

February 12, 2014

Members Present:

Mayor S. Fennell
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor P. Palleschi – Wards 2 and 6 (left at 4:28 p.m.
– personal)
Regional Councillor J. Sanderson – Wards 3 and 4
Regional Councillor S. Hames – Wards 7 and 8
Regional Councillor G. Miles – Wards 7 and 8 (arrived at 1:06 p.m.
– other municipal business)
City Councillor G. Gibson – Wards 1 and 5
City Councillor J. Hutton – Wards 2 and 6
City Councillor B. Callahan – Wards 3 and 4
Regional Councillor J. Sprovieri – Wards 9 and 10

Members Absent:

City Councillor V. Dhillon – Wards 9 and 10 (other municipal
business)

Staff Present:

Mr. J. Corbett, Chief Administrative Officer
Ms. M. Ball, Chief Planning and Infrastructure Services Officer
Mr. D. Cutajar, Chief Operating Officer
Mr. J. Patteson, Chief Public Services Officer
Mr. P. Simmons, Chief Corporate Services Officer
Mr. D. Kraszewski, Senior Executive Director, Planning and
Building, Planning and Infrastructure Services
Mr. A. MacDonald, Fire Chief, Fire and Emergency Services,
Public Services
Mr. P. Fay, City Clerk, Corporate Services
Mr. E. Evans, Deputy City Clerk, Corporate Services
Ms. T. Brenton, Legislative Coordinator, Corporate Services

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The meeting was called to order at 12:06 p.m., moved into Closed Session at 12:07 p.m., and recessed at 12:09 p.m. Council reconvened in Open Session at 1:06 p.m. and adjourned at 5:29 p.m.

A. Approval of the Agenda

The following motion was considered.

C026-2014 Moved by Regional Councillor Palleschi
Seconded by Regional Councillor Moore

That the agenda for the Regular Council Meeting of February 12, 2014 be approved as amended as follows:

To add:

I 3-2. Report from R. Parzei, Director, Revenue and Risk Management, Corporate Services, dated February 10, 2014, re: **Joint and Several Liability Reform** (File A27).

Carried

Note: A correction was noted to the address listed under Item E1 to indicate the property is located at 16 John Street, and not 6 John Street as noted on the printed agenda.

The following was received by the City Clerk's Office after the agenda was printed and relates to published items on the Agenda (Council approval is not required for addition of these items in accordance with Procedure By-law 160-2004, as amended):

Re: Item I 1-1 (Terms of Reference – Mayor and Members of Council Expenses Forensic Audit):

- **Delegation:**
 - G 2. Paramjit Singh Birdi, Brampton Resident

B. Conflicts of Interest – nil

C. Minutes

C 1. Minutes – **City Council – Regular Meeting** – January 29, 2014

The following motion was considered.

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C027-2014 Moved by Regional Councillor Palleschi
Seconded by City Councillor Gibson

That the Minutes of the Regular City Council Meeting of January 29, 2014, to the Council Meeting of February 12, 2014, be approved as printed and circulated.

Carried

D. Consent

The following motion was considered.

C028-2014 Moved by Regional Councillor Moore
Seconded by City Councillor Gibson

That Council hereby approves the following items and that the various Officials of the Corporation are hereby authorized and directed to take such action as may be necessary to give effect of the recommendations as contained therein:

- I 2-1. 1. That the report from T. Upper, Executive Director, Strategic Communications, Office of the Chief Operating Officer, dated January 22, 2014, to the Council Meeting of February 12, 2014, re: **Proclamation – National Flag of Canada Day – February 15, 2014** (File G24) be received; and,
- 2. That February 15, 2014 be proclaimed National Flag of Canada Day in the City of Brampton.
- I 2-2. That the report from D. Cutajar, Chief Operating Officer, dated February 3, 2014, to the Council Meeting of February 12, 2014, re: **HACE Downtown Brampton Creative Economy Round Table Minutes – January 21, 2014** (File G25HACE) be received.
- I 4-1. 1. That the report from J. Edwin, Manager, Development Construction, Planning and Infrastructure Services, dated January 22, 2014, to the Council Meeting of February 12, 2014, re: **Subdivision Release and Assumption – Brampton West 6-2 Limited Phase 1 – Registered Plan No. 43M-1689 – East of McLaughlin Road, North of Wanless Drive – Ward 2** (File C01W16.01) be received; and,

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2. That all works constructed and installed in accordance with the subdivision agreement for Registered Plan No. 43M-1689 (the "Subdivision") be accepted and assumed; and,
 3. That the Treasurer be authorized to release the securities held by the City; and,
 4. That By-law 38-2014 be passed to assume the following streets as shown on the Registered Plan 43M-1689 as part of the public highway system:

Baylor Drive, Bramtrail Gate, Perkins Drive, Chalkfarm Crescent, Boundbrook Drive, Hardgate Crescent and Van Kirk Drive.
- I 4-2.
1. That the report from J. Edwin, Manager, Development Construction, Planning and Infrastructure Services, dated January 22, 2014, to the Council Meeting of February 12, 2014, re: **Subdivision Release and Assumption – Sandringham Place Inc. (Sandringham N802 Subdivision Phase 1) – Registered Plan No. 43M-1742 – East of Dixie Road, South of Father Tobin Road – Ward 9** (File C04E15.005) be received; and,
 2. That all works constructed and installed in accordance with the subdivision agreement for Registered Plan No. 43M-1742 (the "Subdivision") be accepted and assumed; and,
 3. That the Treasurer be authorized to release the securities held by the City; and,
 4. That By-law 39-2014 be passed to assume the following streets as shown on the Registered Plan 43M-1742 as part of the public highway system:

Egypt Drive, Father Tobin Road, Fernforest Drive, Kerrigan Drive, Moira Creek Drive, Smoothrock Trail, and Timmins Street.
- I 4-3.
1. That the report from M. Gervais, Development Planner, Planning and Infrastructure Services, dated January 29, 2014, to the Council Meeting of February 12, 2014, re: **Application to Amend the Zoning By-law – KLM Planning Partners Incorporated – 2258659 Ontario Incorporated and Fieldgate Developments Inc. – 8602**

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Chinguacousy Road – Ward 6 (File C03W03.013 and C03W03.014) be received; and,

2. That the Mayor and City Clerk be authorized to execute the development agreement based on terms and conditions approved by the Chief Planning and Infrastructure Services Officer, and in a form acceptable to the City Solicitor; and,
 3. That By-law 40-2014 be passed to amend Comprehensive Zoning By-law 270-2004, as amended; and,
 4. That no further notice or public meeting be required for the subject Zoning By-law, pursuant to Section 34(17) of the *Planning Act*, R.S.O. c.P. 13, as amended.
- I 5-1.
1. That the report from A. Pritchard, Manager, Realty Services, Public Services, dated January 28, 2014, to the Council Meeting of February 12, 2014, re: **Expropriation of Certain Lands for the Purpose of Widening Torbram Road from Countryside Drive to Mayfield Road – Wards 9 and 10** (File L15) be received; and,
 2. That By-law 41-2014 be passed to authorize The Corporation of the City of Brampton, as expropriating authority, to make an application for approval to expropriate the property interests required in connection with the Torbram Road widening project, as described in Schedule A to this report, and to complete all procedural steps required by the *Expropriations Act*, RSO 1990, c.E.26, ("*Expropriations Act*") in connection with such application; and,
 3. That the Mayor and City Clerk be authorized to execute all notices, applications and other documents required by the *Expropriations Act*, RSO 1990, c.E.26 as amended, in order to effect the expropriation of the said property rights.
- L 2.
- That the correspondence from the City of Vaughan, dated January 13, 2014, to the Council Meeting of February 12, 2014, re: **Expression of Gratitude for Assistance from the City of Brampton to Vaughan Residents Affected by the December 2013 Ice Storm** (File D50) be received.

Carried

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E. Announcements (2 minutes maximum)

E 1. Announcement – **International United Nations-Dubai Award for Best Practices – Chapelview Housing Project – 16 John Street – Ward 3**

John D’Angelo and Mario Maurati, Martinway Contracting, announced that Martinway won the Dubai International Award for Best Practices for the Chapelview Housing Project.

Mr. D’Angelo and Mr. Maurati provided an overview of the project, presented a video entitled “Dubai International Award for Best Practices” showing the various worldwide award recipients and projects, and provided information on the awards ceremony and the award itself.

Mr. D’Angelo and Mr. Maurati acknowledged and thanked Council for its support of the Chapelview Housing Project, and responded to questions from Council about the project and award.

E 2. Announcement – **Fifty Years of Connecting Seniors**

Irene McInnis, Chairperson of the 50th Anniversary Celebrating Seniors in Brampton, announced and provided information on the Golden Gala 50th Anniversary Celebration taking place on May 31, 2014 at the Flower City Seniors Centre.

Ms. McInnis thanked Council for its ongoing support of the City’s seniors, responded to questions about the Golden Gala, and presented letters from Brampton Seniors’ Clubs in support of the Gala.

The following motion was considered.

C029-2014 Moved by Mayor Fennell
Seconded by Regional Councillor Hames

That the letters from Seniors’ Clubs in Brampton, dated February 4, 2014, in support of the **Golden Gala 50th Anniversary Celebration on May 31, 2014**, to the Council Meeting of February 12, 2014, be received.

Carried

F. Proclamations (2 minutes maximum)

F 1. Proclamation – **National Flag of Canada Day – February 15, 2014**

See Report I 2-1

Mayor Fennell read the proclamation.

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Deborah James, Brampton Resident, accepted the proclamation and thanked Council for proclaiming February 15, 2014 as National Flag of Canada Day in the City of Brampton.

G. Delegations

- G 1. The Honourable Donald R. Cameron, and Jennifer Rosen, ADR Chambers, re: **ADR Chambers – Office of the Integrity Commissioner – Year End Report** (File L05).

Report I 3-1 and Correspondence L 1 were brought forward and dealt with at this time.

Honourable Donald Cameron, ADR Chambers, introduced his colleague, Jennifer Rosen, referenced his report appended to the agenda under Item L 1, and indicated their willingness to respond to questions from Council.

Council consideration of this matter included:

- Concerns about frivolous, vexatious and repeat complaints, and use of taxpayers' money for their investigation
- Cost per complaint, including City resources and Council Members and staff time
- Confirmation that results of investigations of complaints to date showed no contravention of the Members of Council Code of Conduct
- Penalties for violation of the Ontario Municipal Act and/or the Council Code of Conduct by Members of Council
- Potential for the City to charge a complaint filing fee and benchmarking with other municipalities
- Identity of complainant in reports
- Specific complaints investigated by the Office of the Integrity Commissioner (OIC)
- RFP process for the selection of an Integrity Commissioner

In response to questions from Council, Mr. Cameron provided information on the process for investigation of complaints, disclosure of complainants in reports, his view that some complaints could be considered frivolous and/or vexatious, and confirmed active complaints are currently before the OIC.

Staff responded to questions from Council on the following:

- The matter before Council at this meeting (OIC's Year End Report for the period June 2012 to June 2013)
- Provisions in Provincial legislation relating to fees for filing complaints
- Total costs to date for services provided by the OIC

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- Policies relating to staff attendance at Members of Council events
- Employee Code of Conduct versus Members of Council Code of Conduct

The following motion was considered.

C030-2014 Moved by Regional Councillor Hames
Seconded by Regional Councillor Palleschi

1. That the delegations of The Honourable Donald R. Cameron, and Jennifer Rosen, ADR Chambers, to the Council Meeting of February 12, 2014, re: **ADR Chambers – Office of the Integrity Commissioner – Year End Report** (File L05) be received; and,
2. That the correspondence from The Honourable Donald R. Cameron, ADR Chambers, dated November 20, 2013, to the Council Meeting of February 12, 2014, re: **ADR Chambers as Office of the Integrity Commissioner – Year End Report (for the period June 7, 2012 to June 7, 2013)** be received.

Carried

A motion was introduced to request that staff provide details on the contractual agreement with and appointment of ADR Chambers as the Office of the Integrity Commissioner, and was considered as follows.

C031-2014 Moved by Regional Councillor Moore
Seconded by City Councillor Gibson

That staff report to the February 19, 2014 Committee of Council Meeting on details of the contractual agreement with and appointment of ADR Chambers as the City of Brampton Office of the Integrity Commissioner.

Carried

A motion was introduced to amend the recommendations in the staff report to request that staff investigate the appropriateness of charging a fee, including appropriate benchmarking, for persons filing a complaint, and was considered as follows.

C032-2014 Moved by Regional Councillor Hames
Seconded by Regional Councillor Miles

1. That the report from R. Beatty, Corporate Effectiveness Specialist, Corporate Services, dated January 16, 2014, to the Council Meeting of February 12, 2014, re: **Integrity Commissioner –**

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Transmittal of Annual Report – June 2012 to June 2013 (File L05) be received; and,

2. That Council continue to use the existing Office of the Integrity Commissioner (OIC) complaint protocol and reporting processes currently in place for the duration of 2014, subject to the following requests of the OIC:
 - a. That the OIC revise the complaint protocol to facilitate public accessibility of reports with no finding of contravention of the Code of Conduct instead of publishing such reports as part of a Council meeting agenda;
 - b. That the OIC insert a new article in the complaint protocol to address complaints received during an election year, with such article including a cut-off date (August 1 in a municipal election year) for complaints that would “stay” investigations until after the inaugural meeting of the newly elected Council; and,
3. That the newly elected Council be provided an overview of the OIC’s complaint protocol process relating to reporting and consider any revisions or refinements that best suit the new Council’s needs; and,
4. Whereas approximately 200,000 of taxpayers’ dollars has been spent on investigations through the Integrity Commissioner; and,

Whereas all complaints have not found any inappropriate breach of conduct;

Therefore Be It Resolved that staff be requested to investigate the appropriateness of charging a fee, including appropriate benchmarking, for persons filing a complaint with the Integrity Commissioner regarding a Member of Council in relation to the Council Code of Conduct, and that staff report back to Council accordingly, including possible options for charging fees for complaints.

Carried

A Member of Council asked Mr. Cameron if the outcome of a previous investigation would have been different had the complaint been worded differently. A Point of Order was raised that the line of questioning was inappropriate based on the matter before Council at this meeting. The Mayor, granted leave for the Point of Order, and subsequently ruled it valid. No further discussion occurred.

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- G 2. Paramjit Singh Birdi, Brampton Resident, re: **Terms of Reference – Mayor and Members of Council Expenses Forensic Audit (RML #2013-049)** (File A05).

Paramjit Singh Birdi, Brampton Resident, referenced Council's November 2013 resolutions for a third party forensic audit, and outlined his comments on this matter as follows:

- Concerns about the amount of time being spent by Council on the same topics, and his view that time spent doing so results in a waste of taxpayers' money
- Inquired about penalties should a Member of Council be found to be in violation of City policies
- His view that should a Member of Council be found guilty, they should have to resign and not be allowed to run for office again, and that if a staff member were found guilty of violating City policies, they should have to resign
- Expressed concern that if there are no penalties for violations, then Council should not go forward with the forensic audit given the high costs to taxpayers for the audit

Mr. Birdi responded to questions of clarification from Council with respect to his comments about penalties for staff.

Report I 1-1 was brought forward and dealt with at this time.

Council consideration of this matter included:

- Proposed audit period and suggestion that it be extended to include all expenses from January 2008 to provide for comparison between expenses under the former policy and those under the current one
- Concerns about the costs for the forensic audit as proposed, and additional costs should the scope be extended to include expenses back to 2008
- Oversight of expenses within the existing system, given that receipts must be provided for all expenses, and information on Members of Council expenses is published on the City's web portal
- Suggestions for items to be included in the proposed terms of reference for the forensic audit, including review of attendance at conferences, regional expenses, etc.
- View of some Members of Council that the audit is required to "clear the air" given concerns that have been raised about Members of Council spending and conduct
- Reporting timelines and reporting of the results in public session, except for matters subject to consideration in Closed Session

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- Concerns about a possible conflict of interest should the City's Auditor of Record be hired to undertake the audit
- Suggestion for potentially reducing the cost of the audit through the hiring of a smaller firm
- Suggestion that the selection of the forensic Auditor be undertaken through an RFP process
- Staff review and reporting on a rules-based versus trust-based policy for Members of Council expenses

Staff responded to questions from Council on the following:

- What is and is not included in the proposed scope and terms of reference for the forensic audit (including clarification that the audit would cover Members of Council expenses, not those of City staff)
- Comparison between compliance and forensic audits
- Audit procedures, including interviews with Members of Council, review of every expense item and use of City resources, follow up with Members of Council, City staff, external organizations, where required
- Proposed audit period of December 1, 2010 to January 31, 2014
- Roles of Council and the Integrity Commissioner as they relate to addressing any violations by Members of Council

The following motion was considered.

C033-2014 Moved by Regional Councillor Hames
Seconded by City Councillor Gibson

That the delegation of Paramjit Singh Birdi, Brampton Resident, to the Council Meeting of February 12, 2014, re: **Terms of Reference – Mayor and Members of Council Expenses Forensic Audit (RML #2013-049)** (File A05) be received.

Carried

A motion was introduced to extend the scope of the forensic audit to include expenses from 2008 to 2013. Following discussion and information from staff, the motion was subsequently withdrawn.

The following motion was then introduced to amend the Terms of Reference for the Mayor and Members of Council Expenses Forensic Audit, as follows:

- a) To add the following words to the end of Clause c. under Procedures:

“which may pre-date December 1, 2010, and the Auditor will investigate”

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- b) To add the following words to the end of Clause 2) of Part A under Scope:

“or earlier as required through evidence-based investigation”

A recorded vote was requested and the amendment carried as follows:

<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Moore	Miles	Palleschi
Gibson	Hames	Dhillon
Fennell		
Hutton		
Sprovieri		
Sanderson		
Callahan		
		Carried
		7 Yeas
		2 Nays
		2 Absent

The following motion to accept the recommendations in the staff report, as amended above, was considered and carried as noted.

C034-2014 Moved by Regional Councillor Sanderson
Seconded by City Councillor Callahan

1. That the report from J. Corbett, Chief Administrative Officer, and C. Spence, Director, Internal Audit, dated January 14, 2014, to the Council Meeting of February 12, 2014, re: **Terms of Reference – Mayor and Members of Council Expenses Forensic Audit (RML #2013-049)** (File A05) be received; and,
2. That staff be directed to hire a third party Auditor to conduct the forensic audit of the Mayor and Members of Council expenses to assess compliance to the Mayor and Members of Council expense policies and related procedures and Code of Conduct; and,
3. That the third party Auditor report back to Council the findings of the audit performed and provide the Integrity Commissioner a copy of the report; and,
4. That the Terms of Reference be amended as follows:
 - a) To add the following words to the end of Clause c. under Procedures:

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“which may pre-date December 1, 2010, and the Auditor will investigate”

- b) To add the following words to the end of Clause 2) of Part A under Scope:

“or earlier as required through evidence-based investigation”

Carried

The following motions were introduced and carried as noted.

C035-2014 Moved by Mayor Fennell
Seconded by Regional Councillor Moore

That the selection of the forensic Auditor be conducted through an RFP process in accordance with the City’s Purchasing By-law.

Carried

C036-2014 Moved by Mayor Fennell
Seconded by Regional Councillor Sprovieri

That, should any finding of contravention of City policies or procedures for Members of Council expenses be found and confirmed through the forensic audit, the specific Member of Council be required to re-pay the specific expenses from their personal funds.

A recorded vote was requested and the motion carried as follows:

<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Miles	nil	Palleschi
Hames		Dhillon
Moore		
Gibson		
Fennell		
Hutton		
Sprovieri		
Sanderson		
Callahan		

Carried
9 Yeas
0 Nays
2 Absent

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C037-2014 Moved by Mayor Fennell
Seconded by Regional Councillor Sprovieri

That the scope of the terms of reference for the forensic audit include the investigation of Members of Council travel to conferences and conference events, and whether any such expenses charged to City accounts are in compliance with established City policy and procedures.

Carried

C038-2014 Moved by Regional Councillor Moore
Seconded by City Councillor Gibson

That the forensic Auditor be required to complete the work no later than June 30, 2014 and the results be reported to Council in public session.

Carried

H. **Reports from the Head of Council** – nil

I. **Reports from Officials**

I 1. **Office of the Chief Administrative Officer and Executive Leadership Team**

I 1-1 Report from J. Corbett, Chief Administrative Officer, and C. Spence, Director, Internal Audit, dated January 14, 2014, re: **Terms of Reference – Mayor and Members of Council Expenses Forensic Audit (RML #2013-049)** (File A05).

Dealt with under Delegation G 2 – Resolution C034-2014

See also Resolutions C033-2014, C035-2014, C036-2014, C037-2014 and C038-2014

I 2. **Office of the Chief Operating Officer**

* I 2-1. Report from T. Upper, Executive Director, Strategic Communications, Office of the Chief Operating Officer, dated January 22, 2014, re: **Proclamation – National Flag of Canada Day – February 15, 2014** (File G24).

See Proclamation F 1

Dealt with under Consent Resolution C028-2014

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- * I 2-2. Report from D. Cutajar, Chief Operating Officer, dated February 3, 2014, re: **HACE Downtown Brampton Creative Economy Round Table Minutes – January 21, 2014** (File G25HACE).

See Item J 2

Dealt with under Consent Resolution C028-2014

I 3. Corporate Services

- I 3-1. Report from R. Beatty, Corporate Effectiveness Specialist, Corporate Services, dated January 16, 2014, re: **Integrity Commissioner – Transmittal of Annual Report – June 2012 to June 2013** (File L05).

See Delegation G 1 and Correspondence L 1

Dealt with under Delegation G 1 – Resolution C032-2014

See also Resolutions C030-2014 and C031-2014

- I 3-2. Report from R. Parzei, Director, Revenue and Risk Management, Corporate Services, dated February 10, 2014, re: **Joint and Several Liability Reform** (File A27).

The following motion was considered.

C039-2014 Moved by Regional Councillor Hames
Seconded by Regional Councillor Sanderson

1. That the report from R. Parzei, Director, Revenue and Risk Management, Corporate Services, dated February 10, 2014, to the Council Meeting of February 12, 2014, re: **Joint and Several Liability Reform** (File A27) be received; and,
2. That the proposed reforms be supported by sending correspondence from Mayor Susan Fennell on behalf of the Council for the City of Brampton, to the Attorney General's office by February 14, 2014.

Carried

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I 4. Planning and Infrastructure Services

- * I 4-1. Report from J. Edwin, Manager, Development Construction, Planning and Infrastructure Services, dated January 22, 2014, re: **Subdivision Release and Assumption – Brampton West 6-2 Limited Phase 1 – Registered Plan No. 43M-1689 – East of McLaughlin Road, North of Wanless Drive – Ward 2** (File C01W16.01).

See By-law 38-2014

Dealt with under Consent Resolution C028-2014

- * I 4-2. Report from J. Edwin, Manager, Development Construction, Planning and Infrastructure Services, dated January 22, 2014, re: **Subdivision Release and Assumption – Sandringham Place Inc. (Sandringham N802 Subdivision Phase 1) – Registered Plan No. 43M-1742 – East of Dixie Road, South of Father Tobin Road – Ward 9** (File C04E15.005).

See By-law 39-2014

Dealt with under Consent Resolution C028-2014

- * I 4-3. Report from M. Gervais, Development Planner, Planning and Infrastructure Services, dated January 29, 2014, re: **Application to Amend the Zoning By-law – KLM Planning Partners Incorporated – 2258659 Ontario Incorporated and Fieldgate Developments Inc. – 8602 Chinguacousy Road – Ward 6** (File C03W03.013 and C03W03.014).

See By-law 40-2014

Dealt with under Consent Resolution C028-2014

I 5. Public Services

- * I 5-1. Report from A. Pritchard, Manager, Realty Services, Public Services, dated January 28, 2014, re: **Expropriation of Certain Lands for the Purpose of Widening Torbram Road from Countryside Drive to Mayfield Road – Wards 9 and 10** (File L15).

See By-law 41-2014

Dealt with under Consent Resolution C028-2014

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J. Committee Reports

J 1. **Minutes – Planning, Design and Development Committee – February 3, 2014**
(Chair – Regional Councillor Palleschi)

The following motion was considered.

C040-2014 Moved by Regional Councillor Palleschi
Seconded by City Councillor Gibson

1. That the **Minutes of the Planning, Design and Development Committee Meeting of February 3, 2014**, to the Council Meeting of February 12, 2014, be received; and,
2. That Recommendations PDD017-2014 to PDD024-2014, outlined in the subject minutes, be approved.

Carried

The recommendations were approved as follows.

PDD017-2014 That the agenda for the Planning, Design and Development Committee Meeting of February 3, 2014, be approved, as printed and circulated.

- PDD018-2014
1. That the report from R. Nykyforchyn, Development Planner, dated January 14, 2014, to the Planning, Design and Development Committee Meeting of February 3, 2014, re: **Application to Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision – J.H. Stevens, Planning and Development Consultants – Ouray Developments Inc. – South-east corner of Ebenezer Road and Nexus Avenue – Ward 10** (File C10E05.020) be received; and,
 2. That staff be directed to report back to the Planning, Design and Development Committee with the results of the Public meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.
 3. That the correspondence from Jogender Dabas, dated February 1, 2014, to the Planning, Design and Development Committee Meeting of February 3, 2014, re: **Objection to Proposed Amendment of Land Use Zoning** (File C10E05.020) be received.

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- PDD019-2014
1. That the report from N. Grady, Development Planner, dated January 15, 2014, to the Planning, Design and Development Committee Meeting of February 3, 2014, re: **Application to Amend the Zoning By-law and Proposed Draft Plan of Subdivision – Glen Schnarr & Associates Inc. – Landmart Homes – North-west corner of the Intersection of Chinguacousy Road and Wanless Drive – Ward 6** (File C03W16.004) be received; and,
 2. That Planning and Infrastructure Services Department staff will report back to the Planning, Design and Development Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.
- PDD020-2014
1. That the report from A. Taranu, Manager of Architectural Design, Planning and Building Division, dated January 10, 2014, to the Planning, Design and Development Committee Meeting of February 3, 2014, re: Development Design Guidelines Update – All Wards (File P44 DDG 13) be received; and,
 2. That staff finalizes the new chapters of the Development Design Guidelines and submits them for Council approval.
- PDD021-2014
- That the minutes of the Brampton Heritage Board Meeting of January 21, 2014, to the Planning, Design and Development Committee Meeting of February 3, 2014, Recommendations HB001-2014 to HB018-2014, be approved and printed and circulated.
- HB001-2014
- That the agenda for the Brampton Heritage Board Meeting of January 21, 2014 be approved as printed and circulated.
- HB002-2014
1. That the presentation by Bettina Takacs, Project Manager, Public Services, to the Brampton Heritage Board Meeting of January 21, 2014, re: Heritage Permit Application – 69 Elliott Street – Memorial Arena – New Press Box – Ward 4 (File G33) be received; and,

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2. That the Heritage Permit Application from the City of Brampton, dated December 18, 2013, to the Brampton Heritage Board Meeting of January 21, 2014, re: 69 Elliott Street – Memorial Arena – New Press Box – Ward 4 (File G33) be received; and,
3. That the subject application for a new press box be approved; and,
4. That staff be directed to process the application in accordance with legislative requirements and subject to any applicable City approvals.

HB003-2014 That the presentation by the Heritage Coordinators, Planning and Infrastructure Services, to the Brampton Heritage Board Meeting of January 21, 2014, re: Update on Relocation of Pendergast Log Cabin from 3864 Countryside Drive – Ward 10 to Historic Bovaird House – 563 Bovaird Drive East – Ward 1 (File G33) be received.

HB004-2014 That the Minutes of the Heritage Resources Sub-Committee Meeting of December 2, 2013 (File G33), to the Brampton Heritage Board Meeting of January 21, 2014, be received.

HB005-2014 That the Minutes of the Heritage Resources Sub-Committee Meeting of January 6, 2014 (File G33), to the Brampton Heritage Board Meeting of January 21, 2014, be received.

HB006-2014 That the Minutes of the Outreach and Marketing Sub-Committee Meeting of November 27, 2013 (File G33), to the Brampton Heritage Board Meeting of January 21, 2014, be received.

- HB007-2014
1. That the Minutes of the Churchville Heritage Committee Meeting of December 9, 2013 (File G33CH), to the Brampton Heritage Board Meeting of January 21, 2014, be received; and,
 2. That the following recommendations, outlined in the subject minutes, be endorsed:
 - That the entry feature for the Churchville Heritage Conservation District be constructed as shown on the drawings submitted at the Churchville Heritage Committee Meeting of December 9, 2013.

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- That the verbal update from Antonietta Minichillo regarding 7955 Churchville Road be received.
- That the delegation from AMEC and the Region of Peel be received.
- That the request from Joy Gordon-Adams for a leave of absence be accepted.

- HB008-2014
1. That the Staff Comments from the Heritage Coordinators, Planning and Infrastructure Services, dated October 7, 2013, to the Brampton Heritage Board Meeting of January 21, 2014, re: Heritage Impact Assessment – 9330 Mississauga Road (Cleaveview Farm) – Ward 6 (File G33) be received; and,
 2. That the Heritage Impact Assessment prepared by ERA Architects Inc. and Scarlett Janusas Archaeological & Heritage Consulting & Education, for Four X Developments Inc., to the Brampton Heritage Board Meeting of January 21, 2014, re: 9330 Mississauga Road (Cleaveview Farm) – Ward 6 (File G33) be received; and,
 3. That the revised Staff Comments from the Heritage Coordinators, Planning and Infrastructure Services, dated January 3, 2014, re: Heritage Impact Assessment – 9330 Mississauga Road (Cleaveview Farm) – Ward 6 (File G33) be received; and,
 4. That demolition of the structures at 9330 Mississauga Road be permitted, subject to the following being incorporated as conditions of draft plan approval and the demolition permit:
 - o That the developer shall at its expense and to the satisfaction of the City:
 - Offer the right to salvage materials from the property to the Cleave family due to the strong emotional attachment of the family to the property;
 - Retain a qualified heritage consultant to conduct the recording and documentation of the farmhouse and barn to identify any additional elements recommended for salvage;
 - Retain a demolition contractor experienced in dismantling historic buildings to salvage the identified materials;

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- Confirm the final destination of the salvaged materials with the City prior to the initiation of any salvage process;
- Collaborate with the Public Services Department to include a community garden in the proposed park block to commemorate the agricultural history of these lands;
- Salvage the Cleaveview Farm sign and incorporate it into the commemorative program of the site;
- Install public art commemorating the dairy history of the farm in close proximity to the original homestead;
- Provide a series of heritage interpretive signage that outlines the history of dairy farming in Brampton and more specifically, the Cleaveview Farm
- Pursue street and asset naming opportunities to commemorate the Cleaveview Farm, its operation and dairy farming more generally;
- Provide a copy of the Cultural Heritage Impact Assessment to The Peel Art Gallery, Museum + Archives (PAMA); and,
- Contribute financially to a study that identifies and evaluates Brampton's remaining farms as part of an overall Heritage Master Plan Study.

HB009-2014 That the correspondence from Dan O'Reilly, Mayfield Road, Caledon, dated November 26, 2013, to the Brampton Heritage Board Meeting of January 21, 2014, re: Recognition of Former House and Barn – 7905 Mayfield Road – Ward 10 (File G33) be referred to staff to determine if the requested recognition is warranted.

HB010-2014 That the Brampton Heritage Board organize and participate in the "Highlight on Heritage" Event taking place at Bramalea City Centre on Saturday, February 8, 2014.

- HB011-2014
1. That the Heritage Permit Application from St. Andrew's Presbyterian Church, undated, to the Brampton Heritage Board Meeting of January 21, 2014, re: 44 Church Street East – St. Andrew's Presbyterian Church – Ward 1 (File G33) be received; and,
 2. That the subject application for window restoration be approved; and,

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3. That staff be directed to process the application in accordance with legislative requirements and subject to any applicable City approvals.

- HB012-2014
1. That the application from St. Andrew's Presbyterian Church, dated December 13, 2013, to the Brampton Heritage Board Meeting of January 21, 2014, re: Application under the Designated Heritage Property Incentive Grant Program – 44 Church Street East – St. Andrew's Presbyterian Church – Ward 1 (File G33) be received; and,
 2. That the subject application for window replacement be approved in the amount of \$5,000.00, subject to any applicable City building and/or heritage permit approvals, and, if required, review and approval of the final design by City staff.

- HB013-2014
1. That the Conservation Plan for 44 Lampman Crescent (formerly 9512 Creditview Road) – Ward 6 (File G33), to the Brampton Heritage Board Meeting of January 21, 2014, be received; and,
 2. That the owner shall, at their expense and to the satisfaction of the City, undertake all work in accordance with the subject Conservation Plan and provide securities in an amount outlined in the Plan or an alternative amount to the satisfaction of the City for the restoration of the farmhouse.

HB014-2014

That the update from the Heritage Coordinators, Planning and Infrastructure Services, to the Brampton Heritage Board Meeting of January 21, 2014, re: Commemorative Feature – 7715 Kennedy Road South – Ward 3 (File G33) be received.

- HB015-2014
1. That the Heritage Report: Reasons for Heritage Designation – 12061 Hurontario Street – former Snelgrove Baptist Church – Ward 2 (File G33), dated January 2014, to the Brampton Heritage Board Meeting of January 21, 2014, be received; and,
 2. That heritage designation of the subject property be endorsed; and,

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3. That staff be directed to proceed with the next steps for heritage designation of the property.
- HB016-2014
1. That the Heritage Report: Reasons for Heritage Designation – Mount Olivet Cemetery – Dixie Road – Ward 7 (File G33), dated January 2014, to the Brampton Heritage Board Meeting of January 21, 2014, be received; and,
 2. That heritage designation of the subject property be endorsed; and,
 3. That staff be directed to proceed with the next steps for heritage designation of the property.
- HB017-2014
1. That the Heritage Report: Reasons for Heritage Designation – 10955 Clarkway Drive – Pinebrook Farm – Ward 10 (File G33), dated January 2014, to the Brampton Heritage Board Meeting of January 21, 2014, be received; and,
 2. That heritage designation of the subject property be endorsed; and,
 3. That staff be directed to proceed with the next steps for heritage designation of the property.
- HB018-2014
- That the Brampton Heritage Board do now adjourn to meet again on Tuesday, February 18, 2014 at 7:00 p.m. or at the call of the Chair.
- PDD022-2014
1. That the report from J. Given, Manager, Growth Management and Special Policy, Planning and Building Division, dated December 19, 2013, to the Planning, Design and Development Committee Meeting of January 13, 2014, re: Downtown Brampton Special Policy Area Comprehensive Flood Risk and Management Analysis – Wards 1, 3, 4, 5 (File P26 SP007) be received; and,
 2. That the proposed Official Plan Amendment and Zoning By-law Amendment, dated January 30, 2014, be endorsed by Council; and,
 3. That staff be directed to forward the report, Council resolution, Official Plan Amendment and Zoning By-law

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Amendment to the Toronto and Regional Conservation Authority Board for endorsement and the Ministry of Municipal Affairs and housing and Ministry of natural resources for final approval; and,

4. That the correspondence from the Region of Peel, dated January 14, 2014, to the Planning, Design and Development Committee Meeting of February 3, 2014, re: Downtown Special Policy Area (File P26 SP007) be received.

PDD023-2014 That the List of Referred Reports – Planning, Design and Development Committee, to the Planning, Design and Development Committee Meeting of February 3, 2014, be received.

PDD024-2014 That the Planning, Design and Development Committee do now adjourn to meet again on February 24, 2014, at 1:00 p.m. at City Hall.

J 2. **Minutes – HACE Downtown Brampton Creative Economy Round Table – January 21, 2014**
(Co-Chair – Regional Councillor Hames)

See Report I 2-2

The following motion was considered.

C041-2014 Moved by Regional Councillor Hames
Seconded by Regional Councillor Moore

1. That the **Minutes of the HACE Downtown Brampton Creative Economy Round Table Meeting of January 21, 2014**, to the Council Meeting of February 12, 2014, be received; and,
2. That Recommendations HA001-2014 to HA003-2014, outlined in the subject minutes, be approved.

Carried

The recommendations were approved as follows.

HA001-2014 That the agenda for the HACE Downtown Brampton Creative Economy Round Table Meeting of January 21, 2014 be approved as printed and circulated.

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- HA002-2014
1. That the presentation by Sohail Saeed, Director, Economic Development and Tourism, Office of the Chief Operating Officer, to the HACE Downtown Brampton Creative Economy Round Table Meeting of January 21, 2014, re: **HACE 2013 Year-End Update and 2014 Work Plan and Budget for Approval** (File G25HACE) be received; and,
 2. That the HACE 2014 Work Plan and Budget be endorsed, and City staff be authorized to implement the tactics contained in the 2014 Work Plan, in association with the community partners on the HACE Planning Team; and,
 3. That City staff update the HACE Downtown Brampton Creative Economy Round Table on the progress of the 2014 Work Plan at future meetings.

HA003-2014 That the HACE Downtown Brampton Creative Economy Round Table do now adjourn to meet again on Tuesday, March 4, 2014 at 9:00 a.m. or at the call of the Chair.

K. Unfinished Business – nil

L. Correspondence

- L 1. Correspondence from The Honourable Donald R. Cameron, ADR Chambers, dated November 20, 2013, re: **ADR Chambers as Office of the Integrity Commissioner – Year End Report (for the period June 7, 2012 to June 7, 2013)**.

See Delegation G 1 and Report I 3-1

Dealt with under Delegation G 1 – Resolution C030-2014

See also Resolutions C031-2014 and C032-2014

- * L 2. Correspondence from the City of Vaughan, dated January 13, 2014, re: **Expression of Gratitude for Assistance from the City of Brampton to Vaughan Residents Affected by the December 2013 Ice Storm** (File D50).

Dealt with under Consent Resolution C028-2014

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M. Resolutions – nil

N. Notices of Motion – nil

O. Petitions – nil

P. Other/New Business – nil

Q. Tenders/Procurements – nil

R. Public Question Period

1. Brian Johnson, Brampton Resident, asked about the City's Procedure By-law as it relates to City Council Meetings and revisiting matters previously dealt with. The Mayor confirmed that Council Meetings are conducted in accordance with the provisions of the Procedure By-law.

S. By-laws

The following motion was considered.

C042-2014 Moved by City Councillor Hutton
Seconded by Regional Councillor Sprovieri

That By-laws 38-2014 to 50-2014, before Council at its meeting of February 12, 2014, be given the required number of readings, taken by the Mayor and City Clerk and the Corporate Seal affixed thereto.

38-2014 To accept and assume works in Registered Plan 43M-1689 – Brampton West 6-2 Limited Phase 1 – east of McLaughlin Road, north of Wanless Drive – Ward 2 (File C01W16.01) (See Report I 4-1)

39-2014 To accept and assume works in Registered Plan 43M-1742 – Sandringham Place Inc. (Sandringham N802 Subdivision Phase 1) – east of Dixie Road, south of Father Tobin Road – Ward 9 (File C04E15.005) (See Report I 4-2)

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- 40-2014 To amend Zoning By-law 270-2004, as amended – KLM Planning Partners Incorporated – 2258659 Ontario Incorporated and Fieldgate Developments Inc. – 8602 Chinguacousy Road – Ward 6 (File C03W03.013 and C03W03.014)
(See Report I 4-3)
- 41-2014 To authorize the expropriation of certain lands for the widening of Torbram Road from Countryside Drive to Mayfield Road – Wards 9 and 10 (File L15)
(See Report I 5-1)
- 42-2014 To establish certain lands as part of the public highway system (Conestoga Road) – Ward 2
- 43-2014 To establish certain lands as part of the public highway system (Goreway Drive) – Ward 10
- 44-2014 To establish certain lands as part of the public highway system (Sun Pac Boulevard) – Ward 10
- 45-2014 To prevent the application of part lot control to part of Registered Plan 43M-1911 – south of Queen Street West and east of Creditview Road – Ward 6 (File PLC14-002)
- 46-2014 To prevent the application of part lot control to part of Registered Plan 43M-1937 – west of Chinguacousy Road and north of Queen Street West – Ward 6 (File PLC13-062)
- 47-2014 To prevent the application of part lot control to part of Registered Plan 43M-1842 – located in the Bram East Sub-Area 1 Block Plan, on the southwest corner of Castlemore Road and Clarkway Drive – Ward 10 (File PLC14-001)
- 48-2014 To prevent the application of part lot control to part of Registered Plan 43M-1923 – east of Airport Road and south of Mayfield Road – Le parc Road – Ward 10 (File PLC14-004)
- 49-2014 To prevent the application of part lot control to part of Registered Plan 43M-1943 – north of Castlemore Road and west of future expansion of Humberwest Parkway – Ward 10 (File PLC14-003)
- 50-2014 To appoint officers to enforce parking on private property and to repeal By-law 22-2014

Carried

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T. Closed Session

The following motion was considered.

C043-2014 Moved by Regional Councillor Palleschi
Seconded by Regional Councillor Moore

That this Council proceed into Closed Session to discuss matters pertaining to the following:

- T 1. Minutes – Closed Session – City Council – January 29, 2014
- T 2. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- T 3. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter

Carried

U. Confirming By-law

The following motion was considered.

C044-2014 Moved by City Councillor Hutton
Seconded by Regional Councillor Moore

That the following By-law before Council at its Regular Meeting of February 12, 2014 be given the required number of readings, taken by the Mayor and the City Clerk and the Corporate Seal affixed thereto.

51-2014 To confirm the proceedings of the Regular Council Meeting held on February 12, 2014

Carried

V. Adjournment

The following motion was considered.

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C045-2014 Moved by Regional Councillor Palleschi
Seconded by City Councillor Gibson

That this Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, February 26, 2014 at 1:00 p.m., or at the call of the Mayor.

Carried

S. Fennell, Mayor

P. Fay, City Clerk