 5)  
North side of Thamesgate Drive from Bath Road to Airport Road.
11. Whittle Road (Ward 5)  
West side of Whittle Road from Traders Boulevard to the existing bus stop.
12. Britannia Road East (Ward 5)  
North side of Britannia Road East from Vipond Drive to the existing sidewalk west of Shawson Drive.
13. Ordan Drive (Ward 5)  
South side / inside perimeter of Ordan Drive from Courtneypark Drive East to Courtneypark Drive East.
14. Shawson Drive (Ward 5)  
East side of Shawson Drive from Courtneypark Drive East to Tristar Drive.

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15. Shawson Drive (Ward 5)  
East side of Shawson Drive from Tristar Drive to Britannia Road East.
16. Tristar Drive (Ward 5)  
North side of Tristar Drive from Shawson Drive to Tomken Road.
17. Meadowpine Boulevard (Ward 9)  
North and south sides of Meadowpine Boulevard fronting on municipal addresses 2375-2385, 2515-2555, and 2576-2660.

Site drawings showing the location of each proposed sidewalk are attached, grouped by city zone where possible. (Appendix 1 to Appendix 9)

#### Multi-Use Trail Program

The following provides a description of the proposed works at various locations. All trails are approximately 3 metres (10 feet) wide.

18. Eastgate Parkway (Ward 3)  
East side of Eastgate Parkway from Fieldgate Drive to Eglinton Avenue East, in association with Bus Rapid Transit construction.
19. Central Parkway East (Ward 4)  
East side of Central Parkway East from Burnhamthorpe Road East to the location of the future Bus Rapid Transit station, in association with the road resurfacing program.
20. Creditview Road (Ward 11)  
West side of Creditview Road from Britannia Road West to Sir Monty's Drive.

Site drawings showing the location of each proposed multi-use trail are attached, grouped by city zone where possible. (Appendix 10 to Appendix 12)

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**STRATEGIC PLAN:** The addition of sidewalk and cycling network infrastructure supports the CONNECT, MOVE, and LIVING GREEN pillars of the Strategic Plan.

**FINANCIAL IMPACT:** An amount of \$1,000,000 was approved in the 2013 Capital Budget for sidewalk construction. Through developer contributions, an additional \$21,500 is available, for a total 2013 program of \$1,021,500.

Cycling network construction along major roads is funded through Development Charges. The approved 2013 Capital Budget for the overall Cycling Program includes \$1,870,000. The multi-use trail program outlined in this report is estimated at \$800,000.

The remaining funds in the Cycling Program capital budget will be used for on-road cycling facilities and multi-use trail locations that are associated with Region of Peel capital projects. Council approval for these projects will be addressed in future reports, as appropriate.

**CONCLUSION:** The proposed 2013 Sidewalk and Multi-Use Trail Construction Programs reflects needs and priorities to advance the planned pedestrian and cycling networks, with an emphasis on transit accessibility and the implementation of the Cycling Master Plan.

**ATTACHMENTS:** 2012 Sidewalk Construction Program

- Appendix 1: Project 1 – Kaneff Crescent (Ward 4)
- Appendix 2: Projects 2 to 3 – Admiral Boulevard (Ward 5)
- Appendix 3: Projects 4 to 5 – Beverley Street and York Street (Ward 5)
- Appendix 4: Project 6 – Britannia Road East (Ward 5)
- Appendix 5: Projects 7 to 9 – Orlando Drive (Ward 5)
- Appendix 6: Project 10 – Thamesgate Drive (Ward 5)
- Appendix 7: Project 11 – Whittle Road (Ward 5)
- Appendix 8: Projects 12 to 16 – Ordan Drive, Shawson Drive, Tristar Drive and Britannia Road East (Ward 5)
- Appendix 9: Project 17 – Meadowpine Boulevard (Ward 9)

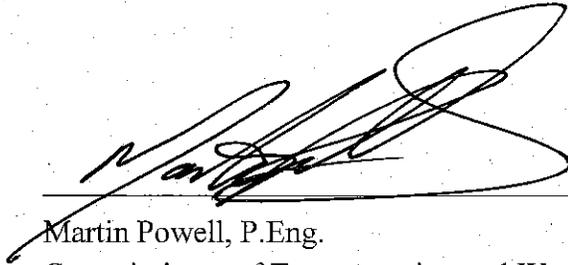
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2012 Multi-Use Trail Construction Program

Appendix 10: Project 18 – Central Parkway East (Ward 4)

Appendix 11: Project 19 – Creditview Road (Ward 11)

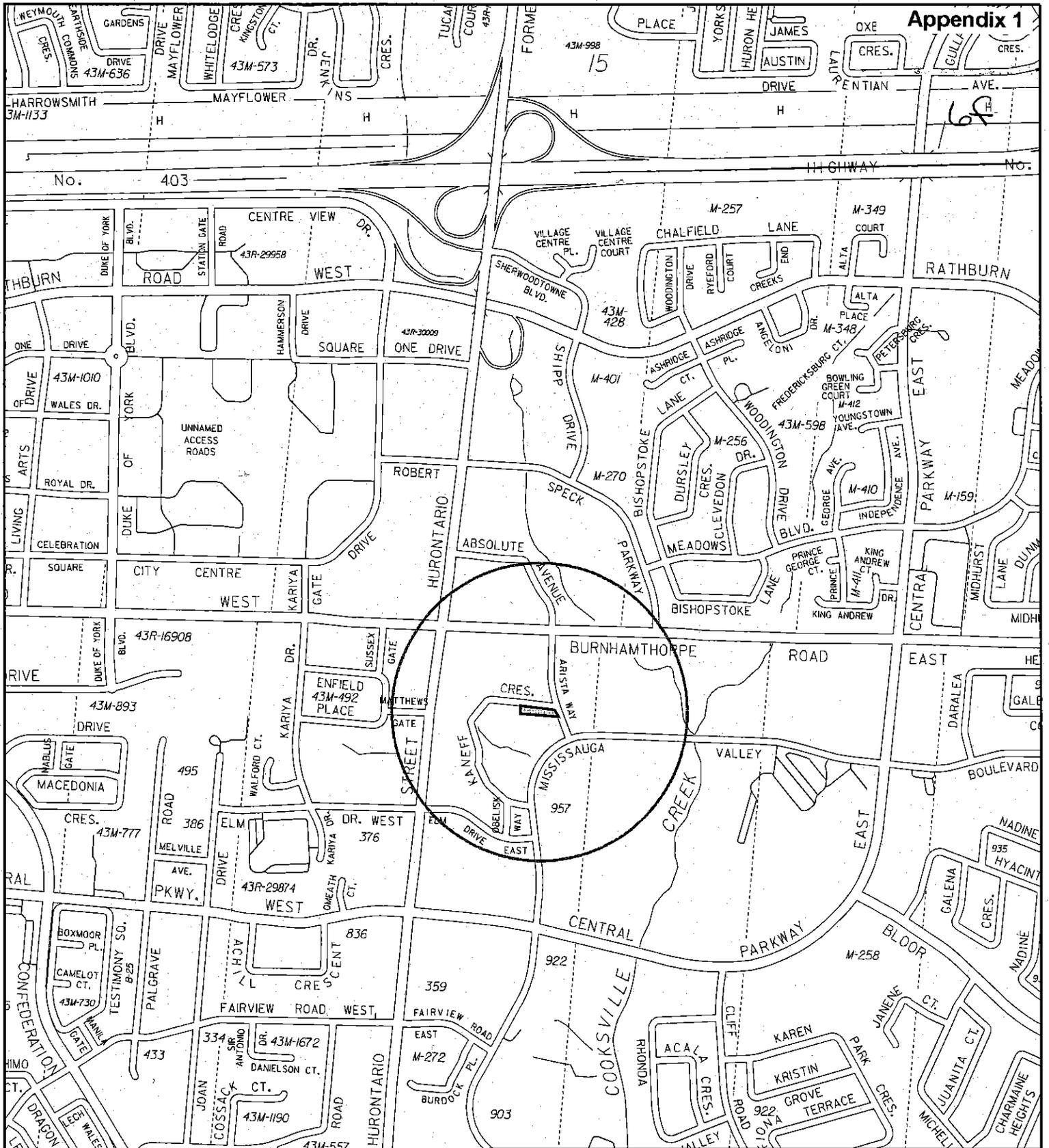
Appendix 12: Project 20 – Eastgate Parkway (Ward 3)

A handwritten signature in black ink, appearing to read 'Martin Powell', is written over a horizontal line.

Martin Powell, P.Eng.

Commissioner of Transportation and Works

*Prepared By: Matthew Sweet, Cycling Technologist*



**MISSISSAUGA**  
 Leading today for tomorrow

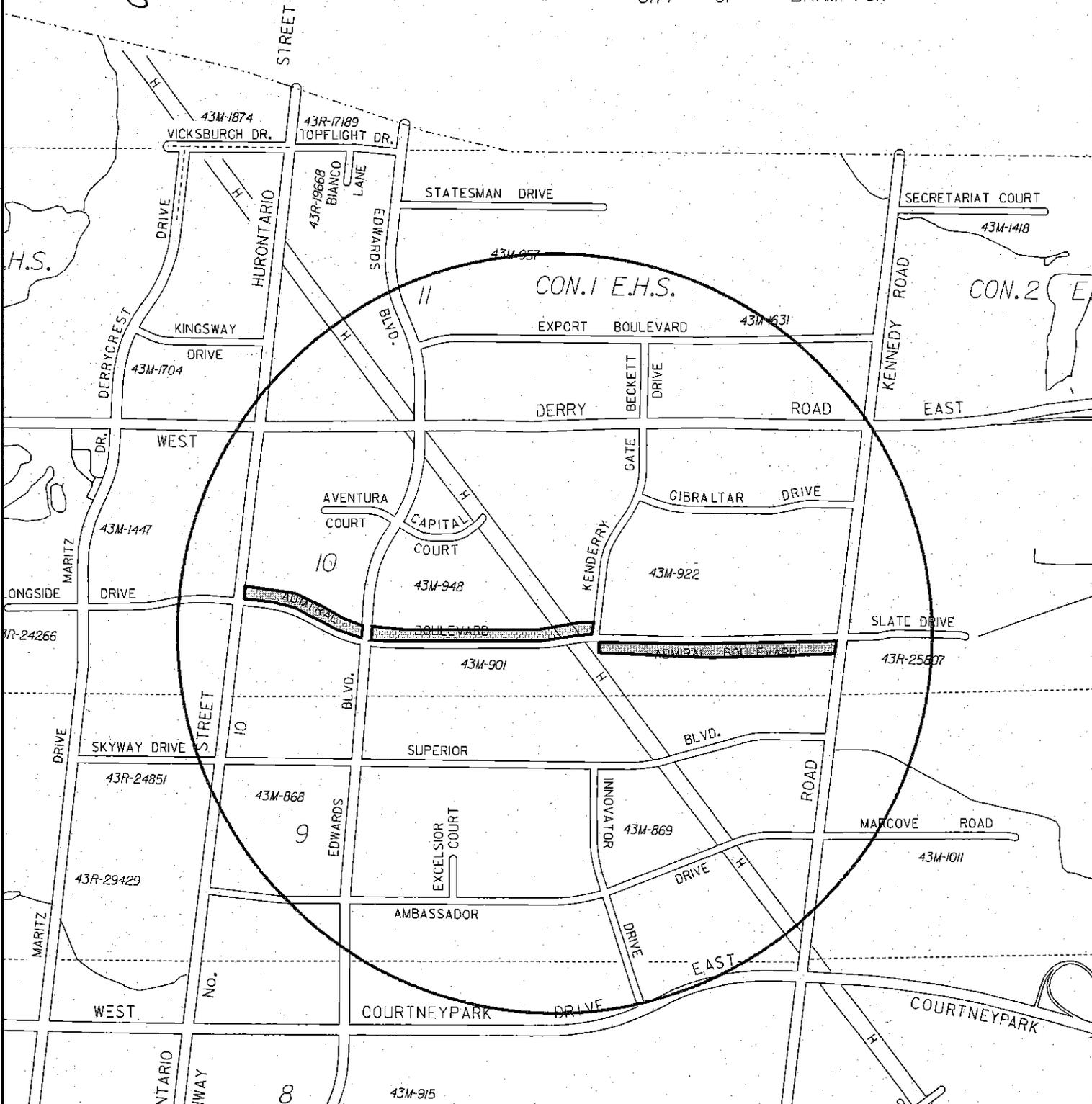


**Transportation and Works**  
**Transportation & Infrastructure Planning**

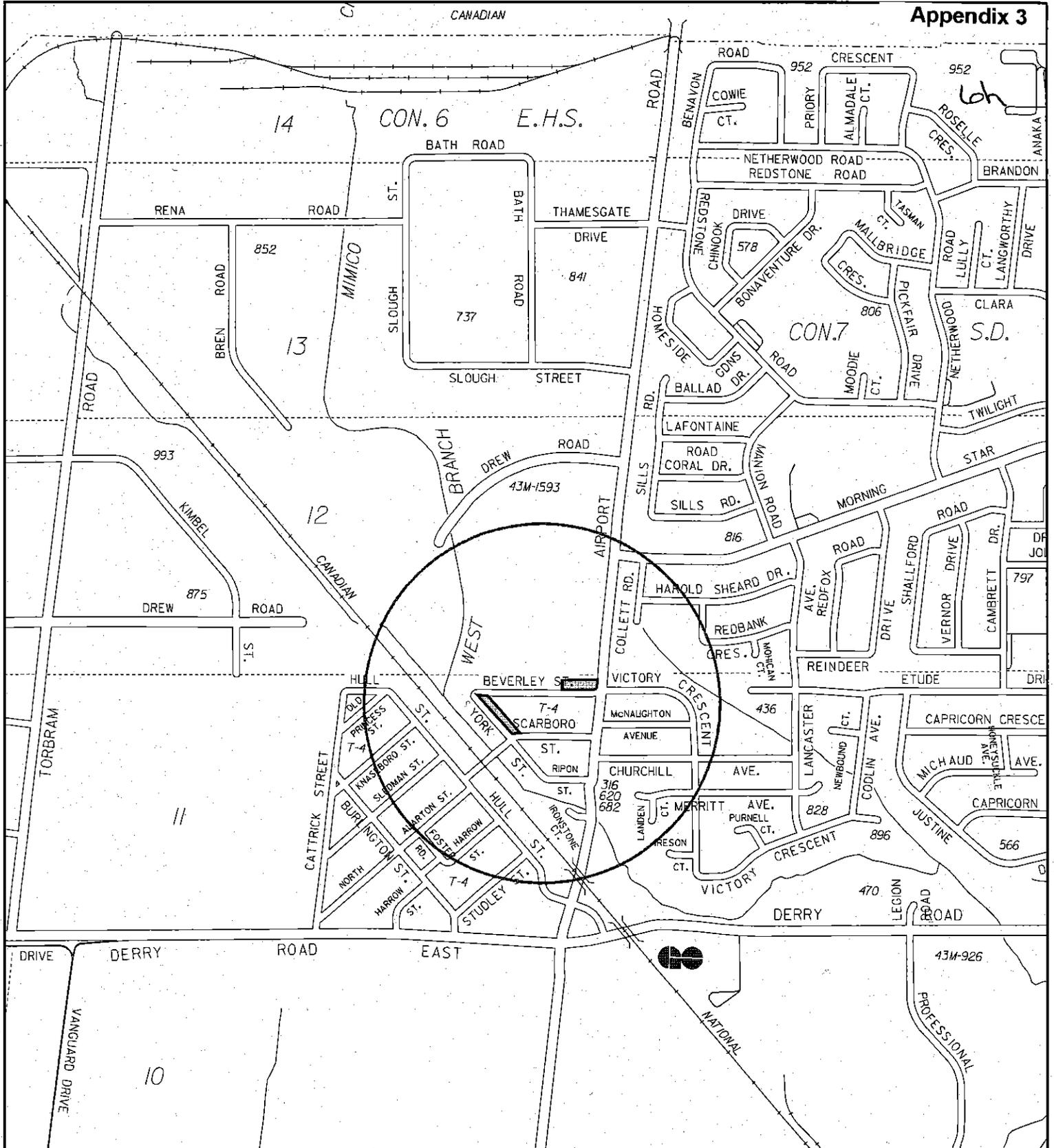
**2013 Sidewalk Construction Program**  
**Kaneff Crescent**  
**Ward 4**

SCALE FOR REDUCED DRAWINGS

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	<p><b>MISSISSAUGA</b> Leading today for tomorrow</p>	
<p><b>Transportation and Works</b> <b>Transportation &amp; Infrastructure Planning</b></p>		
<p><b>2013 Sidewalk Construction Program</b> <b>Admiral Boulevard</b> <b>Ward 5</b></p>		
<p>SCALE FOR REDUCED DRAWINGS</p>		



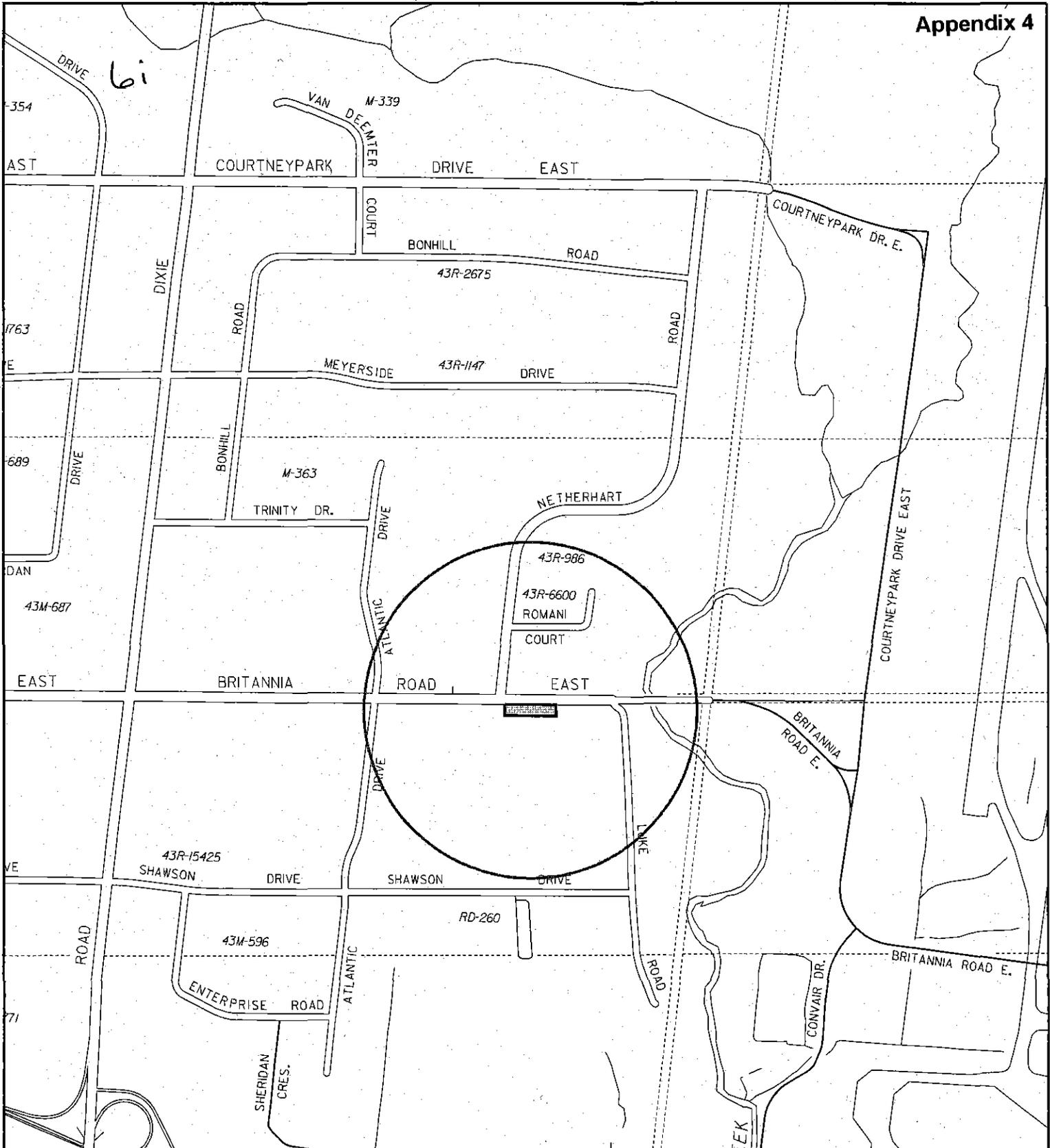
**Transportation and Works**

**Transportation & Infrastructure Planning**

**2013 Sidewalk Construction Program  
Beverley Street and York Street  
Ward 5**

SCALE FOR REDUCED DRAWINGS





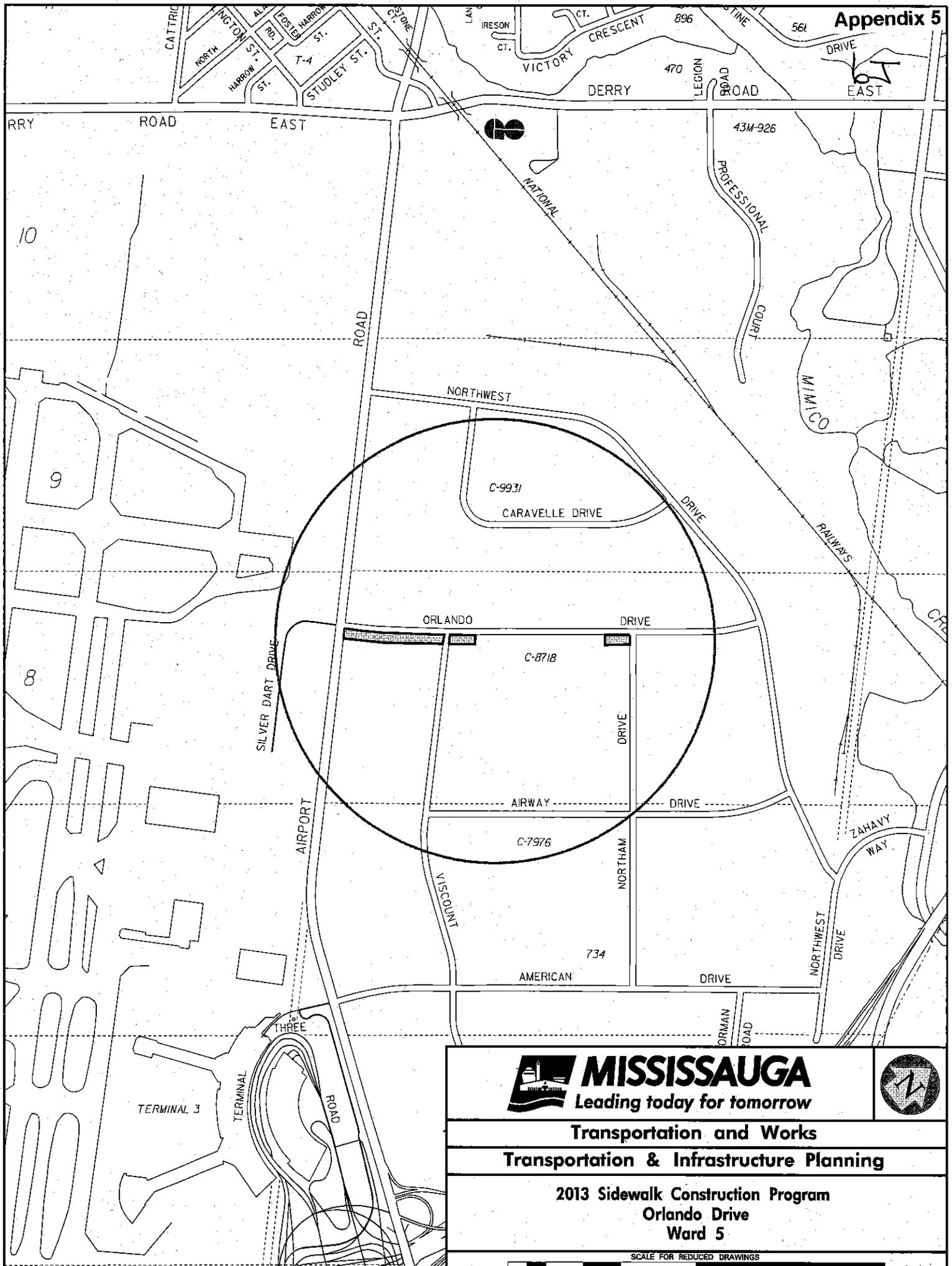
Transportation and Works

Transportation & Infrastructure Planning

2013 Sidewalk Construction Program  
Britannia Road East  
Ward 5

SCALE FOR REDUCED DRAWINGS





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**Transportation and Works**

**Transportation & Infrastructure Planning**

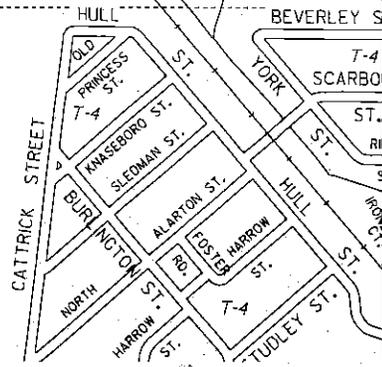
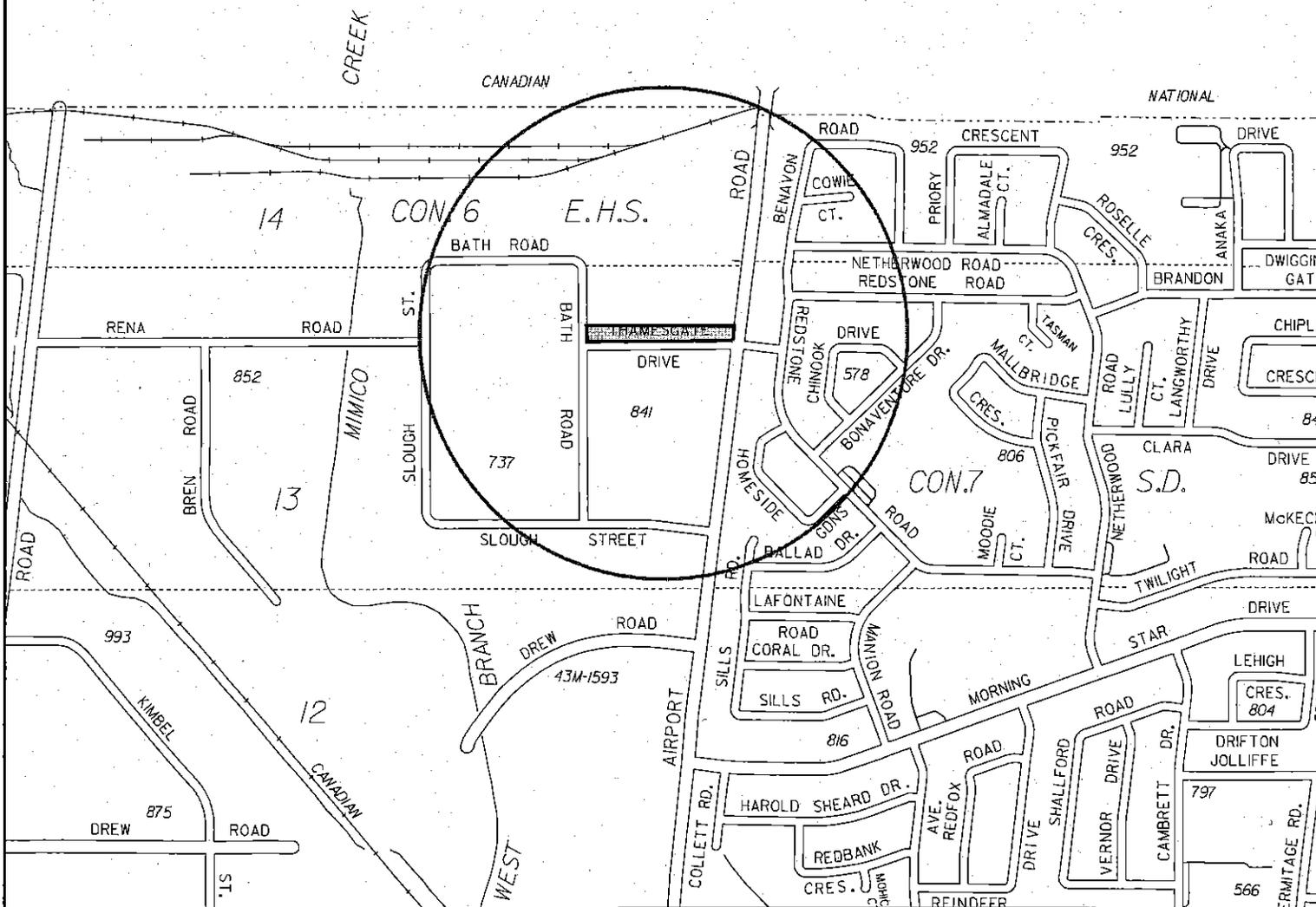
**2013 Sidewalk Construction Program  
Orlando Drive  
Ward 5**

SCALE FOR REDUCED DRAWINGS



6K

CITY OF BRAMPTON



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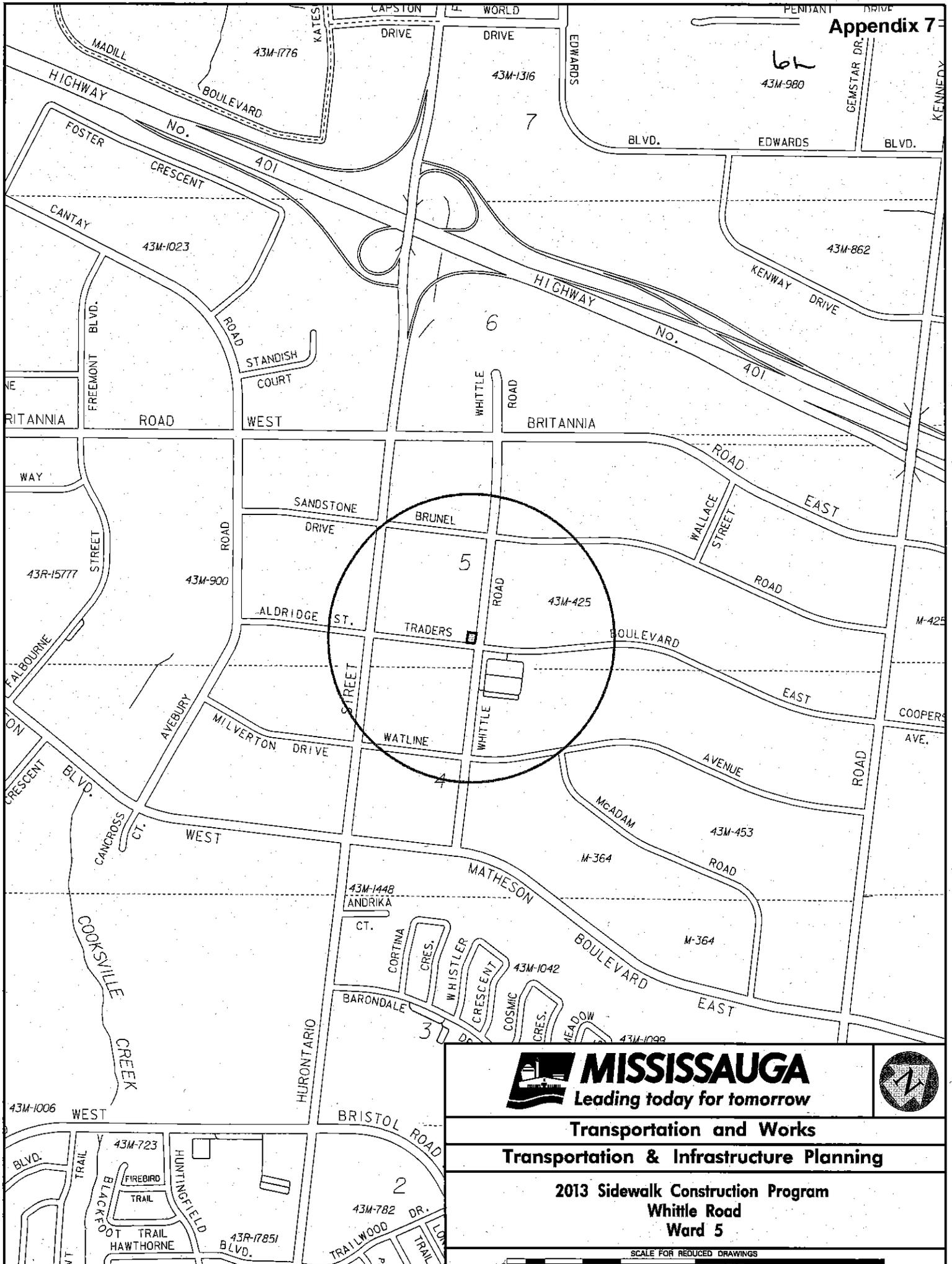


**Transportation and Works**  
**Transportation & Infrastructure Planning**

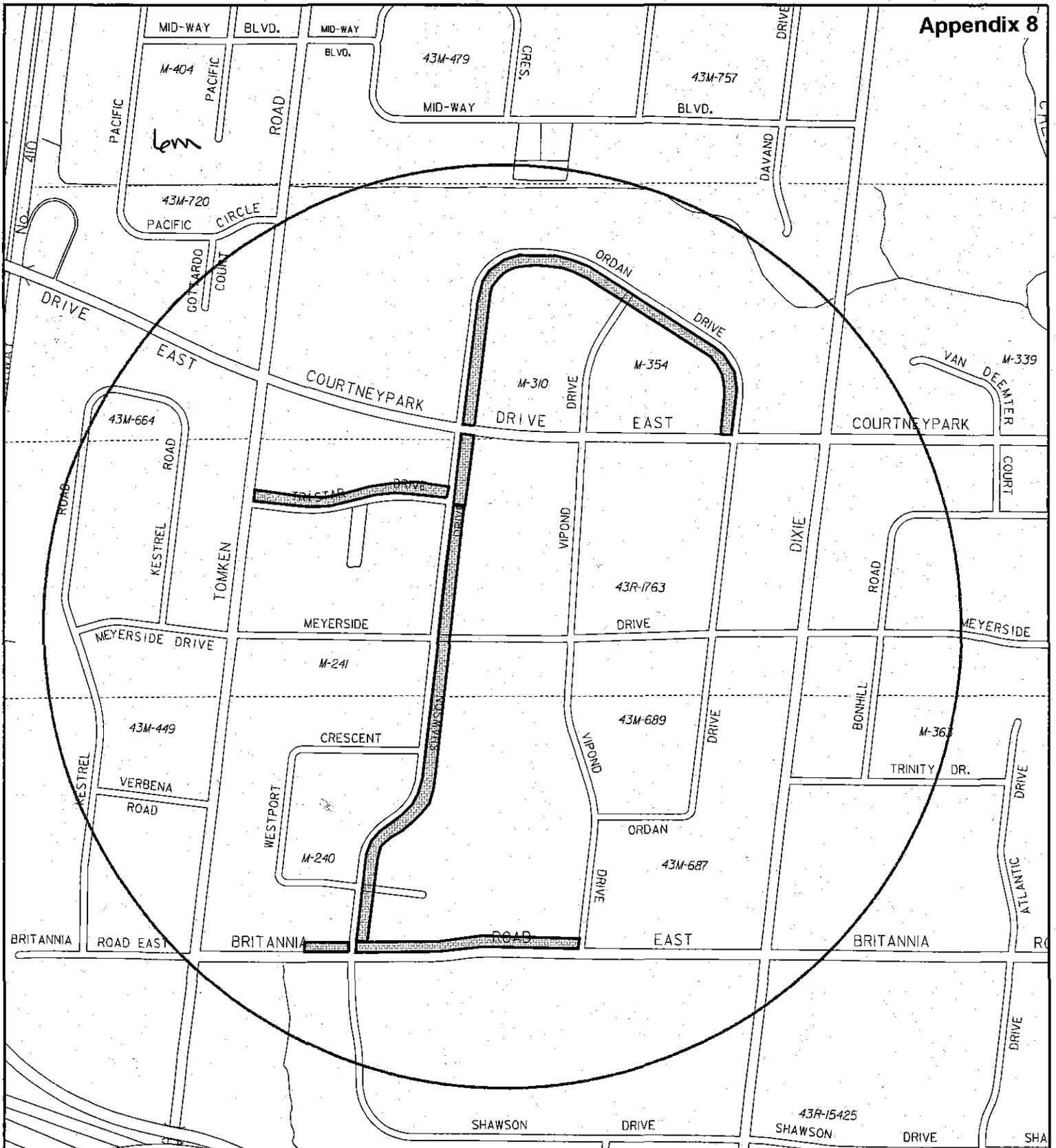
**2013 Sidewalk Construction Program**  
**Thamesgate Drive**  
**Ward 5**

SCALE FOR REDUCED DRAWINGS





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<p><b>Transportation and Works</b> <b>Transportation &amp; Infrastructure Planning</b></p>		
<p><b>2013 Sidewalk Construction Program</b> <b>Whittle Road</b> <b>Ward 5</b></p>		
<p>SCALE FOR REDUCED DRAWINGS</p>		



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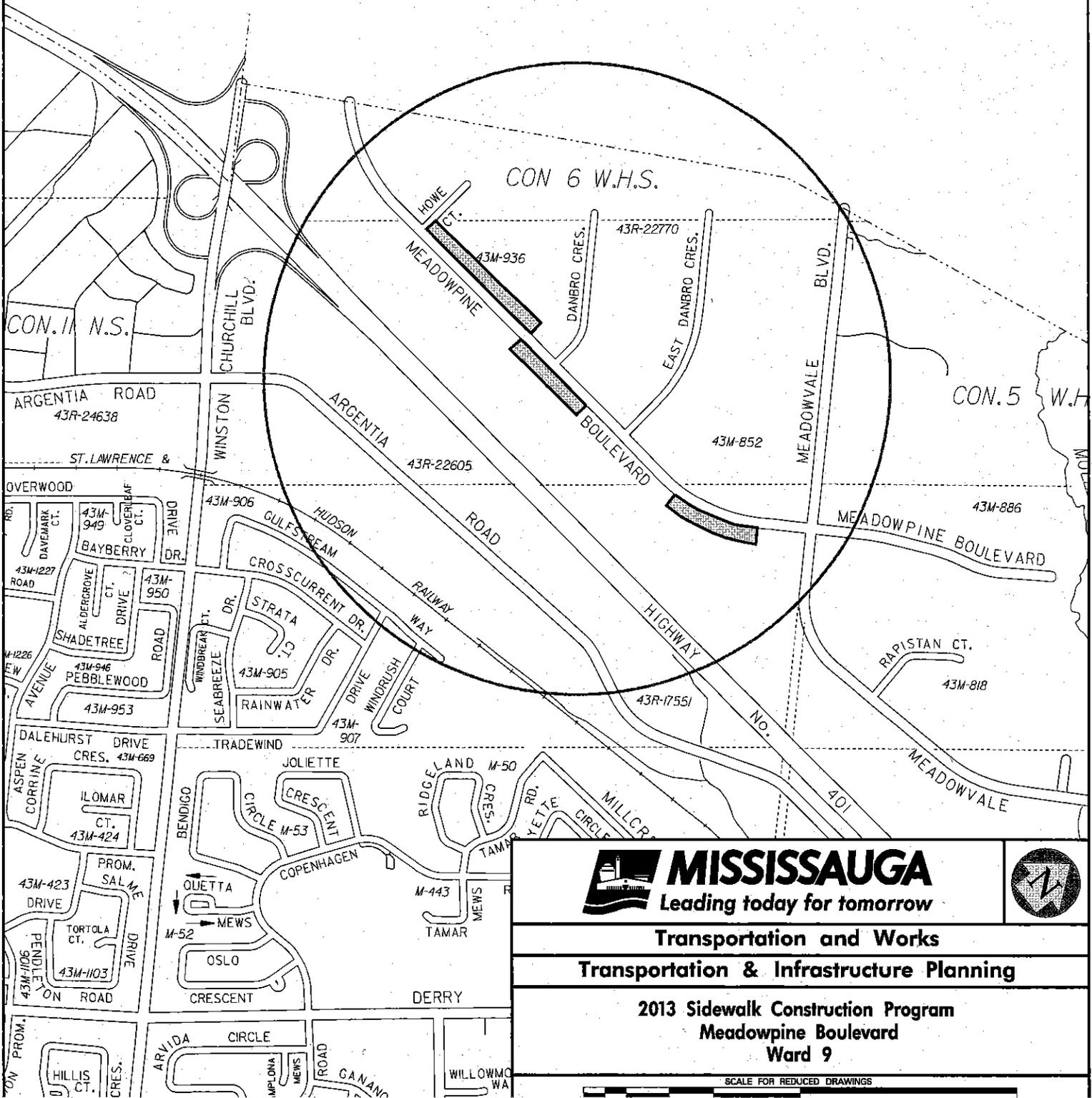
**Transportation & Infrastructure Planning**

**2013 Sidewalk Construction Program  
 Britannia Road East, Ordan Drive, Shawson Drive and  
 Tristar Drive, Ward 5**

SCALE FOR REDUCED DRAWINGS



62



CON 6 W.H.S.

CON. 11 N.S.

CON. 5 W.H.S.

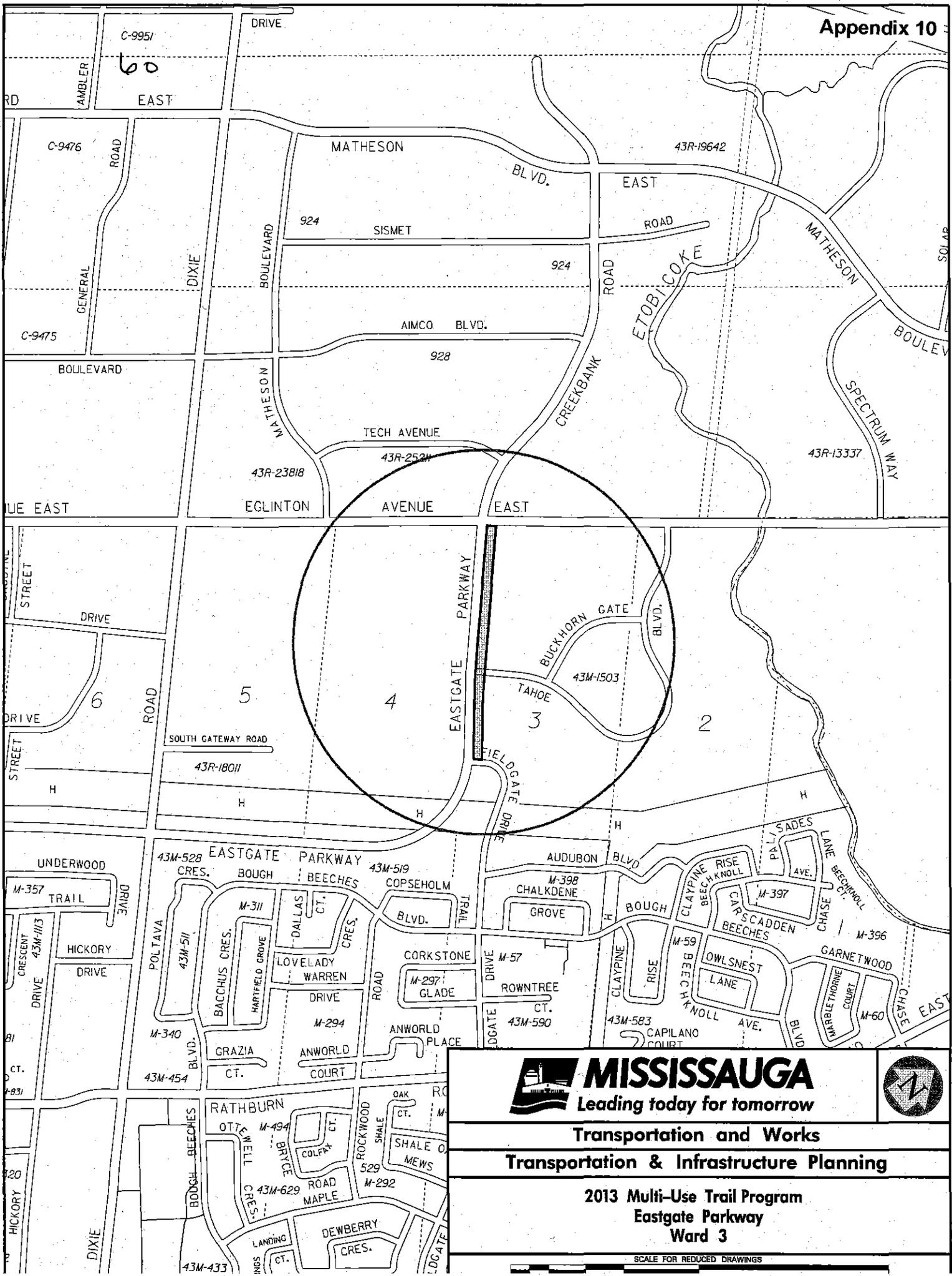
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**Transportation and Works**  
**Transportation & Infrastructure Planning**

**2013 Sidewalk Construction Program**  
**Meadowpine Boulevard**  
**Ward 9**

SCALE FOR REDUCED DRAWINGS



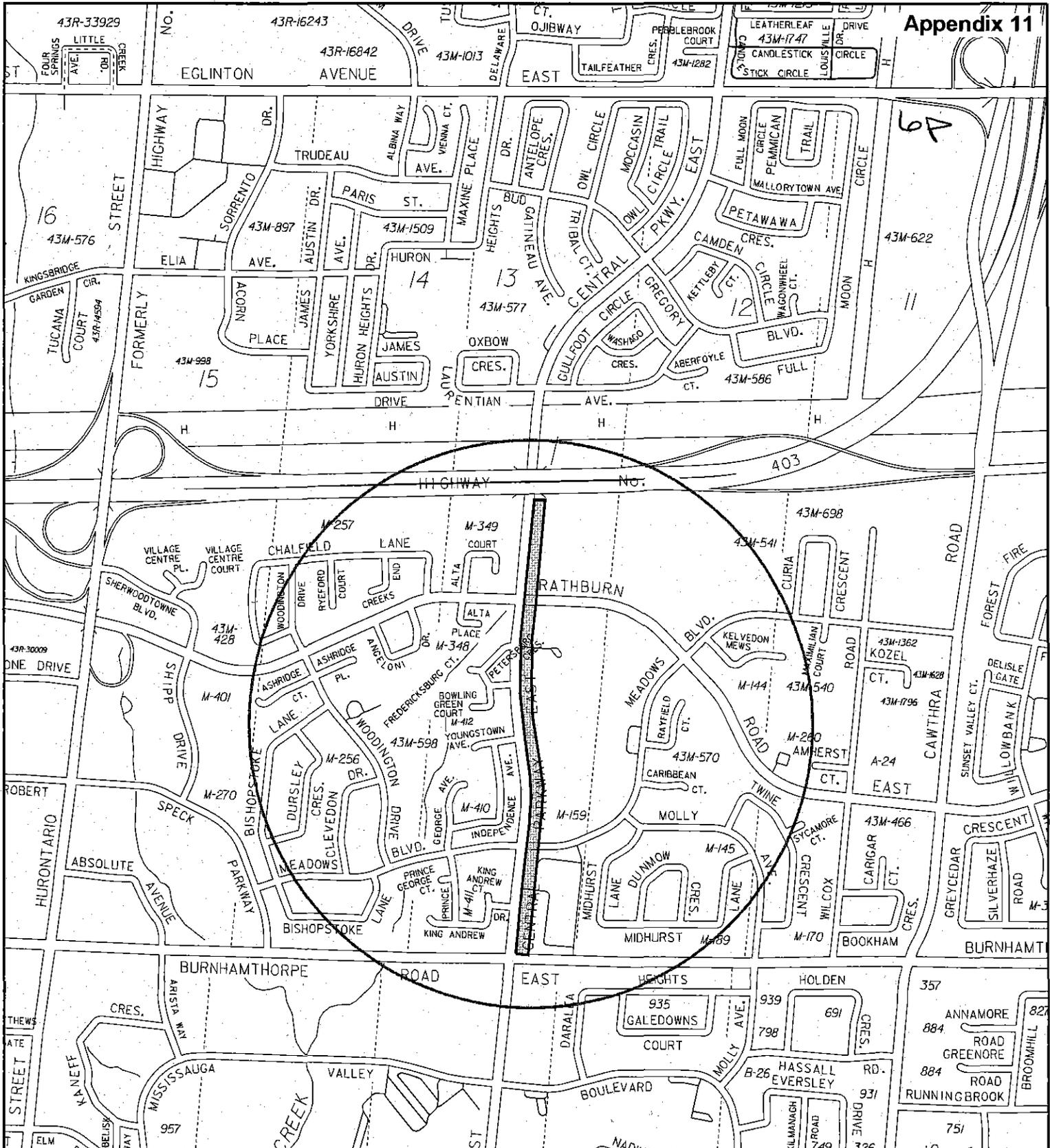
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Transportation & Infrastructure Planning

2013 Multi-Use Trail Program  
 Eastgate Parkway  
 Ward 3

SCALE FOR REDUCED DRAWINGS



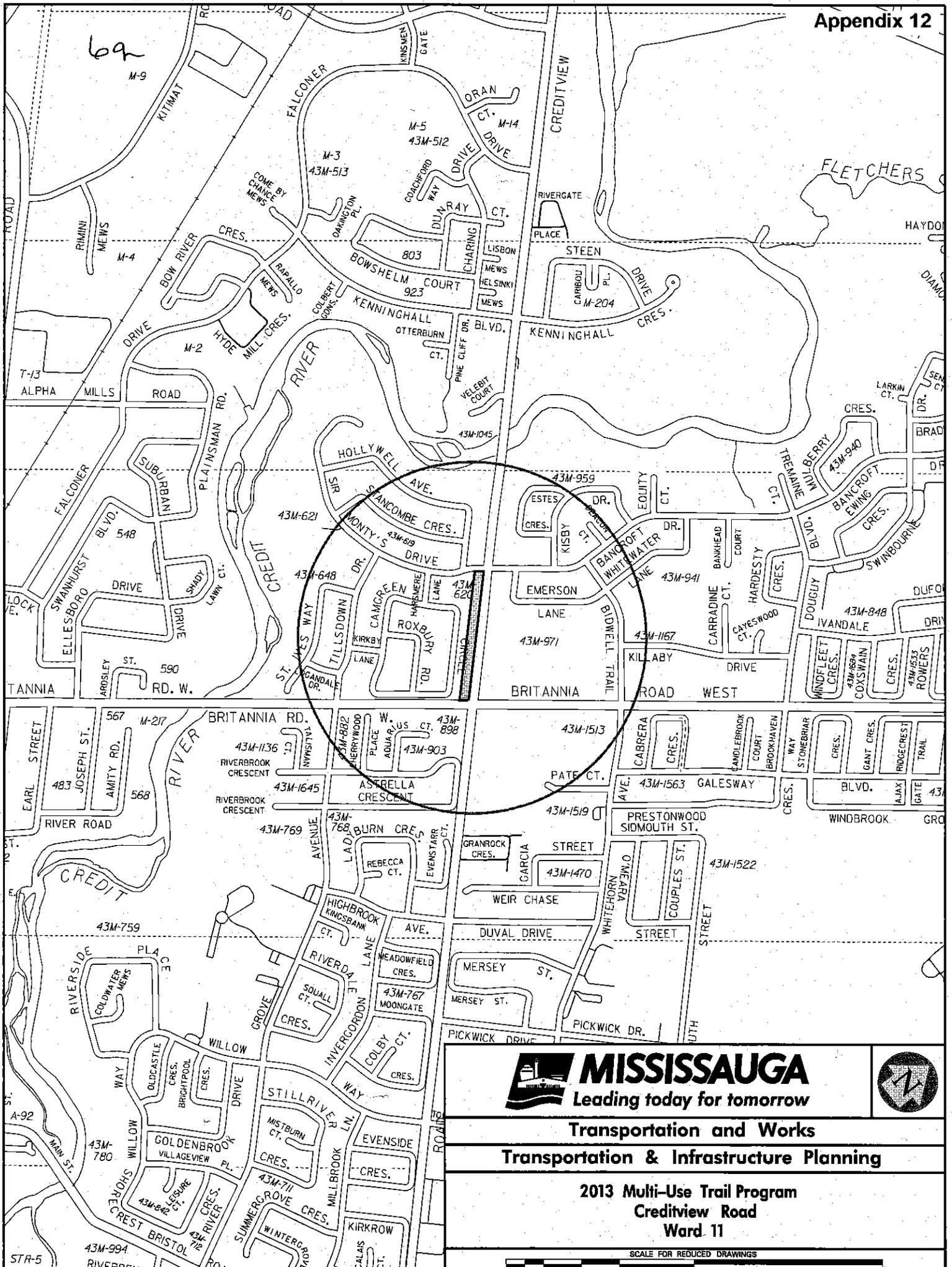
**Transportation and Works**

**Transportation & Infrastructure Planning**

**2013 Multi-Use Trail Program  
Central Parkway East  
Ward 4**

SCALE FOR REDUCED DRAWINGS





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Transportation and Works

Transportation & Infrastructure Planning

2013 Multi-Use Trail Program  
 Creditview Road  
 Ward 11

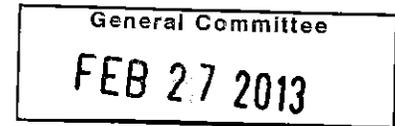
SCALE FOR REDUCED DRAWINGS



# Corporate Report

Clerk's Files

Originator's Files MG.23.REP  
RT.10.Z-45



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**DATE:** February 4, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Martin Powell, P. Eng.  
Commissioner of Transportation and Works

**SUBJECT:** **15-hour Parking**  
**Falconer Drive between Creditview Road and Kenninghall**  
**Boulevard/Come by Chance Mews (Ward 11)**

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**RECOMMENDATION:** That a by-law be enacted to amend By-law 555-2000, as amended, to implement 15-hour parking anytime except Monday to Friday, 8:00 a.m. to 5:00 p.m., on various sections of Falconer Drive between Creditview Road and Kenninghall Boulevard/Come By Chance Mews where 15-hour parking anytime is currently permitted.

**BACKGROUND:** The Transportation and Works Department is in receipt of a request from the Ward Councillor to implement 15-hour parking anytime except Monday to Friday, 8:00 a.m. to 5:00 p.m., on various sections of Falconer Drive between Creditview Road and Kenninghall Boulevard/Come By Chance Mews where 15-hour parking anytime is currently permitted.

Presently, the existing 15-hour parking anytime regulation provides limited availability for short-term parking on Falconer Drive. Restricting 15-hour parking between 8:00 a.m. and 5:00 p.m., Monday to Friday, would allow statutory 3-hour parking. This would enable additional parking opportunities during the weekday by providing higher daily turnover for parking spaces. Additionally, the

implementation of 3-hour parking through the weekdays would increase efficiency with winter maintenance and snow removal.

This parking regulation change would continue to allow residents to utilize Falconer Drive for 15-hour parking overnight and on weekends, while maintaining 3-hour parking from Monday to Friday during the day.

**COMMENTS:**

Typically this type of request for a parking regulation change is addressed by a petition being circulated to the affected residents to determine the level of support. As this is a direct request by the Ward Councillor, the parking petition process has been omitted. The Councillor subsequently requested a report be brought forward.

**FINANCIAL IMPACT:**

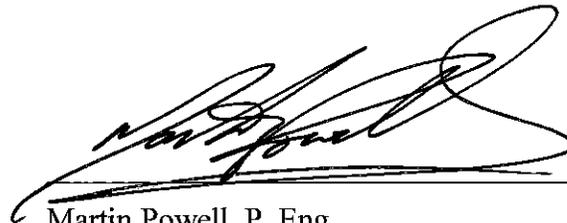
Costs for the sign installations can be accommodated in the 2013 Current Budget.

**CONCLUSION:**

The Transportation and Works Department supports the implementation of 15-hour parking anytime except Monday to Friday, 8:00 a.m. to 5:00 p.m., on various sections of Falconer Drive between Creditview Road and Kenninghall Boulevard/Come By Chance Mews where 15-hour parking anytime is currently permitted.

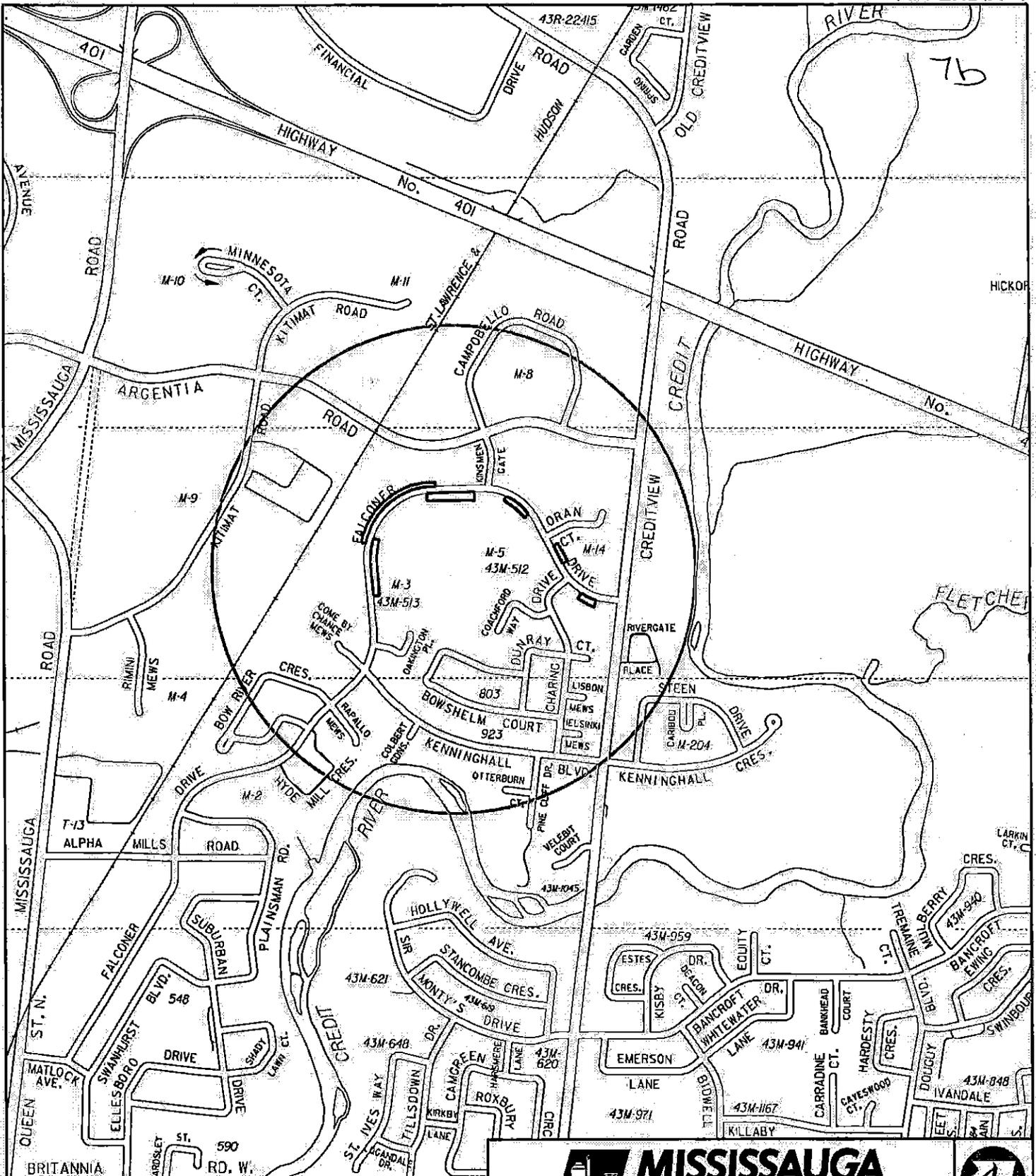
**ATTACHMENTS:**

Appendix 1: Location Map: 15-hour Parking  
Falconer Drive between Creditview Road and  
Kenninghall Boulevard/Come By Chance Mews  
(Ward 11)



Martin Powell, P. Eng.  
Commissioner of Transportation and Works

*Prepared By: Ouliana Drobychevskaia, Traffic Technologist*



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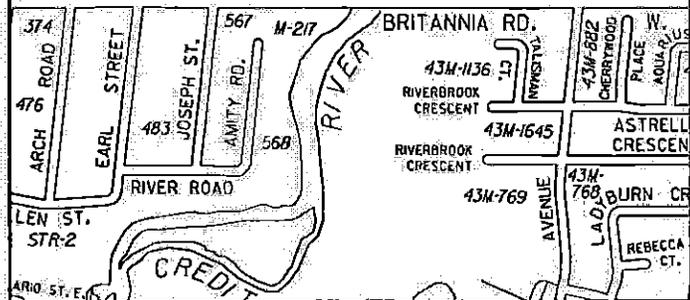
**Transportation and Works**

**Engineering & Works**

15 - hour parking

Falconer Drive between Creditview Road and Kenninghall Boulevard/Come By Chance Mews(Ward 11)

SCALE FOR REDUCED DRAWINGS





# Corporate Report

8

Clerk's  
Files

Originator's SP 03/088

Files

General Committee

FEB 27 2013

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**DATE:** January 24, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Martin Powell, P.Eng.  
Commissioner of Transportation and Works

**SUBJECT:** Assumption of Municipal Services (Ward 5)

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**RECOMMENDATION:** That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Municipal Works Agreement for SP 03/088, associated with 6600 Goreway Drive, FedEx Ground Inc. (c/o Elia Corporation and A. Mantella & Sons Limited), (lands located north of CN Railways, east of Mimico Creek, west of Goreway Drive and south of Derry Road East, in Z-40E, known as Mimico Creek Storm Sewer Outlet) and that the cash security in the amount of \$23,848.00 be returned to the developer.

SP 03/088 (Ward 5)

**BACKGROUND:** The developer identified on the attached Table of Assumption (Appendix 1) has complied with all the requirements of the Servicing Agreement for the installation of the municipal services.

**FINANCIAL IMPACT:** With the assumption of the Mimico Creek Storm Sewer Outlet (SP 03/088), the City will now be required to provide maintenance of 7.5m (25 feet) of newly constructed storm sewers.

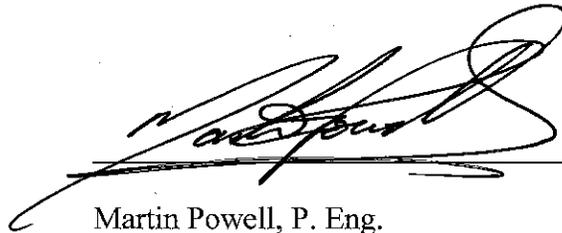
**CONCLUSION:**

It is in order for the City to assume the municipal works within the site identified on the attached Table of Assumption (Appendix 1).

**ATTACHMENTS:**

Appendix 1: Table of Assumption

Appendix 2: Approximate location of Mimico Creek Storm Sewer Outlet (SP 03/088)



Martin Powell, P. Eng.  
Commissioner of Transportation and Works

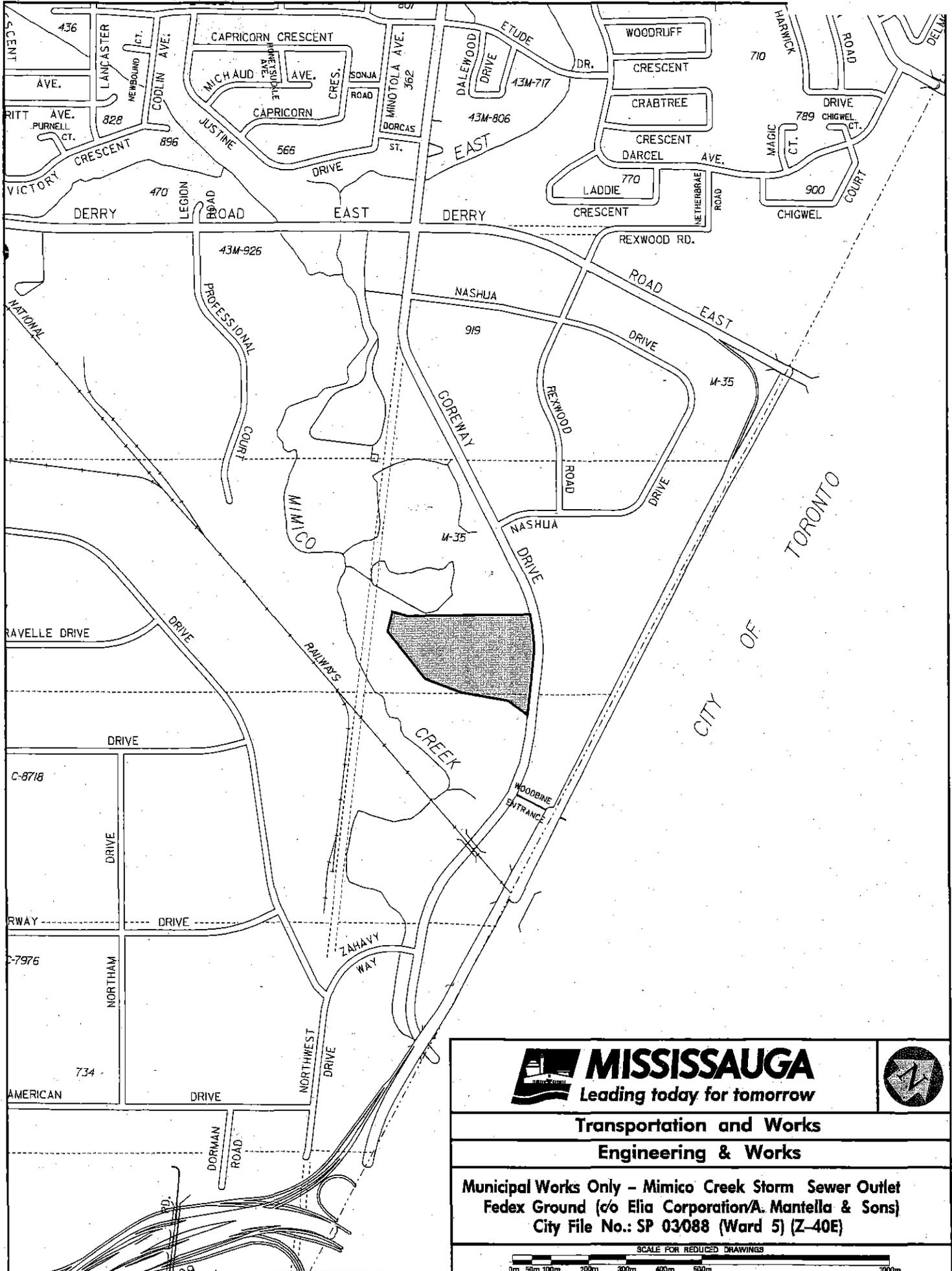
*Prepared by: Silvio Cesario, P.Eng.,  
Acting Manager, Development Construction*

## TABLE OF ASSUMPTION

PLAN/FILE REFERENCE #	LOCATION	DEVELOPERS ADDRESS	SERVICING AGREEMENT DATE	SECURITIES TO BE RELEASED
SP 03/088	North of CN Railways, east of Mimico Creek, west of Goreway Drive and south Derry Road East, in Z-40E	FedEx Ground Inc. 1000 FedEx Drive Moon Township, PA 15108  Attn: Mr. Dean Bonenberger	May 12, 2004	\$23,848.00  Cancel Insurance

88

8c



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<p><b>Transportation and Works Engineering &amp; Works</b></p>		
<p><b>Municipal Works Only - Mimico Creek Storm Sewer Outlet Fedex Ground (c/o Elia Corporation/A. Mantella &amp; Sons) City File No.: SP 03088 (Ward 5) (Z-40E)</b></p>		
<p>SCALE FOR REDUCED DRAWINGS 0m 50m 100m 200m 300m 400m 500m 1000m</p>		



# Corporate Report

Clerk's Files

Originator's Files

General Committee  
FEB 27 2013

**DATE:** February 13, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

**FROM:** Paul A. Mitcham, P.Eng., MBA  
Commissioner of Community Services

**SUBJECT:** **South Common Pool Acoustic Panel Replacement (Ward 8)**

**RECOMMENDATION:**

1. That additional funds in the amount of \$200,000 be allocated from the Capital Reserve Fund (Account #33121) to PN 13-701, Pool Dehumidification System at South Common Community Centre for replacement of acoustic panels as outlined in the Corporate Report from the Commissioner of Community Services dated February 13, 2013 be approved.
2. That all necessary by-laws be enacted.

<b>REPORT HIGHLIGHTS:</b>	<ul style="list-style-type: none"> <li>• South Common Community Centre Pool is scheduled for shut down April to September 2013 to complete capital lifecycle replacement of mechanical systems and replacement of finishes.</li> <li>• It would be advantageous to replace existing acoustic panels during the planned shutdown to avoid the need to schedule an additional shut down in the future.</li> </ul>
---------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**BACKGROUND:** Facilities and Property Management has identified a need for the replacement of various mechanical systems at the South Common Community Centre that are scheduled to take place this summer.

Project PN13-701 Pool Dehumidification System at South Common Community Centre has been approved in the capital lifecycle replacement budget for 2013. The scope of this project consists of mechanical work including the replacement and relocation of the pool dehumidification unit, a new change room Heat Recovery Ventilator (HRV) unit, replacement of domestic hot water heater, whirlpool water heater and basement perimeter heating boiler.

This lifecycle replacement project will address current air quality issues and issues with hot water supply. To facilitate these repairs there is a need to close the pool from April 2013 to September 2013.

During the shutdown of the facility, a number of additional lifecycle items will be addressed such as the retiling of the change room floors, retiling of floor and walls in the showers and painting of walls and ceiling in change rooms.

**COMMENTS:**

The existing acoustic “clouds” are located on the walls of the pool and mounted on the existing ductwork to provide sound attenuation in the pool area. Feedback from pool users and staff indicate that the existing acoustic panels are ineffective in providing sound attenuation in the pool area.

Staff are recommending that they be replaced with modern acoustical panels that are well suited for a pool environment during the planned shutdown. This will improve the overall functionality of the pool and customer satisfaction.

As part of the planned mechanical work, it would be advantageous to remove existing clouds on walls and ductwork, paint the walls and mount new acoustic panels on the ceiling and walls of the pool area during this planned shutdown. This will avoid the need to schedule an additional shut down of the facility at some time in the future, which would impact revenue and further impact on residents’ ability to access their local pool.

The total cost associated with the replacement of the acoustical panels is estimated to be \$200,000.

During previous budget processes, PN11-447 Clarkson School Pool Demolition/Decommissioning project and PN12-447 Malton School Pool Demolition project were created and funded from the Capital Reserve fund. Funding will not be fully spent as these facilities were decommissioned / mothballed rather than demolished. PN 11-447 and PN12-447 will be closed during 2013 Works in Progress and the funds will be returned to the Capital Reserve Fund (Account #33121). Funds to be returned will be sufficient to cover the cost of the acoustic panels.

Future plans for the adaptive reuse or repurposing of these facilities has not been determined and staff will continue to work with the Board of Education on future plans for these facilities. Any further repurposing or adaptive reuse of Clarkson and Malton School Pools will be identified for appropriate funding in the future capital forecast as plans for these facilities are identified.

**STRATEGIC PLAN:** The replacement of the acoustic panels at South Common Community Centre Pool advance the Strategic Goal to Build and Maintain Infrastructure under the Completing our Neighbourhoods Pillar. This funding will allow the City to improve our infrastructure.

**FINANCIAL IMPACT:** The Clarkson School Pool Demolition/Decommissioning project and the Malton School Pool Demolition project will be closed during 2013 Works in Progress and remaining funds will be returned to the capital reserve account. Any future plans for these facilities will be identified for appropriate funding in the future capital forecast.

Lifecycle replacement of mechanical systems and replacement of finishes to the South Common Community Centre will require a complete shutdown of the pool from April 2013 to September 2013. The replacement of acoustic panels in the pool area will be completed during the planned shutdown and additional funding of \$200,000 is being added to the existing PN13-701 Pool Dehumidification System at South Common Community Centre project, which will be sufficiently covered by the funds returned to the Capital Reserve Fund.

**CONCLUSION:**

South Common Community Centre Pool will be shut down from April to September 2013 to complete the necessary capital lifecycle replacement of the mechanical systems. Funding the replacement of the acoustic panels at the same time will avoid the need to schedule an additional shut down of the facility at some time in the future, which would further impact on residents' ability to access their local pool and impact on revenues as lessons, drop-in aquatics programming, and aquatic exercise programs would require cancellation.



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Paul A. Mitcham, P.Eng., MBA  
Commissioner of Community Services

*Prepared By: Kim Reck, District Manager South, Recreation*



# Corporate Report

Clerk's Files

Originator's Files CA.11.DEL

General Committee  
**FEB 27 2013**

**DATE:** February 11, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

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

**SUBJECT:** **Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – July 1, 2012 to December 31, 2012**

**RECOMMENDATION:** That the report dated February 11, 2013 from the Commissioner of Corporate Services and Treasurer entitled Delegation of Authority – Acquisition, Disposal, Administration and Lease of Land and Property – July 1, 2012 to December 31, 2012 be received for information.

**BACKGROUND:** The Delegation of Authority By-law 375-2008, approved by Council on November 12, 2008, provides delegated authority for the approval and execution of real estate agreements. Sections 3 and 4 of the By-law provide delegated authority to approve and conclude real property transactions at four staff levels – Manager, Director Commissioner and City Manager, depending on the value of the transaction.

Delegated authority to approve and conclude real estate transactions is subject to the provisions outlined in Corporate Policy No. 05-04-01, Acquisition and Disposal of Real Property. Prior to the completion of any real estate transaction, all criteria of the Policy and the Delegation of Authority By-law must be met.

Section 4.5 of the Delegation of Authority By-law 0375-2008 requires that the exercise of Delegated Authority be reported to Council on a semi-annual basis. This report covers the real property transactions which were completed under the delegation by-law in the second half of 2012.

**COMMENTS:**

During the period July 1, 2012 to December 31, 2012, a total of 58 real estate matters were approved under Delegated Authority. A breakdown of these real estate matters is as follows:

- Acquisitions – Land: 8
- Acquisitions – Easements: 18
- Administrative Matters: 8
- Disposals – Land: 1
- Disposals – Easements: 1
- Leases, Licenses and Other Agreements (City Use): 10
- Leases, Licenses and Other Agreements (Third Party Use): 12

In addition to the above-noted transactions, one (1) easement transaction was completed with the Region of Peel under the Easement Protocol By-law 0296-2007, and five (5) encroachment agreements were executed under the Encroachment By-law 0057-2004.

**FINANCIAL IMPACT:**

A breakdown of the financial implications of the real estate transactions for the period July 1, 2012 to December 31, 2012 is shown on Appendices 1 – 6 of this report.

Prior to transaction approval, where applicable, Realty Services staff have confirmed with Financial Services staff that the appropriate funds are available in the budget. The availability of funds is a condition and requirement for approval under Delegated Authority.

**CONCLUSION:**

This report is forwarded for information pursuant to Delegation of Authority By-law 0375-2008.

Realty Services confirms that all transactions approved under Delegation of Authority for the period July 1, 2012 to December 31, 2012 are in compliance with the Delegation of Authority By-law

0375-2008, Corporate Policy No. 05-04-01, and the Notice By-law 215-2008, as amended, where applicable.

**ATTACHMENTS:**

- Appendix 1: Acquisitions of Land – July 1, 2012 to December 31, 2012
- Appendix 2: Acquisitions of Easements - July 1, 2012 to December 31, 2012
- Appendix 3: Administrative/Miscellaneous Matters – July 1, 2012 to December 31, 2012
- Appendix 4: Disposition of Land and Easements - July 1, 2012 to December 31, 2012
- Appendix 5: Leases, Licenses and Other Agreements (City Use) - July 1, 2012 to December 31, 2012
- Appendix 6: Leases, Licenses and Other Agreements (Third Party Use) - July 1, 2012 to December 31, 2012



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

*Prepared By: Ron Sanderson, Manager, Realty Services*

Acquisitions of Land - July 1, 2012 to December 31, 2012					
File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Total Consideration
PO.10.CEN	Director of Facilities & Property Management	17-Jul-12	Agreement of Purchase and Sale between The City of Mississauga and 1333230 Ontario Inc. for the purchase of a strip of land from 910 Central Parkway West (Central Parkway West and Hawkestone Road) (Ward 6)	238.46 sq.m.	\$52,200
PO.10.401	Commissioner of Corporate Services & Treasurer	18-Jul-12	Purchase of Lands from Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Extension of Creekbank Road (Ward 5)	2,074 sq.m.	\$218,000
PO.12.BUC	Acting Director, Facilities & Property Management	18-Jul-12	Offer of Settlement - Expropriation of Part of 1855 and 1875 Buckhorn Gate - Bus Rapid Transit Project (Ward 5)	418.80 sq.m. 493.60 sq.m.	\$88,395
PO.10.TOR	City Manager & CAO	10-Jul-12	Offer to Sell - Agreement of Purchase and Sale between 1132227 Ontario Limited as the Vendor and The Corporation of the City of Mississauga as the Purchaser - 7415 Torbram Road - Torbram Road Grade Separation Project (Ward 5)	3,010.59 sq.m.	\$494,868 (plus legal fees incurred by vendor)
PO.10.TOR	City Manager & CAO	19-Jul-12	Offer to Sell - Agreement of Purchase and Sale between Her Majesty the Queen in Right of Ontario, as represented by the Minister of Infrastructure as the Vendor and The Corporation of the City of Mississauga as the Purchaser - Torbram Road Grade Separation Project (Ward 5)	2,485 sq.m.	\$399,100 (plus applicable taxes)
PO.10.TOR	Director, Facilities & Property Manager	13-Aug-12	Offer to Sell - Agreement of Purchase & Sale between Bell Canada as Vendor and The Corporation of the City of Mississauga as Purchaser - Torbram Road Grade Separation Project - Ward 5	682 sq.m.	\$65,700 (plus applicable taxes)
PO.10.ARG	City Manager & CAO	21-Dec-12	Authority to Execute Agreements with Metrolinx, ProLogis and the Province as required in connection with the Extension of Argentia Road west of Tenth Line (Ward 9)	3,120.40 sq.m. 1,428 sq.m. 2.2 sq.m.	\$500,000 \$13,631/annum \$350
PO.10.EVA PO.10.CRE	Director, Facilities & Property Manager	04-Dec-12	Offer to Sell - Agreement of Purchase and Sale between Wintor Equities Inc. as the Vendor and The Corporation of the City of Mississauga as the Purchaser - Evanstown Court and Creditview Road (Ward 6)	0.133 hectare (total)	\$67,051.80

Acquisitions of Easements - July 1, 2012 to December 31, 2012					
File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Total Consideration
PO.12.TOR	Manager, Realty Services	04-Jul-12	Offer to Convey Easement between 4120027 Canada Inc. as the Vendor and The Corporation of the City of Mississauga as the Purchaser - Torbram Road Grade Separation Project (Ward 5)	777.38 sq.m.	\$26,900
PO.12.TOR	Manager, Realty Services	04-Jul-12	Offer to Convey Easement between 4120027 Canada Inc. as the Vendor and The Corporation of the City of Mississauga as the Purchaser - Torbram Road Grade Separation Project (Ward 5)	139.74 sq.m.	\$18,500 (plus legal fees incurred by vendor)
PO.12.TOR	Commissioner of Corporate Services & Treasurer	10-Jul-12	Offer to Convey easement between 1132227 Ontario Limited as the Vendor and The Corporation of the City of Mississauga as the Purchaser - 7415 Torbram Road Torbram Road Grade Separation Project (Ward 5)	1,362.5 sq.m.	\$250,000
PO.12.TOR	Manager, Realty Services	10-Jul-12	Temporary Easement Conveyance Agreement between 1132227 Ontario Limited as the Vendor and The Corporation of the City of Mississauga as the Purchaser - 7415 Torbram Road Torbram Road Grade Separation Project (Ward 5)	80.0 sq.m.	2,808 (plus all legal fees incurred by Vendor)
PO.12.TOR	Acting Director, Facilities & Property Management	04-Jul-12	Offer to Convey Easement between Marx Metals Limited as the Vendor and Bell Canada as the Purchaser and The Corporation of the City of Mississauga - Torbram Road Grade Separation Project - 2520 Rena Road (Ward 5)	530.60 sq.m.	\$56,000 (plus all legal fees incurred by the Vendor and Purchaser)
PO.12.TOR	Manager, Realty Services	04-Jul-12	Offer to Convey Easement between Marx Metals Limited as the Vendor and The Corporation of the City of Mississauga as the Purchaser - Torbram Road Grade Separation Project - 2520 Rena Road (Ward 5)	557.80 sq.m.	\$31,500
PO.12.TOR	Commissioner of Corporate Services & Treasurer		Offer to Convey Easement - Grant of Easement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Infrastructure as the Vendor and The Corporation of the City of Mississauga as the Purchaser - Torbram Road Grade Separation Project (Ward 5)	868.41 sq.m.	\$104,325 (plus all applicable taxes & legal fees incurred by Vendor.
PO.16.BRE	Manager, Realty Services	13-Aug-12	Approval for an Easement Encroachment Agreement between Enersource Hydro Mississauga Inc. as Vendor and the Corporation of the City of Mississauga as Purchaser - Torbram Road Grade Separation Project - 7470 Bren Rd. (Ward 5)	n/a	\$2.00
PO.12.TOR	Director, Facilities & Property Management	15-Aug-12	Approval for a Transfer Easement Agreement under Delegated Authority - 1045125 Ontario Inc. (Imperial Flavours) - Temporary Easement for a construction staging area for the Torbram Road Grade Separation Project - 7550 and 7570 Torbram Road (Ward 5)	1,737.48 sq.	\$82,025.46 (for 3 years)
PO.12.BRE	Manager, Realty Services	24-Aug-12	Offer to Convey Easement between Pure Metal Tinning Co. Limited as the Vendor and Bell Canada as the Purchaser and The Corporation of the City of Mississauga - Torbram Road Grade Separation Project - 7470 Bren Road (Ward 5)	8.60 sq. M.	\$745 payable to Pure Metal
PO.12.DIX	Manager, Realty Services	19-Sep-12	Authority to Execute Closing Documentation in Connection with Utility Easements to be conveyed from Province - BRT Project (Wards 3, 4 and 5)	n/a	Nominal
PO.12.BUC	Manager, Realty Services	28-Sep-12	Authority to Execute Closing Documentation in Connection with Conveyance of an Easement to be conveyed to Enersource - BRT Project (Wards 3 and 5)	n/a	Nominal
PO.12.TOR	Manager, Realty Services	30-Oct-12	Offer to Convey Easement between Aleris Specification Alloy Products Canada Company as the Vendor and The Corporation of the City of Mississauga as the Purchaser - 7496 Torbram Road Torbram Road Grade Separation Project (Ward 5)	45.03 sq.m.	\$4,100 (plus all Legal fees incurred by vendor)

Acquisitions of Easements - July 1, 2012 to December 31, 2012					
File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Total Consideration
PO.12.TOR	Manager, Realty Services	30-Oct-12	Offer to Convey Easement between Aleris Specification Alloy Products Canada Company as the Vendor and The Regional Municipality of Peel and The Corporation of the City of Mississauga as the Purchaser – 7496 Torbram Road -Torbram Road Grade Separation Project (Ward 5)	1,098.93 sq.m.	\$13,000 (plus all Legal fees incurred by Grantor)
PO.12.TOR	Manager, Realty Services	30-Oct-12	Offer to Convey Easement between Aleris Specification Alloy Products Canada Company as the Vendor and The Corporation of the City of Mississauga as the Purchaser – 7496 Torbram Road Torbram Road Grade Separation Project (Ward 5)	1,302.05 sq.m.	\$13,000 (plus all Legal fees incurred by Vendor)
PO.12.TOR	Manager, Realty Services	30-Oct-12	Offer to Convey Easement between Aleris Specification Alloy Products Canada Company as the Vendor and Enersource Hydro Mississauga Inc. as the Purchaser – 7496 Torbram Road Torbram Road Grade Separation Project (Ward 5)	1,302.05 sq.m.	\$13,000 (plus all Legal fees incurred by Vendor and Purchaser)
PO.12.YOU	Manager, Realty Services	02-Dec-12	Offer to Convey Easement over a portion of 335 Youngstown Avenue – Noise Attenuation Wall and Foundation Footings for Retaining Wall (Ward 4)	n/a	legal fees plus disbursements plus HST to a maximum of \$1,200.00
PO.12.HEA	Manager, Realty Services	17-Dec-12	Offer to Convey Easement on part of the premises known as 2025 Heartwood Court - Raymond Emery (Ward 7) for the purpose of correcting an existing easement.	n/a	legal fees plus disbursements plus HST to a maximum of \$1,200

Administrative/Miscellaneous Matters - July 1, 2012 to December 31, 2012					
File Number	Approved By	Date of Approval	Report Title	Total Area	Total Consideration
PO.11.JEN	Manager, Realty Services	13-Aug-12	Application to Delete Restrictions, 4444 Jenkins Crescent (W	n/a	\$2.00
PO.13.HUR	Manager, Realty Services	24-Aug-12	Letter Agreement with Hydro One – BRT Project (Ward 3)	n/a	Nominal
PO.16.TOM	Manager, Realty Services	24-Aug-12	Facility Crossing Agreement with Sun-Canadian Pipe Line Company Limited – BRT Project (Ward 3)	n/a	Nominal
PO.13.QUE	Manager, Realty Services	6-Sep-12	Application to Delete License Agreement 40 and 42 Queen Street South (Ward 11)	n/a	\$2.00
PO.10.SHA	Manager, Realty Services	15-Oct-12	Transfer of Title from The Corporation of the City of Mississauga (in trust) to The Corporation of the City of Mississauga, Block A, Plan M206 together with Part 2, Plan 43R-3368 (Housekeeping Matter) (Ward 8)	n/a	Nominal
PO.11.LAK	Manager, Realty Services	20-Nov-12	Release/Discharge of Lease Agreement over City-owned Lands Port Credit Harbour – J. J. Plaus Park (P-109) as required in connection with the proposed conveyance of a portion of the lands to Centre City Capital Limited (Ward 1 )	n/a	Nominal
PO.13.ERI	Manager, Realty Services	12-Dec-12	Tenant Estoppel Certificate relating to the Sheridan Branch Library (Ward 8)	n/a	Nominal
PO.16.ARG	Manager, Realty Services	21-Dec-12	Facility Crossing Agreements with TransCanada Pipelines Limited – Argenta Extension (Ward 9)	n/a	Nominal

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Disposition of Land - July 1, 2012 to December 31, 2012					
File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Total Consideration
PO.11.NOR	Director of Facilities & Property Management	14-Dec-12	Agreement of Purchase and Sale with Metrolinx for portions of closed Northwest Drive, south of American Drive (Ward 5)	273.4 sq.m.	\$54,400

Disposition of Easements - July 1, 2012 to December 31, 2012					
File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Total Consideration
PO.12.HUR	Manager, Realty Services	30-Oct-12	Approval to Remove Temporary Easement located over 5008 Hurontario Street – Request by Imperial Oil Limited (Ward 5)	843 sq.m.	Nominal

Leases, Licenses and Other Agreements (City Use) - July 1, 2012 to December 31, 2012						
File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Term	Total Consideration
PO.13.MAT	Commissioner of Corporate Services and Treasurer	13-Sep-12	Lease Extension and Amending Agreement with Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure, as represented by Ontario Infrastructure and Lands Corporation, lands located south of Matheson Boulevard East and north of Eglinton Avenue East (Ward 5)	8.774 acres	5 years commencing Oct. 1, 2012 and expiring Sep. 30, 2017	\$23,689.8 annually plus realty taxes levied against leased lands.
PO.13.LAK	Manager, Realty Services	28-Sep-12	Notice of Entry Permit with Hydro One Networks Inc – Multi-Use Trail Project (Ward 2)	n/a	September 18, 2012 to November 30, 2012	Nominal
PO.13.TOR	Commissioner of Corporate Services and Treasurer	26-Sep-12	License of Land for Temporary Use and Access between Her Majesty the Queen in Right of Ontario, as Represented by the Minister of Infrastructure and The Corporation of the City of Mississauga - Torbram Road Grade Separation Project (Ward 5)	10,278.56 sq.m.	2 years commencing on November 13, 2012 and terminating on November 12, 2014	\$231,320
PO.13.CRE	Manager, Realty Services	01-Oct-12	SubLicense Agreement between The Corporation of the City of Mississauga, Allan Humphries and Ecosource Mississauga – 6545 Creditview Road, Harris Farm (Ward 11)	231,414 sq.m.	Expiring on November 30, 2012	\$1.00
PO.13.SOU	Manager, Realty Services	01-Oct-12	Lease Amending Agreement between Suncor Energy Products Partnership and The Corporation of the City of Mississauga – Petro Canada Park – 670 Southdown Road – (Ward 2)	28,815.20 sq.m.	n/a lease amending use	\$2.00
PO.13.QUE	Manager, Realty Services	16-Nov-12	Consent to Enter over portion of 189 Queen Street South to accommodate the redevelopment of Park 512 (Ward 11)	225 sq.m.	October 1, 2012 to December 31, 2012	Nominal
PO.13.MAI	Manager, Realty Services	16-Nov-12	Consent to Enter over portion of 8 Maiden Lane to accommodate the redevelopment of Park 512 (Ward 11)	14.50 sq.m.	October 1, 2012 to December 31, 2012	Nominal
PO.13.TRU	Manager, Realty Services	21-Nov-12	License of Land for Parking– Lorne Park Library with Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure as represented by Ontario Infrastructure and Lands Corporation ("OILC") (Ward 2)	124 acres	January 2013 to December 31, 2017	\$1,872 plus HST per annum plus realty taxes of \$150 per annum
PO.13.CIT	Director, Facilities and Property Management	04-Dec-12	Lease Extension and Amending Agreement with Square One Property Corporation for the Square One Older Adult Centre, located at Square One Shopping Centre, 100 City Centre Drive (Ward 4)	477.06 sq.m. (5,135 sq. ft.)	5 years commencing Oct. 1, 2012 and expiring Sep. 30, 2017	\$10,270 including realty taxes, operating costs and utilities, per annum

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**Leases, Licenses, and Other Agreements (Third Party Use) - July 1, 2012 to December 31, 2012**

File Number	Approved By	Date of Approval	Report Title	Total Area (sq.m.)	Term	Total Consideration
PO.13.DRE	Manager, Realty Services	04-Jul-12	Interim Access and Licence Agreement between The Corporation of the City of Mississauga and WLI Holdings Inc. (Ward 5)	n/a	10 yr + 10yr	\$2.00
PO.13.MEA	Manager, Realty Services	04-Jul-12	Renewal of License Agreement between the Region of Peel, Metrolinx and the City of Mississauga as Licensee - 6845 Millcreek Drive (Meadowvale GO Station) - Ward 9	n/a	10 yrs	\$2.00
PO.12.AIR	Manager, Realty Services	19-Jul-12	License Agreement with Avion Motel Limited for use of portions of 6375 Airport Road for automobile parking (Ward 5)	3,303.2 sq.m.	9 months commencing July 1, 2012 and expiring March 31, 2012	\$2.00 plus HST
PO.13.DUK	Manager, Realty Services	01-Aug-12	Consent to Enter Agreement between the City of Mississauga and the Sheridan College Institute of Technology and Advanced Learning (Ward 4)	1.84 acres	1 month commencing August 1, 2012 and expiring on August 31, 2012	\$2.00 plus HST
PO.13.ROS	Commissioner of Corporate Services and Treasurer	28-Aug-12	License Agreement between The Corporation of the City of Mississauga and Golazo Inc. for space located at the Hershey Sports Complex (5600 Rose Cherry Place) (Ward 5)	1497 sq.ft.	5 years commencing on September 1, 2012 and expiring on August 31, 2017	\$169,638.00 plus HST
PO.13.STA	Manager, Realty Services	11-Oct-12	License Agreement with Mississauga Chargers Hockey Club Inc., a Rooms 123, 126, 218 and Storage Room 130 at Port Credit Arena (Ward 1)	815 sq.ft.	5 years commencing October 11, 2011 and expiring September 30, 2016	\$49,940.00
PO.13.MAT	Manager, Realty Services	19-Oct-12	License Agreement between The Corporation of the City of Mississauga as Licensor and Irene Nicowski, Nancy Nicowski and Irene Gryniewski, as Trustees of the Nicowski Family Trust - 1905 Mattawa Avenue - Ward 1	0.9 sq.m.	term of ten (10) years commencing January 1, 2012 and expiring on December 31, 2021	Annual fee of \$200 plus HST
PO.13.MAT	Director, Facilities and Property Management	14-Nov-12	License Agreement between The Corporation of the City of Mississauga and Score International Hockey School Inc. for space located at Iceland Arena (705 Matheson Blvd. East) (Ward 5)	87.33 sq.m.	5 years commencing January 1, 2012 and expiring December 31, 2016	\$55,692 for the length of the term
PO.13.RAT	Manager, Realty Services	14-Nov-12	License Agreement between The Corporation of the City of Mississauga and The Greater Toronto Airports Authority - Noise Monitoring Equipment located at Meadow Glen Park (Ward 4)	9 sq.m.	5 years commencing on August 1, 2012 and expiring on July 31, 2017	\$2,500 plus HST over the five year term
PO.13.MAT	Manager, Realty Services	22-Nov-12	License Agreement with Mississauga Ringette Association, Storage Space at Iceland Arena (Ward 5)	11.15 sq.m.	3 years commencing April 1, 2012 and expiring March 31, 2015	total revenue of \$2,790.00, plus HST
PO.13.RIV	Commissioner of Corporate Services and Treasurer	03-Dec-12	Management and Operation Agreement between The Corporation of the City of Mississauga and The Riverwood Conservancy for the premises known as Chappell Estate at 4300 Riverwood Park Lane (Park 331) (Ward 6)	734 sq.ft.	commenced on August 1, 2011 and terminates on March 31, 2013 and contains three (3) five year options to extend.	Annual fee of \$8,000 plus Riverwood Conservancy's share of utilities, plus HST, for each year of the term and extended term.
PO.13.GOO	Manager, Realty Services	18-Dec-12	Amending Agreement to Management and Operation Agreement between The Corporation of the City of Mississauga and the Mississauga Majors Baseball Association	n/a	Existing agreement that terminates on December 31, 2014	Nominal



# Corporate Report

Clerk's Files

Originator's  
Files

General Committee

FEB 27 2013

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**DATE:** February 6, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: February 27, 2013

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

**SUBJECT:** **2013 Budgets for Consulting Services**

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**RECOMMENDATION:** That the Corporate Report dated February 6, 2013 from the Commissioner of Corporate Services and Treasurer, entitled "2013 Budgets for Consulting Services" be received.

**BACKGROUND:** The City engages consultants for expertise that is not available within the City's existing workforce and often involves specialization in areas of design, testing and assessments. Consultants are also hired to undertake process reviews, one time plans or studies and development of strategies where the City does not have the capacity to deliver those services. These types of services are used where an independent third party expert possesses the knowledge or expertise required by the City. The cost of hiring these resources in house would be greater than engaging consultants on an as needed basis.

As part of the 2013 budget discussions, members of Council Budget Committee requested details on consultant funding included in the 2013 operating and capital budgets.

**COMMENTS:** The total estimated consulting services funding included in the approved 2013 budgets is \$10.6 million of which \$9.5 million or 90% pertains to capital projects and \$1.1 million or 10% to operating programs. The Roads, Storm Drainage, and Watercourses service area

accounts for 24% or \$2.6 million of the total consulting services with Land Development Services, Recreation, Parks & Forestry and Information Technology Service Areas accounting for \$1.3 million, \$1.3 million, \$1.2 million, and \$1.1 million respectively.

Appendix 1, attached, provides a summary and detailed listing of the estimated consulting services included in the approved 2013 budgets by service area. The lists include a wide variety of consulting services such as Studies, Design Services, Technology System/Software Services, Environmental Assessments, Structural Engineering Services, Electrical and Mechanical Engineering Services, Legal and Other Consulting Services.

**FINANCIAL IMPACT:** Funding is approved in either the capital or operating budgets to provide for consulting services. For 2013, a total of \$10.6 million is included in the operating and capital budgets to fund a wide variety of consulting services.

**CONCLUSION:** In 2013, the City will engage consultants to provide specialized expertise not available within the City's workforce, in cases where there is no capacity of City resources to provide the services or where third party expert advice and knowledge is needed.

Award of these consultant contracts will follow the City's Purchasing By-law and procedural requirements.

**ATTACHMENTS:** Appendix 1: 2013 Consulting Services – Estimated Budget



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

*Prepared By: Zubair Ahmed, Policy Analyst*

**2013 Consulting Services-Estimated Budget**  
**City of Mississauga**  
**Summary by Service Areas**

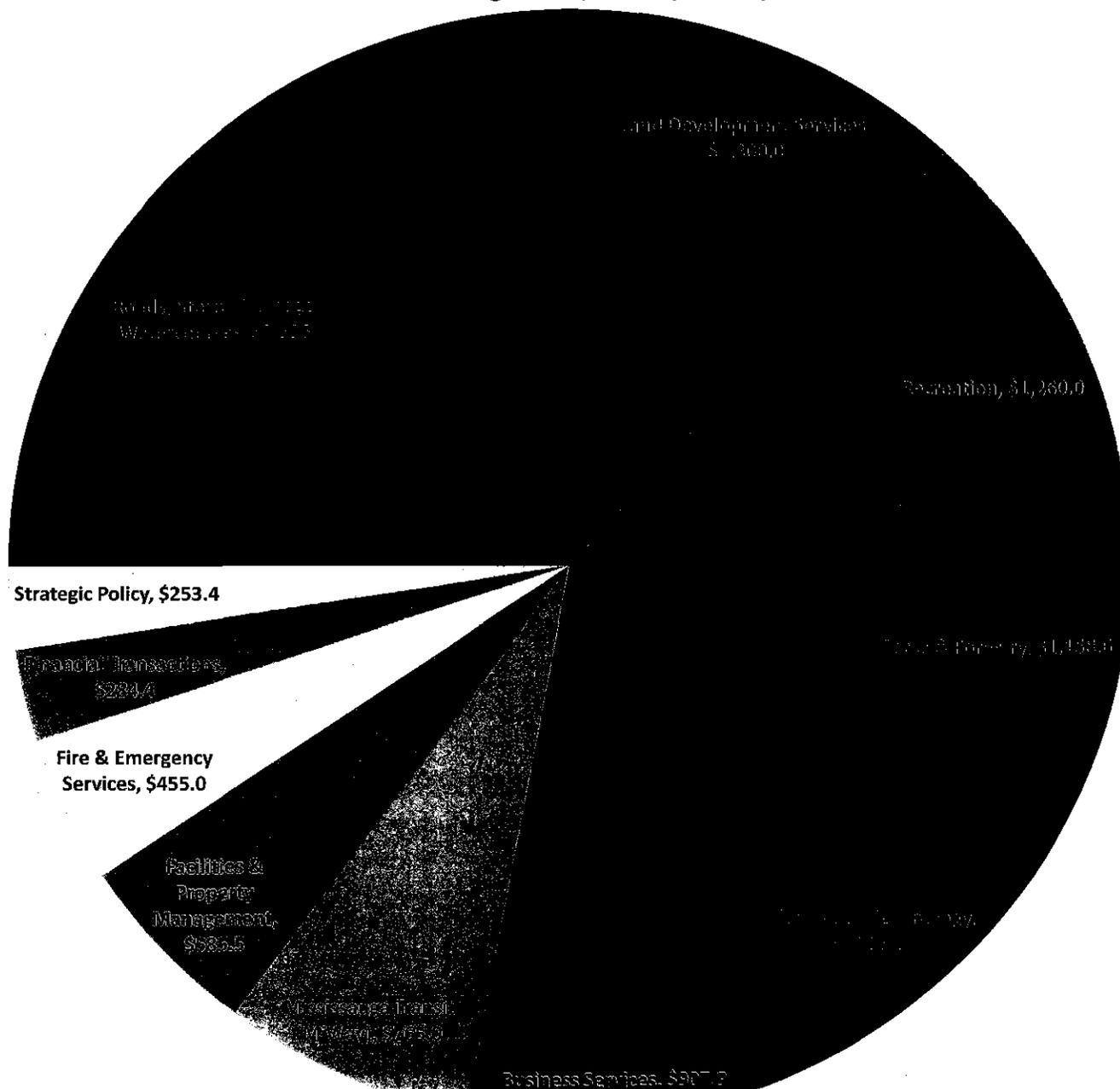
(\$000's)

Service Area	Capital	Operating	Total
Roads, Storm Drainage & Watercourses	\$2,395.0	\$201.1	\$2,596.1
Land Development Services	\$1,300.0	\$0.0	\$1,300.0
Recreation	\$1,260.0	\$0.0	\$1,260.0
Parks & Forestry	\$1,153.5	\$5.1	\$1,158.6
Information Technology	\$1,000.0	\$55.0	\$1,055.0
Business Services	\$575.0	\$332.9	\$907.9
Mississauga Transit (MiWay)	\$750.0	\$15.0	\$765.0
Facilities & Property Management	\$550.0	\$35.5	\$585.5
Fire & Emergency Services	\$455.0	\$0.0	\$455.0
Financial Transactions	\$0.0	\$284.4	\$284.4
Strategic Policy	\$100.0	\$153.4	\$253.4
<b>Total Consulting Services</b>	<b>\$9,538.5</b>	<b>\$1,082.4</b>	<b>\$10,620.9</b>

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### 2013 Consulting Services by Service Areas Estimated Budget \$10,620.9 (\$000's)



## 2013 Consulting Services-Estimated Budget City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
<b>Roads, Storm Drainage &amp; Watercourses</b>	<b>Studies</b>			
	Engineering consulting services-Site Assessments and Data Management	\$490.0		
	Mississauga Road corridor study: planning and engineering	\$300.0		
	Development Charges background study-major roads	\$200.0		
	Engineering consulting services		\$106.1	
	Design and feasibility studies	\$100.0		
	Ninth Line/Milton-Mississauga transportation boundary study	\$100.0		
	Development Charges background study-storm drainage	\$80.0		
	Prepare, design and obtain necessary permitting for planned pond dredging	\$50.0		
	Traffic data needs study - Downtown Mississauga		\$20.0	
	Road safety audits		\$15.0	
	Updating & maintaining city transportation model		\$15.0	
	Monitoring and minor modification of Storm Water Management facilities	\$10.0		
	Automated speed camera program		\$5.0	
	<b>Subtotal - Studies</b>	<b>\$1,330.0</b>	<b>\$161.1</b>	<b>\$1,491.1</b>
	<b>Design Services</b>			
Engineering consulting services-Loyalist Creek Erosion Control - Upstream of Thornlodge Road	\$75.0			
<b>Subtotal - Design Services</b>	<b>\$75.0</b>	<b>\$0.0</b>	<b>\$75.0</b>	

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**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Roads, Storm Drainage & Watercourses	<b>Environmental Assessments</b>			
	Environmental Assessment-Courtneypark Drive East Widening/Kennedy Road to Tomken Road	\$300.0		
	Environmental Assessment-Square One Drive - Confederation Parkway to Rathburn Rd West	\$250.0		
	Environmental Assessment-Belgrave Dr Ramp Extension/Widening - Mavis Rd to Cantay Rd	\$100.0		
	Environmental Assessment for Ninth Line, Derry Road West to Highway 401/407		\$40.0	
	Environmental consulting services-Minor Erosion Control Works - Various Locations	\$20.0		
	<b>Subtotal - Environmental Assessments</b>	<b>\$670.0</b>	<b>\$40.0</b>	<b>\$710.0</b>
	<b>Structural Engineering</b>			
	Bridge structure detail inspections & design at various locations	\$300.0		
	<b>Subtotal - Structural Engineering</b>	<b>\$300.0</b>	<b>\$0.0</b>	<b>\$300.0</b>
	<b>Other</b>			
	Topographical surveying consulting services-Minor Erosion Control Works - Various Locations	\$20.0		
	<b>Subtotal - Other</b>	<b>\$20.0</b>	<b>\$0.0</b>	<b>\$20.0</b>
<b>Total Roads, Storm Drainage &amp; Watercourses</b>		<b>\$2,395.0</b>	<b>\$201.1</b>	<b>\$2,596.1</b>

## 2013 Consulting Services-Estimated Budget City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
<b>Land Development Services</b>	<b>Studies</b>			
	Policy Division - Community Improvement Plan	\$300.0		
	Policy Division - Malton Area Plan	\$200.0		
	Policy Division - Ninth Line Corridor Review	\$200.0		
	Policy Division - Growth Forecast	\$150.0		
	Policy Division - Affordable Housing Strategy	\$125.0		
	Policy Division - Parking Standards Review Study Implement City Structure	\$125.0		
	Policy Division - Parking Strategy	\$100.0		
	Policy Division - Review Employment Lands	\$100.0		
	<b>Subtotal - Studies</b>	<b>\$1,300.0</b>	<b>\$0.0</b>	<b>\$1,300.0</b>
<b>Total Land Development Services</b>		<b>\$1,300.0</b>	<b>\$0.0</b>	<b>\$1,300.0</b>

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**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Recreation	<b>Design Services</b>			
	Architectural design for Meadowvale Community Centre renovation	\$1,000.0		
	Design of Lakeview Golf Course Irrigation System	\$60.0		
	<b>Subtotal - Design Services</b>	<b>\$1,060.0</b>	<b>\$0.0</b>	<b>\$1,060.0</b>
	<b>Technology System/Software</b>			
	IT Specialist for development of Online E-Recreation program search tool	\$200.0		
	<b>Subtotal - Technology System/Software</b>	<b>\$200.0</b>	<b>\$0.0</b>	<b>\$200.0</b>
<b>Total Recreation</b>		<b>\$1,260.0</b>	<b>\$0.0</b>	<b>\$1,260.0</b>

## 2013 Consulting Services-Estimated Budget City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
<b>Parks &amp; Forestry</b>	<b>Studies</b>			
	Future Directions Review	\$200.0		
	<b>Subtotal - Studies</b>	<b>\$200.0</b>	<b>\$0.0</b>	<b>\$200.0</b>
	<b>Design Services</b>			
	Design and construction management of various multi-use trails, such as Highway 403 corridor (Central Parkway to Little Etobicoke Creek and Tomken to Fieldgate) and Clover Meadows Park Trail	\$363.0		
	Design and construction management of various parkland development, such as Park P508 (Hancock property, Ward 7) and Future Park F429 (Union Gas land, Ward 9)	\$237.0		
	Design and construction management of Bruce Reynolds Park landscape improvement	\$75.0		
	Design and construction management of South Common satellite depot	\$65.0		
	Pre-design site work for park P459 - Ninth Line Development	\$40.0		
	Birch Glen retaining wall assessment	\$35.0		
	Design and construction management of Lake Wabukayne Trail boardwalk repair	\$35.0		
	Design and construction management of Mississauga Valley bleacher replacement	\$30.0		
	Design and construction management of St. Lawrence Park stone repair	\$25.0		
	Design and construction management of various bridge and underpass repairs	\$19.0		
	Design and construction management of various parks site servicing	\$12.0		
<b>Subtotal - Design Services</b>	<b>\$936.0</b>	<b>\$0.0</b>	<b>\$936.0</b>	

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**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Parks & Forestry	<b>Environmental Assessments</b>			
	Goose Management Program Field Survey (required for Goose relocation permit)		\$5.1	
	<b>Subtotal - Environmental Assessments</b>	<b>\$0.0</b>	<b>\$5.1</b>	<b>\$5.1</b>
	<b>Structural Engineering</b>			
	Structure evaluation of Erindale Park dam wall	\$17.5		
	<b>Subtotal - Structural Engineering</b>	<b>\$17.5</b>	<b>\$0.0</b>	<b>\$17.5</b>
<b>Total Parks &amp; Forestry</b>		<b>\$1,153.5</b>	<b>\$5.1</b>	<b>\$1,158.6</b>

**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Information Technology	<b>Studies</b>			
	Workforce Mobility Feasibility Study	\$200.0		
	<b>Subtotal - Studies</b>	<b>\$200.0</b>	<b>\$0.0</b>	<b>\$200.0</b>
	<b>Technology System/Software</b>			
	Network switches, security and wireless replacement	\$275.0		
	Material Management Front End Procurement System	\$200.0		
	SAP Enhancements, Emergency and Legislative Support as required (i.e. Tax, CPP or EI)	\$100.0		
	Job Evaluation Obsolete System replacement	\$60.0		
	Payment Card Industry Compliance Audit and PCI Quarterly Scan		\$55.0	
	Bentley GIS (Geographic Information System) upgrade	\$45.0		
	OmniRim Records Management System upgrade	\$40.0		
	Web Accessibility Audit and Assessment	\$35.0		
	Microsoft 2010 Exchange RAP (Risk Assessment Program) implementation	\$25.0		
	Microsoft Exchange 2010 Upgrade	\$10.0		
	Microsoft SCSM (System Centre Service Manager) Helpdesk upgrade	\$10.0		
<b>Subtotal - Technology System/Software</b>	<b>\$800.0</b>	<b>\$55.0</b>	<b>\$855.0</b>	
<b>Total Information Technology</b>		<b>\$1,000.0</b>	<b>\$55.0</b>	<b>\$1,055.0</b>

## 2013 Consulting Services-Estimated Budget

### City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Business Services	<b>Studies</b>			
	City of Mississauga Branding Research Study	\$75.0		
	Citizen Value Measurement/Satisfaction Survey		\$44.0	
	<b>Subtotal - Studies</b>	<b>\$75.0</b>	<b>\$44.0</b>	<b>\$119.0</b>
	<b>Other</b>			
	Development Charges By-law Background Study	\$350.0		
	Long Term Financial Plan/System	\$150.0		
	Compensation and benefits advisory services, market reviews and salary surveys, etc.		\$146.2	
	Succession Planning/Talent Assessment and Development		\$49.8	
	Leadership fundamentals for supervisors and managers		\$30.0	
	HR Organizational Structure Evaluation		\$25.0	
	Credit Rating Review		\$21.8	
	External Audit Fees/Mileage Allowance Review/Actuarial Evaluations		\$16.1	
	<b>Subtotal - Other</b>	<b>\$500.0</b>	<b>\$288.9</b>	<b>\$788.9</b>
	<b>Total Business Services</b>		<b>\$575.0</b>	<b>\$332.9</b>

**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Mississauga Transit (MiWay)	<b>Studies</b>			
	Strategic plan review-standards, routes, public opinion	\$350.0		
	Transit customer satisfaction survey of MiWay transit rider for 2013	\$250.0		
	<b>Subtotal - Studies</b>	<b>\$600.0</b>	<b>\$0.0</b>	<b>\$600.0</b>
	<b>Other</b>			
	BRT Marketing Communication Plan	\$150.0		
	Staff recruitment, personnel investigations		\$15.0	
	<b>Subtotal - Other</b>	<b>\$150.0</b>	<b>\$15.0</b>	<b>\$165.0</b>
<b>Total Mississauga Transit (MiWay)</b>		<b>\$750.0</b>	<b>\$15.0</b>	<b>\$765.0</b>

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## 2013 Consulting Services-Estimated Budget

### City of Mississauga

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Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Facilities & Property Management	<b>Design Services</b>			
	Roof Replacement project	\$25.0		
	Replacement of Iceland rubber floor	\$20.0		
	Adamson waterproofing project	\$15.0		
	Architectural consulting for various accessibility improvements	\$10.0		
	Consulting services for facilities design		\$5.0	
	Interior repairs at various fire stations	\$5.0		
	<b>Subtotal - Design Services</b>	<b>\$75.0</b>	<b>\$5.0</b>	<b>\$80.0</b>
	<b>Structural Engineering</b>			
	Foundation repairs at Central Transit	\$50.0		
	Central Parkway Washbay replacement	\$25.0		
	Structural repairs at Benares and Bradley	\$25.0		
	Structural repairs at various locations	\$10.0		
	<b>Subtotal - Structural Engineering</b>	<b>\$110.0</b>	<b>\$0.0</b>	<b>\$110.0</b>
	<b>Electrical &amp; Mechanical Engineering Services</b>			
	Electrical engineering consulting for pathway lighting replacement at various community parks	\$100.0		
	Lighting replacement at various Tennis Courts	\$50.0		

**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
<b>Facilities &amp; Property Management</b>	Electrical engineering consulting for light replacement at various parking lots	\$30.0		
	Electrical engineering consulting for Tennis court lighting replacement at Huron Park	\$25.0		
	Mechanical engineering consulting for Civic Centre boiler replacement	\$25.0		
	Mechanical engineering consulting for South Common Community Center pool dehumidification project	\$25.0		
	Cawthra and Glenforest pool pump replacement project	\$20.0		
	Electrical engineering consulting for lighting retrofits and energy saving window coating at various locations	\$20.0		
	Electrical repairs at various locations	\$20.0		
	Malton Depot fuel island replacement	\$20.0		
	Recommissioning of energy efficient improvements at various locations	\$20.0		
	Mechanical repairs at various locations	\$10.0		
	<b>Subtotal - Electrical &amp; Mechanical Engineering Services</b>	<b>\$365.0</b>	<b>\$0.0</b>	<b>\$365.0</b>
	<b>Other</b>			
	Natural gas purchasing strategy advisory services		\$15.3	
	Electricity purchasing strategy advisory services		\$15.2	
<b>Subtotal - Other</b>	<b>\$0.0</b>	<b>\$30.5</b>	<b>\$30.5</b>	
<b>Total Facilities &amp; Property Management</b>		<b>\$550.0</b>	<b>\$35.5</b>	<b>\$585.5</b>

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**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Strategic Policy	<b>Legal</b>			
	OMB legal testimony		\$153.4	
	<b>Subtotal - Legal</b>	\$0.0	\$153.4	\$153.4
	<b>Other</b>			
	Downtown Energy Plan	\$100.0		
	<b>Subtotal - Other</b>	\$100.0	\$0.0	\$100.0
<b>Total Strategic Policy</b>		\$100.0	\$153.4	\$253.4

**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Fire & Emergency Services	<b>Design Services</b>			
	Architectural design for the relocated Station 119	\$375.0		
	Design of Joint Fire Communications Centre	\$80.0		
	<b>Subtotal - Design Services</b>	<b>\$455.0</b>	<b>\$0.0</b>	<b>\$455.0</b>
<b>Total Fire &amp; Emergency Services</b>		<b>\$455.0</b>	<b>\$0.0</b>	<b>\$455.0</b>

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**2013 Consulting Services-Estimated Budget**  
City of Mississauga

Service Area	Description of Services	Estimated Consulting Budget (\$000's)		
		Capital	Operating	Total
Financial Transactions	<b>Other</b>			
	Health Services and Workers' Compensation medical assessments and tests to support employee return to work initiatives		\$160.0	
	Insurance brokerage services & Risk Management consulting		\$65.0	
	Executive Search for Extended Leadership Team vacancies		\$59.4	
	<b>Subtotal - Other</b>	<b>\$0.0</b>	<b>\$284.4</b>	<b>\$284.4</b>
<b>Total Financial Transactions</b>		<b>\$0.0</b>	<b>\$284.4</b>	<b>\$284.4</b>

REPORT 1-2013

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Towing Industry Advisory Committee presents its first report for 2013 and recommends:

TIAC-0001-2013

1. That a by-law be enacted to amend Section 33(8) of the Tow Truck Licensing By-law 521-04, as amended, to include the requirement for the towing company name, in contrasting colour, to appear on the body of a tow truck in a location which is clearly visible to the public;
2. That Section 33(8) of the Tow Truck Licensing By-law 521-04, as amended, be deleted and replaced with the following:

*“have attached to or painted on both sides of the body of the Tow Truck in a location close to the middle of the body panels or as near as possible and as approved by the Licence Manager, in letters and figures of contrasting colour to the colour of the vehicle and not less than eight centimetres (approximately three inches) in height the name and telephone number of the business as shown on the Owner's Business Licence.”*

3. That a by-law be enacted to amend Section 33(10) of the Tow Truck Licensing By-law 521-04, as amended, to include requirements for the municipal licence number to be painted or attached to both fenders.
4. That Section 33(10) of the Tow Truck Licensing By-law 521-04, as amended, be deleted and replaced with the following:

*“have affixed to the Tow Truck rear window, on the driver's side, the Owner's Plate issued for that Tow Truck and have the municipal licence number painted or attached to both front fenders in letters and numbers of not less than eight centimetres high (approximately three inches). The number shall include a designation of ML as a precursor to the number.”*

(TIAC-0001-2013)

TIAC-0002-2013

1. That the report from the Commissioner, Transportation and Works, dated January 30, 2013 titled Amendments to the Tow Truck Licensing By-law 521-04, as amended, for the Licensing of Tow Truck Drivers, be received.
2. That staff incorporate comments received from the Towing Industry Advisory Committee and prepare a report to be considered by General Committee on the recommended changes to the requirements for the licensing of tow truck drivers.

(TIAC-0002-2013)

TIAC-0003-2013

That the Towing Industry Advisory Committee recommends a continuation of a moratorium on the issuance of new tow truck plate licenses and that the matter be reviewed in one year.

(TIAC-0003-2013)

TIAC-0004-2013

That the action list of the Towing Industry Advisory Committee meeting held on December 10, 2012 provided to the Committee to update on the status of initiatives raised at prior meetings be received.

(TIAC-0004-2013)

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REPORT 2-2013

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Mississauga Cycling Advisory Committee presents its second report for 2013 and recommends:

MCAC-0009-2013

That the deputation to the Mississauga Cycling Advisory Committee by Elanor McMahon, CEO, Share the Road Cycling Coalition regarding feedback on Bicycle Friendly Community Status be received.

(MCAC-0009-2013)

MCAC-0010-2013

That the deputation to the Mississauga Cycling Advisory Committee by Kyrlo Rewa, Region of Peel regarding the GPS Cycling Study be received.

(MCAC-0010-2013)

MCAC-0011-2013

That the email dated January 10, 2013 regarding the use of Mississauga Celebration Square for the Tour for Kids be received.

(MCAC-0011-2013)

MCAC-0012-2013

That \$130.00 be allocated to purchase Tour de Mississauga posts cards from the 2013 Mississauga Cycling Advisory Committee budget.

(MCAC-0012-2013)

MCAC-0013-2013

That the 2013 Mississauga Cycling Advisory Committee – Calendar of Events be received.

(MCAC-0013-2013)

**MISSISSAUGA CYCLING  
ADVISORY COMMITTEE****February 12, 2013**

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MCAC-0014-2013

That the following information items be received for information:

- a) Resignation email dated January 9, 2013 from David Bell, of Mississauga Cycling Advisory Committee (MCAC) Citizen Member advising his resignation from MCAC.
- b) Resignation email dated January 11, 2013 from Allen Harder, of Mississauga Cycling Advisory Committee (MCAC) Citizen Member advising his resignation from MCAC in March/April 2013.
- c) Mississauga Cycling Advisory Committee to receive the Road Safety Handbook.
- d) Letter January 29, 2013 from Jacquelyn Hayward Gulati, Manager Cycling Office regarding Initial Comments on Policy Proposal – Ontario Ministry of Transportation Draft Cycling Strategy (EBR Registry Number 011-7552).
- e) Email dated February 5, 2013 regarding the 2013 Complete Streets Forum and Ontario Bike Summit scheduled for May 27, 2013  
(MCAC-0014-2013)