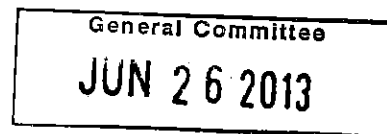




Corporate Report

Clerk's Files

Originator's
Files



DATE: June 10, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Amendments to the Property Standards By-law 654-98, as amended, to address deficiencies related to boarded buildings**

Supplementary Report

RECOMMENDATION: That the supplementary report from the Commissioner, Transportation and Works dated June 10, 2013 and titled "Amendments to the Property Standards By-law 654-98, as amended, to address deficiencies related to boarded buildings" be received for information.

**REPORT
HIGHLIGHTS:**

- Outlines status of City owned boarded buildings.
- Outlines the number of City owned heritage designated and heritage listed buildings.
- Outlines the current status of City owned vacant buildings.
- Provides how the current and proposed Property Standards By-law amendments regarding boarding buildings would be applied to vacant damaged buildings, heritage designated properties, listed heritage properties and all properties owned by the City.

BACKGROUND:

At its meeting of May 22, 2013, Council approved the following recommendation:

"GC-0307-2013"

That a by-law be enacted to amend the Property Standards By-law 654-98, as amended, to update the by-law and limit the length of time a boarded building may remain boarded, as outlined in the report from the Commissioner, Transportation and Works, dated May 1, 2013 titled "Amendments to the Property Standards By-law 654-98, as amended, to address deficiencies related to boarded buildings" (Appendix 1).

In response to GC-0307-2013, this report provides the following additional information requested by Council:

- 1) details on how the City's buildings are handled and,
- 2) clarification on how the by-law amendments related to boarding of a building would apply to properties designated under the *Ontario Heritage Act*.

COMMENTS:

The information set out in this report is a result of consultation with staff from Compliance and Licensing Enforcement, Facilities and Property Management (FPM), Culture and Legal Services.

City Owned Boarded Buildings

FPM staff have advised that the City currently owns property with two boarded buildings located on the west side of 9th Line, known as the Bussell House and the Trafalgar House. The Bussell House is a heritage designated structure and Trafalgar House is a heritage listed property. These buildings are on lands which were acquired from the province and are lands in the carriage of the Community Services Department. The Trafalgar house is in very poor condition and is recommended for demolition subject to direction from the Community Services Department's Parks Planning Division with respect to funding for the demolition. Heritage staff from the Culture Division support the demolition of Trafalgar House.

When dealing with vacant heritage sites that require securing, FPM staff follow the current City of Mississauga Property Standards By-law 654-98, as amended, that requires any boarded windows to be painted black with white lines mimicking window frames. This was done in the instance of the Bussell House. In instances where the City owns property which is not heritage designated or heritage listed, FPM's maintenance section will temporarily board window coverings with plywood where appropriate.

With respect to older vacant buildings currently owned by the City, the Community Services Department has stewardship of the structures in the north part of Memorial Park, Streetsville, consisting of the former old water treatment facility. Further, the old Fire Hall in Malton is vacant and appropriately secured. It is currently being reviewed by the Fire Department with respect to the potential disposal of the property, which will be assisted by Realty Services if that is the direction given.

Further, both of these buildings currently are not boarded, but secured appropriately to prevent unauthorized access and do not contravene the provisions under Section 11 of Property Standards By-law 654-98, as amended, which requires exterior doors, windows and exterior trim to be in a good state of repair.

Heritage Designated and Listed Buildings

Heritage staff have advised that there are approximately 275 heritage designated properties within the City. The City owns approximately 33 of the designated properties. The City also has approximately 3,358 properties that are listed on the Heritage Register but not designated under the *Ontario Heritage Act*. Listed properties may have cultural heritage value or interest but have not been fully researched, nor have any heritage attributes been identified by by-law. Should a property owner wish to demolish a listed property, the request is subject to an approved heritage permit, which requires an accepted Heritage Impact Statement, and 60 days notice to Council. The 60 days is legislated to allow time for Council to consider whether it wishes to adopt a motion to designate the property under the *Ontario Heritage Act* and thus give the property long term protection.

Compliance and Licensing Enforcement Staff have reviewed the inventory of buildings in Mississauga that have been designated pursuant to the *Ontario Heritage Act*. Our records indicate that currently there are no buildings that are subject to property standards orders that would necessitate the boarding of windows and doors.

Application of the By-law

Heritage designated properties ordered boarded under Property Standards By-law 654-98, as amended, are not subject to the 6 month time period vacant damaged buildings ordered boarded would be limited to under the proposed by-law amendments. Enforcement staff are cognizant of the fact that time limits required to correct property standards deficiencies may be difficult with heritage designated properties, as certain heritage attributes or parts thereof, may require extensive time to replace or maintain. As such, the applicable boarding provisions for heritage structures under Property Standards By-law 654-98, as amended, do not specify a specific time frame a heritage building ordered boarded can remain boarded.

All other vacant damaged buildings, including City owned and heritage listed, ordered boarded under Property Standards By-law 654-98, as amended, would be limited to a 6 month boarded time period. Director of FPM has identified the potential for issues with respect to the suggested timing in some cases for City structures whereby City client department's are unsure as to the future use of existing buildings on newly acquired property and may require extension beyond the 6 month period.

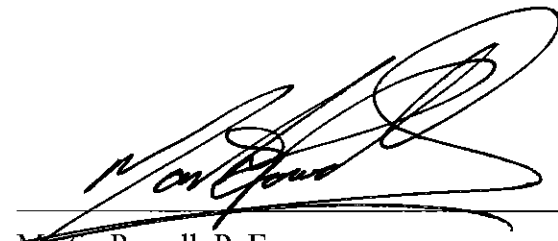
FINANCIAL IMPACT: No financial impact.

CONCLUSION: Enforcement staff believe the proposed by-law amendments to Property Standards By-law 654-98, as amended, provide the desired mechanisms for addressing the time period buildings ordered boarded, can remain boarded for designated heritage properties, listed heritage properties, vacant damaged buildings, including City owned designated heritage properties, listed heritage properties and vacant

damaged buildings.

ATTACHMENTS:

Appendix 1: May 15, 2013 General Committee Report from the Commissioner, Transportation and Works, dated May 1, 2013 titled "Amendments to the Property Standards By-law 654-98, as amended, to address deficiencies related to boarded buildings".



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

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

18e



Corporate Report

Clerk's Files

Originator's
Files

DATE: May 1, 2013

TO: Chair and Members of General Committee
Meeting Date: May 15, 2013

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

SUBJECT: Amendments to the Property Standards By-law 654-98, as amended, to address deficiencies related to boarded buildings

General Committee

MAY 15 2013

RECOMMENDATION: That a by-law be enacted to amend the Property Standards By-law 654-98, as amended, to update the by-law and limit the length of time a boarded building may remain boarded, as outlined in the report from the Commissioner, Transportation and Works, dated May 1, 2013 titled "Amendments to the Property Standards By-law 654-98, as amended, to address deficiencies related to boarded buildings".

BACKGROUND: Concerns have been raised by Council and residents over the length of time derelict buildings are allowed to remain boarded up in accordance with the applicable provisions of the Property Standards By-law 654-98, as amended, (Appendix 1). At the November 14, 2012 Council meeting staff were requested to review and revise the provisions of the by-law to more effectively address the issues concerning boarded buildings.

PRESENT STATUS: The by-law requires significant updating to address deficiencies identified by both Compliance and Licensing Enforcement and Legal Services staff and to better reflect the current environment in the City as it relates to property standards.

COMMENTS:

The attached draft by-law amendments have been developed by staff from Compliance and Licensing Enforcement and Legal Services in order to address the identified deficiencies in the current by-law and in response to the issues raised by Council concerning boarded buildings. Noted below is an overview of the most significant highlights of the proposed draft amendments to the by-law.

Amendment Highlights

While the current provisions of the by-law allow for the City to order an owner to board a building as an interim security measure, it does not limit or specify a time period that a building can remain boarded. To address this concern proposed draft amendments to the by-law would only permit an owner to board their building as a temporary repair measure for a maximum period not to exceed six months. If after six months the property has not been completely repaired in accordance with the provisions of the by-law, the owner would be in violation of the by-law.

The proposed draft amendments to the by-law also address vacant damaged buildings and the provisions have been strengthened to provide for progressively more secure options to protect the building and adjoining properties against damage arising from the entry of unauthorized persons, the elements or the infestation of pests. If Council approves the amendments to the by-law the amendments should be substantially similar to the attached draft by-law contained in Appendix 2.

Enforcement Action Plan

Enforcement staff recommend that moving forward, re-inspection of existing properties which were previously ordered to be boarded would be undertaken. These properties would be subject to the new provisions of the by-law and where applicable new Property Standards Orders (PSO) issued requiring the restoration of the property in accordance with the applicable provisions of the by-law.

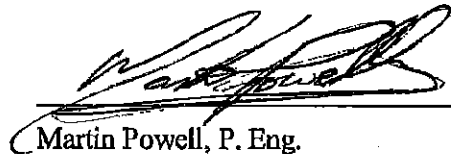
189

The new PSO would limit the time a building could be left boarded, to six months. Those properties that fail to comply with the PSO could be subject to charges. In addition, the property could be remediated by a contractor retained by the City with all associated costs added to the tax roll for the property. Properties where staff determine that the remediation costs will be significant will be subject to review by the Commissioner, Transportation and Works, or his designate, Chief Building Official; Legal Services staff and recommendation brought forward to General Committee prior to proceeding. The area Ward Councillor will also be informed of the action being taken. New property complaints concerning violations under the by-law would be investigated and subject to the same enforcement practices noted above.

FINANCIAL IMPACT: No financial impact is expected.

CONCLUSION: Enforcement staff support the amendments to the by-law to rectify the identified deficiencies and address the concerns raised by Councillors and residents. Enforcement staff recommend that the by-law be enforced as outlined in the Enforcement Action Plan.

ATTACHMENTS: Appendix 1: Property Standards By-law 654-98, as amended.
Appendix 2: Draft By-law to amend Property Standards By-law 654-98, as amended.



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

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



**THE CORPORATION OF THE
CITY OF MISSISSAUGA**

Property Standards By-law 654-98

(Amended by 357-00, 162-03, 89-04, 76-06, 368-06, 348-07, 211-08)

WHEREAS under subsection 15.1(3) of the Building Code Act, S.O. 1992, c.23, a by-law may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

AND WHEREAS the Official Plan for The Corporation of the City of Mississauga includes provisions relating to property conditions;

AND WHEREAS the Council of The Corporation of the City of Mississauga is desirous of passing a by-law under subsection 15.1(3) of the Building Code Act;

AND WHEREAS subsection 15.6(1) of the Building Code Act requires that a by-law passed under subsection 15.1(3) of the Building Code Act shall provide for the establishment of a Property Standards Committee;

NOW THEREFORE the Council of The Corporation of the City of Mississauga hereby **ENACTS** as follows:

1. SHORT TITLE

This By-law may be referred to as the "Property Standards By-law".

2. DEFINITIONS

In this by-law,

"accessory building" means a subordinate building or structure on the same lot as the main building, or a part of the main building and devoted exclusively to a use that is naturally and normally incidental, subordinate, and exclusively devoted to the principal use of the main building on the lot;

"balcony" means an external balustraded platform and includes both upper and lower surfaces of the platform; (162-03)

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

"boarded building" means a vacant, a partially vacant building, or an abandoned building or structure in which some or all of the windows, doors or other openings have been covered for by affixing wood or metal over them so as to prevent the entrance of elements or unauthorized persons; (162-03)

"certificate of compliance" means a written opinion of property compliance with the standards contained in this by-law issued under Section 15.5 (1) of the *Building Code Act 1992*, S.O. 1992, c.23, as amended. (76-06)

"child of tender years" means a person who is or, in the absence of evidence to the contrary, appears to be under the age of twelve years. (76-06)

"city" means The Corporation of the City of Mississauga in the Regional Municipality of Peel;

"compost" means a mixture of decaying organic matter used or intended to be used as fertilizer;

"Council" means the Council of The Corporation of the City of Mississauga;

"demolish" means the doing of anything to effect the removal of a building or structure or part thereof;

"dwelling unit" means one or more habitable rooms designed, occupied or intended to be occupied as living quarters;

"fence" means any structure, except a structural part of a building, used wholly or partially to screen from view, to enclose or divide a yard or other land, to mark or substantially mark the boundary between adjoining land, and includes swimming pool enclosures, privacy screens, retaining walls, noise attenuation walls, any hedge or grouping of shrubs, or other combination of fencing components which form a continuous barrier for the same purposes; (162-03)

"fire code" means the regulations made under section 12 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended;

"graffiti" means one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include a sign pursuant to the City's sign by-laws or a mural which has been authorized by the City;

"habitable room" means a room commonly used for living purposes, including a bedroom and kitchen, but does not include any space in a dwelling used as a lobby, hallway, closet, or bathroom, or any room having a floor space of less than 4.5 m²; (162-03)

189

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

"hard surface" means asphalt, concrete, or compacted crushed stone or gravel, granular material or aggregate with an asphaltic or cement binder having a minimum over all depth of 15.0 cm. or any other permanent type of surfacing which prevents the raising of dust or loose particles. (76-06)

"health hazard" means a condition of a premise, a substance, thing, plant or animal other than man, or a solid, liquid, gas or combination or any of them, that has or that is likely to have an adverse effect on the health of any person and includes but is not limited to accumulations of water that is infected with mosquito larva implicated in the transfer of the West Nile Virus; (162-03)

"heritage attributes" means the attributes or features of property, buildings or structures that contribute to the property's cultural heritage value or interest that are defined or described or that can be reasonable inferred; (211-08)

- (a) In a by-law designating a property passed under section 29 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation, or otherwise;
- (b) In a Minister's order made under section 34.5 of the *Ontario Heritage Act* and identified as heritage attributes, reason for designation or otherwise;
- (c) In a by-law designating a heritage conservation district passed under section 41 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation or otherwise;
- (d) In the supporting documentation required for a by-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes, reasons for designation or otherwise; or
- (e) Notwithstanding subsection (d), from section 3.1.3.1 of the Old Port Credit Village Heritage Conservation District Plan where a property is located in the Old Port Credit Village Heritage Conservation District.

"hoarding" means a fence or similar structure used to enclose a property or part thereof which is or intended to be under development

"multiple occupancy residential building" means a building containing more than two dwelling units;

"noise attenuation wall" means a wall which is intended to be used for the purpose of abating noise and which has a minimum density of four pounds per square foot or twenty kilograms per square metre;

18K

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

"non-habitable space" means any space in a dwelling or dwelling unit other than a habitable room, and includes a washroom, bathroom, toilet room, laundry, lobby, communication corridor, stairway, closet, boiler room and other space used for service and maintenance of common use, for access to and vertical travel between storeys and a basement or part thereof which does not comply with the standards of occupancy set out in this by-law;

"Ontario Building Code" means the regulations made under section 34 of the Building Code Act, S.O. 1992, c.23, as amended;

"Ontario Electrical Safety Code" means the regulations made under section 111 of the Power Corporation Act, R.S.O. 1990, c. P. 18, as amended;

"parking garage" means a building or part thereof used or intended for the storage or parking of motor vehicles, boats, trailers bicycles or other machinery and which contains no facilities for the repair or servicing of vehicles as authorized in accordance with municipal by-laws.

"Part IV Heritage Property" means real property, including all buildings and structures thereon, that has been designated by the City under section 29 or by the Minister under section 34.5 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended, or substituted from time to time. (211-08)

"Part V Heritage Property" means real property, including all buildings and structures thereon, located within a heritage conservation district that has been designated by the City under section 41 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended, or substituted from time to time. (211-08)

"residential property" means a property that is used or designed for use as a dwelling unit;

"rooming house" means a residential building in which lodging is provided with or without meals, for hire or gain, where the occupants, in addition to their private accommodations, may or may not have access to a common washroom, kitchen or laundry facilities;

"standards" means the standards of physical condition and occupancy of property set out in this by-law.

"swimming pool enclosure" means a fence or wall or combination thereof including any doors or gates surrounding an outdoor swimming pool and restricting access thereto; and (162-03)

"yard" means any open, uncovered, unoccupied space appurtenant to a building.

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

3. SCOPE

This by-law shall apply to all property in the City.

4. STANDARDS

The standards for maintenance and occupancy of property set out in this by-law are prescribed as the minimum standards for the City.

4.1 STANDARDS FOR PART IV AND PART V HERITAGE PROPERTIES (368-06, 348-07, 211-08)

(1) In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this by-law, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall: (211-08)

(a) Maintain, preserve and protect the Heritage Attributes so as to maintain the heritage character, visual and structural heritage integrity of the building or structure.

(b) Maintain the property and the components of the property that hold up, support or protect the Heritage Attributes in a manner that will ensure the protection and preservation of the Heritage Attributes.

(2) Despite any other provision of this by-law, where a Heritage Attribute of a Part IV Heritage Property, or a Part V Heritage Property can be repaired, the Heritage Attribute shall not be replaced and shall be repaired: (211-08)

(a) In a manner that minimizes damage to the heritage values and attributes of the property;

(b) In a manner that maintains the design, colour, texture, grain or other distinctive features of the Heritage Attribute;

(c) Using the same types of material as the original material being repaired and in keeping with the design, colour, texture, grain and any other distinctive features of the original material; and

(d) Where the same types of material as the original material are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material.

18m

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (3) Despite any other provision of this by-law and notwithstanding that a permit may be required under the *Ontario Heritage Act* or the *Building Code Act, 1992*, where a Heritage Attribute of a Part IV Heritage Property or a Part V Heritage Property cannot be repaired, the Heritage Attribute shall be replaced: (211-08)
- (a) Using the same types of material as the original;
 - (b) Where the same types of material as the original material are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material; and
 - (c) In a manner that replicates the design, colour, texture, grain and other distinctive features and appearance of the Heritage Attribute.

5. **PROHIBITION**

- (1) No person shall use or occupy, or permit the use or occupancy of any property that does not conform to the standards set out in Sections 7 and 8 of this by-law.
- (2) The owner of any property which does not conform to the standards in this by-law shall repair and maintain the property to conform to the standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.
- (3) Notwithstanding subsection (2), the owner of a Part IV Heritage Property or a Part V Heritage Property which does not conform to the standards in this by-law shall repair and maintain the property to conform to the standards and the property shall not be cleared of all buildings and structures that fail to do so. (368-06, 211-08)

6. **ADMINISTRATION**

- (1) **Property Standards Committee**
 - (a) Council shall appoint at large, by a Resolution of Council, five (5) citizens to the Property Standards Committee for a term of office concurrent with Council.
 - (b) Each member of the Property Standards Committee shall receive an honorarium of \$100.00 per day (\$50.00 per half day) for attendance at Property Standards Committee meetings for the City of Mississauga.

187

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (c) Every person who intends to appeal an Order made under subsection 15.2(2) of the Building Code Act, S.O. 1992, c.23, shall submit a notice of appeal in the manner and within the time frame as prescribed in subsection 15.3(1) of the Building Code Act, S.O. 1992, c.23. All notices of appeal shall be accompanied by a non-refundable payment as provided for under the applicable Fees and Charges By-law, as amended. (162-03, 76-06).

(2) **Property Standards Officer**

- (a) The Council may from time to time appoint officers to carry out the administrative functions of this by-law including the enforcement thereof.
- (b) Any building or plumbing inspector, fire prevention officer, arborist or by-law enforcement officer of the City is hereby authorized and directed to act from time to time as an assistant to the officer.

(3) **Certificate of Compliance**

Where a Certificate of Compliance is requested by a property owner, it shall be issued by the property standards officer but only where accompanied by a non-refundable fee payment as provided for under the applicable Fees and Charges By-law, as amended. (76-06)

7. **STRUCTURAL CAPACITY**

Every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that it has sufficient structural capacity to resist safely and effectively all loads and the effects of loads and influences that may reasonably be expected, having regard to its expected use and service life.

8. **FOUNDATIONS AND FOUNDATION WALLS**

The foundations and the foundation walls of every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that all masonry cracks are grouted, walls, joists, beams or other exposed wood members are waterproofed, and so that there is adequate subsoil drains at footing levels and that jacking, underpinning or shoring is done where necessary,

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

9. EXTERIOR WALLS

- (1) The exterior walls of every building or structure or part of a building or structure must be structurally sound, weather proof and free of loose and unsecured objects and materials. Improperly secured objects and materials shall be either removed, repaired or replaced.
- (2) All brick and stonework, cornices, entablatures, belt courses, parapet walls, corbels, terra-cotta trim, wall facings and similar decorative features shall be maintained in good repair and safe condition with proper anchorage.
- (3) The exterior wall of every building and structure shall be properly painted or otherwise treated.
- (4) The cladding on the exterior walls of all buildings or structures shall consist of masonry stucco, wood, finished plywood, metal or other similar materials that are of equivalent strength, durability and fire resistance.

10. ROOFS

- (1) The roof of every building or structure shall be structurally sound, weatherproof and free of loose or unsecured objects and materials and excessive accumulations of ice and snow. Improperly secured objects and materials shall be either removed, repaired or replaced.
- (2) All roof flashing, gutters, valleys, eaves troughs and downpipes shall be secured, free of rust and maintained in a serviceable condition.
- (3) All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated.

11. EXTERIOR DOORS, WINDOWS AND EXTERIOR TRIM

- (1) The exterior doors, windows and exterior trim of every building or structure or part of a building or structure, shall be maintained in a good state of repair, properly fitted to prevent the entrance of the elements and painted or otherwise treated to provide protection against decay and rust.
- (2) The owner shall provide and install a safety device on any window with a movable sash, and on any balcony door, so as to ensure that a child of tender years will be unable to open such windows or doors to a width greater than four (4) inches (10 centimetres).

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (3) The owner of an apartment building shall provide and install in a secure manner, screens on all exterior door and window openings in each apartment unit.
- (4) Where windows in exit stairways of buildings greater than three storeys in height extend to less than 42 inches (107 centimetres) above the landing, they shall be protected by a guard not less than 42 inches (107 centimetres) in height.
- (5) No window referred to in subsection (2) shall be equipped with a safety device that makes it incapable of being opened by an adult in an emergency without the use of tools.

12. BALCONIES

- (1) Balconies shall be structurally sound and shall not allow the ponding of water. All balconies shall be enclosed by a sound, safe, clean railing which is firmly fastened to the main structure.
- (2) All balconies shall be kept clear of accumulations of unsightly material or objects.
- (3) All railings shall be sound, rust free, properly treated or painted. (162-03)

13. EXTERIOR STAIRS AND PORCHES

- (1) All exterior stairs, stairways, porches, awnings, canopies, fire escapes and other related structures shall be structurally sound, properly painted or otherwise treated, and free of loose and unsecured objects and materials.
- (2) Where there is a difference in elevation between adjacent levels of 24 inches or more, a guard shall be installed and maintained in accordance with the Ontario Building Code.

14. UNFINISHED BUILDINGS OR STRUCTURES

All buildings or structures, or parts thereof that are unfinished shall be finished in an acceptable manner within a reasonable amount of time and, where applicable, in accordance with all relevant legislation.

189

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

14.1 BOARDED BUILDINGS (162-03)

- (1) Notwithstanding subsection 11(1), where the exterior doors, windows, trim or other opening of vacant buildings, partially vacant buildings, or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair the City may order the property owner to board of the building or structure as an interim security repair measure so as to prevent the entrance of elements, or unauthorized persons, or the infestation of pests.
- (2) The boarding as ordered under subsection (1) shall comply with the following requirements:
 - (a) All boards used in the boarding shall be installed from the exterior and properly fitted to the size of the opening of the building or structure within the frames in a watertight manner.
 - (b) All boards shall be painted or otherwise treated so that the colour blends with the exterior of the building.
 - (c) Doors, windows and other openings at the basement, ground floor and first floor level of the building or structure shall be securely boarded up with a solid piece of plywood or metal plate at least 11 millimetres thick.
 - (d) Doors, windows and other openings above the first floor level of the building or structure shall be securely boarded up with a solid piece of plywood or metal plate at least 8 millimetres thick.
 - (e) All plywood used for the boarding must be secured with nails and screws at least 50 millimetres in length, and spaced not more than 150 millimetres on centre.

14.2 BOARDED BUILDINGS ON HERITAGE PROPERTIES (368-06)

- (1) Notwithstanding the provisions in section 14.1, this section applies exclusively to all buildings and structures located on a Part IV Heritage Property or a Part V Heritage Property. (211-08)
- (2) Notwithstanding subsection 11(1), where exterior doors, windows or other opening of vacant buildings or structures, partially vacant buildings or structures or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair the City may order the property owner to board up the building as an interim security measure so as to prevent the entrance of elements, or unauthorized persons, or the infestation of pests.

185

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (3) The boarding as ordered under subsection (2) shall comply with the following requirements:
- (a) In the case of door and window openings, all boards used in the boarding shall be installed from the exterior and shall be properly fitted in a watertight manner to fit within the side jambs, head jamb and the exterior bottom sill of the door or window so that any exterior trim remains uncovered by the boarding.
 - (b) In the case of window openings, all boards used in (a) shall be painted in a manner to reflect the panes of glass, window frames and muntins that were or are found on the window that is being boarded over. The panes of glass shall be painted in matt black and the window frames and muntins shall be painted in a colour that matches that of the original window.
 - (c) In the case of door openings, all boards used in (a) shall be painted in a manner that reflects any glass panes, frame and muntins that were or are found on the door that is being boarded over. The panes of glass shall be painted in matt black and the frames, muntins and remainder of the board shall be painted in a colour which matches that of the original door.
 - (d) All boards not located in a window or door opening shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.
 - (e) Doors, windows and other openings at the basement, ground floor and first level of the building shall be securely boarded up with a solid piece of exterior grade plywood or metal at least 19 millimetres (3/4 inch) thick.
 - (f) Doors, windows and other openings above the first floor level of the building shall be securely boarded up with a solid piece of exterior grade plywood or metal plate at least 19 millimetres (3/4 inch) thick.
 - (g) All plywood used for the boarding must be secured with nails and screws at least 50 millimetres (2 inches) and spaced not more than 150 millimetres (6 inches) on centre.

185

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (h) An exterior lighting fixture shall be installed and/or maintained in the front porch, veranda or area adjacent to the front entrance of the building or structure and must be kept on a timer so that the light will be turned on at 6:00 p.m. and turned off at 11:00 p.m. on each day of the week and shall maintain an average level of illumination of at least (50) lux (4.6 foot candles)."

15. GRAFFITI

All property, including but not limited to, buildings, structures, fences or other objects shall be kept clean of graffiti at all times.

16. INTERIOR HALLWAYS, STAIRWELLS, AND FLOORS

The interior stairs, stairways, stairwells, hallways, landings and floors of every part of a building or structure shall be in a safe and clean and sanitary condition, shall be properly painted or otherwise treated, and;(162-03)

- (1) excessively worn, broken, warped or loose boards, floors and floor coverings must be replaced or repaired in a good workmanlike manner;
- (2) handrails must be securely installed and maintained around any open area;
- (3) all interior doors, doorframes and required hardware must be provided and maintained in good condition and properly functioning and closing.

17. MAIL COLLECTION AREAS

All mail collection areas, including mail boxes, where supplied in any building, shall be maintained in good repair.

18. LIGHTING

- (1) Lighting fixtures shall be installed and maintained in all areas inside and outside every building or structure or part thereof so that work, use or occupation normally carried out in such areas can be undertaken safely.
- (2) All fixtures and all connections thereto shall be kept in a safe working condition.
- (3) Exterior lighting fixtures shall be installed and maintained so as to prevent the light source from shining directly into a dwelling unit.

18+

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

19. INTERIOR CEILINGS AND WALLS

- (1) The interior ceilings and walls of every building and structure shall be maintained in a safe and sound condition and in a good state of repair, free of loose plaster.
- (2) All paint, or other wall covering, which is stained or deteriorated shall be repainted and repaired, missing or loose ceiling or wall tiles shall be repaired or replaced.
- (3) Repairs made to interior walls and ceilings shall be completed in a workmanlike manner and each repair shall be finished to match the existing wall or ceiling.

20. REFUSE STORAGE ROOMS AND VERTICAL REFUSE SERVICE SPACES MAINTENANCE

All refuse storage rooms, vertical refuse service spaces and refuse containers shall be operable, accessible at reasonable times and maintained in a clean and sanitary condition free from accumulations of garbage, odours, insects, and other pests. (162-03)

21. LAUNDRY ROOMS, STORAGE ROOMS, RECREATION ROOMS AND CHILDREN'S PLAY AREAS CONTAINED WITHIN MULTIPLE OCCUPANCY RESIDENTIAL BUILDINGS AS COMMON AREAS

- (1) Laundry and recreational equipment contained within multiple occupancy residential buildings shall be maintained in a safe working state of repair.
- (2) All rooms used for storage, laundry or recreational purposes shall be kept clean and free from health, fire and accident hazards.
- (3) Every area of a property set aside as a children's play area shall be kept in a clean, safe and operable condition including all equipment placed therein.

22. CHIMNEYS

Every chimney, smoke pipe, vent, flue or similar apparatus serving a heating device or system shall be:

- (1) installed and maintained so as to prevent the escape of smoke or gases into the building;
- (2) clear of obstructions;

18u

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (3) free from open joints;
- (4) free from broken and loose masonry;
- (5) in good repair, securely anchored and plumb.

23. SWIMMING POOLS

- (1) All swimming pools, wading pools and artificial ponds, and any accessory or parts thereof shall be maintained in good repair free from leaks, mechanical or structural disrepair, or any other defects, accumulations of stagnant water, and free from any safety or health hazard. (162-03)
- (2) All swimming pools, wading pools and artificial ponds, and any accessory or parts thereof which are not operated shall be removed, or fitted with a suitable cover so as to prevent visual blight, the entrance of elements, and/or the infestation of pests or insects. (162-03)

24. LANDSCAPING

Whenever landscaping, parking area, walkways, steps, hedges, trees, fences, curbs, or similar changes to property have been required by the City as a condition of development or redevelopment, such works shall be undertaken and maintained so as to ensure continuous compliance with the City requirements. (162-03, 76-06)

25. FENCES (162-03)

- (1) All fences shall be erected and maintained so that they:
 - (a) do not cause or create an unsightly appearance
 - (b) are structurally sound; and
 - (c) are in a condition free of safety hazards and in a state of good repair.
- (2) For the purpose of this section, the term "good state of repair" means that:

18✓

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (a) the fence is completely built, standing in a vertical position, and is securely anchored;
 - (b) the fence is free of components that are broken, rusted, rotted, or otherwise in disrepair; and
 - (c) any stained or painted surface of the fence are maintained free of peeling paint or stain.
- (3) Fences shall not be used as a support for any structure, object or thing, that is capable of or is causing force to be exerted against or upon the fence.
- (4) With the exception of noise attenuation walls, all fences shall be maintained in accordance with the height restrictions as set out in the City of Mississauga Fence By-law 397-78, as amended.

25.1 NOISE ATTENUATION WALLS (348-07)

All noise attenuation walls shall;

- (1) be structurally sound;
- (2) be maintained in a safe condition;
- (3) be maintained in a good state of repair;
- (4) not be used as a support for any structure, object or thing that could exert a lateral force against or upon the noise attenuation walls and;
- (5) be uniform in appearance in relation to those sections of the wall that are located on adjacent properties but form part of the same stretch of noise attenuation wall

26. TREES

- (1) All trees on a property shall be maintained in a manner that will eliminate a condition which is a source of danger.
- (2) Where the dangerous condition cannot be eliminated by maintenance practices, the tree shall be removed.

18w

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

27. TELEVISION AND RADIO ANTENNAE

Television antennae and other similar structures must be securely anchored and maintained in a safe and good condition.

28. LAND

All exterior property areas, including vacant land, shall be maintained in a clean and reasonable condition so as to prevent fire, accidents or health hazard, and more particularly: (162-03)

- (1) No wrecked, dismantled, inoperative, discarded, unused or unlicensed vehicles, trailers, machinery or objects or parts thereof shall be placed, stored or left on land, but this does not apply where such articles are required and used for business purposes permitted under the City's land use by-laws and where such articles are placed, stored or left in a manner which avoids an unsafe or unsightly condition deleterious to the neighbouring environment.
- (2) Any part of a yard that is low lying or has been excavated so that it accumulates water, shall be drained, filled and graded so that water drains to a storm sewer or ditch. Swimming pools, ornamental pools and agricultural ponds shall not be included in this requirement.
- (3) Every hard surfaced walkway, driveway, parking area or laneway shall be evenly graded and maintained free of potholes or uneven sections.
- (4) Dilapidated, collapsed or unfinished structures and all accumulations of material, wood, debris or other objects that create an unsafe or unsightly condition, deleterious to the neighbouring environment, shall be removed.
- (5) All grassed and landscaped areas abutting buildings or structures or on vacant lots in developed residential areas shall be cut and maintained in a reasonable condition in relation to the neighbouring environment.
- (6) All exterior property areas, including vacant land, shall be maintained to prevent accumulations of dust or dirt from spreading to neighbouring properties.
- (7) Notwithstanding subsection (3) of this section, where speed bumps or speed humps have been installed, they shall be distinctively marked so as to be clearly visible to approaching pedestrian and vehicular traffic. (357-00)

18x

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

29. HOARDING

All hoarding shall be maintained in a structurally secure manner, neatly painted or otherwise treated and kept free of signs and posters unless such signs and posters are authorized by the City.

30. SNOW REMOVAL

The following subsections apply to all private property containing multiple occupancy residential buildings, and all areas of commercial, industrial and institutional property that the general public has access to:

- (1) All ramps and access routes leading to garages shall be kept free from ice and snow.
- (2) Mechanical de-icing equipment for ramps and access routes, where provided, shall be maintained in a usable condition.
- (3) All walkways and access routes to and from buildings shall be kept free from ice and snow and hazards at all times.
- (4) All exterior parking areas, including laneways, shall be kept free from accumulations of ice and snow at all times.

31. ACCESSORY BUILDINGS

Accessory buildings shall be kept:

- (1) protected by paint, preservative or other weather-resistant material;
- (2) in a structurally sound condition and plumb, unless specifically designed to be other than vertical;
- (3) in good repair and free of accident hazards; and
- (4) so as not to present an unsightly appearance.

32. SIGNS

Exterior signs on any land, building or structure that are unused or not cared for or discarded shall be removed from the property or shall be stored within a building on the property.

184

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

33. HEATING VENTILATION AND MECHANICAL SYSTEMS (162-03)

- (1) All heating, ventilation and mechanical systems shall be provided, maintained and operated free of safety hazards.
- (2) Any duct work that is part of a heating and/or ventilating system shall be kept in a clean and sanitary condition free of dust, mold, mildews, or any other health hazard.

34. ELEVATING DEVICES

Elevating devices in multiple occupancy residential buildings, including all parts thereof, shall be maintained in good repair in accordance with the Elevating Devices Act, R.S.O. 1990, c.E.8, as amended, and shall be operational, except for such reasonable period of time as may be required for the purpose of repairing such elevating devices.

35. PARKING GARAGES

(1) **Lighting**

- (a) Lighting fixtures in all parking garages shall be maintained in good working condition.
- (b) Every parking garage shall be illuminated by natural means where available, and adequate number of light fixtures, or the painting of walls, columns and ceilings white in colour, or any combination thereof, so to maintain an average level of illumination of at least fifty (50) lux (4.6 foot candles).
- (c) One (1) measurement of intensity of illumination made at floor level for every nine (9) square metres (96.9 square feet) of floor area shall be used in establishing the average level of illumination.
- (d) The level of illumination at any location on the floor of a parking garage shall not be less than 11 lux (1 foot candle).

- (2) All ventilation systems within parking garages shall be maintained in good working order at all times.

182

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

(3) Exits

- (a) All means of egress, including doors, in parking garages shall be maintained in good repair and free from all obstructions.
 - (b) All exit signs shall be provided and maintained in good repair in accordance with the requirements of the Ontario Building Code and Fire Code and shall be unobstructed and readily visible.
- (4) All floor drains in such garages shall be in good working order and free from obstructions.
- (5) Every floor, wall, ceiling and stairwell of a parking garage shall be kept clean and free from debris, objects or other conditions that might create a hazard, obstruction or unsightly condition.
- (6) All parking garages shall be kept clear of any machinery, vehicles, boats, trailers or parts thereof which are in an unusable, wrecked, unlicensed, discarded or abandoned condition.

36. ELECTRICAL SYSTEMS

- (1) All buildings, where required by the Ontario Building Code or the Ontario Electrical Safety Code, shall be connected to an electrical supply system and shall be wired to receive electricity.
- (2) The capacity of the connection to the building and system of circuits and electrical outlets distributing the electrical supply within the building shall be adequate for the use and intended use and shall be maintained in good working order, free from fire and accident hazards, and in compliance with the Ontario Hydro Electrical Safety Code.

37. DRAINAGE AND PLUMBING SYSTEMS

- (1) Drainage and plumbing systems on the property shall be provided, installed and maintained in good working order and shall be:
 - (a) in compliance with the requirements of the Ontario Building Code, the Ontario Water Resources Act, R.S.O. 1990, c.O.40, as amended, and their respective Regulations, as amended from time to time; and
 - (b) free from leaks, defective or dripping taps and other defects.

18aa

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (2) Water run-off from roof surfaces shall discharge into an eaves trough or gutter and thence to a downpipe, discharging into a storm sewer and all eaves troughs and drainpipes shall be maintained:
 - (a) watertight and free from leaks; and
 - (b) in working order and free from health hazards.
- (3) Downpipes need not be connected to a storm sewer when arranged to discharge water run-off at least three feet from the building and contained on the property.
- (4) Eaves troughs, gutters, downpipes and storm sewer connections are not required when the roof is designed to prevent water run-off causing deterioration to the building or creating a nuisance to persons on or adjacent to the property.

38. SEWAGE DISPOSAL

- (1) When a sanitary sewer is installed on a street or road, all sewage from the abutting property shall be discharged into the sanitary sewer.
- (2) When a sanitary sewer has not been installed on a street or road, all sewage from each abutting property shall be discharged into private sewage disposal systems on the subject property and each such system shall be approved by and maintained in accordance with the Ontario Building Code.

39. REFUSE DISPOSAL

- (1) Every multiple occupancy residential building having common access corridors to individual apartments shall be equipped with a garbage or refuse room accessible to all tenants on the floor, and all doors to these rooms shall not be equipped with locking devices. Every residential building exceeding two storeys in height shall have a garbage chute with a self closing door connecting the aforesaid rooms to a common room at or near grade.
- (2) In all other multiple occupancy residential buildings sufficient rooms with containers and receptacles shall be provided to safely contain all garbage, rubbish, ashes, waste and other refuse, which shall not be allowed to accumulate but shall be removed or made available for removal in accordance with the applicable waste collection by-laws.
- (3) The facilities required by subsections 39 (1) and (2) shall be designed and installed in accordance with the Ontario Building Code.

18bb

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (4) In the event that strict application of subsections 39(1), (2) and (3) are not practical, the Property Standards Officer may accept alternative measures, provided that the resultant standard is generally equivalent to the standard herein required, and that such alternative measures are in accordance with all applicable law.
- (5) All exterior refuse storage and collection areas, including containers and receptacles, shall be maintained in a safe, clean, sanitary, odour free and tidy condition.
- (6) All exterior refuse storage areas, including containers and receptacles, shall be screened from the view of adjacent residential properties where possible and the screening shall be maintained in good repair.

40. COMPOST, PET FOOD AND ANIMAL FEED STORAGE

All compost, pet food and animal feed shall be stored and kept on a property in a reasonable manner so as not to allow offensive odours to effect the surrounding neighbourhood or attract rodents, vermin, pests, or other animals to the property. (89-04).

41. PEST PREVENTION

All dwelling units and the exterior portions of buildings shall be kept free of garbage and refuse at all times so as to prevent the infestation of pests such as rodents, vermin, insects and birds, and methods used for exterminating rodents, vermin, and insects shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, c. P-11, as amended, and all regulations passed pursuant thereto.(89-04)

42. HUMAN HABITATION

- (1) Non-habitable space shall not be used for human habitation.
- (2) The maximum number of persons residing in a dwelling unit shall not exceed one person for each nine square metres of habitable room floor area.
- (3) No portion of a dwelling unit shall be used for human habitation unless:
 - (a) the floors, walls and ceilings and openings in the exterior walls or roof are watertight, free from dampness and reasonably free from drafts at all times;

18cc

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (b) every habitable room, except a kitchen, contains one or more windows or skylights that
 - (i) open directly to the outside air, and
 - (ii) have a total light transmitting openable ventilating area of not less than that required by the Ontario Building Code;
 - (c) all windows and skylights are:
 - (i) glazed or fitted with an approved substitute;
 - (ii) provided with hardware and locking devices;
 - (iii) maintained in good repair; and
 - (iv) if required for ventilating purposes, capable of being easily opened and closed at all times; and
 - (d) a heating system is provided which is capable of maintaining adequate and suitable heat in accordance with City of Mississauga By-law 826-84, as amended.
- (4) Every habitable room shall have a minimum ceiling height in accordance with the Ontario Building Code.
 - (5) Buildings used or to be used for human habitation shall be insulated to minimize heat loss, air infiltration and moisture condensation on the interior surfaces of walls, ceilings and floors as required by the Ontario Building Code.
 - (6) Anything employed in providing water or any energy source serving light, heat, refrigeration or cooking facilities in a dwelling unit occupied by a tenant shall not be disconnected, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.
 - (7) Where there is fuel burning equipment in any occupied dwelling unit not occupied by the owner and the owner is required by the lease or agreement providing for the occupancy to provide fuel, an adequate supply of fuel, in a convenient and safe location, shall be available at all times for the equipment.

18dd

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (8) Each kitchen in a dwelling unit shall be:
- (a) equipped with a refrigerator and stove in good repair and in good working condition;
 - (b) provided with cupboards having a capacity of not less than four cubic feet multiplied by the total number of persons occupying the unit; and
 - (c) all counter-tops, drawers and cupboards shall be maintained in good condition;
- (9) Interior and exterior barrier-free access facilities for persons with disabilities where installed or required by the Ontario Building Code or as a condition of development or redevelopment shall be maintained in a good state of repair, operational suitable and available for use by persons with disabilities.
- (10) Every occupant of a dwelling unit shall maintain the dwelling unit and all supplied facilities and equipment therein in a clean and sanitary condition and shall co-operate with the landlord in complying with the requirements of this by-law.

43. SECURITY

- (1) Doors which allow access to or egress from a dwelling unit shall be equipped with a lock that:
- (a) complies with the Ontario Building Code and Fire Code; and
 - (b) is maintained in good repair and in an operative condition.
- (2) Exterior security locking and release, and voice communication systems, when provided, shall be maintained in good repair and operative condition, and in compliance with the requirements of the Ontario Building Code.

44. EGRESS

Every means of egress from a dwelling unit, building or structure shall be safe and unobstructed and comply with the Ontario Building Code and Fire Code.

45. TOILET AND BATHROOM FACILITIES

- (1) Every dwelling unit, except as provided in subsection 45(2), shall contain plumbing fixtures consisting of at least:

18ee

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

- (a) a water closet;
 - (b) a sink; and
 - (c) a bathtub or shower.
- (2) In a rooming house there shall be a water closet, sink and bathtub or shower for every eight persons or portion thereof and the facilities shall be located on the same storey as, or on the next storey up or down from the storey on which the room or dwelling unit is located.
- (3) Every commercial, institutional and industrial building shall contain plumbing fixtures in accordance with the appropriate Provincial legislation.
- (4) All bathrooms and toilet rooms shall be located within and be accessible from within the building which it serves.
- (5) All bathrooms and toilet rooms shall be fully enclosed and have a door capable of being locked so as to provide privacy for the occupant.
- (6) Where practical a wash basin shall be located in the same room as the water closet.

46. HOT AND COLD RUNNING WATER

Every dwelling unit shall be connected to and supplied with hot and cold running water of adequate water pressure and the hot water shall be at least 43 degrees Celsius measured at the tap with the water running for at least 30 seconds.

47. TELEPHONE WIRING

All internal wiring for telephone use within a dwelling unit shall be maintained in good working order.

48. PENALTY

An owner who fails to comply with an order that is final and binding under this by-law is guilty of an offence under of Section 36(1) of the Building Code Act, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in section 36 of that Act.

187

THE CORPORATION OF THE CITY OF MISSISSAUGA
PROPERTY STANDARDS BY-LAW 654-98

49. VALIDITY

If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this by-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

50. TRANSITIONAL RULES

After the date of passing of this by-law, By-law 11-94, as amended, applies only to properties in respect of which an Order has been issued prior to the date of passing of this by-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings in respect of such Order, including demolition and repair by the City, have been concluded.

51. REPEAL

Except for the purpose as set out in section 50 of this By-law, By-law 11-94 is hereby repealed.

ENACTED AND PASSED THIS 16th day of December 1998.

Signed by: Hazel McCallion, Mayor and Arthur Grannum, City Clerk

1899

Appendix 2

A by-law to amend By-law 654-98,
being a by-law to prescribe the standards
of the maintenance and occupancy for all properties

WHEREAS Council of The Corporation of the City of Mississauga deems it desirable to establish standards for the maintenance and occupancy of certain properties, so that owners and occupants provide minimum standards for persons who may live at, attend or otherwise be affected by the condition of the properties;

AND WHEREAS under subsection 15.1(3) of the *Building Code Act, 1992*, Council of The Corporation of the City of Mississauga has enacted Property Standards By-law 654-98, as amended, which prescribes the minimum standards for the maintenance and occupancy of property within the municipality;

AND WHEREAS Part XII of the *Municipal Act, 2001* and section 15.5 of the *Building Code Act, 1992* authorizes The Corporation of the City of Mississauga to charge fees for services and activities carried out under this By-law;

AND WHEREAS The Council of the Corporation of the City of Mississauga is desirous of amending Property Standards By-law 654-98, as amended, to effect housekeeping measures;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. That section 2 of By-law 654-98, as amended, is hereby amended by adding the following terms and definitions in alphabetical order:

"building" means any structure used or intended to be used for supporting or sheltering any use or occupancy;

"debris" means the remains of anything broken, discarded or not being used for the intended designed purpose, and includes but is not limited to, garbage, ashes, rubbish, builder's and building contractor's refuse, industrial or residential waste, inoperative vehicles, motor vehicle parts and accessories;

"Director" means the City's Director of Enforcement and his or her designate or successor;

"domesticated mouse or rat" means a mouse or rat:

- (a) kept as a pet by an occupant of a dwelling or dwelling unit, normally in an enclosed cage or container within the dwelling or dwelling unit;

- (b) cared for and fed by the occupant, which care includes clean up and removal of mouse or rat waste and soiled rodent bedding from the dwelling or dwelling unit and cage or container; and
- (c) kept in compliance with any applicable animal-control laws or by-laws.

"Fees and Charges By-law" means the City's applicable Fees and Charges By-law;

"Lodging House" means "Lodging House" as defined in the City's Residential Rental Accommodation Licensing By-law 172-10, as amended;

"Lodging Unit" means "Lodging Unit" as defined in the City's Residential Rental Accommodation Licensing By-law 172-10, as amended;

"occupant" means any person or persons over the age of 18 years in possession of the property;

"owner" includes:

- (a) an owner in fee simple;
- (b) the person for the time being, managing or receiving the rent of the property in connection with which the word is used, whether on the person's own account, or as agent or trustee of any other person, or who would receive the rent if the property were let; and
- (c) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.

"person" includes an individual, association, firm, partnership, corporation, trust, organization, trustee, or agent, and the heirs, executors or legal representatives of the person to whom the context can apply according to law;

"pest" includes any ant, cockroach, hornet, mouse, rat, silverfish, wasp, other wild animals, pigeons, or other wild birds, but does not include any domesticated mouse or rat;

"property" means a building or structure, or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile structures, mobile buildings, mobile homes, outbuildings, fences, retaining walls, and erections thereon, whether heretofore or hereafter erected, and also includes vacant property, a Part IV Heritage Property and a Part V Heritage Property;

"Property Standards Officer" means a person appointed by The Corporation of the City of Mississauga or assigned by the Director to enforce this By-law;

"property standards order" means an order made under subsection 6(4) of this By-law;

"reasonable timeframe" means a short period of time deemed to be acceptable by the Property Standards Officer, not to exceed 1 year;

"Site Plan" means site plan as referenced in the *Planning Act*, R.S.O. 1990, c. P.13;

"temporary" means a period of time that is not to exceed a six month period;

"unfinished" means buildings or structures left in an incomplete state of workmanship and land not left in a clean and clear condition;

- 1800
2. That section 2 of By-law 654-98, as amended, is hereby amended by deleting "rooming house" definition in its entirety.
 3. That section 5 of By-law 654-98, as amended, is hereby amended by adding the following subsection:

(4) POWER OF CITY TO REPAIR OR DEMOLISH

- (a) If the owner or occupant of a property fails to comply with a final and binding property standards order, the City may cause the property to be repaired or demolished in accordance with such order.
- (b) The City or a person acting on its behalf is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the municipality in the reasonable exercise of its powers under paragraph 5(4)(a).
- (c) Despite paragraph 5(4)(a), no building or structure on a Part IV Heritage Property or a Part V Heritage Property may be altered or cleared, including but not limited to removed, demolished or relocated, except in accordance with the *Ontario Heritage Act*.
- (d) Upon completion of the work necessary for compliance with the property standards order under subsection 5(4), the City shall have a lien on the property for the amount spent on the repair or demolition and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001* which, amongst other things, means the amount may be added to the tax roll for the property and collected in the same manner as property taxes.

4. That section 6 of By-law 654-98, as amended, is hereby amended by adding the following subsections:

(4) PROPERTY STANDARDS ORDER

If, after inspection, a Property Standards Officer is satisfied that in some respect the property does not conform with the standards prescribed in this By-law, he or she may issue an order and such property standards order shall be served on the owner of the property and may be served on such other persons affected by it as the Property Standards Officer determines and a copy of the order may be posted on the property.

(5) REGISTRATION OF PROPERTY STANDARDS ORDER

- (a) A final and binding property standards order may be registered in the land registry office on title to the property to which it applies and, upon such registration, any person acquiring any interest in the property subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served under section 6(4). The owner shall be responsible for paying the applicable fee as set out in the Fees and Charges By-law.
- (b) An owner or occupant may apply for a discharge of a property standards order issued and registered on title to a property by submitting a completed application form and paying the applicable fee as set out in the Fees and Charges By-law and where, upon inspection of the property by a Property Standards Officer, compliance with the order is found, the discharge shall be registered by the City.

1811

5. That section 10 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

10. ROOFS

- (1) Buildings shall maintain a roof and its components and attachments including the fascia board, soffit, cornice and flashing, and shall be maintained to properly perform their intended functions including but not limited to being in a weather-tight condition able to prevent the leakage of water into the building;
 - (2) The roof of every building or structure shall be structurally sound, weatherproof and free of loose or unsecured objects and materials and excessive accumulations of ice and snow. Improperly secured objects and materials shall be either removed, repaired or replaced.
 - (3) All roof flashing, gutters, valleys, eaves troughs and downpipes shall be secured, free of rust and maintained in a serviceable condition.
 - (4) All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated.
6. That section 14 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

14. UNFINISHED BUILDINGS, STRUCTURES and PROPERTY

All buildings or structures, or parts thereof that are unfinished shall be finished in an acceptable manner within a reasonable timeframe and where applicable, in accordance with all applicable laws.

7. That section 14.1 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

14.1 VACANT/DAMAGED BUILDINGS

- (1) In addition to complying with all other applicable provisions of this By-law, the owner of a building that is vacant or is damaged by accident, storm, fire, neglect or otherwise shall comply with this section.
- (2) Notwithstanding subsection 11(1), where the exterior doors, windows, trim or other openings of vacant buildings, partially vacant buildings, buildings damaged by accident, storm, fire, neglect or otherwise, or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair the City may order the property owner to board the building or structure as a temporary repair measure so as to protect such building and adjoining properties against damage arising from the entry of unauthorized persons by closing and securing openings to the building, prevent the entrance of the elements, or the infestation of pests in compliance with this By-law.
- (3) Where any building is vacant or is damaged by accident, storm, fire, neglect or otherwise, the buildings shall be demolished or boarded up and maintained securely by the owner to protect such building and adjoining properties against damage arising from the entry of unauthorized persons, prevent the entrance of the elements, or the infestation of pests by closing and securing openings to the building.
- (4) For the purposes of subsection 14.1(2), doors, windows, trim, hatches and other openings are required to be maintained so as to properly perform their intended function and secured from unauthorized entry, prevent the entrance of the elements, or the infestation of pests, or shall be prevented by closing and securing an opening for a temporary period with at a minimum:

18KK

- (a) wood sheathing of at least 12.7 mm plywood which is weather resistant, completely covers the opening, is securely fastened to the building, and shall be painted or otherwise treated so that the colour blends with the exterior of the building;
 - (b) metal sheathing which is weather resistant, completely covers the opening, where possible, is installed within the reveal of the exterior cladding, is securely fastened to the building, and shall be painted or otherwise treated so that the colour blends with the exterior of the building; or
 - (c) brick or concrete block and mortar which completely covers the opening, is securely fastened to the building, and shall be painted or otherwise treated so that the colour blends with the exterior of the building.
- (5) The options available in subsection 14.1(4) shall be considered progressively more secure with (c) being the most secure, and the minimum standard imposed by subsection 14.1(4) shall be considered not to include the use of a less secure option which has failed to exclude unauthorized entry, prevent the entrance of the elements, or the infestation of pests.
- (6) At any time where there are circumstances to support a more secure option, including an option that is more secure than those listed in subsection 14.1(4), the owner shall supply such more secure option as may be required by a property standards order. The property standards order shall not remove, reset or extend the time of the temporary period for the temporary repair measure.
- (7) The exterior walls and other surfaces of a building that is vacant or is damaged by accident, storm, fire, neglect or otherwise shall be maintained so as to properly perform their intended function.
- (8) Where a building remains vacant for a period of more than 90 days, the owner shall ensure that all utilities serving the building, which are not required for safety or security, are properly disconnected or otherwise secured to prevent accidental or malicious damage to the building or adjoining property.
- (9) Vacant buildings, including vacated fire damaged buildings, shall be kept cleared of all garbage, rubbish, flammable substances and debris.
8. That subsection 19(1) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:
- (1) The interior ceilings and walls of every building and structure shall be maintained in a safe and sound condition and in a good state of repair.
9. That subsection 23(2) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:
- (2) All swimming pools, wading pools and artificial ponds, and any accessories or parts thereof which are not utilized or operated within a reasonable timeframe, shall be removed, or fitted with a suitable cover so as to prevent a visual blight, the entrance of elements, and/or the infestation of pests or insects.
10. That section 24 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

24. LANDSCAPING

Whenever landscaping, parking area, walkways, steps, hedges, trees, fences, curbs, or similar changes to property have been required by the City as a condition of development or redevelopment and are listed on the most current Site Plan filed with and approved by the City, such works shall be undertaken and maintained so as to ensure continuous compliance with the City requirements.

11. That paragraph 25(2)(c) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

(c) any painted surface of the fence is maintained free of peeling paint.

12. That section 27 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

27. SATELLITE DISHES, TELEVISION AND RADIO ANTENNAE

Satellite dishes, television and radio antennae and other similar structures and their supporting members must be securely anchored and maintained in a safe and good condition and be in accordance with all applicable laws.

13. That section 34 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

34. ELEVATION DEVICES

(1) Elevators (where provided) and all its parts and components (including lighting fixtures, lamps, elevators buttons, floor indicators and ventilation fans) shall be maintained in good repair.

(2) Elevators shall comply with the *Technical Standards and Safety Act, 2000* and its regulations as enforced by the Technical Standards and Safety Authority.

14. That section 37(3) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

(3) Downpipes need not be connected to a storm sewer when arranged to discharge water runoff at least three feet from the building and contained and directed within the property so as to prevent the flooding of neighbouring lands.

15. That subsection 39(1) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

(1) Every multiple occupancy residential building having common access corridors to individual apartments shall be equipped with a garbage or refuse room accessible to all tenants on the floor in accordance to all applicable laws and all doors to these rooms shall not be equipped with locking devices. Every residential building that contains a garbage chute system shall ensure that the doors to the garbage chute on each floor are not locked, are self-closing and that the chutes are connected to a garbage room at or near grade level.

16. That subsection 39(2) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

(2) In all multiple occupancy residential buildings sufficient rooms or areas shall be provided with containers and/or receptacles to safely contain all garbage, rubbish, waste and other refuse and shall not be allowed to accumulate, but shall be removed or made available for removal in accordance with the applicable waste collection by-laws.

18mm

17. That subsection 39(3) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

- (3) The facilities required by subsections 39(1) and (2) shall be designed and installed in accordance with all applicable laws.

18. That subsection 39(4) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

- (4) In the event that the strict application of subsections 39(1) and (2) are not practical, the Property Standards Officer may accept alternative measures, provided that the resultant standard is generally equivalent to the standard herein required, and that such alternative measures are in accordance with all applicable laws.

19. That subsection 39(6) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

- (6) All exterior refuse storage areas, including containers and receptacles, shall be screened from the view of adjacent residential properties where possible and the screening shall be maintained in good repair in accordance with all applicable laws.

20. That section 41 of By-law 654-98, as amended, is hereby deleted and replaced by the following section:

41. PEST PREVENTION

- (1) All dwelling units and the exterior portions of buildings shall be kept free of garbage and refuse at all times, and shall be kept free of the infestation of pests.
- (2) Methods used for pests removal and prevention shall be in accordance with the provisions of the *Pesticides Act*, R.S.O. 1990, c. P.11, as amended, and all regulations passed pursuant thereto.
- (3) The owner of a building shall take the appropriate steps to remove all pests infestation using a licensed pest control agency in accordance with all applicable laws.
- (4) The owner of a building that has used a pest control agency shall produce for the Property Standards Officer on demand, documented proof of steps taken to eliminate the violating pests.

21. That subsection 42(3) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsection:

- (3) No portion of a dwelling unit shall be used for human habitation unless:

- (a) the floors, walls and ceilings and openings in the exterior walls or roof are watertight, free from dampness and reasonably free from drafts at all times;
- (b) every portion of a building must be free of visible mould;
- (c) when visible mould is present, an environmental report from a qualified consultant agency who is registered with the Province of Ontario may be required;
- (d) mould remediation will be completed in accordance with the environmental report and all applicable laws;

18nn

- (e) every habitable room, except a kitchen, contains one or more windows or skylights that open directly to the outside air, and have a total light transmitting openable ventilating area of not less than that required by the Ontario Building Code;
 - (f) all windows and skylights are:
 - (i) glazed or fitted with an approved substitute;
 - (ii) provided with hardware and locking devices; and
 - (iii) maintained in good repair, and if required for ventilating purposes, capable of being easily opened and closed at all times; and
 - (g) a heating system is provided which is capable of maintaining adequate and suitable heat in accordance with all applicable laws.
22. That subsection 45(2) of By-law 654-98, as amended, is hereby deleted and replaced by the following subsections:
- (2) In a Lodging House there shall be a water closet, sink and bathtub or shower for every four persons or portion thereof and the facilities shall be located on the same storey as, or on the next storey up or down from the storey on which the room or dwelling unit is located.
23. That subsection 45(6) of By-law 654-98, as amended, is hereby deleted.
24. That By-law 654-98, as amended, is hereby amended by adding the following section:

49.1 COMPLIANCE WITH OTHER BY-LAWS AND REGULATIONS

- (1) This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- (2) If there is a conflict between a provision in this By-law and a provision of any other City by-law, the provision that establishes the highest standard to protect the health, safety and welfare of the general public shall apply.

ENACTED AND PASSED this day of , 2013.

MAYOR

CLERK



Corporate Report

Clerk's Files

Originator's
Files

RT.13.STR
MG.23.REP

19

DATE: May 29, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

General Committee

JUN 26 2013

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

SUBJECT: Naming of Bus Rapid Transit Facility as Mississauga Transitway

RECOMMENDATION: That the name **Mississauga Transitway** be approved and assigned to the Bus Rapid Transit (BRT) roadway facility as outlined in the Corporate Report dated May 29, 2013 from the Commissioner of Transportation and Works.

BACKGROUND: The City of Mississauga and GO Transit (a division of Metrolinx) propose that the BRT dedicated bus roadway from Rathburn Road East to east of Dixie Road (Phase 1) and eventually to Renforth Gateway, be named and assigned as **Mississauga Transitway**.

The name **Mississauga Transitway** was submitted for review and approval by the Region of Peel Street Name Committee and subsequently assigned on the City of Mississauga Approved Street Name Reserve List.

COMMENTS: The Region of Peel Street Name Committee has reviewed and approved the name **Mississauga Transitway**.

FINANCIAL IMPACT: The transitway signage will be installed as part of the capital project.

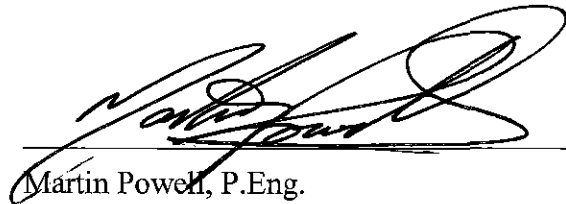
19a

CONCLUSION:

The Region of Peel Street Name Committee has no objection to the name **Mississauga Transitway** being assigned to the proposed transit roadway in the City of Mississauga. The name should be approved and assigned to the BRT corridor from Rathburn Road East to east of Dixie Road (Phase 1) and eventually to Renforth Gateway.

ATTACHMENTS:

Appendix 1– Site Location Map

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

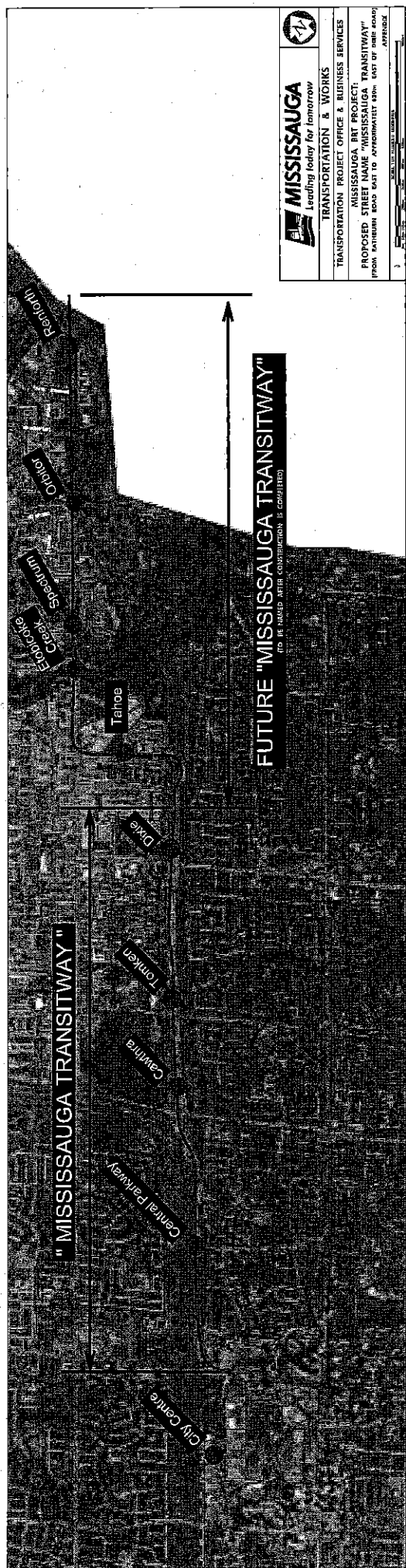
Martin Powell, P.Eng.

Commissioner of Transportation and Works

Prepared By: Joe Alava, C.E.T.

Development Engineering Technologist

96





Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP

General Committee

JUN 26 2013

DATE: June 11, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: Mississauga Transitway – Extension to Contract with
B. Gottardo Construction Limited, File Ref: F.A.49.193-10

RECOMMENDATION: That the original commitment with B. Gottardo Construction Limited, Procurement #FA.49.193-10, for the construction of the Mississauga BRT Project Contract #1, from Hurontario Street to Fieldgate Drive, be increased by \$8,749,371.04 for additional work required during construction, and that the Purchasing Agent be authorized to enter into Change Orders or agreements as appropriate, and in a form satisfactory to Legal Services, to give effect to the increase.

**REPORT
HIGHLIGHTS:**

- The Mississauga Transitway east infrastructure is being delivered through three main construction contracts. Contract #1 was awarded to B. Gottardo Construction Limited in September, 2010.
- There have been a number of project changes outside of the original scope that have occurred on-site and require additional compensation.
- The project changes that have occurred outside of the project scope to date are in the amount of \$8,749,371.04.

- Approximately \$4,000,000 will be recovered from GO Transit (a Division of Metrolinx) to account for changes that occurred on transitway segments under their ownership within Contract #1.
- Purchasing By-law #374-06 requires Council approval if the amendment or the cumulative value of all amendments are greater than \$1,000,000.

BACKGROUND:

The Mississauga Transitway will see the creation of a dedicated east/west transit corridor across Mississauga which will run along Highway 403, combining use of the existing bus by-pass shoulders, Eastgate Parkway and Eglinton Avenue corridors, connecting Winston Churchill Boulevard in the West to Renforth Drive in the east. Once operational, transitway services will complement and connect with local bus service, regional transit and the TTC subway, linking high-density development and employment centres across Mississauga. Designated stations along the transitway will provide key connection points for passengers. The Mississauga Transitway is a cooperative effort between the City of Mississauga, GO Transit (a Division of Metrolinx), the Province of Ontario, and the Federal Government.

The City of Mississauga is responsible for the delivery of the transitway east infrastructure (Mississauga City Centre to Renforth Drive), and GO Transit is responsible for the delivery of the transitway west infrastructure (Winston Churchill station to Erin Mills station).

The Mississauga Transitway east infrastructure is being delivered through three main construction contracts:

- Contract #1 – Mississauga City Centre to Fieldgate Drive
- Contract #2 – Fieldgate Drive to Etobicoke Creek
- Contract #3 – Etobicoke Creek to Renforth Station.

This report deals with Contract #1 and has been prepared in conjunction with the City's Materiel Management Section.

COMMENTS:

Contract #1 was tendered in March 2010 and closed on May 27, 2010. The contract was awarded to B. Gottardo Construction Limited in the amount of \$94,001,414.83.

There have been a number of project changes outside of the original scope that have occurred on-site and require additional compensation.

Central Parkway Station - *Foundation re-design to protect a damaged storm water culvert*

- Upon excavation and exposure during construction, the existing stormwater culvert south of Highway 403 at Central Parkway was deemed to be incapable of supporting the new Central Parkway Station loading requirements. The condition of the culvert was undetermined at the time of tender. Accordingly, a retrofit design was undertaken to construct a new concrete shell structure over the culvert for this section within the limits of the Central Parkway Station.

Construction costs: \$612,354.07

Tomken BRT Station - *Modification of the station foundation to extend below an adjacent major petroleum pipeline*

- A 750mm (30 in) Enbridge petroleum pipeline running adjacent to the transitway immediately north of the Tomken Station was discovered to be significantly lower than determined during design upon excavation and subsequently a section of the footing along the north wall of the Tomken Station had to be lowered to allow for possible future uncovering and maintenance of the pipeline without any impacts to the station foundation.

Construction costs: \$1,490,399.19

Pre-Contract Award Construction Changes

- Subsequent to the tendering of Contract #1, design revisions were required as a result of on-going agency reviews of transitway infrastructure. The reviewing agencies included

various City departments, various Region of Peel departments, MTO, HONI, five different pipeline companies, TRCA, CVC and MOE. The incorporation of the changes resulted in additional construction effort.

Construction costs: \$926,243.17

Cawthra Station Revisions

- Required construction revisions to achieve overall project savings as a result of approved station value-engineering. Includes supply of all labour, material and equipment to fabricate and erect structural steel canopy with steel roof deck, glazing, metal roofing, and composite wood panel soffit along with associated civil and electrical works. The original scope of work included in the tender priced at \$4M was deleted and replaced after tender with the above scope resulting in savings amounting to approximately \$2.4M. Although it was known at tender the details to obtain an exact were not available.

Construction costs: \$1,649,889.56

Bell Hangers for Hurontario Street Bridge Over Rathburn Road

- Supply of all labour, material and equipment to fabricate and install Bell duct hangers for mounting on the east face of the Hurontario Street Bridge over Rathburn Road. This work was originally anticipated to be completed by Bell as a part of a separate capital project (and invoiced back to the City); however, it was added to Contract #1 to accelerate the works so that Bell could commence works sooner and, thereby, mitigate any delay costs on Contract #1. This amount was accounted for in the capital budget under the Rathburn Road structure rehabilitation project.

Construction costs: \$378,944.04

Clay Sewer Trench Plugs and Infiltration Galleries

- Subsequent to contract award, the TRCA requested the installation of 17 clay trench plugs i.e. bentonite clay around the section of sewers (to prevent dewatering of resources like streams, wetlands, ponds, etc. at sewer trench crossings) along with clear stone for infiltration galleries.

Construction costs: \$197,218.73

Landscape Revisions

- Subsequent to award of the contract, landscape modifications were required from TRCA and Hydro One. Changes largely consisted of structural soil and tree grates, select plant species, and enhanced seed mixtures.

Construction costs: \$554,779.56

Inclusion of ITS Components

- Supply and Installation of ITS and associated electrical components were incorporated into the contract for better coordination on site (as opposed to doing under a separate contract). This includes speaker system and noise sensor system, along with ducts within ITS trenches. This work is a part of original project budget.

Construction costs: \$291,267.10

Traffic Signals and Power Feed

- Installation/modification of temporary signals and pavement markings in addition to the contract specifications were required at the intersections of Cawthra Road/Eastgate Parkway, Tomken Road/Eastgate Parkway, Dixie Road/Eastgate Parkway, and Hurontario

20e

Street/Sherwoodtowne Boulevard etc. to accommodate various onsite construction staging requirements.

Construction costs: \$101,672.62

Additional Station Revisions

- Revisions to mechanical HVAC, electrical, and roofing details were required during construction to enhance the constructability, future operations and maintenance of the facilities that evolved after construction had started.

Construction costs: \$897,018.95

Infrastructure Replacement and Other Civil Works

- Removal and replacement of previously damaged infrastructure only determined during construction including various manholes, pipes, attenuators, and ducts etc.

Construction costs: \$887,174.86

Enersource Access Roads

- The access roads on the east and west side of Dixie Road were constructed to allow Enersource to progress the relocation of their infrastructure expeditiously over their typical relocation requirements.

Construction costs: \$108,043.19

Additional Quantities

- Engineer's estimate to completion on quantities including top soil stripping, and rock excavation. Also includes higher than

anticipated quantities of engineered fill utilized at Tomken and Central Parkway Stations.

Construction costs: \$654,366.00

The total project changes encountered to date total \$8,749,371.04 (9.3% of the original contract awarded to B. Gottardo Construction Limited in the amount of \$94,001,414.83). Approximately \$4,000,000 of this amount will be recoverable from GO Transit (a Division of Metrolinx).

STRATEGIC PLAN:

The development of rapid transit infrastructure is consistent with the following Strategic Pillars for Change, Goals and Actions put forth in the City's Strategic Plan:

MOVE: Developing a Transit Oriented City:

- Connect our City
 - Action 5: Provide alternatives to the automobile along major corridors
 - Action 7: Create mobility hubs
 - Action 8: Improve transit service between Mississauga, Union Station and Pearson International Airport
- Increase Transportation Capacity
 - Action 14: Implement transit priority measures
- Direct Growth
 - Action 18: Require development standards for mixed-use development to support transit
 - Action 19: Accelerate the creation of a higher-order transit infrastructure.

FINANCIAL IMPACT:

The project changes identified above require a contract adjustment of \$8,749,371.04. Of this amount, an estimated \$4,000,000 will be recovered from GO Transit (a Division of Metrolinx). GO Transit is aware of these changes and have agreed to the changes. In the original project budget contingency provisions were included to account for

209

these types of changes which are not uncommon in large capital programs. The requested contract adjustment can be accommodated within the overall approved project capital funding program.

CONCLUSION:

The Mississauga Transitway east infrastructure is being delivered through three main construction contracts. The City awarded Contract #1 to the lowest acceptable bidder, B. Gottardo Construction Limited (BGCL) on September 1, 2010, in the amount of \$94,001,414.83.

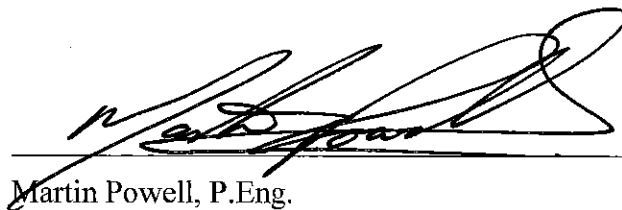
As construction proceeded, a number of project changes have been encountered on site which now requires a contract adjustment to be facilitated. The requested contract changes to date with B. Gottardo Construction Limited are in the amount of \$8,749,371.04.

In accordance with the Purchasing By-law 374-06 for amendments to High Value Acquisition Commitments, Council approval is required if the amendment is over \$1,000,000. As such, this report is seeking approval to increase the original commitment with B. Gottardo Construction Limited, procurement no. FA.49.193-10 for the construction of the Mississauga Transitway Contract #1, from Hurontario Street to Fieldgate Drive, be increased by \$8,749,371.04 for additional work required during construction.

ATTACHMENTS:

Appendix 1: Mississauga Transitway Corridor Map

Appendix 2: Mississauga Transitway Implementation Schedule

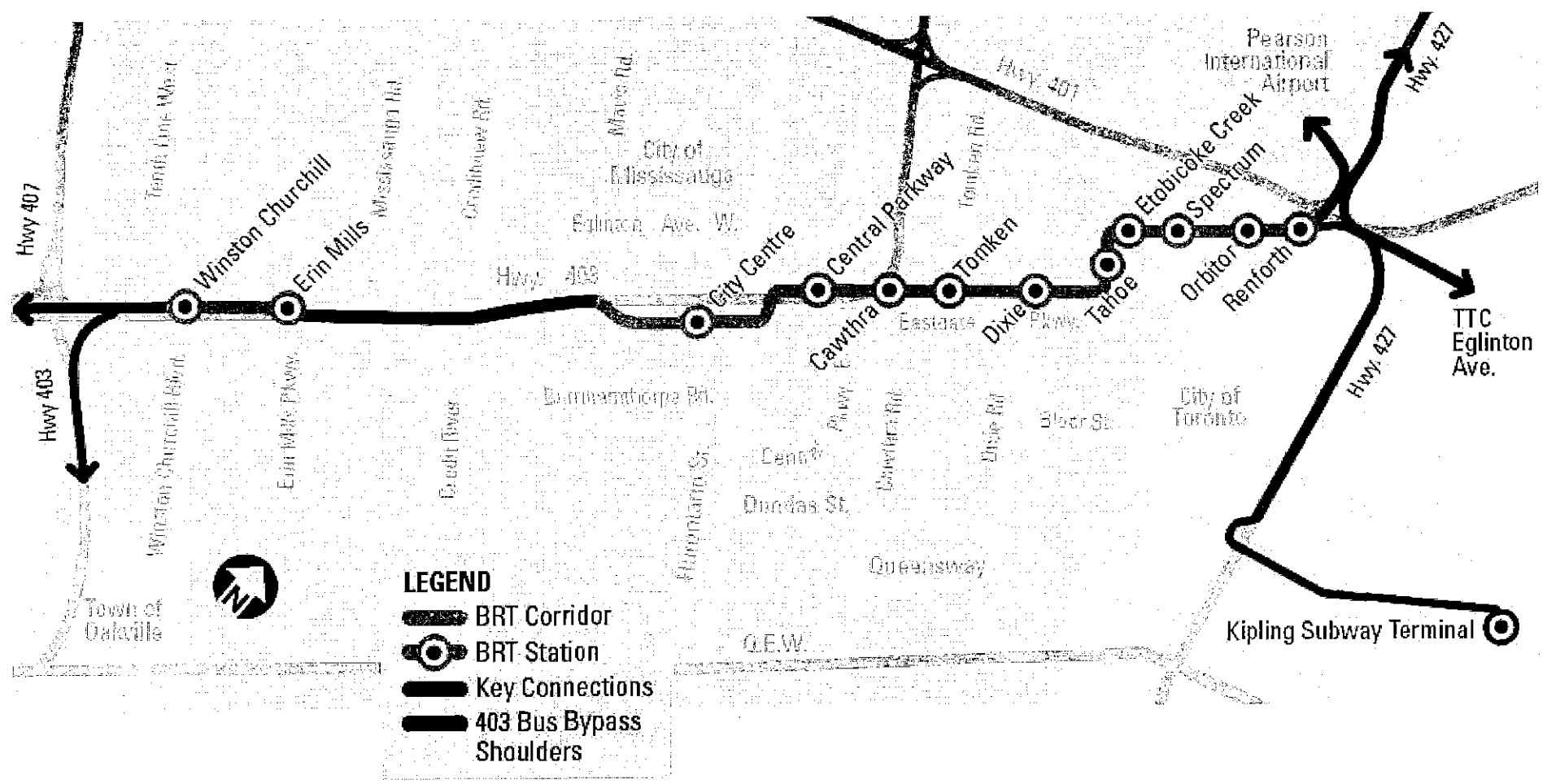


Martin Powell, P.Eng.

Commissioner, Transportation and Works

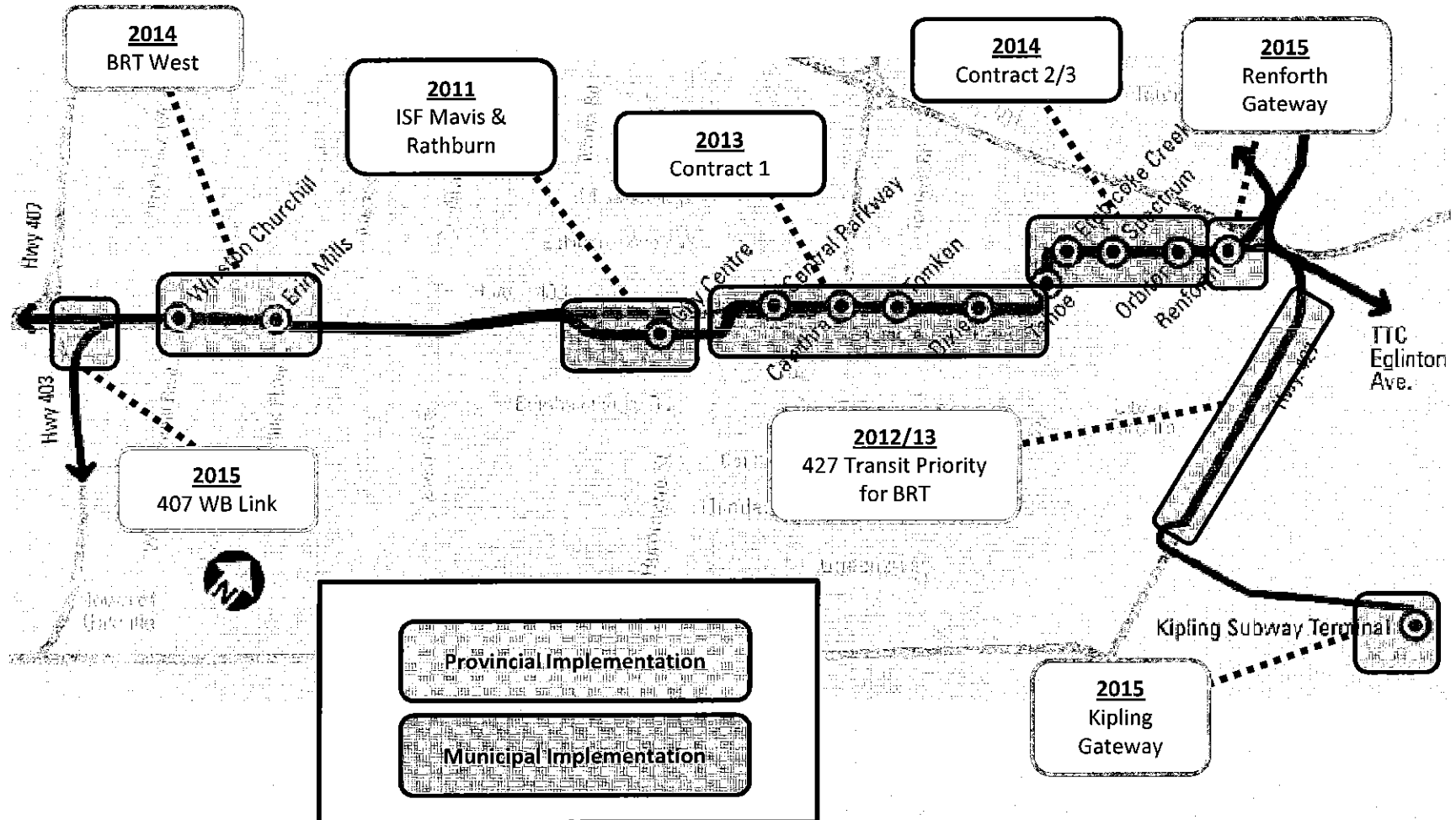
*Prepared By: Ishtiaque Tunio, P.Eng.
BRT Project Manager*

Appendix 1 Mississauga BRT Project Corridor



Appendix 2

Mississauga BRT Corridor Implementation Schedule





Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP

General Committee

JUN 26 2013

DATE: June 11, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **P3 Canada Fund Business Case**

RECOMMENDATION:

1. That a by-law be enacted to authorize the Commissioner of Transportation and Works to execute an agreement on behalf of The Corporation of the City of Mississauga with the Corporation of the City of Brampton to conduct a P3 Business Case for the Hurontario-Main Light Rail Transit project, and any subsequent renewals, in a form satisfactory to Legal Services.
2. That the report entitled: "P3 Canada Fund Business Case" be received for information.

**REPORT
HIGHLIGHTS:**

- Public-Private Partnerships Canada's P3 Canada Fund is a potential opportunity for the Hurontario-Main Light Rail Transit (HMLRT) project to receive a non-repayable grant of up to 25% of the project's total capital cost;
- As a component of the application process, the P3 Canada Fund requires the completion of a P3 Business Case;
- The HMLRT project team is required to submit an updated application to the Fund's current round of funding submissions

which aligns with the project's Preliminary Design and Transit Project Assessment Process (TPAP) phase;

- The deadline for completion of the P3 Business Case is March 31, 2014; and
- Public-Private Partnerships Canada will reimburse P3 Canada Fund applicants for up to 25% of the cost of developing the required P3 Business Case.

BACKGROUND:**Public-Private Partnerships and Procurement**

Public-Private Partnerships (P3), or Alternative Financing and Procurement (AFP) in Ontario, are long-term procurement arrangements for delivering public services in infrastructure. Public-Private Partnership Canada (PPP Canada), defines P3s as:

“long-term, performance-based approach to procuring public infrastructure where the private sector assumes a major share of the responsibility in terms of risk and financing, for the delivery and the performance of the infrastructure, from design and structural planning, to long-term maintenance”

P3s differ from traditional procurement as they require the private sector to assume the risks of financing, construction, and potentially the operation and maintenance of an asset. In these procurement arrangements, the public sector retains ownership over the asset and leverages the capabilities of the private sector to provide greater Value-for-Money for taxpayers.

In a P3 arrangement, the public sector project owner develops the scope and requirements for the project. This includes defining the output specifications and the performance requirements of the asset. Potential private sector partners then bid on designing, constructing, operating, and maintaining the asset. The successful bidder is responsible for delivering the asset and assuming responsibility for any financing and construction risks associated with the project.

In P3 industry terms, this model of alternative service delivery is known as Design, Build, Finance, Operate, and Maintain (DBFOM).

Various forms of P3 models (DBF, DBFO, DBFM, etc.) are common. Each variation transfers a different amount of the project's risk to the private sector partner.

Public-Private Partnerships Canada and the P3 Canada Fund

PPP Canada was created by the Federal Government in 2009. In addition to educating the public and private sectors on the benefits of delivering infrastructure projects through Public-Private Partnerships; PPP Canada also administers the \$1.2 billion P3 Canada Fund.

The fund provides monetary assistance, on a project by project basis, to lower tiered governments that endeavour to deliver infrastructure projects through a P3 model. Eligible projects could potentially receive a non-repayable grant of up to 25% of the project's total capital cost.

The P3 Canada Fund accepts funding applications on a yearly basis and is currently soliciting projects for 'Round Five' funding applications. The deadline for submission of applications for Round Five funding was June 14, 2013.

Securing funding from the P3 Canada Fund is both competitive and merit-based. Only projects that have been identified by the fund as priority infrastructure projects, such as public transit projects, are eligible to apply for funding. In the past, the P3 Canada Fund has attracted a variety of projects. Most recently the Edmonton Southeast to West Light Rail Transit Line was awarded \$250 million from the fund.

Hurontario-Main Light Rail Transit P3 Canada Fund Application

In 2012, the City of Mississauga and the City of Brampton (the Cities) applied for the P3 Canada Fund's Round Four call for applications. The HMLRT project was accepted for review and the Cities were invited to complete a P3 Business Case to determine the viability of the project.

The P3 Business Case requires information from the HMLRT's Preliminary Design/Transit Project Assessment Process (TPAP),

which is scheduled to be completed by the end of 2013. To better align the P3 Business Case with the results of the Preliminary Design/TPAP outcomes, PPP Canada requested that the HMLRT project re-submit an application to the Fund's Round 5 call for applications and to have the P3 Business Case completed by March 31, 2014.

COMMENTS:

Through the P3 Canada Fund, the Federal Government is seeking to support infrastructure projects that demonstrate superior value as a P3 project and will stimulate job creation. The P3 Canada Fund provides the HMLRT project with the potential to receive a non-repayable grant of up to 25% of the project's total capital cost.

P3 Business Case

A short list of applicants to the P3 Canada Fund is selected to produce a P3 Business Case. The P3 Business Case demonstrates the viability of the project to be delivered as a P3 project and allows the P3 Canada Fund to determine whether or not a project qualifies for financial support.

The P3 Business Case requires approximately four months to complete. The Value-for-Money (VfM) assessment conducted within the business case quantifies the financial benefits of delivering the project as a P3 and transferring the project's risks and cost of financing to a private sector partner.

A VfM analysis consists of a comparison between the costs of delivering the project using traditional public sector procurement methods versus the cost of delivering the project using P3 procurement methods. The difference in cost between the two procurement methods is referred to as Value-for-Money and will allow the project owner to determine which method of project delivery is preferable.

In addition, the P3 Business Case will:

- Determine project feasibility based on cost and funding estimates;
- Outline project goals, social benefits, and economic benefits;

- Conduct market sounding to determine how desirable the project is to the private sector as a P3 procurement;
- Conduct risk workshops with stakeholders;
- Develop financial models for the project;
- Determine project team requirements and project governance structure, and;
- Determine implementation plans and timelines for the project.

The P3 Business Case is required to be submitted to PPP Canada by March 31, 2014.

The City of Mississauga and the City of Brampton are currently in a partnership to complete the Preliminary Design/Transit Project Assessment Process for the HMLRT project. However, the current agreement between the two cities does not include cost sharing and division of responsibilities related to the completion of a P3 Business Case. An additional agreement, specifically related to the P3 Business Case, is required.

STRATEGIC PLAN: The development of rapid transit infrastructure is fundamental to the following Strategic Pillars and actions as outlined in the City's Strategic Plan:

MOVE: Developing a Transit Oriented City

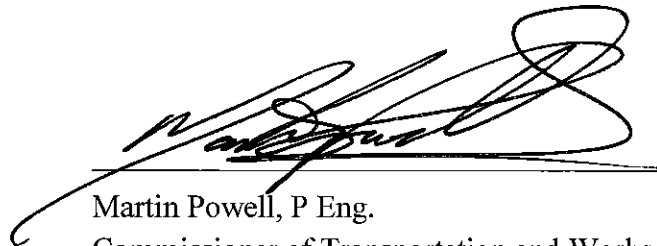
- Connect our City
 - Action 5: Provide alternatives to the automobile along major corridors
 - Action 7: Create mobility hubs
- Increase Transportation Capacity
 - Action 14: Implement transit priority measures
- Direct Growth
 - Action 18: Require development standards for mixed-use development to support transit
 - Action 19: Accelerate the creation of a higher-order transit infrastructure

FINANCIAL IMPACT: It is expected that the development of the P3 Business Case will cost approximately \$250,000. PPP Canada will reimburse the Cities for up

to 25% percent of eligible costs, to a maximum of \$250,000 associated with the development of the P3 Business Case. Costs will be shared between the Cities in a manner consistent with the current weighting of the overall project (i.e. 75% will be Mississauga's contribution, 25% will be Brampton's contribution). However, the cost-sharing scheme may change depending on the overall project weighting as the project progresses. Funding for the City's commitment for completion of the P3 Business Case can be accommodated in the approved Capital Budget.

CONCLUSION:

The P3 Canada Fund provides the City with an opportunity to seek partial funding for the Hurontario-Main Light Rail Transit project from the Federal Government. Funding is dependent on the viability of the project to be procured, constructed, and managed as a Public-Private Partnership as determined through the completion of a P3 Business Case.



Martin Powell, P Eng.

Commissioner of Transportation and Works

Prepared By: Rex Law, P3 Business Analyst



Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP

General Committee

JUN 26 2013

DATE: June 12, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Sheridan College Parking Rate Increase 2013-2014**

RECOMMENDATION: That a by-law be enacted to amend By-law 555-2000, as amended to increase the Sheridan College paid parking rates for the academic year of 2013-2014 as outlined in the report entitled, "Sheridan College Parking Rate Increase 2013-2014" from the Commissioner of Transportation and Works, dated June 12, 2013.

BACKGROUND: Since 2011, paid parking has been in effect for students, staff and faculty of Sheridan College-HMC in the two off-street surface parking lots adjacent to the campus. The students, staff and faculty have the option to purchase one-semester, two-semester, or annual permits, as well as multi-visit cards through the Cashiers office. The variety of rate options available is consistent with what is offered at the Sheridan College campuses in Brampton and Oakville.

On July 4, 2012, Council approved the Sheridan College paid parking rates for the academic year of 2012-2013, as outlined in the report dated June 27, 2012, from the Transportation and Works Department entitled *Paid Parking Off Street Rate Options (Ward 4)*.

COMMENTS:Proposed Parking Rates 2013-2014 HMC Sheridan College

Sheridan College has approved a parking rate increase for the 2013-2014 Academic year for the Sheridan campuses in Brampton and Oakville. As a result, Sheridan College has requested that the City increase the current Sheridan College-HMC parking rates to align with current rates charged at the Brampton and Oakville campuses. Sheridan's parking control strategy may be negatively impacted should there not be parity in their parking rates.

The Transportation and Works Department has identified for consideration parking rate increases for the 2013-2014 HMC Sheridan College Mississauga Campus paid parking program.

The following table illustrates the recommended 2013-2014 Sheridan College-HMC parking rates to be effective August 1, 2013.

Sheridan Parking Rates		
Permit Type	Current Rates August 2012- September 2013	Proposed Rates August 2013- September 2014
Monthly	\$80.00	\$90.00
One Semester	\$185.00	\$210.00
Two Semester	\$345.00	\$385.00
Annual	\$435.00	\$450.00
8 Visit - MVC	\$40.00	\$48.00
16 Visit - MVC	\$60.00	\$72.00
24 Visit - MVC	\$80.00	\$96.00
32 Visit - MVC	\$100.00	\$120.00

STRATEGIC PLAN:

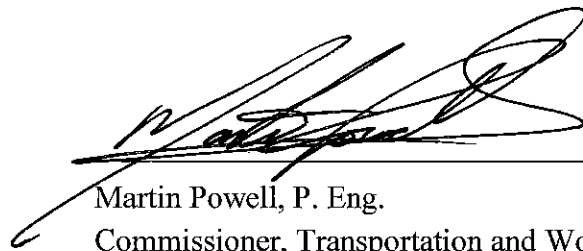
The implementation of off-street paid parking in the Downtown is consistent with the following Strategic Pillars for Change, Goals and Actions put forth in the City's Strategic Plan:

- Develop a Transit-Oriented City:
 - Develop Environmental Responsibility: Action 3 – Implement a Parking Strategy that Supports Public Transit
 - Build a Reliable and Convenient System: Action 11 – Accommodate the Needs of Cyclists

- Completing Our Neighbourhoods:
 - Provide Mobility Choices: Action 14 – Create More Bike-Friendly Facilities
 - Provide Mobility Choices: Action 15 – Use Incentives to Encourage Work Commutes by Public Transit
- Living Green:
 - Lead and Encourage Environmentally Responsible Approaches

FINANCIAL IMPACT: The financial impact of increasing the off-street parking rates will result in additional revenue of \$15,000 for the remainder of 2013 from Sheridan College Operations.

CONCLUSION: It is recommended that the Sheridan College-HMC campus parking rates be increased for the 2013-2014 academic year.



Martin Powell, P. Eng.

Commissioner, Transportation and Works

*Prepared By: Tomasz Brzeziak, Parking Coordinator
Transportation Project Office*



Corporate Report

Clerk's Files

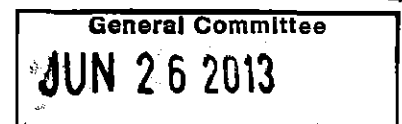
Originator's
Files

MG.23.REP
RT.10.Z39E

23

DATE: June 7, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013



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

SUBJECT: **Temporary Road Closure**
Main Street from Queen Street South to Church Street (Ward 11)

RECOMMENDATION: That a by-law be enacted to implement the temporary road closure of Main Street from Queen Street South to Church Street, commencing Thursday, July 4, 2013 and ending on Friday, November 8, 2013.

BACKGROUND: The Streetsville Village Square project will transform a disjointed space into a vibrant urban destination that will attract more community use and revitalize Streetsville's central public gathering space. The new design addresses access to utilities, lifecycle deficiencies, cenotaph location, improved accessibility, additional trees and creates a people place to be enjoyed on a daily basis as well as increases attendance at community festivals and local businesses.

Streetsville Village Square is proposed for revitalization and is scheduled to commence this summer. A temporary road closure has been requested in order to safely complete the construction.

COMMENTS: As part of the revitalization of Streetsville Village Square, Main Street will be the main access to the construction site for construction vehicles and heavy equipment. In order to maintain a safe and secure

work area and protect pedestrians, cyclists, and the motoring public from the ongoing construction, hoarding will enclose the construction site. Gates at either end of the closure will be installed to allow access for equipment and personnel.

Through traffic will not be permitted on Main Street between Queen Street South and Church Street throughout construction. Pedestrian access will be maintained at all times. The temporary road closure will eliminate on-street parking on Main Street.

The Transportation and Works Department will supply and install the appropriate closure signage to notify the public of the closures. The Transportation and Works Department will also notify all emergency services, 311 Customer Service Centre, Student Transportation, and Mississauga Transit.

Main Street business owners and residents are aware of the proposed temporary road closure. Arrangements are being made to ensure that businesses can remain open and that residents will have access to their properties. Alternative parking arrangements are being made for residents who currently utilize private driveways on Main Street for the duration of the road closure period.

The area Ward Councillor supports the temporary road closure.

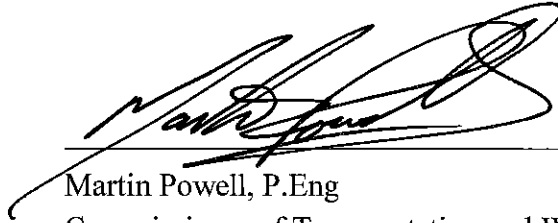
FINANCIAL IMPACT: There is no financial impact to the City for the loss of fifteen (15) parking spaces on Main Street as the spaces are free parking with a two-hour limit.

The cost of the road closure signage can be accommodated within the project budget.

CONCLUSION: In recognition of the need to complete the construction of Streetsville Village Square, the Transportation and Works Department supports the temporary road closure of Main Street from Queen Street South to Church Street commencing Thursday, July 4, 2013 and ending on Friday, November 8, 2013.

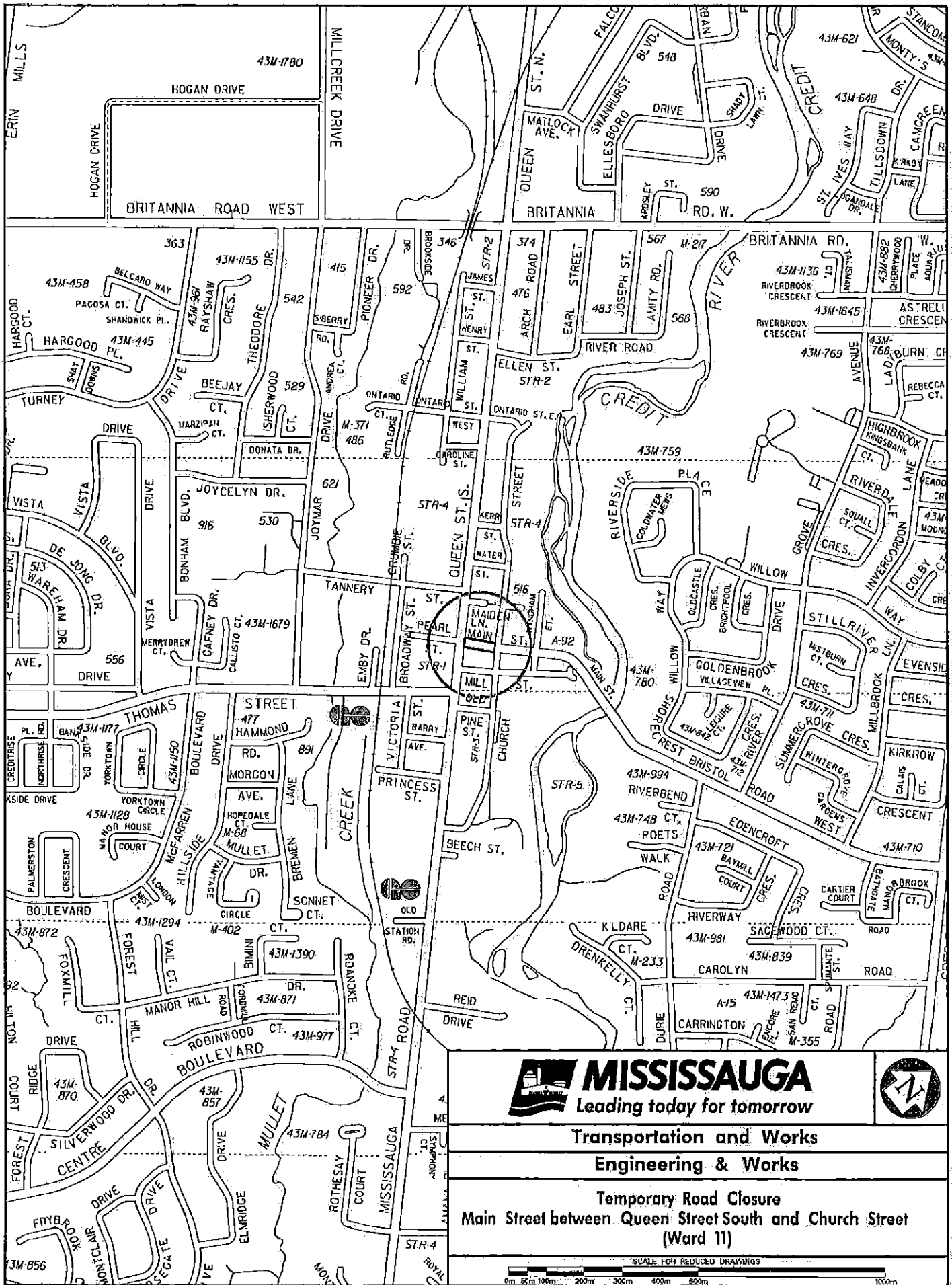
ATTACHMENTS:

Appendix 1: Location Map: Temporary Road Closure - Main
Street between Queen Street South and Church Street
(Ward 11)

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: Colin Patterson, Coordinator, Integrated Road Safety
Program*



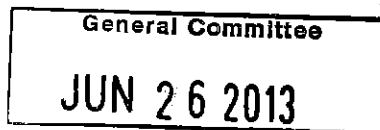


Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP
RT.10.Z39E



DATE: June 3, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Temporary Road Closure – Tannery Street between Crumbie Street/Broadway Street and Joymar Drive (Ward 11)**

RECOMMENDATION: That a by-law be enacted to implement a temporary road closure of Tannery Street between Crumbie Street/Broadway Street and Joymar Drive commencing at 7:00 a.m., Monday, July 15, 2013 and ending at 7:00 p.m., Friday, August 30, 2013.

BACKGROUND: The Transportation and Works Department is requesting to close Tannery Street in order to facilitate the installation of both storm and sanitary sewers.

COMMENTS: A temporary road closure is required in order to facilitate the installation of storm and sanitary sewers. Due to a narrow cross-section of Tannery Street and the depth of the trench that is required to complete the work, phasing of the construction would not be feasible.

Upon approval, the Transportation and Works Department will notify, by letter, all directly affected residents and will supply and install the appropriate advance information signs to notify the public of the anticipated road closure.

The Transportation and Works Department will also notify all emergency services, 311 Customer Service Centre, Student Transportation, and Mississauga Transit.

Throughout the duration of the closure, the affected residents will be directed to egress/ingress the neighbourhood via Thomas Street. A protected walkway area for pedestrians will be provided and maintained through the construction zone at all times.

The area Ward Councillor has been made aware of the temporary road closure.

FINANCIAL IMPACT: Costs for the fabrication and installation of all road closure signs can be accommodated in the 2013 Current Budget.

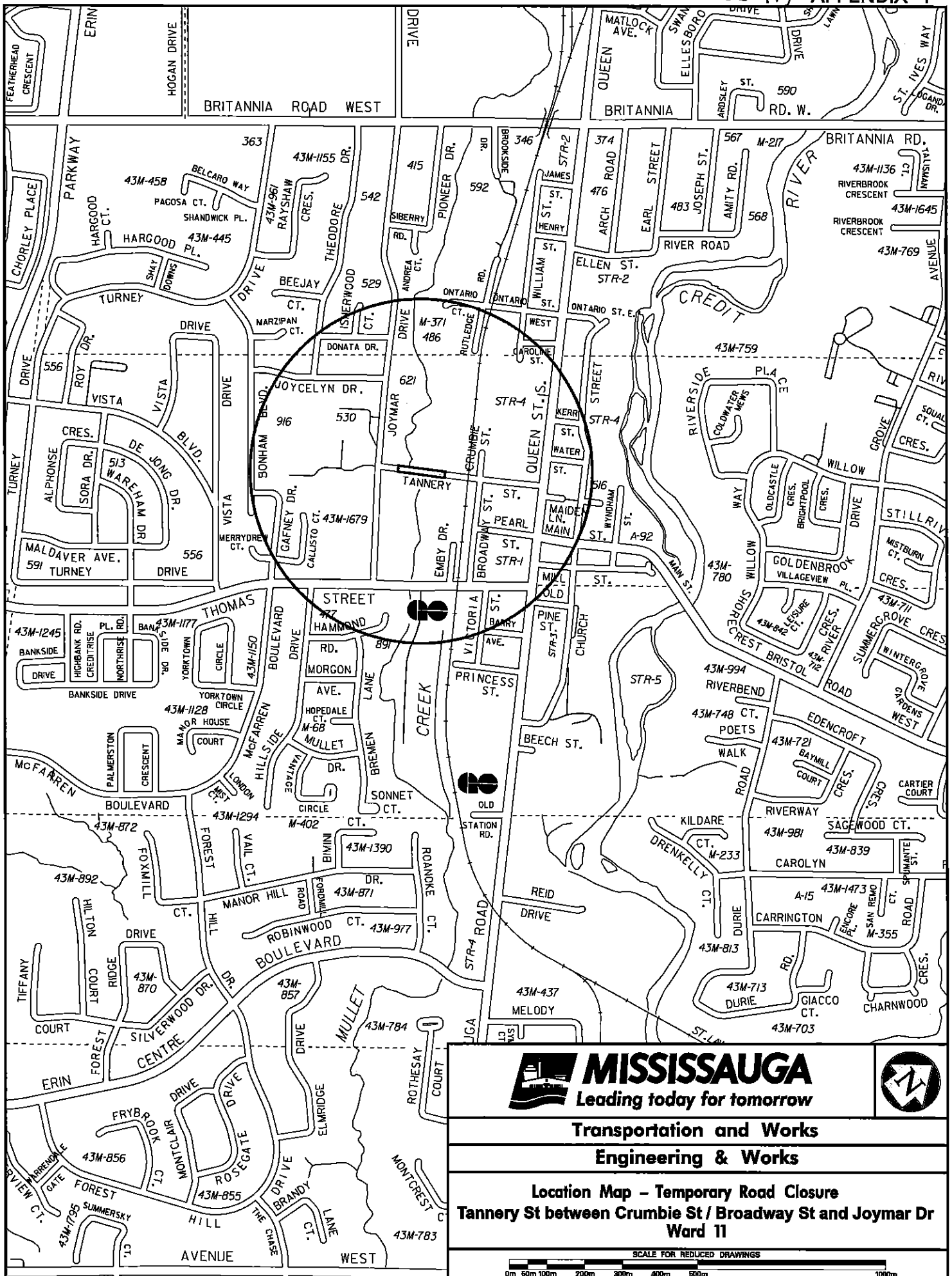
CONCLUSION: In recognition of the need to complete the installation of storm and sanitary sewers on Tannery Street, the Transportation and Works Department requests the temporary road closure of Tannery Street between Crumbie Street/Broadway Street and Joymar Drive commencing at 7:00 a.m., Monday, July 15, 2013 and ending at 7:00 p.m., Friday, August 30, 2013.

ATTACHMENTS: Appendix 1: Location Map: Temporary Road Closure – Tannery Street between Crumbie Street/Broadway Street and Joymar Drive (Ward 11)



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

Prepared By: Darek Koziol, Traffic Operations Technologist





Corporate Report

Clerk's Files

Originator's
FilesRT.06.BAN
43M-1105
MG.03.REP

General Committee

JUN 26 2013

DATE: June 3, 2013**TO:** Chair and Members of General Committee
Meeting Date: June 26, 2013**FROM:** Martin Powell, P. Eng.
Commissioner of Transportation and Works**SUBJECT:** **Proposed Closing of Road Allowances Designated as
Parts 1 and 2 (Banff Court)
Reference Plan 43R- 35006 (Ward 10)**

-
- RECOMMENDATION:**
1. That a by-law be enacted authorizing the closure of part of Banff Court, located in the vicinity of Banff Court and Dillingwood Drive, comprised of 8.80 square metres (94.72 square feet) of land and legally described as in the City of Mississauga, Regional Municipality of Peel, Province of Ontario and being composed of Part of 1 Foot Reserve on the east side of Banff Court, Registered Plan 43M-1105, established as part of Banff Court by The Corporation of the City of Mississauga.
 2. That a by-law be enacted authorizing the closure of part of Banff Court, located in the vicinity of Banff Court and Dillingwood Drive, comprised of 10.00 square metres (107.64 square feet) of land and legally described as in the City of Mississauga, Regional Municipality of Peel, Province of Ontario and being composed of Part of 1 Foot Reserve on the west side of Banff Court, Registered Plan 43M-1105, established as part of Banff Court by The Corporation of the City of Mississauga.

BACKGROUND:

Venturon Development (Greenmeadow) Inc. previously registered the plan of subdivision 43M-1105 establishing Banff Court and Lots 42 to 46 inclusive, which front onto Banff Court. The subject lots are being held in escrow by the City of Mississauga, as part of the Servicing Agreement for Plan 43M-1105, until such time that the current owner Sierra Lane (2000) Developments Inc. satisfies the conditions for their release. In order to maintain control over property access, the road allowances along the frontages of the subject lots, identified as Parts 1 and 2 on Plan 43R-35006 (Banff Court) will be closed. The City will retain ownership of these parcels to re-establish the one foot reserves along the frontage of the subject lots.

COMMENTS:

Realty Services has completed its circulation and no objections were received to the closure of Parts 1 and 2 on Plan 43R-35006.

In addition, a circulation to the various utility companies has been undertaken and there does not appear to be any services affected by the proposed road closures for which easement protection would be required.

Notice of the road closures contemplated in this report has been undertaken to satisfy the requirements of the City Notice By-law 0215-2008 as amended by By-law 0376-2008.

FINANCIAL IMPACT: Not applicable.

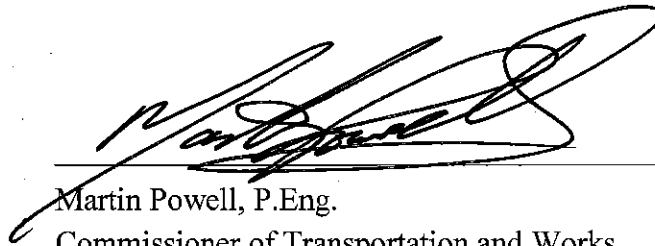
CONCLUSION:

It is reasonable to close the subject road allowances. Upon their closure, the parcels will no longer be designated as road and will be used to re-establish the one foot reserve along the frontage of the lots. At such time as the developer of the adjacent lots satisfies all the City's development conditions, then arrangements can be made to lift the one foot reserves.

ATTACHMENTS:

Appendix 1: Approximate location of the proposed road closures.

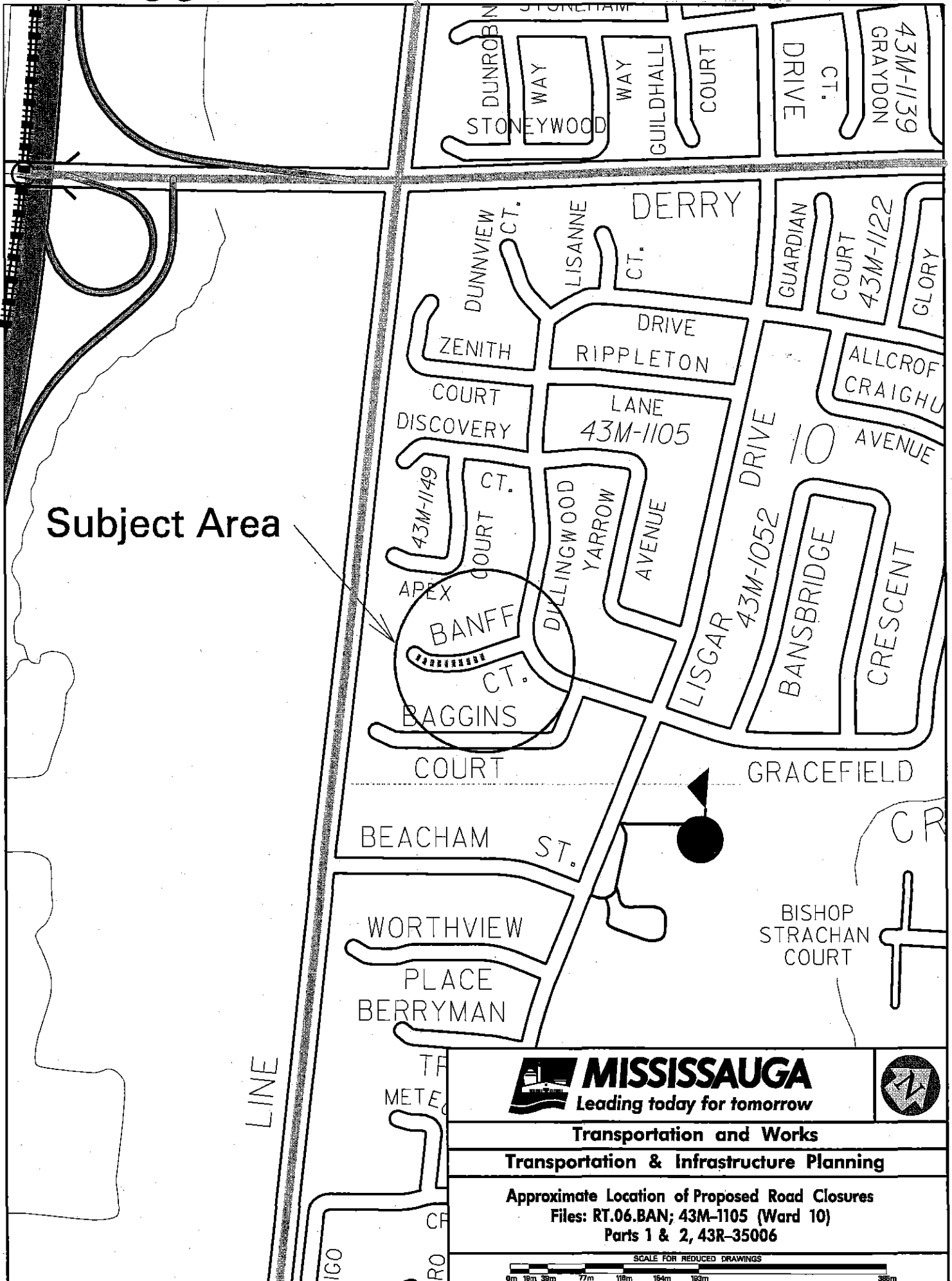
Appendix 2: Sketch showing the portion of the road allowances to be closed, Parts 1 and 2 (Banff Court) on Plan 43R-35006.

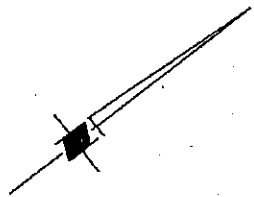


Martin Powell, P.Eng.

Commissioner of Transportation and Works

*Prepared By: Giancarlo Tedesco, A.Sc.T.
Development Engineering Technician*





PARTS OF
BANFF COURT
TO BE CLOSED
PARTS 1 AND 2
PLAN 43R-35006
TOTAL AREA = 18.8 SQUARE METRES

45
REG

46
PLAN

47
43M-1105

PART 2, PLAN 43R-35006
AREA = 10.0 SQUARE METRES

PART 1, PLAN 43R-35006
AREA = 8.8 SQUARE METRES

BANFF COURT

REG PLAN

41
43M-1105

40

39

44

43

42

DILLINGWOOD DRIVE

MARCH 7, 2013



Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP

General Committee

JUN 26 2013

DATE: June 4, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Memorandum of Understanding Agreement with the Ministry of Transportation Ontario for the Provision of a Connection Between Belgrave Road and Highway 401/Mavis Road W-N/S Ramp (Ward 5)**

RECOMMENDATION: That a by-law be enacted to authorize the Commissioner of Transportation and Works to enter into a Memorandum of Understanding on behalf of the City, in a form satisfactory to Legal Services, with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the provision of a connection between Belgrave Road and Highway 401/Mavis Road W-N/S Ramp.

**REPORT
HIGHLIGHTS:**

- The Ministry of Transportation Ontario (MTO) is expanding Highway 401 from the Highway 410/403 interchange westerly to east of the Credit River.
- The preliminary design was completed in 2005.
- Phase 1 from the Highway 410/403 interchange to the east of Mavis Road interchange is currently under construction.
- The MTO is currently working on the detailed design of Phase 2 from east of the Mavis Road interchange to east of the Credit River.
- The MTO is required to modify the previous design of the south-

east ramp in order to protect for the future Belgrave Road connection by the City. This results in additional costs to MTO of about \$292,000, including property of approximately 400 square metres (4,306 square feet) and additional construction works. The City is responsible to MTO for these costs.

- The MTO would like to enter into a Memorandum of Understanding in order to modify the design of the south-east ramp.
- The construction cost for the Belgrave Road connection is estimated to be \$3 million to \$4 million. The City may not commit to the construction of the Belgrave Road connection in conjunction with the MTO's Highway 401 widening project; however, this connection is important to preserve for future construction and provides improved highway access to the adjacent employment lands.

BACKGROUND:

The Ministry of Transportation Ontario (MTO) expansion of Highway 401 from the Highway 410/403 interchange westerly to east of the Credit River recommends a number of improvements, to be phased in over several years, including:

- widening of Highway 401 from a basic six-lane configuration to a twelve-lane express/collector configuration
- reconstruction of the Hurontario Street interchange, including replacement of the structure over Highway 401 (currently under construction)
- reconstruction of the Mavis Road interchange, including expansion of the existing structure over Highway 401
- permanent removal of the Second Line West structure over Highway 401
- completion of the Highway 410/403 interchange by adding new ramps from Highway 401 eastbound to Highway 403 southbound and from Highway 403 northbound to Highway 401 westbound
- construction of a new structure to carry the collector lanes over Fletchers Creek

Due to the size and complexity of this project, the construction work is being undertaken in two phases. Phase 1, which is currently under construction, is the expansion of Highway 401 from the Highway 410/403 interchange to east of the Mavis Road interchange. Phase 2

includes the widening of Highway 401 from east of the Mavis Road interchange to east of the Credit River. The MTO is currently working on the detailed design for Phase 2 and at this stage there is no funding commitment for the construction.

COMMENTS:

The connection between the Highway 401/Mavis Road W-N/S Ramp "eastbound Highway 401 off-ramp at Mavis Road" and Belgrave Road as recognized in the City's Official Plan would be a significant addition to the City's transportation network as it provides a good alternate access to the employment lands east of Mavis Road and south of Highway 401. A separate Municipal Class Environmental Assessment study would be required for this road connection.

At this time, the MTO is uncertain of the timing for the construction of Phase 2 of the Highway 401 widening project. In view of the estimated cost of \$3-4 million and the environmental approval challenges with the Belgrave Road connection, it is likely that the construction of this connection would occur after the Highway 401 widening project. However, it is important that the MTO's design of the Mavis Road and Highway 401 interchange not preclude this future connection. The Transportation and Works Department therefore requested that the geometric feasibility of this road connection be undertaken by MTO concurrently with the detailed design of this interchange in order to determine the property, cost and environmental implications.

A feasibility review was coordinated through the MTO by their design consultant for the Highway 401 widening project. Through this review, it was determined that the MTO's current design for the Highway 401 south-east ramp at Mavis Road will need to be modified in order to allow the Belgrave Road connection to the eastbound Highway 401 off-ramp at Mavis Road in the future. The redesign of this ramp will have financial impacts including additional property, additional grading and drainage requirements. The MTO has agreed to modify the design of the ramp subject to a Memorandum of Understanding (MOU) between the City and MTO, which outlines the responsibility for the work related to redesign and construction for the south-east ramp and for the future Belgrave Road connection.

FINANCIAL IMPACT: At the City's cost, the MTO expanded the scope of work for their consultant assigned to the Highway 401 widening project, to undertake a geometric feasibility review of the Belgrave Road connection.

Over and above the \$45,000 already paid to the MTO for the feasibility and design exercise, the City will be required to compensate the MTO for all additional costs associated with the future connection of Belgrave Road. The additional property requirement is approximately 400 square metres (4,306 square feet), which will be negotiated with the property owner by the MTO at a fair market value, estimated at approximately \$120,000. In addition, the additional grading and drainage needed to accommodate the future ramp connection will cost the City approximately \$172,000. The City has allocated \$200,000 in the Major Road Capital Program in 2013 under PN 13-108 towards the grading and drainage costs. The property funding of approximately \$120,000 is available in PN 10-197. Funding for grading, drainage and land costs comes from Development Charges.

The construction cost for the Belgrave Road connection is estimated at approximately \$3 million to \$4 million which would need to be allocated in a future Capital Budget.

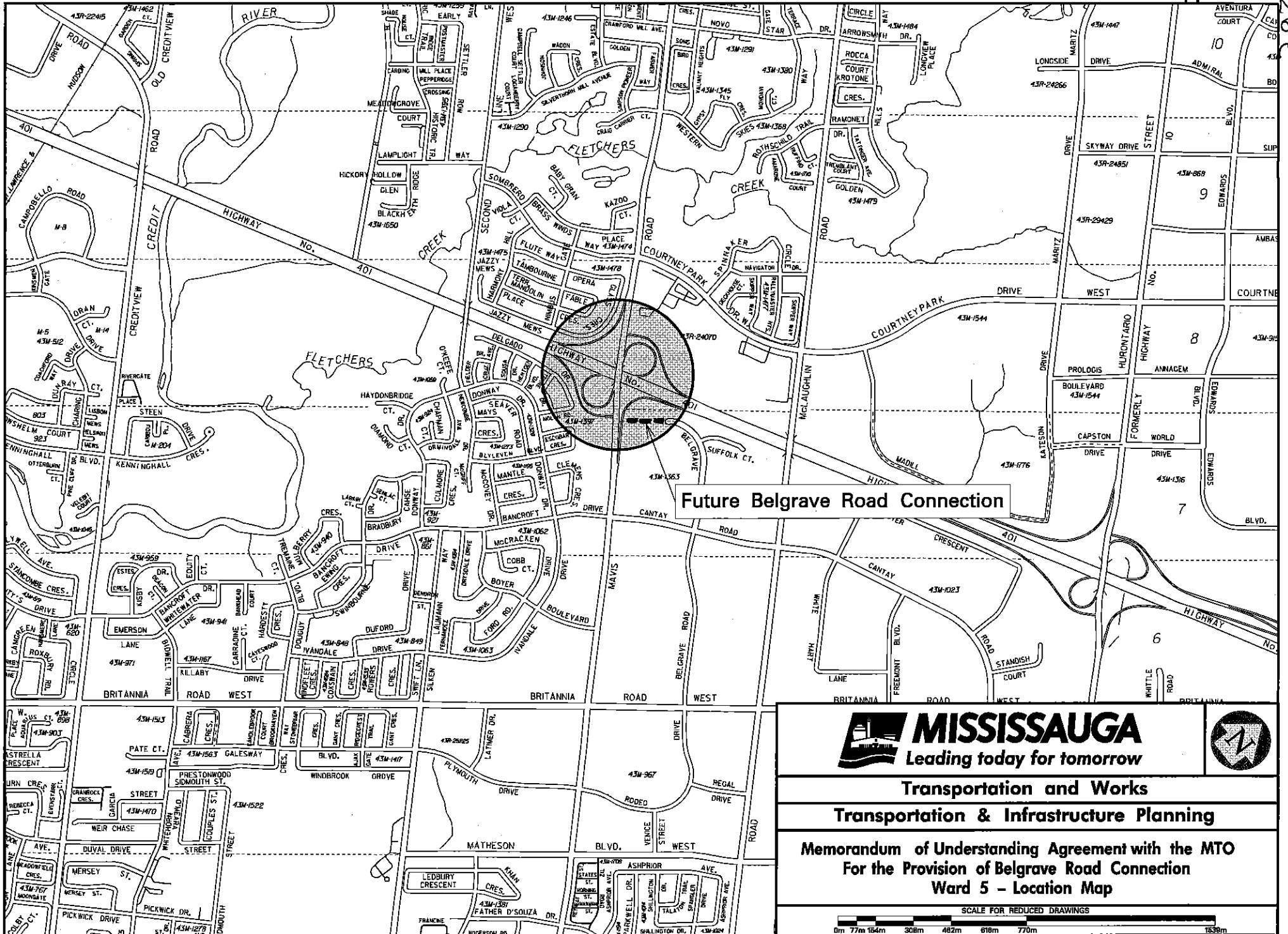
CONCLUSION: The connection between Belgrave Road and the eastbound Highway 401 off-ramp at Mavis Road provides improved access to the employment lands east of Mavis Road and south of Highway 401. It is therefore recommended that the Commissioner of Transportation and Works Department be authorized to enter into a Memorandum of Understanding with MTO for the provision of a future connection between Belgrave Road and the eastbound Highway 401 eastbound off-ramp at Mavis Road.

ATTACHMENTS: Appendix 1: Location Map

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: Abdul Shaikh, P.Eng., PMP
Transportation Project Manager*





Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP

RT.10.Z-32

General Committee

JUN 26 2013

DATE: May 31, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Proposed Exemption to Noise Control By-law No. 360-79, as amended - Erin Mills Parkway approximately 300 metres (984 feet) north of Burnhamthorpe Road West (Ward 8)**

RECOMMENDATION: That McNally-Kiewit-Aecon Partnership be granted an exemption from Noise Control By-law No. 360-79, as amended, to allow for extended construction work for the first phase of twinning of the existing West Trunk Sanitary System on Erin Mills Parkway between Highway 401 and Queen Elizabeth Way (QEW), commencing Monday, July 8, 2013, and ending Friday, May 30, 2014.

BACKGROUND: McNally-Kiewit-Aecon Partnership, on behalf of the Regional Municipality of Peel, intends to proceed with the first phase of the existing sanitary trunk sewer system expansion.

The purpose for the Noise Control By-law exemption is to facilitate, a shaft sinking operation on the west side of Erin Mills Parkway approximately 300 metres (984 feet) north of Burnhamthorpe Road West, and tunnelling works from the shaft location to a point located on the east side of Erin Mills Parkway immediately across from the Erin Mills Town Centre.

COMMENTS:

The Region of Peel's "Water and Wastewater Servicing Master Plan" has identified the need for increased capacity of its western trunk sanitary sewer system. The Region's Master Plan has determined that the twinning of the existing trunk sewer is the most feasible solution and the Region of Peel has commenced construction for the extension of this sanitary system.

McNally-Kiewit-Aecon Partnership, on behalf of the Regional Municipality of Peel, has requested an exemption from Noise Control By-law No. 360-79, as amended to allow for a two shift tunnelling and shaft sinking operation. The proposed construction hours are specified as 7:00 a.m. to 3:30 p.m. for the day shift operations following 3:30 p.m. to 12:00 a.m. (midnight) afternoon shift. There are no construction activities scheduled between the hours of 12:00 a.m. and 7:00 a.m.

It's been estimated that by allowing a two-shift operation and limited overnight work activities, it could potentially reduce the duration of the project by up to fifty percent.

Prior to the commencement of construction, the Region of Peel will inform the residents directly affected of the planned construction activities.

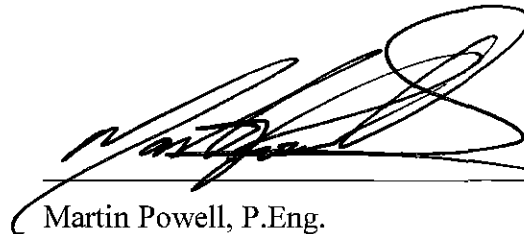
The local Ward Councillor has been made aware of the proposed exemption from Noise Control By-law No. 360-79, as amended.

CONCLUSION:

In order to minimize impacts the construction work may have on City of Mississauga residents and to alleviate traffic disruptions, the Transportation and Works Department supports the Noise Control By-law exemption to allow for extended construction work for the twinning of the existing West Trunk Sanitary System commencing Monday, July 8, 2013 and ending Friday, May 30, 2014.

ATTACHMENTS:

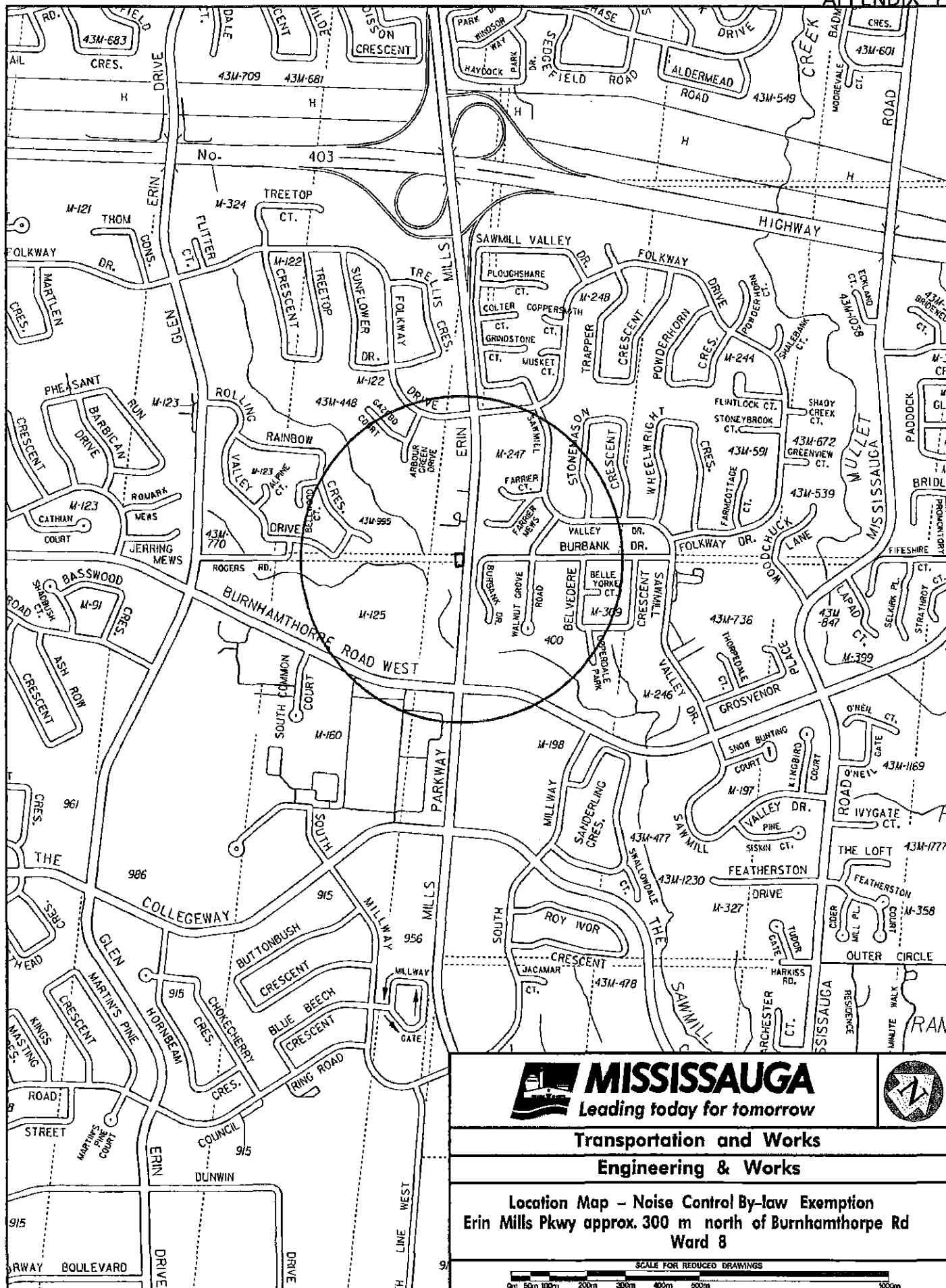
Appendix 1: Location Map: Noise Control By-law Exemption –
Erin Mills Parkway, approximately 300 metres (984
feet) north of Burnhamthorpe Road West
(Ward 8)

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: Darek Koziol, Traffic Technologist

27c





Corporate Report

Clerk's
Files
Originator's H-OZ-09/005
Files

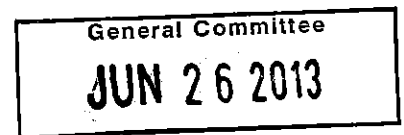
28

DATE: June 10, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: Assumption of Municipal Services (Ward 11)



RECOMMENDATION: That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Servicing Agreement for H-OZ-09/005, Cal-Main (Mississauga) Developments Inc., (lands located north of Mill Street, east of Wyndham Street, west of the Credit River and south of Main Street, in Z-38W, known as Cal-Main Townhouses) and that the Letter of Credit in the amount of \$186,795.70 be returned to the developer.

H-OZ-09/005 (Ward 11)

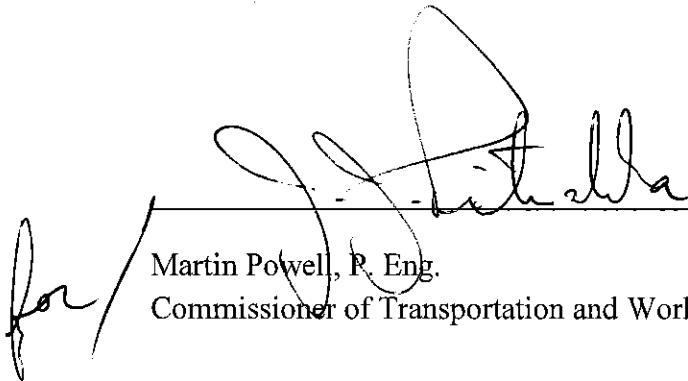
BACKGROUND: The developer identified on the attached Table of Assumption (Appendix 1) has complied with all the requirements of the Servicing Agreement for the installation of the municipal services.

FINANCIAL IMPACT: With the assumption of Cal-Main Townhouses (H-OZ-09/005), the City will now be required to provide maintenance to 68.5 metres (225 feet) of newly constructed storm sewer.

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

ATTACHMENTS: Appendix 1: Table of Assumption

Appendix 2: Approximate location of Cal-Main Townhouses
(H-OZ-09/005)



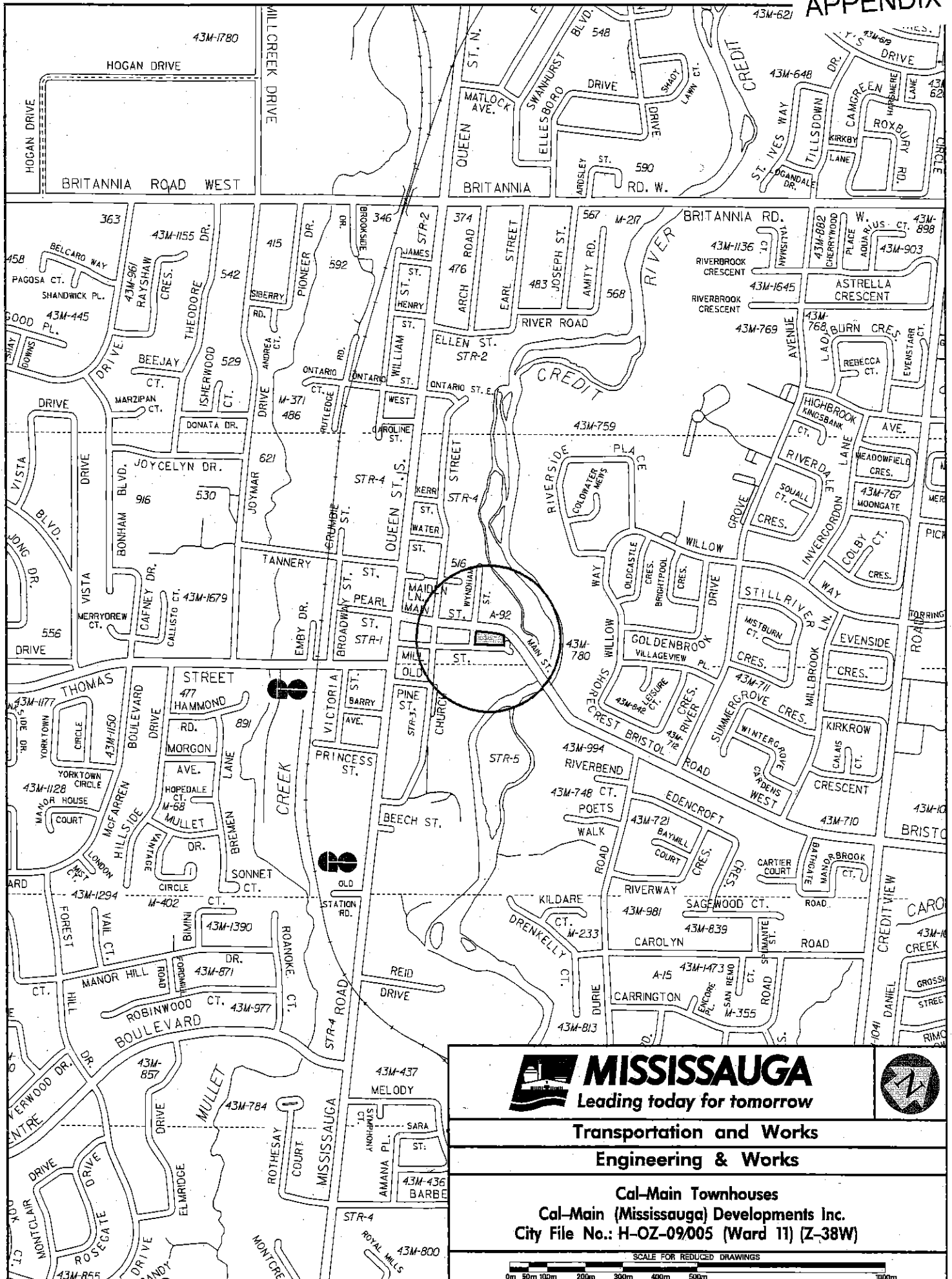
for / Martin Powell, P. Eng.
Commissioner of Transportation and Works

*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
H-OZ-09/005	North of Mill Street, east of Wyndham Street, west of the Credit River and south of Main Street (Z-38W)	Cal-Main (Mississauga) Developments Inc. 51 Roysun Road, Unit 8 Woodbridge, ON L4L 8P9 Attn: Mr. Danny DiMeo	May 12, 2010	\$186,795.70 (Cancel Insurance)

28c

APPENDIX 2





Corporate Report

Clerk's Files

Originator's
Files

FA.49.121-09
MG.23.REP

29

General Committee

JUN 26 2013

DATE: June 7, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Contract Upset Limit Increase**
The Supply and Installation of a GPS/AVL Fleet Management System
Procurement FA.49.121-09

- RECOMMENDATION:**
1. That the existing GPS/AVL System currently installed on winter contractors' vehicles and selected Transportation and Works vehicles be expanded to cover additional remaining fleet vehicles.
 2. That the Purchasing Agent be authorized to increase the upset limit of the existing Purchase Order No. 4600012234 from \$132,000.00 (excluding tax) to \$200,000 (excluding tax) to cover costs from Rogers Wireless Partnership.
 3. That the Purchasing Agent be authorized to increase the upset limit of the existing Purchase Order No. 4600012235 from \$586,525.00 to \$760,000.00 (excluding tax) to cover the costs from Webtech Wireless Inc. for the supply and installation of additional GPS/AVL units in City of Mississauga vehicles, existing Procurement No. FA.49.121-09.

BACKGROUND: The existing GPS/AVL Fleet Management System contract consists of the supply and installation of a GPS system which is used in both contracted and City owned winter maintenance vehicles.

Following a competitive procurement process for the Supply and Installation of a GPS/AVL Fleet Management System, a five-year contract was awarded to Rogers Wireless Partnership at a contract value of \$132,000.00 (excluding taxes) and Webtech Wireless Inc. at a contract value of \$586,525.00 (excluding taxes) from November 2, 2009 until October 31, 2014.

Requests have been received from other Sections and Departments to have vehicles assigned to those areas be included in the existing GPS/AVL Fleet Management System.

In order to expand the use of GPS/AVL to other fleet vehicles, it will require the value of the purchase order to be increased.

COMMENTS:

Based on the success of the current system and the operational improvements and efficiencies realized, the use of GPS/AVL can be expanded to other areas of the fleet. Vehicles in Animal Services, Inspections and Surveys, Parking Enforcement, Facilities and Property Management, Works, Traffic, Corporate Security and Transit Enforcement can readily be added to the current GPS/AVL system being utilized by the City.

It is anticipated that the expanded use of GPS/AVL to the remaining areas of the fleet will result in operational efficiencies, fuel cost savings, elimination of unauthorized mileage, reduced idling, increased safety through speed reduction and improved defense of claims.

The existing GPS/AVL Fleet Management System contract supplies the GPS/AVL units for Works vehicles which allow confirmation on the completion of winter maintenance operations in order to meet Minimum Maintenance Standards. The current contract upset limit is not sufficient to meet neither the current forecast for the remainder of the contract nor sufficient for the additional units being proposed. In order to meet our obligations and add additional GPS units, an increase to the Supply and Installation of a GPS/AVL Fleet Management System contract is required.

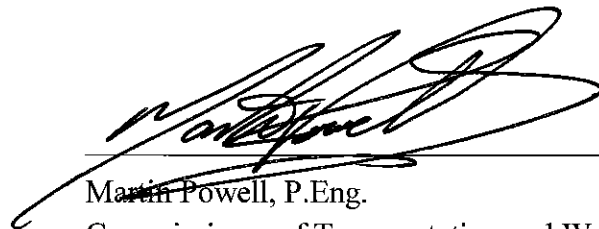
Rogers Wireless Partnership and Webtech Wireless Inc., the successful bidders for the Supply and Installation of a GPS/AVL Fleet

Management System, have provided the City with an excellent level of service. Among the benefits provided by Rogers Wireless Partnership and Webtech Wireless Inc. for the City of Mississauga are: efficiency, consistent quality, reliability, cost effective delivery and quality service.

Materiel Management has reviewed this report and confirms its acceptance of the recommendation contained herein pursuant to By-law 374-2006, Section 18, item 2. (d) (i); (d) - "For amendments to High Value Acquisition Commitments, Council approval is required....."; (i) - "greater than 20% of the Original Commitments and greater than \$100,000;".

FINANCIAL IMPACT: Capital costs of GPS/AVL units can be accommodated through existing budgets. Operating costs are expected to be offset by fuel savings and operational efficiencies.

CONCLUSION: The Transportation and Works Department recommends that the upset limit for the Supply and Installation of a GPS/AVL Fleet Management System Contract (Procurement No. FA 49.121-09) be increased from \$132,000.00 (excluding tax) for Rogers Wireless Partnership to \$200,000.00 (excluding tax) and from \$586,525.00 (excluding tax) for Webtech Wireless Inc. to \$760,000.00 (excluding tax) in order to complete the end of the existing contract and accommodate the new units being proposed for City vehicles.



Martin Powell, P.Eng.

Commissioner of Transportation and Works

*Prepared By: Bob Levesque, P.Eng.,
Manager, Works, Maintenance & Operations*



Corporate Report

Clerk's Files

Originator's
Files

30

General Committee

JUN 26 2013

DATE: June 11, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: Mississauga Sport Plan

RECOMMENDATION: That the recommendations contained in the Sport Plan attached as Appendix 1 to the Corporate Report dated June 11, 2013 from the Commissioner of Community Services be endorsed and referred to staff to develop an implementation plan.

**REPORT
HIGHLIGHTS:**

- The Mississauga Sport Plan, (the "plan") is a 5 year strategic plan that provides a series of recommendations designed to build a more collaborative, highly used and recognized sport system in the city.
- The Sport Plan focuses on 7 strategic areas and includes 40 recommendations. These 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.
- The recommendations are the result of consultations with the broader sport community, a best practices review and input from the Sport Plan Steering Committee.
- The plan considered recommendations from the Mayor's Task Force on Sport.

- The plan has been reviewed and endorsed by community stakeholders, the Mississauga Sports Council and positively received by the public through online feedback and public open house. Comments and feedback have been incorporated into the final plan.
- An implementation process has been established. An implementation team will be established to prioritize the recommendations, establish leads and develop a reporting out process for successes.

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 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.

In February 2012, the draft plan and recommendations were presented to General Committee. Council approved staff completing a public consultation and on-line feedback process which occurred on March 26, 2013. There was general support for the plan and no material change to its recommendations.

PRESENT STATUS:

Staff have incorporated feedback received into the final plan being considered by Council. An additional appendix has been added to the plan which outlines the feedback received by strategic focus area (Sport Plan-Appendix 3).

The implementation of the Sport Plan will be led by the Recreation division's Sport Unit. The Plan has been added to the portfolio within the Sport Development Coordinator's area of responsibility. The Sport Unit will ensure the plan advances in a timely and effective manner and to provide progress reports to community stakeholders and Council.

The plan is a forward thinking document and its development has built interest and momentum with stakeholders. An implementation plan is now required to advance its recommendations. Work with the Mississauga Sports Council is required to position the group to assume a shared leadership role in the plan's implementation.

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.

Implementation

Realizing the vision for sport in Mississauga requires a collaborative implementation approach with groups who bring collective expertise and a passion for sport. The plan recommends that an implementation

team be established who would be in place for a short time to assist the City and the Sports Council with the prioritization and to identify organizations that should play a leadership role with respect to specific deliverables. Finally, the team would assist the city to establish a process for reporting out successes of the plan.

The implementation team will consist of representatives from community sport organizations, the Mississauga Sports Council, business community, Peel public health and school boards. These organizations have been identified because of their role in the sport delivery system in Mississauga. Also important in the selection of organizations will be to ensure there is diversity of interests and perspectives so that some of our communities of interest (new Canadians, women, older adults, youth) are reflected in the prioritization and organizational leads. Upon approval of the plan, the Recreation Division will undertake the team recruitment process in order to expedite implementation planning.

Sport Council Governance

Building greater capacity with the Mississauga Sport Council to assume a leadership role in the implementation of the Sport Plan is considered essential to the Plan's success. Doing so will require a comprehensive review and reconstitution of the Council's governance and facilitating stronger connections with the community sport. The Council recognizes this need and is prepared to work with the city to that end.

A governance review will examine the Council's constitution and by-laws, board recruitment, composition and structure, membership planning and work plan assessment. The governance review process will include facilitated workshops with the existing Sports Council in the fall. Through the course of these meetings, it is expected that a renewed constitution, validation and refinement of the Mississauga Sports Council strategic plan and capacity to assume some of the deliverables of the plan will emerge. City staff will be partners in this review process which is expected to be complete in early 2014 and its outcomes presented at the next Sports Council AGM (June 2014).

Finally, the implementation team and Sports Council Board will consider the need for a Sport Ambassador in Mississauga. Such a position could serve to raise the profile of sport in Mississauga, bring together community groups, agencies and businesses to assist the City and community organizations to secure funding, tournaments and other major sport tourism events through his/her profile or influence. Once this role is defined, a process to appoint this individual will be documented and brought forward to Council for consideration.

STRATEGIC PLAN: Having a sustainable sport delivery system and infrastructure 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 comprehensive and collaborative. Feedback on the plan has been positive and its recommendations, once achieved will ensure Mississauga has a dynamic and collaborative sports system that enables all residents to enjoy sport to the extent of their interests and abilities.

ATTACHMENTS: Appendix 1: Mississauga Sports Plan



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

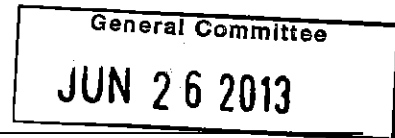
Prepared By: Jodi Robillos, District Manager, Recreation Division



Corporate Report

Clerk's Files

Originator's
Files



DATE: June 3, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: Provision of Epinephrine Medication in City Facilities

RECOMMENDATION: That the report dated June 3, 2013 from the Commissioner of Community Services entitled Provision of Epinephrine Medication in City Facilities be received for information.

**REPORT
HIGHLIGHTS:**

- A comprehensive system is currently in place for determining when epinephrine auto-injector is administered by Staff to identified participants in City Recreation and Culture programs, in the event of an anaphylaxis reaction, when a completed consent form to administer has been provided.
- Food Services Staff (concessions, restaurants) are provided with basic training on cross contamination of foods. Further training programs developed by Anaphylaxis Canada, the Canadian Food and Restaurant Association and TrainCan will be considered
- Mississauga Fire and Emergency Services Staff and/or Peel Regional Paramedics, as First Responders are best suited to

provide emergency medical care. Mississauga Fire and Emergency Services support this approach.

- Community Centres are not recommended to be stocked with Epinephrine Medication.

BACKGROUND:

This report responds to inquiries made at Council on May 8, 2013

PRESENT STATUS:

It is currently not the City's practise to stock, provide or administer epinephrine medication (EpiPen®/TwinJect™/ Allerject™) for potential anaphylactic reactions to the general public that use recreation and culture facilities.

Appropriate City Staff working in recreation facilities are certified in first aid, which includes training in anaphylaxis. City Staff working in camp programs are provided additional in-house training on administering epinephrine medication (EpiPen®/TwinJect™/ Allerject™), due to length and nature of the program (snack and lunch breaks), along with those working in aquatics.

Upon registering for a program, or multi-day camp, the City requests participant information for medical and allergic conditions. This information is shared with the Program Supervisor and staff delivering the program.

Participant(s) whom have known allergic conditions, are required to complete an Anaphylaxis Emergency Plan. Parents/Legal Guardians are required to provide the required medication (EpiPen®/TwinJect™/Allerject), on a daily basis and the participant is required to carry on their person at all times. A comprehensive system is currently in place for determining when epinephrine auto-injector is administered by staff.

Food Services Staff that operate concessions and restaurants are provided with basic training on cross contamination of foods. Further training programs developed by Anaphylaxis Canada, the Canadian Food and Restaurant Association and TrainCan will be considered.

Signage indicating potential traces of or contact with identified food allergens will be posted our food service areas and vending machines provided by a third party.

COMMENTS:

The response to anaphylaxis is both a public and personal responsibility. Individuals who are susceptible to anaphylaxis have a responsibility to carry epinephrine medication (EpiPen®/TwinJect™/Allerject™), share knowledge of their allergic reaction appropriately and take precautions to avoid situations of risk.

The City's responsibility is to help create an anaphylaxis safe environment ("allergy aware"). It is not feasible to attempt to ban or eliminate allergens from City facilities due to the public access nature of our facilities.

Staff do not recommend stocking and administering epinephrine medication (EpiPen®/TwinJect™/Allerject™) for potential anaphylaxis reactions. This increases the level of care in which City Staff are responsible to provide to customers in our facilities and requires City Staff to make medical judgement calls as to proper dosage and who are not specifically trained to do so, nor is it feasible to provide such training.

As there is no way to predict the severity of a reaction and as a severe allergic reaction can progress rapidly, individuals with a history of severe allergic reactions and those at risk of a severe allergic reaction should keep epinephrine medication on hand at all times and be prepared to use it as soon as symptoms begin. And wear the appropriate medic alert to identify their allergy.

On average, epinephrine medication costs \$100 per dose with an approximate shelf life of one year. To ensure each location is stocked accordingly, 4 doses would be required at all times (2 of each dosage) estimated cost of \$13,200 annually for recreation facilities alone.

City Staff's response to any life threatening medical emergency is to call 911. Staff provide emergency first aid until such time as First Responders (Fire/Paramedics) arrive.

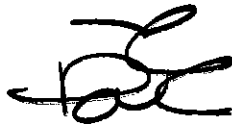
Mississauga Fire and Emergency Services Staff and/or Peel Regional Paramedics, as First Responders are best suited to provide emergency medical care. Mississauga Fire and Emergency Services support this

approach and now carry EpiPens on their trucks, enabling them to provide the appropriate medical interventions in a timely manner.

Appropriate trained City staff will continue to administer epinephrine auto injectors to program participants, in the event of an anaphylaxis reaction, when a completed consent form to administer has been provided.

CONCLUSION:

It is the responsibility of parents/legal guardians and/or individuals with a history of severe allergic reactions or at risk of a severe allergic reaction to carry their epinephrine medication on their person at all times, avoid situations of risk and ensure vigilance to avoid exposure. The municipal responsibility is to educate, train staff and ensure that emergency procedures are in place in the event of an anaphylaxis reaction.



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

Prepared By: Laura Buchal, Manager, Compliance



Corporate Report

Clerk's Files

Originator's
Files

General Committee

JUN 26 2013

DATE: June 7, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: Future Directions Library Services Master Plan Funding

- RECOMMENDATION:**
1. That the Corporate Report dated June 7, 2013 from the Commissioner of Community Services entitled "Future Directions Library Services Master Plan Funding" be approved.
 2. That PN 13-278, Library Master Plan , be established with a gross and net budget of \$100,000;
 3. That funds of \$90,000 be allocated from the Development Charges Reserve Fund Library (Account 31325) and \$10,000 from the Capital Reserve Fund (Account 33121) into Library Master Plan (PN # 13-278)
 4. That all necessary By-laws be enacted.

REPORT

HIGHLIGHTS:

- The Future Directions Library Master Plan provides strategic short term and long term direction for the Mississauga Library System and informs the 10-year Capital Plan for the Development Charges By-law.
- The Development Charges By-law will be updated in 2014 and in order to meet this timeline, it is necessary for the Library Master Plan Review to commence in 2013.

- The \$100,000 to conduct the Library Master Plan Review is needed this year to commence the review in order to meet the timelines for Development Charges By-law update as developed by Corporate Finance.

BACKGROUND:

The Mississauga Library System depends on the Future Directions Library Master Plan to guide its direction in both the short term and the long term. The Library Master Plan is designed to be a living document that is updated every five years to reflect changes within the social, cultural, demographic, informational, and educational environments of the City, and also to address future requirements based on these changes. This Master Plan was last reviewed in 2009 and is now scheduled for another review.

This Master Plan informs the Development Charges (DC) By-law and is also required to ensure that the Library strategic objectives continue to align with the City's Strategic Plan and service delivery remains sustainable moving forward.

PRESENT STATUS:

The DC By-law will be updated next year (scheduled for June 2014) in accordance with the Development Charges Act as the current DC By-law expires November 11, 2014. A wholesome review of the adequacy of library facilities in the face of current and future growth through the Master Plan is required to inform the Capital Plan for the next 10 years which will inform the new 2014 DC By-law.

The funds to conduct the Library Master Plan Review are in next year's budget and include, \$43,000 as unfunded as per the current 10-year Capital Plan and an additional \$57,000 which is a budget request (BR # 819) through the 2014 Corporate Business Planning Process for a total of \$100,000.

Historically, the Future Directions Library Master Plan was reviewed simultaneously with the Future Directions Recreation and Parks Master Plans and this review cycle will be likewise.

In order to meet the June, 2014 Corporate DC By-law update timelines, it is necessary for the Library Master Plan review to

commence this year. The budgeted funds required to complete the Master Plan review is needed for this year as Material Management does not allow for procurement without funds being approved.

STRATEGIC PLAN: Having a Mississauga Library System that addresses the changing needs of a changing community demographic is necessary in order to achieve the strategic pillars of “completing our neighbourhoods” and “ensuring youth, older adults and new immigrants thrive.” The Master Plan also ensures that the Library strategic objectives continue to align with the City’s Strategic Plan.

FINANCIAL IMPACT: The review of the Future Directions Library Master Plan will result in a \$100,000 impact to conduct the study. Making these funds available in 2013 will eliminate the need for the funding request in 2014 -2023 capital budget.

CONCLUSION: The Future Directions Library Master Plan will guide the long and short term planning and management of the Mississauga Library System. The Library Master Plan along with other City master plans will inform the next 10 year Capital Plan and the new DC By-law due in 2014.

The timely availability of funds to commence the Library Master Plan this year will ensure adequate input that is required to inform the new DC By-law.



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

Prepared By: Maurice Swaby, Business Advisor, Business Planning



Corporate Report

Clerk's Files

Originator's
Files

33

General Committee

JUN 26 2013

DATE: June 11, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Letter of Intent and Bid Submission for 2016 Ontario Summer Games**

- RECOMMENDATION:**
1. That the Commissioner of Community Services be authorized to submit a conditional letter of intent by February 2014 in a form satisfactory to the City Solicitor, for the 2016 Ontario Summer Games to the Sport Alliance of Ontario on behalf of The Corporation of the City of Mississauga; and
 2. That a 2016 Ontario Summer Games Bid Committee be established in accordance with the report from the Commissioner of Community Services and the guidelines of the Sport Alliance of Ontario; and
 3. That two (2) members of Council be appointed to the 2016 Ontario Summer Games Bid Committee.

**REPORT
HIGHLIGHTS:**

- Hosting the Ontario Summer Games will attract more than 3,500 participants including athletes, coaches, managers, technical delegates, officials and media. The Games are expected to generate more than \$4.5 M in economic benefits to the City of Mississauga, based on an estimate by the Sport Alliance of Ontario

- A letter of intent signals the city's interest in the Games and is not a formal commitment to host the Games.
- The development of a Bid Committee is required to prepare a bid submission for the Ontario Summer Games. The bid committee will be comprised of four staff, two appointed Members of Council and one representative from the Mississauga Sports Council, Mississauga My Games and Mississauga Toronto West Tourism.
- Council will approve the bid submission by April 2014 based on the completion of the bid assessment process.
- The operating budget for the Games is estimated at \$1,603,000 consisting of grant funding in the amount of \$600,000, event revenue including sponsorship, registration and ticket sales in the amount of \$775,000 and a direct contribution from the City of Mississauga of \$228,000.
- The bid guidelines outline a municipal guarantee of up to \$565,000 to cover any operating deficit.
- Community sports groups will be engaged to garner support and generate excitement for the games during the bid development process.
- The event satisfies several key objectives in the Youth Plan, Sport Tourism Strategy, the Sport Plan and the Culture Master Plan.

BACKGROUND:

On June 16, 2012, the coordinator of Mississauga My Games, Louroz Mercader, brought forward a deputation seeking Council's support to submit a bid for the 2016 Ontario Summer Games. Council referred the deputation to staff requesting that a feasibility study be completed.

The Ontario Summer Games (OSG) began in 1970 as a showcase for amateur sport for youth 13 to 16 years of age. These games are the province's largest multi-sport event, with up to 32 team and individual sport competitions over a 4 day period usually scheduled in August. Provincial-level athletes qualify through a selection process conducted by Provincial Sport Organizations (PSO). The Games are a program

of the Ontario Ministry of Tourism, Culture and Sport and are delivered by the Sport Alliance of Ontario in collaboration with host communities every two years.

The Games are expected to attract more than 3,500 participants including athletes, coaches, managers, technical delegates, officials and media. The direct economic impact of hosting the Ontario Summer Games is estimated by the Sport Alliance of Ontario to be between \$3.5 and \$4.5 million. The most recent Summer Games were held in Toronto in 2012 and Sudbury in 2010. The 2014 Ontario Summer Games host has not yet been named.

COMMENTS:**GAMES FACILITY FEASIBILITY**

The Games require the host city to stage 29 events that require at least 15 different venues. Staff reviewed all the technical specifications for each event and the associated venues required to host the Games and have concluded that the city's current infrastructure meets or surpasses the minimum technical standards to host 21 events. Appendix 1 attached to this report outlines the 2016 Ontario Summer Games events and the potential venue sites within the City that could be utilized. The outline is for illustration purposes as the final locations would be determined as part of the bid development process. Venues that exist within the City that are not owned or operated by the City will require support from our partners. Initial discussions with these venues have been positive.

Of the eight (8) other events that the City infrastructure cannot host currently it has been determined that canoe/kayak, rowing, wakeboarding, skeet shooting, sport rifle and mountain biking are either cost prohibitive to develop a permanent or temporary venue or city by-laws restricts the activity within city limits. Accordingly, it will be necessary to pursue these venues through partnerships with neighboring municipalities to round out the event schedule. Securing venues through partnership is a common practice when hosting major multi-sport events as the 2015 Pan Am Games demonstrates. This is not anticipated to be an issue.

Staff have identified the development of BMX Cycling and Beach Volleyball facilities as potential legacies as a result of hosting the 2016 Ontario Summer Games. Mississauga's Future Directions Recreation Master Plan outlines the need for BMX Cycling and Beach Volleyball as an upcoming future need. Accordingly, staff have included both facilities in the 2014-2023 Capital Budget and Forecast submission and each facility will be ranked based on the city-wide prioritization model. Staff will explore funding partnerships including but not limited funding from provincial and federal levels of government in order to advance these facilities. In the absence of available funding staff will investigate partnerships with neighboring jurisdictions that can accommodate these events.

Hosting the Games will cause some disruption to regular user programming however, this will be mitigated by hosting the event during a week/weekend that is least impactful and groups will be provided with ample notice for scheduling adjustments. Community sport groups will be engaged during the bid development process to garner support and generate excitement for hosting the Games.

PRELIMINARY BUDGET

The Games operating budget to host the 2016 event is estimated to be between 1.4 million (Sudbury 2010) and 1.68 million (Toronto estimated 2012). The Sport Alliance of Ontario has not released the final budget from the 2012 Toronto Summer Games at the time of producing this report. Listed below is the estimated budget for the games.

ESTIMATED BUDGET

Revenue	\$
Sport Alliance Host Grant	\$ 600,000
Sponsorships and Donations	\$ 461,000
City of Mississauga	\$ 228,000
Athlete Registration Fees	\$ 210,000
Ticket Sales	\$ 104,000
TOTAL REVENUE	\$ 1,603,000

Expenditures

Food and Accommodation	\$ 907,000
Games Operations	\$ 414,000
Transportation	\$ 282,000

TOTAL EXPENDITURES **\$ 1,603,000**

To host a major multi-sport event the City will need to inject financial resources to successfully attract the Games and ensure their success. The operating budget identifies \$228,000 as an anticipated municipal expense primarily to staff the Games.

The bid guidelines stipulate that the host must ensure the Games do not incur an operating deficit. Based on the preliminary budget figures available to City staff, it is estimated that the City must underwrite the event up to a maximum of \$565,000. The 2016 bid guidelines emphasize the importance of a fundraising and sponsorship plan to help offset operating expenditures. The Recreation Division's Sponsorship team alongside the Games' Organizing Committee will develop and execute a fundraising plan to raise this amount in full. The 2016 Budget would however need to earmark the necessary funds to ensure that any shortfall can be managed. Previous Games Committees have achieved set revenue and sponsorship targets and staff anticipates that the City of Mississauga will enjoy the same success. In addition, there is further opportunity to investigate grant funding opportunities to offset operational expenses for festivals and cultural components. Through the City's expansive sport network and marketing channels, revenues from ticket sales and merchandising will be maximized.

LETTER OF INTENT/BID COMMITTEE

The Sport Alliance of Ontario has established a formal bid process and timeline for the 2016 Ontario Summer Games as below:

1. Letter of Intent (due February 2014)
2. Bid Submission (due May 2014)
3. Bid Review and Site Visits (June 2014)
4. Recommendation to Board of Directors and Games Council (August 2014)
5. Official Announcement of Successful Community (August 2014)

Submitting a Letter of Intent informs the Sport Alliance of Ontario of the City of Mississauga's intention to submit a bid for the 2016 OSG, however no further commitment is required should the City decide not to officially submit a bid to host the Games.

The development of a bid committee is required to prepare a bid for the Sport Alliance of Ontario. Staff recommend that the bid committee be comprised of two appointed Members of Council and staff representatives from Recreation, Finance, Parks and Forestry. Stakeholder representatives will include Mississauga Toronto West Tourism (MTWT), the Mississauga Sports Council and Mississauga My Games. The Sports Council and MTWT have submitted letters of support for submitting a bid for the Games (Appendix 2).

The Bid Committee will be responsible for providing a detailed budget plan based on current market evaluations and external venue partnerships. Establishing a Games Organizing Committee (GOC) and providing a detailed operational plan for executing the Games, which will include staffing of the Games office, final venue locations, accommodations and a transportation/logistics plan will also be the committee's responsibility. Due to the complexity of the bid process itself, the Bid Committee will be chaired by City Staff.

If successful the Recreation Division will establish a Games Office and hire the required personnel to execute the Games plan. The General Manager would act primarily as a point of contact between the Games Organizing Committee and the City of Mississauga. Working cooperatively with the Games Chairperson, the General Manager develops the overall Games strategy and oversees the Games implementation plan to ensure successful delivery of the event including volunteer recruitment, venue operations, special events, accreditation, accommodation and hospitality services.

Staff will submit a final bid report for Council approval prior to its submission to the Sport Alliance of Ontario in April 2014.

GAMES LEGACY

Hosting the 2016 Ontario Summer Games satisfies recommendations in the Sport Tourism Strategy to seek "multi-discipline sport events that showcase Mississauga's premiere facilities and parks to sport

governing bodies". This event would add to Mississauga's experience as a host of major sports events and build a legacy of experienced volunteers and resources while expanding sport educational and leadership opportunities with a view to future event acquisitions.

Hosting such a multi-sport event strengthens community partnerships with the Mississauga Sports Council and local sport organizations and provides development opportunities for youth in sports promoting life-long physical activity thus satisfying important objectives of Mississauga's Sport Plan.

The Games would "cultivate the creative and expressive potential of citizens and develop a shared, authentic cultural identity" through associated events such as the Opening and Closing Ceremonies fulfilling strategic goals of the Cultural Master Plan.

Following the successful hosting of the 2015 Pan Am Games, the momentum would continue to 2016 providing Mississauga even further exposure as an event friendly host community.

STRATEGIC PLAN:

Hosting the Ontario Summer Games supports the strategic pillars Belong, Connect and Prosper of "Our Future Mississauga". Reaching out to the sport communities to support the Games through volunteerism connects residents and communities providing them new experiences and learning opportunities. This is an event that captures the essence of youth empowering them through competitive sport to drive toward personal excellence that may steer the course of their lives. As referenced in the Sport Tourism Strategy, showcasing Mississauga as a sport friendly host community builds civic pride and promotes physical activity as a lifestyle choice.

FINANCIAL IMPACT:

The city's portion of the Games budget is expected to be \$228,000 to offset costs of a General Manager and logistics staff required to coordinate and implement the Games. The full estimated Games budget \$1,603,000 which includes the cost of staffing, is to be funded through grants, sponsorship, ticket and merchandise sales. In the event of a deficit, the City would be required to guarantee up to a maximum of \$565,000. Included in the 2014-2016 operating budget forecast for Council's consideration is \$228,000 for staffing and direct costs.

A comprehensive revenue generation and sponsorship plan will seek to minimize the municipal contribution and fully offset the municipal guarantee. Capital funds for the development of the beach volleyball courts and BMX cycling venue will be considered in the 2014-2015 capital budget as part of the prioritization exercise.

CONCLUSION:

A bid for the 2016 Ontario Summer Games satisfies a number of the City of Mississauga's strategic objectives for sport, tourism and culture and presents an excellent opportunity for the City to enhance its sport hosting experience with minimal financial risk. Staff recommends moving forward to formalize an Ontario Summer Games Bid Committee that will develop a Bid Document to include a detailed operating budget to be presented to Council by April 2014.

ATTACHMENTS:

Appendix 1: Events Supported by Existing Facilities
Appendix 2: Letters of Support



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

Prepared By: Jason Klomp, Manager, Sport

Appendix 1

Events Supported By Existing Facilities

The following events could be hosted using existing facilities and amenities in Mississauga

Sport	Potential Location
Archery	Totoredaca Park
Athletics	Courtneypark Fields
Ball Hockey	Huron Park Arena, Port Credit Arena
Baseball	Meadowvale Sports Park, Mississauga Valleys, Clarkson Park, Rivergrove, Quinnepecon, Ninth Line Park
Basketball	Hershey Centre
Fencing	Mississauga Valleys CC, University of Toronto at Mississauga (proposed)
Field Hockey	Hershey Centre, Iceland
Golf	Lakeview, Braeburn
Karate	Hershey Centre, Mississauga Valleys CC, Huron Park CC
Lacrosse (box)	Erin Mills Arena
Lacrosse (field)	Iceland
Lawn Bowling	Port Credit Lawn Bowling Club (proposed)
Rugby	Mississauga Valleys – Paul Gilbert Field
Sailing	Port Credit Yacht Club (proposed)
Soccer	Hershey Centre, Iceland
Softball	Dunton Park, Brickyard Park
Swimming	University of Toronto at Mississauga (proposed)
Tennis	Credit Valley Lawn Club (proposed)
Triathlon	Jack Darling Park
Water polo	University of Toronto at Mississauga (proposed)
Wrestling	Hershey Centre

Events not supported by Mississauga infrastructure and require municipal partnerships:

Sport	Potential Partnership Location
Canoe/Kayak Sprint	TBD
Cycling (BMX)	TBD
Cycling (Mountain Bike)	TBD
Rowing	TBD
Skeet Shooting	TBD
Sport Rifle	TBD
Beach Volleyball	TBD
Waterski/Wakeboard	TBD



February 26, 2013

Jason Klomp
Manager Sports, City of Mississauga
9th Floor
201 City Centre Dr.
Mississauga, ON

Dear Jason,

The Mississauga Sports Council is pleased to support the Mississauga Sport Tourism Strategy by providing our support of the City's initiative towards hosting the 2016 Ontario Summer Games.

We look forward to supporting the physical activity and further development of our youth through sports. Please advise if you require any further information.

Sincerely,

Catherine Holland,
Executive Director



Mississauga Sports Council
101 - 5600 Rose Cherry Place, Mississauga, ON L4Z 4B6

sportsmississauga.org Tel: 905.267.3536 info@sportsmississauga.org



June 6, 2013

Mr. Jason Klomp
Manager Sport
City of Mississauga
Community Services Department
Recreation & Parks Division
201 City Centre Drive, Suite 900
Mississauga, ON L5B 2T4

Dear Mr. Klomp;

We are thrilled at the prospect of hosting the 2016 Ontario Summer Games in Mississauga.

Successful events start with a winning destination like Mississauga. We're one of the world's most diverse and vibrant cities – an ideal location for celebrating and developing human potential, team spirit and achievement such as that epitomized by the 2016 Ontario Summer Games..

An extremely successful event, with unparalleled partnership, is what the City of Mississauga can expect when it comes to the 2016 Ontario Summer Games, should Mississauga be selected as the host destination. Mississauga is the centre of sporting excellence with inspiring state-of-the-art facilities and venues. Before and after the championship, Mississauga will thrill the participants with an unforgettable venue, world-class dining, hotels, shopping, theatre and attractions.

Tourism Toronto is here to support and assist you with our signature service and unparalleled hospitality. Our plan for your success, with the support of our spirited tourism and hospitality partners, will help you generate a solid return on investment for the City of Mississauga and all those involved.

We will support the City of Mississauga's vision by embarking on a solid program of partnership development that will help make the 2016 Ontario Summer Games an unprecedented success. We look forward to taking the journey together to bid and win the 2016 Ontario Summer Games to Mississauga!

Kindest regards,

David Whitaker
President and CEO
Tourism Toronto

Queen's Quay Terminal at Harbourfront

207 Queens Quay West, Suite 405, Toronto, ON, CANADA M5J 1A7
Tel: 416-203-2600 • Fax: 416-203-6753
Visitor Info: 416-203-2500 • Toll-Free Visitor Info: 1-800-363-1990
Website: www.torontotourism.com



Corporate Report

Clerk's Files

Originator's
Files

34

General Committee

JUN 26 2013

DATE: June 11, 2013

TO: Chair and Members of General Committee
June 26, 2013

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

SUBJECT: **Corporate Policy and Procedure - Corporate Grant Review
Recommendations**

- RECOMMENDATION:**
1. That the Corporate Report dated June 11, 2013 from the Commissioner of Community Services entitled Corporate Grant Review Recommendations be endorsed.
 2. That the Current Corporate Grant Policy, attached as Appendix 2 be rescinded and replaced with the proposed draft policy – Community Grant Administration attached as Appendix 1.

**REPORT
HIGHLIGHTS:**

- Corporate Grant Administration process has been streamlined
- Best practices, process and procedures utilized by each Division create efficiency and improve the applicant experience
- All grant program applications will advertise the same deadline date
- Staff recommendations for all grant programs will be provided to Council for their approval at the same meeting.

BACKGROUND: Corporate Grant Program Policy 04-09-01 was approved by City Council in 2001 and was last reviewed in 2007.

The current grant program supports Mississauga-based, non-profit volunteer community groups which exist for the purpose of providing municipally-related programs, services or projects delivered to and for the benefit of the residents of Mississauga.

The Recreation Division Corporate Grant Report approved by Council February 8, 2013 included commentary from staff regarding the need to update the existing policy. "While the existing corporate grants policy, last reviewed in 2007 is effective at ensuring a clear application, evaluation and monitoring process, Recreation staff will undertake a review of the Corporate Grants Policy and Procedure (Policy No. 04-09-01) in 2013 with an eye to strengthening alignment with Council and our corporate strategic plans and policies." The review of the policy is now complete, satisfying this recommendation

PRESENT STATUS:

A number of grant programs are administered by the Community Services Department, through Culture, Recreation, and Parks and Forestry Divisions. The Environment Division is also looking at offering grants and will bring forward recommendations at the appropriate time for Council's consideration. Within these various grant programs there are also a number of funding streams such as capital, project, operating and matching grants.

There are efficiencies and best practices in coordinating the grants approval process. The current policy is included in the Finance Division of Corporate Services. The recommended new policy, Community Grant Administration, attached as Appendix 1, will be under the Community Services Department. This report is recommending that the current Corporate Grant Program Policy, 04-09-01, attached as Appendix 2, be rescinded.

The above Divisions have worked cooperatively developing this new policy. The details unique to their individual program will be captured in the specific Grant Criteria and Guidelines.

The new policy includes the following items for all Community Services grants:

- Grants continue to be available to Mississauga based, not for profit organizations governed by volunteers;
- All grant programs will be advertised annually on a City-wide basis with information available on each Division's website;
- All grant programs applications will advertise the same submission deadline date;
- Late or incomplete applications will not be accepted;
- An assessment will be used to evaluate grant applications as per the established criteria and guidelines for each grant program;
- Staff from the Finance Division of Corporate Services will continue to review financial information in grant applications for all first time applicants and for all other grants as required through the individual guidelines;
- All grant requests over \$20,000 are required to provide audited financial statements;
- When there are concerns about the on-going viability of an organizations they may be placed on "Concerned Status" and have conditions attached to the release of grant funds; and
- Staff recommendations for all grant programs will be provided to Council for their approval at the same meeting, generally the end of January.

COMMENTS:

To simplify the grant process for all applicants Community Services Divisions have reviewed and streamlined the intake process, application criteria and review process. The policy identifies timelines and an assessment process to ensure the applicant is treated fairly and ensures transparency in our process. The former policy included operational details that have been moved to Criteria and Guidelines documents, which are updated annually.

STRATEGIC PLAN:

The Community Grants Administration policy establishes a common approach to administering and reviewing applicants in one efficient manner, while maintaining the uniqueness of each grant stream. Additionally the Criteria and Guideline frameworks provides stronger alignment with the Strategic priorities: Belong, Connect, Prosper and Green.

FINANCIAL IMPACT: Funding envelopes for each Grant Stream will be determined annually through the budget process.

CONCLUSION: Through the provision of grants, municipalities support the growth and development of arts, culture, heritage, recreation, sports, environment, parks and forestry groups as part of the City's strategic plans to make the City of Mississauga a place to live, work and play.

ATTACHMENTS: Appendix 1: Draft Community Grant Administration Policy
Appendix 2: Current Corporate Grant Policy # 04-09-01



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

*Prepared By: Theresa Kramer, Manager of Community
Development*

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Page 1 of 9
Effective Date Draft Only
2013 06 10
Supersedes

TAB: COMMUNITY SERVICES
SECTION: COMMUNITY GROUPS
SUBJECT: COMMUNITY GRANT ADMINISTRATION

POLICY STATEMENT Funding may be provided through various granting programs to assist emerging and established not-for-profit, community-based groups and organizations to deliver programs or services, complete special projects or to support their cultural, environmental or recreational goals.

PURPOSE Community grant funding demonstrates Council's commitment to the City's Strategic Plan and other Council priorities, which advance the City's vision and goals and contribute to our quality of life and the long-term development of community groups.

This policy outlines broad eligibility criteria, identifies the types of grants and funding streams that may be available and the general payment terms for each funding type.

SCOPE Community grants are available only to Mississauga-based, non-profit volunteer community groups through the following grant programs:

- Arts and Culture
- Cultural Festivals and Celebrations (CFC)
- Recreation and Sport
- Environment
- Parks and Forestry

Information on specific criteria and requirements (e.g. financial need and community benefit); the assessment methodology used to determine which eligible groups will receive funding; and submission of mandatory documentation are the responsibility of the respective Community Services division and will be provided

Corporate Policy and Procedure



Policy No. Appendix 1
 Page 00-00-00
 Page 2 of 9
 Effective Date Draft Only
 2013.06.10
 Supersedes

annually to the public in detailed guidelines.

ACCOUNTABILITY

Community Services Directors

Community Services Directors are responsible for:

- ensuring all applicable City staff are aware of this policy and any subsequent revisions;
- ensuring compliance with this policy and any applicable guidelines; and
- reviewing grant guidelines on an annual basis and updating as required.

Community Services Managers

Applicable Community Services managers are responsible for:

- ensuring applicable Community Services staff are trained on this policy and any related guidelines, as well as any subsequent revisions, with respect to their specific job function;
- ensuring Community Services staff administer grants in compliance with this policy and any related guidelines; and
- forwarding relevant information in a timely manner to appropriate Finance staff for their review.

Corporate Financial Services, Corporate Services Department

Applicable Corporate Financial Services, Corporate Services Department staff are responsible for:

- advising if financial information provided is complete and appropriate; and
- advising applicable Community Services staff of any financial concerns.

ADMINISTRATION

Community grant applications are administered by the Community Services Department. Grant applications are reviewed by Corporate Financial Services staff, Finance Division, in accordance with this policy. Notification to the public of grant applications, along with the applicable guidelines, is provided annually on the City's external website from August to October and/or through public advertisements.

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Page 3 of 9
Effective Date Draft Only
2013 06 10
Supersedes

34f

The City has sole discretion to select the grant recipients, based on the stated criteria. Council has final approval of all grants, including budget approval.

ELIGIBILITY

Community grants are available only to Mississauga-based, not-for-profit community groups governed by a volunteer Board of Directors. Groups must be in good standing with the City. Additional, comprehensive details regarding the operational structure, finances and documentation required for each grant type can be found in both the annual guidelines prepared specifically for each grant program and on the application form itself. Criteria will vary based on the funding stream and on the amount of the grant being requested.

Groups may not apply for grants from more than one Community Service's division within the same grant year.

Groups that are assessed as ineligible for funding and whose applications will receive no further consideration will be so advised, in writing or via email.

TYPES OF FUNDING AVAILABLE

The City provides a variety of funding streams, to a maximum of 65% of a group's operating budget, that the individual Community Services divisions may include within their unique grant programs, namely:

Multi-year Funding Agreements

Multi-year Funding Agreements may be provided to approved groups that meet specific criteria. The agreement, in a form satisfactory to Legal Services, will provide the group with a specific annual grant for each year of the agreement. Groups are required to submit specific information or financial documentation to the City on an annual basis throughout the life of the agreement.

34g

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Page 4 of 9
Effective Date Draft Only
2013 06 10
Supersedes

Operating Funds	Operating funds assist with the cost of general operations and program delivery for the coming fiscal year. Operating funding is provided on a one-year basis.
Project Funds	Project funds are provided to support a specific event or activity that is taking place within a defined period (usually during the calendar year in which the grant is awarded) and that has a clearly defined objective and a distinct budget. Funds are to support new or pilot initiatives outside the normal range of activity.
Capital Funds	Capital funds are for the purchase of minor capital items, such as program or office equipment.
Funding Envelope	A funding envelope offsets specific costs associated with events such as festivals that will occur during the year the grant is approved.
Matching Grants	The City may match funds raised by an approved external organization to a pre-determined maximum amount. Matching grants are generally intended to support smaller projects and may be approved by the applicable divisional director, in accordance with approved signing authority limits.
PAYMENT TERMS	<p>The City does not fund retroactively. If groups choose to start a project or otherwise commit funds before knowing that a grant application has been approved, the City of Mississauga is under no obligation to provide the funding.</p> <p>The following requirements for financial statements apply for all groups requesting grants:</p> <ul style="list-style-type: none">• more than \$20,000 - must provide audited financial statements that will be reviewed by Corporate Financial Services, Corporate Services Department;• \$5,000 to \$20,000 – must provide a financial statement signed by two members of their board that will be reviewed by

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Page 5 of 9
Effective Date Draft Only
2013 06 10
Supersedes

34h

Corporate Financial Services, Corporate Services Department;

- less than \$5,000 - may be required to provide a financial statement that will be reviewed by Community Services staff who are approving the grant request.

The City reserves the right to audit any group prior to recommending funding.

Multi-Year Agreements and Operating Grants

Funding will be by cheque, payable to the organization, following Council's final approval. Funding for grants of \$20,000 or less is provided as one lump sum payment. Grants for more than \$20,000 receive an initial payment of 75% of the total, followed by the remaining 25%, contingent on the acceptance of the year-end or updated documentation required by the applicable division. Funding to groups participating in a Multi-Year Agreement will follow this same payment schedule for each year of the agreement.

Project Grants and Capital Grants

A cheque for the total amount awarded is mailed out approximately two to four weeks following Council's final approval.

Funding Envelope

An initial payment of 75% of the total grant is issued upon approval. The remainder of the grant is provided following the event (e.g. a festival) after submission of all eligible invoices. In cases where the total cost of the eligible expenses is less than the grant award (i.e. the remaining 25% is not required to cover all eligible costs) the difference is not payable to the group.

Matching Grants

A cheque for 50% of the total amount awarded is mailed out approximately two to four weeks following approval, with the remaining 50% subject to acceptance of an evaluation report.

GRANT PROGRAMS AND FUNDING

Arts and Culture

Arts and Culture grants support the Culture Master Plan and

Corporate Policy and Procedure



Policy No. Appendix 1
 Page 00-00-00
Page 6 of 9
 Effective Date Draft Only
2013 06 10
 Supersedes

provide financial support to a range of community based local arts and culture groups operating on a year-round basis.

Qualifying groups may apply for more than one category of Arts and Culture funding (operating, capital and project) in the same year. Arts and Culture grants are administered by the Culture Division.

Cultural Festivals and Celebrations (CFC)

Cultural Festivals and Celebrations (CFC) grants provide funding for community festivals, which are defined as an annual event which runs for one full day (minimum of 8 hours, not including set-up or tear down) or a number of consecutive days and is publicized city-wide and open to all residents. CFC grants are administered by the Culture Division. Eligible festivals must have an arts and culture mandate to be eligible but cannot receive an Arts and Culture grant in the same year.

Recreation and Sport

Grants for recreation and sport groups exist for the purpose of providing municipally-related programs, services or projects specifically to the residents of Mississauga. Groups may apply for more than one category of funding in the same year. Recreation and sport grants are administered by the Recreation Division.

Environmental

Environmental grants support community-based environmental initiatives and programs. These grants provide funds to eligible organizations to work with the City to achieve the Living Green Master Plan's goals and achieve municipal strategic environmental objectives. Environmental grants are administered by the Environment Division.

Parks and Forestry

Parks and Forestry grants support community-based parks initiatives and programs. These grants provide funds to eligible organizations to work with the City to achieve the Parks and Forestry's goals and achieve municipal strategic objectives.

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 7 of 9
Draft Only
2013 06 10
Supersedes

34j

Parks and Forestry grants are administered by the Parks and Forestry Division.

APPLICATION

Applications and accompanying guidelines are available from the applicable Community Services division. Information on the grant process, including how to receive an application, is available on the City's external website.

The grant applications and guidelines provide clear timelines and instructions and are designed to ensure that groups in each funding stream are being asked to submit information and documentation relevant to the applicable grant program and funding type.

Grant applications must be submitted to the required division no later than the date and time outlined in the application form. Applications received after the deadline will not be accepted.

Incomplete Application

A grant application will be considered incomplete if it is submitted without required information or accompanying documentation that is essential to the grant decision making process and, as such, is listed on the application as mandatory. Applications that are incomplete will not be considered and will result in the group being ineligible to receive a grant.

ROLE OF FINANCE

Applicable Community Services staff are responsible for obtaining all required financial information and related documentation from grant applicants. A review of the financial statements will be completed by Corporate Financial Services, as outlined in the Payment Terms section of this policy. Corporate Financial Services staff will review information from first-time applicants to determine their financial viability and/or identify any significant variances from prior annual statements of existing grant recipients.

34K

Corporate Policy and Procedure



Policy No. Appendix I
Page 00-00-00
Page 8 of 9
Effective Date Draft Only
2013 06 10
Supersedes

Corporate Financial Services staff will liaise with applicable Community Services staff regarding the financial information.

CONCERNED STATUS

When Community Services, an assessment committee evaluating grants on behalf of a division, or Corporate Financial Services has concerns about the on-going or future financial or organizational sustainability of an organization that is receiving City grant funding, the organization may be advised that it is on "concerned status". An organization that is on concerned status may have conditions attached to the release of grant funds or may be asked to provide interim information during the grant period. In addition, the organization on concerned status may receive coaching and guidance from staff in support of their efforts to become more sustainable. Concerned status is applied on an annual basis at the time a grant is awarded and may, or may not, be removed at the next grant cycle, based on the organization's sustainability.

RECONCILIATION/ MONITORING

Grants may not be used for purposes other than those approved by Council. If reports from grant recipients show that a grant was used for a purpose other than that approved by the City, or was not expended in the fiscal year(s) for which it was awarded, the grant may have to be repaid, in full or in part.

If a group receives grant funding and subsequently disbands, they may also be required to return the funds, or capital assets purchased with grant funds, to the City.

REFERENCE:

LAST REVIEW DATE:

CONTACT:

For additional information regarding Arts and Culture and CFC grants contact the Culture Division, Community Services Department.

Corporate Policy and Procedure



Policy No. Appendix I
Page 00-00-00
Page 9 of 9
Effective Date Draft Only
2013.06.10
Supersedes

341

For additional information regarding Environmental grants contact the Environment Division, Community Services Department.

For additional information regarding Recreation and sport grants contact the Recreation Division, Community Services Department.

For additional information regarding Parks and Forestry grants contact the Parks and Forestry Division, Community Services Department.

DRAFT

34m

Corporate Policy and Procedure



Policy No.	Appendix 2
Page	04-09-01 1 of 14
Effective Date	2007 07 04
Supersedes	2001 09 12

TAB:	FINANCE AND ACCOUNTING
SECTION:	GRANTS
SUBJECT:	CORPORATE GRANT PROGRAM

POLICY STATEMENT	Funding may be provided to assist community groups to deliver programs or services, and to complete special projects, through the Corporate Grant Program.
------------------	--

PURPOSE	<p>The City of Mississauga believes that many programs, services and projects are best provided through the volunteer efforts of community groups and that, ideally, those groups would operate as self-sufficient units. Corporate grant funding demonstrates Council's commitment to working with groups which provide beneficial programs, services or projects to the community. As part of the grant program, groups will be encouraged to work toward decreasing reliance on municipal funding.</p>
---------	---

This policy establishes eligibility requirements; identifies the types of funding available; and outlines application and monitoring requirements.

SCOPE	Corporate Grants are available only to Mississauga-based, non-profit volunteer community groups which exist for the purpose of providing municipally-related programs, services or projects specifically to the residents of Mississauga.
-------	---

Grant requests involving arts and culture organizations are not covered by this policy and will be referred to the Office of the Arts and Culture in the City Manager's Department.

Groups requesting funding for a purpose which meets the criteria of a funding opportunity offered by another level of government will be referred to that funding source.

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
2 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

34n

Group Eligibility

Groups must have a constitution and by-laws or, if a new group, operating guidelines which reflect that:

- the group has an elected board of directors or executive (not less than five members) and a general membership; and
- membership is defined and determined by a set process; and
- all members are entitled to a vote, either directly or through an adult representative; and
- membership is available to all Mississauga residents on a first-come, first-served basis without restriction, unless the type of restriction is allowed in the particular circumstances pursuant to the Ontario Human Rights Act; and
- an annual general meeting is held, at which a board or executive members are elected from the general membership through a democratic election process; and
- the group will dispose of any assets in its possession at the time of its dissolution in a responsible manner.

Purposes for Which Grants Will Not be Provided

Grants will not be provided:

- on a retroactive basis;
- to individuals;
- to organizations providing a share or membership which may be held or disposed of for personal financial gain;
- to coalitions such as ratepayer or tenant/landlord associations, or to support programs or services geared specifically to these groups;
- to organizations aligned with any political party, or to support programs or services which are political in nature;
- to organizations operating under the auspices of a religious body, or to support programs or services which are religious in nature;
- to support programs or services which duplicate those already offered within the same geographic area;
- to support programs or services which are operated under the authority of another level of government, such as social

340 Corporate Policy and Procedure



Policy No.	Appendix 2
Page	04-09-01 3 of 14
Effective Date	2007 07 04
Supersedes	2001 09 12

services;

- as donations to charitable causes;
- as a replacement for other funding sources;
- as debt retirement expenditures;
- for capital expenditures (such as the purchase of land, buildings, building renovations, machinery and vehicles);
- as capital depreciation costs;
- in lieu of municipal taxes or other fees;
- for expenses related to uniforms and personal equipment; or
- for expenses that are greater than two percent of the group's total operating budget and that are related to:
 - travel and accommodation,
 - attendance at conferences, workshops, or seminars,
 - banquets, trophies, or awards presentations.

Limitation on Funding

Funding to be allocated through the Corporate Grant Program is limited in each calendar year.

CRITERIA

Grants are available only when the community group can demonstrate that there is community support for the programs, services, or project offered by the group; that there is a need for financial assistance; and that adequate funding for the programs or services is not available from other sources.

Grant recipients will be required to acknowledge the support of the City of Mississauga in all advertising, publicity, programs, signage and plaques relating to the project for which funds are granted. The recipient may not represent the City as a partner, or hold the City responsible for any obligations relating to the project.

To qualify for funding, the group must demonstrate its commitment to all of the following principles:

- collaboration;
- accessibility;

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
4 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

34 p

- effectiveness; and
- accountability.

The group's commitment to each principle will be categorized as either:

- Not Acceptable

The group's practices do not demonstrate a level of commitment which is acceptable to the City. Groups in this category will not be eligible for funding.

- Acceptable

The group demonstrates a level of commitment which is acceptable to the City.

To qualify for funding, the group must be categorized as acceptable in each of the four areas. The level of funding will be determined by the level of commitment demonstrated by the group. Staff will make an assessment of the group's commitment to each principle, based on the information provided by the group.

The City recognizes that newly-formed groups may not be able to demonstrate fully their commitment to each of the principles listed. Staff may exercise some latitude in assessing applications from such groups, in an effort to assist the group to develop and become established (i.e. seed funding).

Collaboration

Collaboration is achieved when community groups work with each other, with citizens, and with private and public sector organizations to plan and deliver programs or services.

To be categorized as providing an acceptable level of collaboration, the group must demonstrate at least two of the following:

- that information, expertise and/or resources is shared on a

349 **Corporate Policy and Procedure**



Policy No.	Appendix 2
Page	04-09-01 5 of 14
Effective Date	2007 07 04
Supersedes	2001 09 12

Accessibility

regular basis or as requested;

- that services or programs are co-ordinated with those offered by other groups or organizations;
- that other funding partners are developed.

Accessibility is achieved when the programs or services encourage the participation of all residents; membership and/or user fees are appropriate; and the services or programs are convenient to access.

To be categorized as providing an acceptable level of accessibility, the group must demonstrate, at a minimum:

- that it adheres to the Ontario Human Rights Code; and
- that the programs and/or services offered are open to the general public; and
- that the membership and user fees established are appropriate for the services provided, and are in accordance with community standards for the type of service.

The group may further demonstrate its level of commitment to accessibility by:

- actively promoting membership to all members of the community; and/or
- designing programs and services which could benefit all members of the community.

Effectiveness

Effectiveness is achieved when the impacts or outcomes of a service or program can be identified and measured, and are found to be both consistent with the group's mandate and positive for the community.

To be categorized as providing an acceptable level of effectiveness, the group must demonstrate, at a minimum:

- that the group's objectives, which may include a mission statement or mandate, are clearly stated; and

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
6 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

34r

- that the programs and services developed are consistent with the group's objectives or mission statement; and
- that the mission statement, programs and services are reviewed and revised to ensure their continuing relevance to the community; and
- that data on clients served is maintained, and used to plan services and programs; and
- that the group operates in a cost-effective manner, and according to a clear business plan; and
- that the group operates programs on a self-sufficient basis, where possible.

The group may further demonstrate its level of commitment to effectiveness by:

- evaluating services and programs with input from participants; and/or
- responding to community needs through modification of programs or services as required.

Accountability

Accountability is achieved when the group exhibits sound management and financial practices, and responds to the changing needs of the community.

To be categorized as providing an acceptable level of accountability, the group must demonstrate, at a minimum:

- that it follows democratic practices (election, full disclosure of finances, etc.) answerable to a general membership and participants; and
- that it has an independent and elected board of directors, serving in a volunteer capacity; and
- that financial need is justified in terms of the group's impact on the community and ability to generate financial support from the community; and
- that full disclosure of all anticipated revenue sources and how those funds will be expended is provided; and

Corporate Policy and Procedure



Policy No.	Appendix 2
Page	04-09-01 7 of 14
Effective Date	2007 07 04
Supersedes	2001 09 12

- that full disclosure of all assets and reserve funds, and their purpose, is provided; and
- that the group operates with the benefit of a business plan or budget; and
- that the group actively pursues fundraising activities or alternate sources of revenue; and
- that financial statements/information is provided when and as required.

The group may further demonstrate its level of commitment to accountability by:

- sound financial planning, monitoring, and controls; and/or
- being aware of community needs and acting to meet those needs.

In addition, groups will be required to identify how they will measure the success of the program, service, or project should their funding request be approved.

TYPES OF FUNDING AVAILABLE

Two categories of funding are available: operating funding; and special project funding. Groups may apply for one or both types of funding.

Operating Funding

Operating funding is available to assist with the general operating expenses of the group, including administrative costs and program-related expenses, and is limited to a maximum of 80 per cent of the group's total operating expenses. (Funds which will be transferred on behalf of the City to other organizations as grants will not be included in the group's total operating expenses.) Staff liaisons will continue to work with groups to decrease their reliance on City funding. For example, a decreased reliance on City funding can be shown by decreasing the amount of grant requested, or by maintaining the same grant request as expenditures increase.

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
8 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

34+

Special Project Funding

Special project funding is geared to assisting groups with specific one-time projects to be carried out during the calendar year in which the grant is awarded.

Special project funding also includes funding for program equipment expenditures, and for creative playground equipment. Additional requirements apply to requests for funding for these purposes:

- Program Equipment

Program equipment funding is limited to equipment which will have a life-span greater than five years, and may not exceed 50 per cent of the cost of the equipment. The equipment must meet the level of service or standard provided by the City, and may not set a precedent in the level of services for other groups. Groups receiving program equipment funding will be required to agree that, in the event that the group disbands, the equipment which was funded by the City will become the property of the City.

- Creative Playground Equipment

Creative playground equipment funding is limited to creative playground equipment which will be installed on school or municipal park property, and which will be fully accessible to the public. Such funding may not exceed one-third of the total cost of the project, to a maximum of \$7,900.

If the creative playground equipment is to be installed on municipal park property, Community Services staff must review the design of the equipment to ensure that safety and design standards are met. In addition, all plans, drawings and site plan documents must be drawn by qualified personnel and approved by Community Services staff, before the grant application will be processed.

If the creative playground equipment is to be installed on school property, the group must provide with the application:

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
9 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

a letter from the school board approving both the site, and the design and safety standard of the play structure; and a letter of undertaking from the school board indicating that the school board will maintain the equipment and provide insurance for liability protection.

FUNDING TERM

Special project funding is available on a one-year basis only, since the project must be completed in the year in which the grant is awarded.

Operating funding is provided on a one-year basis.

APPLICATION

Applications are available from Recreation and Parks, Community Services Department.

Each applicant will be required to provide information about the organization and its programs or services; evidence to establish the group's eligibility in terms of the evaluation criteria outlined in this policy; a description of how the group intends to measure the success of the program, service, or project if the funding request is approved; and specific financial information related to the group's expenses, revenues and assets. (Note: Dollar values of in-kind donations should not be incorporated into the group's financial information. In-kind donations should be identified on the application under the areas of effectiveness and collaboration.) The Corporate Grant Application is designed to facilitate this process, and will outline specific application requirements.

At a minimum, groups will be required to submit with their applications:

- a statement of the group's goals and objectives, constitution and by-laws or, if a new group, operating guidelines;
- the names, addresses and telephone numbers of all members of the group's board of directors;

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
10 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

34v

- minutes of the executive meeting at which the application was approved; and
- financial information as follows:
 - a budget for the upcoming year,
 - a financial statement for the previous year (for grant requests over \$20,000 the statement must be audited),
 - a year-to-date financial statement, and
 - a statement disclosing all assets and reserve funds and any anticipated year-end surplus.

Incomplete grant applications will not be considered. If requested by the group, the staff liaison will provide advice to ensure that the application is completed fully, and that all information requirements are met. In addition, the staff liaison will assist with interpretation of the grant policy and other City practices, if required.

Funding Forecast

A funding forecast is a projection of the group's funding requirements over the next two years.

At the time of Council's consideration of grant requests, Council will also consider staff's recommendations regarding funding forecasts. Approval of those recommendations provides an indication of Council's expectations of the group in terms of funding levels, and forms the basis of the staff recommendation for the following year. Groups who participate in a funding forecast will be better able to engage in meaningful long-range planning and budget forecasting.

Participation in funding forecasting is mandatory. Groups will be required to provide additional information to enable staff to make a recommendation regarding appropriate levels of operating funding for up to two subsequent years, including business plans, revenue projections and expense projections.

Corporate Policy and Procedure



Policy No.	Appendix 2
Page	04-09-01 11 of 14
Effective Date	2007 07 04
Supersedes	2001 09 12

The objective of funding forecasts is to provide the group with an indication of Council's intent. Any such forecasts cannot be seen as a guarantee of funding by the City, since factors which affect the provision of grants may change. The group must renew its request for funding each year. Staff's assessment of the request will be conducted in light of:

- the group's continuing eligibility for a grant;
- the group's financial position and plans;
- the direction provided by Council in the previous year; and
- the level of funding allocated in the City's budget for grants.

If it appears that the group is not achieving its objectives according to the plan presented at the time of approval of the funding forecast recommendation, the City may revise the amount approved for the following year(s). To facilitate the staff assessment, the group's liaison may require the group to provide information on an ongoing basis, such as minutes of all board meetings, quarterly statements of revenue and expenditures, and quarterly reports on operational targets and activities.

APPROVAL

Requests are reviewed initially by a Community Services Department staff person who has been designated by the Commissioner of Community Services as the Grants Co-ordinator. The role of the Grants Co-ordinator is to determine whether the group is eligible and, if so, whether it has demonstrated commitment to the principles as required. The Grants Co-ordinator will also ensure an equitable distribution of available funds, in light of the group's financial need.

Groups that are ineligible for funding and whose applications will receive no further consideration will be so advised, in writing, as soon as possible.

If a group receives grant funding and subsequently disbands,

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
12 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

34x

they must dispose of their assets in a responsible manner that meets with the approval of the City.

The remaining applications are then reviewed by the group's staff liaison. As part of this review, the group liaison may consult with other City staff, with other organizations providing grants, with other organizations providing similar services, and with members of the group for additional information. The group liaison may elect to visit the program site, before making a recommendation.

The applications are then reviewed in detail by a designated Finance Division, Corporate Services Department staff person, (Finance staff) and the Grants Co-ordinator. Neither of these staff members may also act as a group liaison.

The role of Finance staff is to ensure that the financial information provided is accurate and appropriate. Finance staff will identify and investigate any significant variances from the prior year's statements; and will identify all savings and reserve funds, their sources and planned uses. The City reserves the right to audit the group, prior to recommending funding. Finance will provide comments to the Grants Co-ordinator regarding the financial information and together they will determine if an audit is required. Before consideration of staff's recommendation(s) by Council, the Finance Division must be in agreement that the funding recommended by the staff liaison is acceptable in light of the financial information provided.

Staff recommendations are made to the General Committee. All applicants are notified of the recommendation regarding their particular group prior to the General Committee meeting. Applicants may make a deputation to General Committee regarding the staff recommendation. The staff liaison will assist with arrangements. General Committee's recommendations are

344 Corporate Policy and Procedure



Policy No.	Appendix 2
Page	04-09-01 13 of 14
Effective Date	2007 07 04
Supersedes	2001 09 12

then forwarded to Council for approval.

PAYMENT

Groups are notified of the amount approved following Council approval.

Groups receiving grants of less than \$20,000 will receive a cheque for the total amount awarded approximately one month following final approval, unless other specific conditions are recommended and approved by Council. For grants of \$20,000 or more, 75 per cent of the total award will be provided approximately one month following final approval. Twenty-five per cent will be held back until the group has provided audited financial statements to verify that the monies expended in the previous year were spent according to Council's intent.

Groups will have until June 30 to submit financial statements and any other documentation required by the City, and final payment will be made by July 15. In addition, the City reserves the right to adjust the final payment, in the event that unexpected budget cuts are required subsequent to approval.

RECONCILIATION/ MONITORING

Grants may not be used for purposes other than the purposes approved by Council. If a grant is used for a purpose other than that approved by Council, the grant must be repaid.

Groups may be required to return any portion of a grant not expended in the calendar year for which it was awarded.

A reconciliation of actual expenditures will be completed for each grant awarded. Financial statements and, where appropriate, receipts must be provided to verify that the municipal grant was expended according to the resolution of support approved by Council. The financial statements and receipts provided must be approved by the Board of Directors and minutes of the meeting at which they were approved must be

Corporate Policy and Procedure



Policy No. Appendix 2
Page 04-09-01
14 of 14
Effective Date 2007 07 04
Supersedes 2001 09 12

342

provided.

Groups are required to identify how they will measure the success of the programs, services, or projects for which funding was provided. The results of these measurements must be provided by December 15 of the year in which the grant was awarded.

Finance staff and the Grants Co-ordinator are responsible for advising the staff liaison of all information required to reconcile grants and when the information will be required. The staff liaison is responsible for obtaining all required information from the group. Failure to submit the requested information will jeopardize future consideration of grant requests. The information provided is reviewed and reconciled by the Grants Co-ordinator and Finance staff. As part of the reconciliation process, projects or services receiving grants may be subject to an audit and/or a site visit by the City of Mississauga.

Finance staff and the Grants Co-ordinator prepare a report to Council each year, outlining any grants which could not be fully reconciled or which were not expended according to Council direction, and recommending action which should be taken. This status report, and subsequent Council decisions, will be considered when assessing new applications.

REFERENCE:

Resolution 0255-2001 – 2001 09 12
GC-0542-2007 – 2007 07 04 (Re: arts and culture grants)

LAST REVIEW DATE:

April, 2007

CONTACT:

For more information, contact your group liaison or the Grants Co-ordinator, Community Services Department.



Corporate Report

Clerk's Files

Originator's
Files

General Committee

JUN 26 2013

DATE: June 7, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Corporate Policy - Museums Collections**

- RECOMMENDATIONS:**
1. That the proposed Corporate Policy and Procedure - Museums Collections attached as Appendix 1 to the report dated June 7, 2013 from the Commissioner of Community Services be approved.
 2. That a by-law be enacted to amend the Purchasing By-Law as outlined in the report dated June 7, 2013 from the Commissioner of Community Services entitled Corporate Policy - Museums Collections".

BACKGROUND: The Museums of Mississauga are operated by the Culture Division and include Bradley Museum, Benares Historic House, and Leslie Log House. In addition, they manage a rich collection of items that preserve Mississauga's history. The Museums have adopted the Canadian Museums Association's Ethics Guidelines and are the only institution in Mississauga that meets the Ministry of Tourism, Culture and Sport's stringent Standards for Community Museums.

The Museums collection consists of natural or cultural (i.e. manmade) objects, materials and intellectual property directly owned by the Museums and registered as part of its permanent collection, to be used for the exclusive purposes of preservation, research and presentation to the public.

The Museums also have an educational collection, which includes objects that are collected with the intent that they will be used by both the staff and members of the public for educational purposes.

The Culture Master Plan recommends additional financial resources and museum staff be retained to support expansion of the museum's collections and to offer more off-site exhibits with a wider range of themes. In addition, MOMAC, the Museums of Mississauga Advisory Committee, has advocated for more appropriate collection storage space and the development of a major museum to showcase Mississauga's unique history. As a result, staff propose a Museums Collections Policy to provide guidance and ensure transparency of the collection process.

COMMENTS:

The proposed Museums Collections Policy (Appendix 1) outlines the processes to be followed by staff when procuring objects for its collection. The policy also specifies:

- A collection code of ethics staff must adhere to;
- Criteria for acquisition of collections including purchasing and donations, and financial accountabilities;
- Management of in-coming and out-going loans of materials from the collection;
- Appraisals;
- Records management;
- Conservation of the collection; and
- De-accessioning.

The draft Museums Collections Policy has been endorsed by the Museums of Mississauga Advisory Committee (MOMAC-0008-2013 and GC-0337-2013). A draft version of this policy was also circulated to all directors. Limited feedback was received and is attached as Appendix 2.

Proposed Amendment to the Purchasing By-Law

The purchase of artifacts is not based a competitive bid process, but rather on the selection of unique objects for the collection that are relevant to the Museums Collecting Mission. They could become available through a variety of methods, including auction, antique dealers, or by being offered through private owners. Based on the proposed policy any acquisition greater than \$50,000 must receive approval from Council. Approval and signing authorities for acquisitions of less than this are outlined in the policy.

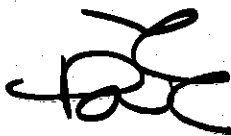
In consultation with Materiel Management and Legal Services, staff recommend the acquisition of objects for the Museum's Collection be exempt from the Purchasing By-Law. The proposed Museums Collections Policy will guide staff and ensure all aspects of the Collection are managed in a consistent manner. This requires the Purchasing By-Law be amended to reflect this change. This is not an urgent request since the Culture Business Plan does not propose for Artifact Acquisitions funding until 2015.

FINANCIAL IMPACT: There is no financial impact resulting from this policy.

CONCLUSION: The Museums Collections Policy, along with the Museum Collection Guidelines, formalizes the care and handling of the Museums of Mississauga's collection, and ensures that professional standard of care will continue to be met.

The Museums Collections Policy also provides The Museums of Mississauga with an excellent foundation to actively grow its collection as resources for additional museum quality storage space become available. This will ensure the preservation of the city's cultural heritage, and will provide a strong base for the creation of a future museum that tells the unique story of Mississauga's development as Canada's sixth largest city.

ATTACHMENTS: Appendix 1: Proposed Corporate Policy – Museums Collections
Appendix 2: Summary of Feedback – Museum Collections



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

Prepared By: Annemarie Hagan, Manager, Museums and Traditions, Culture Division

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 1 of 14
Supersedes FINAL
Draft Only
2013 05 27

TAB: PROPERTY AND FACILITIES
SECTION: USE OF PUBLIC PROPERTY
SUBJECT: MUSEUMS COLLECTION

POLICY STATEMENT The Museums of Mississauga's collecting mission is to represent the modern development of Mississauga, with a specific focus on 1939 to the present. Museums of Mississauga will also continue to collect unique material related to all aspects of Mississauga's history.

PURPOSE The purpose of this policy is to outline the roles and responsibilities of staff; the criteria for the development of the Museums Collection; and the means of acquiring and disposing of Museums items.

SCOPE This policy applies to the development of the Museums Collection for the Museums of Mississauga.

This policy is supported by the Museums of Mississauga Guidelines (the "Guidelines"), which are developed by Museums Mississauga, Community Services Department, Culture Division. The Guidelines will include additional procedural information relevant to staff's roles and responsibilities, as well as information on such topics as the Education Collection and the role of Museums of Mississauga Advisory Committee with respect to the Collection.

LEGISLATIVE REQUIREMENTS

The Museums of Mississauga is subject to all municipal, provincial and federal legislation governing its Collection, including the *Firearms Act* that applies to antique firearms owned by Museums, and the *Municipal Freedom of Information and Access to Privacy Act* (MFIPPA) that may apply to

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 2 of 14
Supersedes FINAL
Draft Only
2013 05 27

35d

Museums records. Museums staff will consult with the Access and Privacy Officer, Legislative Services, Office of the City Clerk, Corporate Services Department, to ensure compliance with MFIPPA if access to records is requested.

DEFINITIONS

For the purposes of this policy:

“City” means the Corporation of the City of Mississauga.

“Collection” means the assemblage of natural or cultural (i.e. manmade) objects/materials and intellectual property directly owned by the Museums of Mississauga, as a public trust, and registered as part of its permanent collection, to be used for the exclusive purposes of preservation, research and presentation to the public.

“Collections Supervisor” means the Collections and Exhibit Supervisor, Museums Mississauga, Community Services Department, or his or her designate.

“Director” means the Director, Culture Division, Community Services Department, or his or her designate.

“Education Collection” refers to an assemblage of objects that will be collected with the intent that they will be used by both the staff and members of the public for educational purposes, often in hands-on activities.

“Manager, Culture Operations” means the Manager, Cultural Operations, Culture Division, Community Services Department, or his or her designate.

“Manager” means the Manager, Museums and Traditions Mississauga, Community Services Department, or his or her designate.

Corporate Policy and Procedure



Policy No. Appendix 1
 Page 00-00-00
 Page 3 of 14
 Effective Date FINAL
 Draft Only
 2013 05 27
 Supersedes

“Museums of Mississauga” (Museums) means all sites owned by the City and operated by the Culture Division, including: Bradley Museum; Benares Historic House; and Leslie Log House.

“Museums of Mississauga Advisory Committee”, or MOMAC, means a volunteer committee, comprised of representatives of City Council and citizen members appointed by City Council to provide advice and recommendations to Council with respect to policy issues related to the City's Museums and Collection.

ADMINISTRATION

The Museums Collection is administered by the Museums of Mississauga Unit, Culture Division, Community Services Department. The Museums of Mississauga follow the Museums of Mississauga Guidelines, the Canadian Museums Association Ethical Guidelines, which were adopted by MOMAC, the Museums Conservation Guideline and adhere to the Ontario Ministry of Tourism, Culture and Sport's Standards for Community Museums in Ontario.

Museums of Mississauga retain the right to determine which materials will be displayed, either in public exhibitions or for on-line viewing by the public. Acceptance of an object into the permanent collection is not a guarantee that it will be exhibited.

ACCOUNTABILITY

Director, Culture

The Director is responsible for:

- ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions;
- ensuring compliance with this policy; and
- signing agreements and/or authorizing acquisitions and loans in accordance with the Signing Authorities section of this policy.

Manager, Culture Operations

The Manager, Culture Operations is responsible for:

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 4 of 14
Supersedes FINAL
Draft Only
2013 05 27

35 f

- ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions;
- ensuring compliance with this policy;
- reviewing the appraisal of items that are completed internally; and
- approving de-accessioning of materials as recommended by the Collections Supervisor.

Museums Manager

The Manager is responsible for:

- ensuring all applicable staff are aware of this policy and of any subsequent revisions;
- signing agreements and/or authorizing acquisitions and loans in accordance with the Signing Authorities section of this policy;
- reviewing the appraisal of items that are completed internally;
- approving de-accessioning of materials as recommended by the Collections Supervisor;
- consulting with MOMAC with regards to controversial or challenging decisions regarding acquisitions, as determined by the Museums of Mississauga Unit; and
- ensuring that MOMAC has an opportunity to review complete documentation (e.g. justification, disposal method) of any de-accessions under consideration.

Collections Supervisor

The Collections Supervisor is responsible for:

- accepting donated objects for the Museums Collection;
- accepting items that are transferred to the Museums Collection;
- ensuring that the Manager is aware of any offered donations that have been declined;
- selecting all objects for loan, both incoming and outgoing;
- signing agreements and/or authorizing acquisitions and loans in accordance with the Signing Authorities section of

Corporate Policy and Procedure



Policy No. Appendix 1
 Page 00-00-00
 Page 5 of 14
 Effective Date FINAL
 Draft Only
 2013 05 27
 Supersedes

this policy;

- recommending the de-accessioning of materials to the Manager and Manager, Culture Operations and preparing all necessary documentation;
- ensuring appropriate measures are taken for the notification to authorities, proper storage, and registration, if necessary, of any firearms and/or controlled substances; and
- ensuring registration system(s) documentation is maintained and updated on a regular basis, in accordance with this policy and any supporting guidelines.

CODE OF ETHICS

Museums of Mississauga staff must adhere to the following code of ethics:

- with the exception of items received through a bequest, staff must avoid the collection of items that are in direct conflict with the Museums' collecting mission and/or in conflict with Corporate Policy and Procedure – Human Resources – Conflict of Interest;
- staff must not act as dealers (i.e. regularly buying and selling items for profit) or assist members of the public in the acquisition or disposal of such items, except as part of their duties as employees of the City; and
- staff may not attempt to influence the behaviour of a vendor who is conducting business with the City in a manner that would prove advantageous to the employee's personal collection.

SIGNING AUTHORITIES

The following signing authorities, based on the total purchase cost of the item(s) in the acquisition only, will apply for Museums Collection acquisitions and loans, including signing of agreements, where applicable. The Culture Division should consult with Legal Services to determine the appropriate form of agreement to be used.

Donations, Transfers and

- up \$10,000 - Collections Supervisor

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 6 of 14
Supersedes FINAL
Draft Only
2013 05 27

35h

Loans

- \$10,001, up to and including \$25,000 - Museums Manager
- more than \$25,000 - Director.

Purchases

- up \$10,000 - Collections Supervisor
- \$10,001, up to and including \$25,000 - Museums Manager
- \$25,001, up to and including \$50,000 - Director
- more than \$50,000 - Council approval.

Purchases by Museums' staff for the Collection, including associated costs (e.g. shipping, appraisals), are exempt from the Purchasing By-Law.

CRITERIA FOR ACQUISITION

The following criteria will be applied when acquiring objects for the Museums Collection:

- the object represents the modern development of the City of Mississauga during the period from 1939 to the present;
- if unrelated to the period from 1939, the material is unique and related to an aspect of Mississauga's history;
- in accordance with the Canadian Museums Association's Ethical Guidelines for Museums, no illicit materials or items made from endangered materials will be acquired;
- the object is suitable for research, exhibition and interpretation in a suitable historical context;
- the object does not require conservation of a level or complexity that is beyond the means of Museums (an exception may be made if a donor or other source is willing to provide funding to pay for any required conservation);
- duplicate and/or equivalent objects will not be acquired unless they have a specific function within the Museums' programmes; and
- the item can be properly stored.

35;

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 7 of 14
Supersedes FINAL
Draft Only
2013 05 27

METHODS OF ACQUISITION

Museums will not collect objects with the intent to trade, sell or de-accession the item. Material may be acquired through any of three methods: donation (including bequests), transfer or purchase and must be conducted in accordance with the processes outlined in this policy.

Regardless of the method of acquisition, the transfer of ownership of an object to the City must be accompanied by the appropriate legal documentation. Objects that are sent or dropped off at a Museum without proper source information or documentation may not be accessioned into the Collection, but may be used in the Education Collection, used as exhibit material or disposed of by the Collections Supervisor.

Condition of Material

In general, objects accessioned into the Collection must be in reasonable condition so that the Museums may fulfil the goal of preservation with as little alteration as possible.

An exception will be made in the case of an item that is deemed to reveal a truly unique aspect of Mississauga's history. Museums may collect these items regardless of condition or level of alteration, with the stipulation that these alterations be noted in any related interpretive materials.

DONATIONS OF MATERIAL

Museums will accept donations in accordance with the Acquisition section of this policy. All donations will be reported to MOMAC in a timely fashion by the Collections Supervisor.

Appraisals of Donated Material

A donated object must be appraised within the taxation year to establish the fair market value. This amount will be shown on the official charitable donation receipt if a receipt is required. If the object is valued at \$1,000 or less, the item may be appraised

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 8 of 14
Supersedes FINAL
Draft Only
2013 05 27

35j

by a City staff person qualified to make the appraisal. If the object is valued at more than \$1,000 an outside, professional written appraisal is required. It is the donor's responsibility to have the item appraised, including any related cost. The appraisal should clearly establish the justification for the determination of value. The City will not recommend a specific appraiser to a potential donor, but may provide a list of acceptable appraisers from which the donor may select.

Appraisals done internally will be reviewed by the Manager and the Manager, Cultural Operations before any charitable donation receipt is requested from the Finance Division, Corporate Services Department. In the event that there is any question regarding the accuracy of an internal appraisal, an external appraisal may also be required before a receipt is requested. When an external appraisal is requested and received, the official charitable donation receipt will reflect the value as established by the external appraisal.

Donation Receipts for Income Tax Purposes

Where requested by the donor, the Collections Supervisor is responsible for obtaining approval from the Manager before requesting an official charitable donation receipt for income tax purposes from the Manager, Corporate Financial Services, and must provide all relevant documentation. Official receipts for accepted donations having a fair market value of \$20 or more can be issued only when the Manager, Corporate Financial Services, determines that the donation qualifies under Canada Revenue Agency (CRA) guidelines.

Release of Donated Materials

When materials are donated, the donor will be asked to sign a gift form/agreement, in a form approved by Legal Services.

Any documents pertaining to the ownership of the object must be transferred to the Corporation. The Collections Supervisor is responsible for ensuring that all documentation is filed

35K

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 9 of 14
Supersedes FINAL
Draft Only
2013 05 27

appropriately.

As property of the Corporation, the material will be used at the Corporation's discretion. The item may be stored, exhibited, loaned for exhibit or research purposes or de-accessioned and disposed of at the discretion of the Corporation.

TRANSFERS

Items may be transferred to Museums from other City facilities or other museums. Museums will accept transfers in accordance with the Acquisition section of this policy. The Collections Supervisor will determine the suitability of materials acquired through transfer, including the appropriate location for display or storage, and will ensure all relevant documentation is provided with the item.

LOAN OF MATERIALS

The Collections Supervisor will determine the suitability of materials considered for loan, either incoming or outgoing, and will advise the Manager, Risk Management of such loans in order to make arrangements for insurance, where appropriate.

The final decision for all loans rests with the Collections Supervisor. All agreements will clearly state the duration and all conditions of the loan and must be signed by the applicable signing authority.

Incoming Collection Loans

Objects considered for incoming loan must be consistent with this policy and relate to the Museums' Collection mandate.

Museums will complete a detailed condition report on each incoming object. Any differences between the incoming condition report provided by the lending institution and the Museums' condition report will be noted and the lending institution will be notified immediately.

Outgoing Collection Loans

Museums strive to maintain the Collection in the best possible

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 10 of 14
Supersedes FINAL
Draft Only
2013 05 27

351

condition and to make it available to the public. Museums will therefore give careful consideration to any request for the loan of any part of its Collection.

Institutions are eligible to receive loans of objects from Museums if the loan is determined to assist Museums in fulfilling their mission (i.e. making its Collection available to the public). The recipient institution must meet the necessary requirements to ensure minimum risk to the loaned Collection, as outlined below.

- institutions must be able to supply Museums with the following documentation confirming the presence of:
 - a) a functioning alarm system that is fully monitored
 - b) an adequate fire suppression system that is monitored by a fire department
 - c) sufficient humidity and temperature control to ensure the stability of the loaned objects
 - d) sufficient levels of staffing to ensure security of the object while being exhibited to the public
 - e) insurance sufficient to cover loss due to any peril from the time the object leaves the Museums until its return.
- at the discretion of the Collection Supervisor, the recipient institution must agree to an on-site inspection of the recipient institution prior to any loan being approved; and
- institutions must assume all costs associated with the appropriate climate controlled transportation of the loaned object(s) both to and from the recipient institution; selection of a third party to provide for the physical movement of the object(s) will be the responsibility of Museums.

A detailed condition report will be completed on each object before loan approval is given, with a second report completed at

35m

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 11 of 14
Supersedes FINAL
Draft Only
2013 05 27

the termination of the loan agreement and before the object is reintroduced into the Collection. Loans will normally be approved for periods of up to one year. If appropriate, an extension may be granted, based on a detailed condition report completed at the time of the extension request and on the display needs of Museums.

The recipient institution will be responsible for the costs of any damage to the object while on loan. Repairs and return of the item to the City must be arranged by the recipient institution and be completed by a reputable conservator, as agreed to by Museums.

COLLECTION PURCHASES

Museums may purchase objects and/or collections that become available but that are not available by donation. All purchases must comply with the Signing Authorities section of this policy.

REGISTRATION AND RECORDS MANAGEMENT

Museums will maintain a registration system(s) in accordance with professionally accepted standards and appropriate to each Collection. The system will include identifiable registration and catalogue information; documentation as outlined below; an image of the object; and de-accessioning details, if applicable. Acquisitions to the permanent Collection will be promptly entered into the registration system.

DOCUMENTATION

The Culture Division will maintain an inventory and complete documentation of all objects collected where such information is available, including:

- circumstances surrounding the object's discovery, method of acquisition (e.g. where, when and by whom) and cost, if any;
- name of the original owner/maker and provenance (a chronological history of the object);
- the object's original use;

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 12 of 14
Supersedes FINAL
Draft Only
2013 05 27

35n

- the location within Museums (items may also be displayed at the Civic Centre and in the City's public libraries or other temporary location) or if out on loan;
- condition status, including maintenance plan; and
- any other pertinent facts

In all cases, documentation must be sufficient to satisfy the Collections Supervisor that the object has been collected in accordance with the Canadian Museums Association Ethical Guidelines. The Collections Supervisor may request additional information to verify any documentation that is provided and may consult with Legal Services staff if required.

Museums may collect materials that have incomplete documentation, provided they contribute to a clearer understanding of the development of Mississauga within the context of the Museums.

Requests for access to Collection records must be made in writing to the Collections Supervisor.

CONSERVATION OF COLLECTION

Museums are committed to the long term viability and conservation of their Collection by providing the physical environment, conservation services, and collection management procedures necessary to meet this responsibility. The Museums Conservation Guideline, maintained by the Collections Supervisor, outlines procedures such as Collection handling and environmental storage requirements. The Collections Supervisor will monitor environmental conditions existing in both storage and exhibit areas and will be responsible to report any significant changes to the Manager.

DE-ACCESSIONING FROM THE COLLECTION

It may become necessary to de-accession objects from the

Corporate Policy and Procedure



Policy No. Appendix 1
Page 00-00-00
Effective Date Page 13 of 14
Supersedes FINAL
Draft Only
2013 05 27

Museums Collection from time to time. Material may be de-accessioned for any of the following reasons:

- the object is discovered to be historically insignificant or a poor example;
- the object is no longer within the scope of the Museums' Collection mission;
- existence of a duplicate or equivalent object;
- irreparable damage and/or hazardous condition of the object which is beyond the capability of Museums to maintain;
- determination by Museums that the object was originally acquired illegally or unethically;
- repatriation or found to be more appropriate to the collection of another museum; and
- determination by Museums that the object(s) is not useful for research, exhibition or loan.

The initial review of items to de-accession will be the responsibility of the Collections Supervisor and will be reviewed and endorsed by the Manager and the Manager, Cultural Operations. Before being finalized, all de-accessions must be reviewed with MOMAC.

De-accessioning of such items will be accomplished in the following manner:

- offered to another museum or cultural institution;
- offered for use in an educational collection at no cost;
- repatriated;
- destroyed before witnesses and/or in such a manner that prevents reassembling; or
- sold at public auction (City employees, members of MOMAC and Museums volunteers are not permitted to purchase de-accessioned items. The public auction will be handled by a third party acting as an agent for Museums. Additional information on the sale of items is available in the

Corporate Policy and Procedure



Policy No.

Appendix 1

Page

00-00-00
Page 14 of 14

Effective Date

FINAL
Draft Only
2013 05 27

Supersedes

35 p

Guidelines.)

All proceeds from the sale of items at auction will be used to support the Museums Collection. All de-accessioning will be fully documented by the Collections Supervisor and the records maintained as part of the Museums' permanent collection records.

REFERENCE:

LAST REVIEW DATE:

CONTACT:

For additional information contact the Museums of Mississauga, Culture Division, Community Services Department.

DRAFT

Summary of Feedback – Museum Collections

Appendix 2
2013 05 21

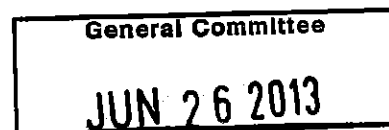
Comment – Code of Ethics	Response
<p>Page 5 under Code of Ethics indicated that “with the exception of items received through a bequest, staff must avoid the collection of items that are in direct conflict with the Museum’s collecting mission and/or in conflict with Corporate Policy and Procedure – Human Resources – Conflict of Interest”.</p> <p>Does this mean we can accept the item as long as it is through a bequest even though it may conflict with the collecting mission or the Policy?</p>	<p>Yes, as we would assume that the employee has no control over having an item left to them by a third party.</p> <p>No change to draft policy.</p>
Comment – Signing Authorities - Purchases	Response
<p>Page 6 under Purchases – Are purchases for the Collection exempt from the Purchasing By-law? I know acquisition of art is but I am not sure about museum collection.</p>	<p>Yes, as noted in the policy:</p> <p>“Purchases by Museums’ staff for the Collection, including associated costs (e.g. shipping, appraisals), are exempt from the Purchasing By-Law.”</p> <p>The Purchasing By-Law is not being revised as one of the recommendations when the policy goes forward as the Culture Division is not yet actively purchasing items for the Museums Collections.</p> <p>No change to draft policy.</p>



Corporate Report

Clerk's Files

Originator's
Files



DATE: June 11, 2013

TO: Chair and Members of General Committee
Meeting Date: June 26, 2013

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

SUBJECT: **Corporate Policy and Procedure - Proposed Updates: Payment and Refund of Facility Rental Fees Policy 04-01-05**

RECOMMENDATION: That the Corporate Report dated June 11, 2013 from the Commissioner of Community Services entitled Proposed Updates: Payment and Refund of Facility Rental Fees Policy 04-01-05 attached as Appendix 1 be endorsed.

**REPORT
HIGHLIGHTS:**

- New section added to reflect Serving of Alcohol at City Facilities Policy
- The determination for full payment at time of booking is now based on an hourly rental (3 hours or less = full payment), rather than a dollar amount.
- Cancellations and Refunds are based on the Payment Terms
- All bookings for a duration of three hours or less are non-refundable;
- For all other bookings, 25% of the Contract is non-refundable if cancelled more than 30 days prior to the rental date
- 100% non-refundable if cancelled less than 30 days prior to the rental

BACKGROUND:

Facility Rental Fees for meeting rooms, auditoriums, pools, arenas, gymnasiums, museums, parks picnic areas, sport fields and other facilities which are owned or operated by the City of Mississauga are administered according to this policy, including payment terms and criteria under which refunds may be given.

The policy does not include municipal golf courses, cemeteries, marina slips, theatres or properties which are leased or under a management agreement for long term use.

The policy does not establish additional charges for costs incurred for services over and above the rental fees or establish rates or discounts for the use of a facility. These are governed by the rental rate schedule approved by Council annually.

Current policy was last updated in February 2005.

COMMENTS:

To address changes in business processes and recommendations from the Facility Rentals Audit Report, this policy has been revised and/or clarified to reflect:

- Definition section added to provide clarity
- Process change from “signature required” by customer to “acknowledgement” of the contract due to ability for customers to make and pay for bookings online (ice)
- Due to demand, pools and parks may not be placed on temporary hold
- New section added to reflect Serving of Alcohol at City Facilities Policy
- Payment terms and conditions have been simplified. The determination for full payment at time of booking is now based on an hourly rental (3 hours or less = full payment), rather than a dollar amount.
- Exceptions to Payment Terms description
- Statement Payment Customers wording clarified to indicate payment privileges for statement customers are available upon request (not automatic)
- Payment Methods section added to reflect the various customer payment options.

- Cancellations and Refunds are based on the Payment Terms
 - all bookings for a duration of three hours or less are non-refundable;
 - all other bookings:
 - 25% of the Contract is non-refundable if cancelled more than 30 days prior to the rental date
 - 100% non-refundable if cancelled less than 30 days prior to the rental
- Exceptions section has been added.
- Transfers to another location will now be allowed if the room/facility and staff is available.

Revisions to this policy address the Outstanding Internal Audit Recommendations outlined in the Facility Rental Audit.

The proposed Payment and Refund of Facility Rental Fees Policy and Procedures changes were circulated to the Extended Leadership Team for their review and comment. Any comments or issues received from the Extended Leadership Team have been addressed in the Summary of Feedback, attached as Appendix 2 to this report. A comparison chart, attached as Appendix 3, outlines all additions and deletions made to the policy

CONCLUSION:

Proposed updates to will ensure clarity and consistency with processes and reflects current business needs.

ATTACHMENTS:

- Appendix 1: Corporate Policy and Procedure: Payment and Refund of Facility Rental Fees
- Appendix 2: Summary of Feedback
- Appendix 3: Comparison Chart –Current and Revised Policy



Paul A. Mitcham
Commissioner of Community Services

Prepared By: Laura Buchal, Manager, Compliance

36c

Corporate Policy and Procedure



Policy No. Appendix I
Page 04-01-05
1 of 8
Effective Date Clean Copy
Draft Only
2013 06 12
Supersedes 2005 02 09
2000 06 28

TAB: FINANCE AND ACCOUNTING
SECTION: FEES AND OTHER REVENUE
SUBJECT: PAYMENT AND REFUND OF FACILITY RENTAL FEES

POLICY STATEMENT Facility rental fees and refunds are administered according to this policy.

PURPOSE This policy establishes payment terms for all Facility rentals and the criteria under which refunds may be given.

SCOPE This policy applies to all users and user groups, including groups having affiliated group status under Corporate Policy and Procedure - Community Group Support Program.

This policy does not apply when the use of the Facility is subject to internal charge-back (i.e. facilities used for the operation of City programs, staff meetings, etc.).

This policy does not establish additional charges for costs incurred for services over and above the Facility rental fees or establish rates or discounts for the use of facilities. For information on rates and charges, refer to the rental rate schedule as approved by Council annually.

Specific requirements of Civic Centre Complex facilities are outlined in Corporate Policy and Procedures - Civic Centre - Booking Facilities at the Civic Centre Complex and Outdoor Events in the Civic District. In the event of a conflict the Civic Centre policies will apply.

Corporate Policy and Procedure



Policy No. Appendix 1
Page 04-01-05
2 of 8
Effective Date Clean Copy
Draft Only
2013-06-12
Supersedes 2005-02-09
2000-06-28

Specific requirements related to filming and photography in facilities are outlined in Corporate Policy and Procedure – Filming and Photography on City Property. In the event of a conflict, the Filming and Photography on City Property policy will apply.

DEFINITIONS

For the purposes of this policy:

“Contract” means a formal issuance, by the City, to a person or group for the rental of space under the City’s standard terms and conditions and may include additional charges for costs incurred for services over and above the Facility rental fees.

“Facility” means meeting rooms, auditoriums, pools, arenas, gymnasiums, museums, parks, picnic areas, sports fields, and other facilities which are owned or operated by the City of Mississauga. It does not include municipal golf courses, cemeteries, marina slips, theatres or properties which are leased or under a management and operation agreement for long-term use.

CONTRACTS

A Contract listing the date(s) booked is issued for all Facility rentals. The terms and conditions for use must be accepted by the customer prior to use of the Facility. Failure to acknowledge a Contract or to comply with the terms and conditions of a Contract will result in the City cancelling the booking. If the customer wishes, he or she may re-book, providing all terms and conditions are met and the space is still available.

PLACING FACILITIES ON TEMPORARY HOLD

Due to demand, rentals for ice, pools, sports fields and parks will not be placed on temporary hold. Otherwise, in order to allow the customer to view the Facility prior to booking or to arrange to

36e

Corporate Policy and Procedure



Policy No.	Appendix I
Page	04-01-05 3 of 8
Effective Date	Clean Copy Draft Only 2013-06-12
Supersedes	2005 02 09 2000 06 28

provide the required payment, a Facility may be put on temporary hold. In such cases, the temporary hold period cannot exceed five calendar days (with the exception of filming productions, which may exceed this period) and will be cancelled by the City if the booking is not finalized within the required time period.

If the rental agreement involves an event where alcohol will be served, the Facility may be put on temporary hold for a maximum of twelve calendar days to allow time for the customer to meet the Conditions for Serving Alcohol outlined in Corporate Policy and Procedure – Use of Public Property – Serving Alcohol at City Facilities.

PAYMENT TERMS

The City's standard payment terms are based on the principle of full payment in advance of use. Standard payment terms are as follows:

- if the rental agreement is for three hours or less, full payment is required at the time of booking
- if the booking is made within 30 days of the rental date noted on the Contract, regardless of the duration, full payment is required at the time of booking
- if the rental agreement is for greater than three hours, a 25% initial payment is required at the time of booking, with full payment due 30 days prior to the rental date noted on the Contract
- for Contracts that include a series of dates over a span of more than one month, if booked more than 30 days prior to rental, full payment is required on the first day of the previous month (e.g. booking for July – payment due June 01).

EXCEPTIONS TO STANDARD PAYMENT TERMS

36 f

Corporate Policy and Procedure



Policy No. Appendix 1
Page 04-01-05
4 of 8
Effective Date Clean Copy
Draft Only
2013 06 12
Supersedes 2005 02 09
2000 06 28

Exceptions to the City's standard payment terms are made for Statement Payment Customers, who are allowed to pay after using a Facility rather than in advance, and in cases where the Director of Recreation, the Director of Parks and Forestry or the Director of Culture authorizes alternate payment terms.

Statement Payment Customers

Statement Payment Customers are issued a statement on the first day of each month for all amounts owing, including any cancellation charges. Payment is due immediately. The accounts of Statement Payment Customers will be monitored by the Manager, Customer Service Centre (CSC), Recreation Division, Community Services Department. Those that do not meet the required payment terms may be removed from the Statement Payment Customer list and required to pay in advance.

Statement privileges are available to government agencies, school boards and community groups affiliated under the Community Group Support Program policy upon request.

Alternate Payment Terms

Alternate payment terms may be established for an individual Contract, with written approval from the appropriate director, when, in the opinion of the Director of Recreation, the Director of Parks and Forestry or the Director of Culture, the customer has an established history of meeting payment commitments and the magnitude of the dollar value of the Contract does not allow the customer to pay in advance.

Failure to Meet Payment Terms

All payments must be made when due. The Manager, CSC may cancel bookings if payments are not made when due. In addition, the Director of Recreation, the Director of Parks and Forestry or the Director of Culture is authorized to withhold all future bookings and/or cancel statement privileges if payments are not

369

Corporate Policy and Procedure



Policy No.	Appendix 1
Page	04-01-05 5 of 8
Effective Date	Clean Copy Draft Only 2013 06 12
Supersedes	2005 02 09 2000 06 28

made when due.

New booking requests will not be considered until all outstanding balances are paid in full or until the Director of Recreation, the Director of Parks and Forestry or the Director of Culture have authorized an alternative payment plan. Collection of overdue accounts will be undertaken in accordance with Corporate Policy and Procedure – Finance and Accounting – Invoicing and Collections.

PAYMENT METHODS

Payments may be made by credit card, cash, debit card or cheque, payable to the City of Mississauga. Post-dated payments, if required, must be supplied at the time of signing the Contract and may take the form of preauthorized credit card payments or post-dated cheques.

Note: Cheques are only accepted if the rental is later than 14 days from payment date or the customer is a Statement Payment Customer.

Declined Payments

Payments which have not been honoured by the bank must be rectified immediately upon notification by the City. The City reserves the right to cancel the booking or to revoke booking and/or statement privileges until full payment is received. An administrative fee, in the amount established by the City's Fees and Charges By-law, will be charged for each declined payment.

New booking requests will not be considered until the payment has been replaced, or until the Director of Recreation, the Director of Parks and Forestry or the Director of Culture has authorized an alternative payment plan. Staff should refer to Corporate Policy and Procedure – Finance and Accounting – Returned Payments,

Corporate Policy and Procedure



Policy No. Appendix I
Page 04-01-05
6 of 8
Effective Date Clean Copy
Draft Only
2013 06 12
Supersedes 2005 02 09
2000 06 28

and to the Community Services Department Cash Handling Procedures for information on handling returned cheques.

CANCELLATIONS AND REFUNDS

The customer may cancel a booking at any time; however, penalties may apply. Cancellation and refund terms, included in the Facility booking Contract, are as follows:

- all bookings for a duration of three hours or less are non-refundable;
- all other bookings:
 - 25% of the contract is non-refundable if cancelled more than 30 days prior to the rental date
 - 100% non-refundable if cancelled less than 30 days prior to the rental date
 - where facility space has been allocated by an allocation policy, the minimum number of weeks specified will apply for which no cancellations or refunds will be permitted.

Cancellation of individual rental dates within any Contract that includes a series of bookings (e.g. one church group room booking; one week's practice ice) is not accepted.

Meeting rooms that are booked at no charge in accordance with the Community Group Support Program must be cancelled if they will not be used. The cancellation charges outlined in By-Law 0305-2011, as amended from time to time, will be applied if such notice is not provided.

Statement Payment Customers must adhere to the standard cancellation requirements, and will be charged on their monthly statements for cancelled bookings in accordance with the

Corporate Policy and Procedure



Policy No. Appendix 1
 Page 04-01-05
 7 of 8
 Effective Date Clean Copy
 Draft Only
 2013 06 12
 Supersedes 2005 02 09
 2000 06 28

cancellation and refund terms outlined in this policy.

Cancellation by the City

The City may cancel a Contract, or individual rentals within a Contract, due to inclement weather, emergency situations or government elections. Should the City be required to cancel a booking without transferring the customer to another City Facility, a full refund or a credit to the customer's account will be provided.

Inclement Weather

Customers with Contracts for outdoor sport facilities may cancel a booking due to inclement weather, without penalty, in accordance with the "Sports Field Rain Out Procedures", available on the City's external web site, www.mississauga.ca or from the CSC.

Exceptions

Non-refundable amounts may be refunded or credited to a customer's account, in whole or in part, for a Contract with a single date if the customer is dissatisfied with the Facility, provided the reason for the dissatisfaction has been thoroughly investigated by the Facility manager and has been found to be justified, or if there are other significant extenuating circumstances. If a refund or credit to the customer's account is warranted, the Facility manager will consult with the Manager, CSC to determine the refund and/or compensation.

Cancellation of a Contract, in whole or in part, that includes a series of bookings and which does not meet the cancellation and refund criteria established in this policy must be approved by the Director of Recreation, the Director of Parks and Forestry or the Director of Culture.

In all cases, documentation outlining the justification for the

Corporate Policy and Procedure



Policy No. Appendix 1
Page 04-01-05
8 of 8
Effective Date Clean Copy
Draft Only
2013 06 12
Supersedes 2005 02 09
2000 06 28

refund or credit must be retained for audit purposes at the CSC, along with the original Contract.

TRANSFERS

Transfers to another location at the request of the customer may be permitted, depending on the availability of alternate facilities and staff resources. Transfers are not permitted for Contracts that include a series of bookings.

When transferring from one bookable area to another at a higher rate, the additional fees will be charged. When transferring from one bookable area to another at a lower rate, the payment due will be adjusted to the lower rate. If full payment has been made, the difference will be refunded or credited to the customer's account. Circumstances may arise which would necessitate the City transferring a booking to another City location. In this case, no additional charges will be applied. If the customer is transferred to a Facility at a lower rental rate, the City will refund the difference or credit the customer's account. The City may offer additional customer compensation for the inconvenience with the written approval of the Director of Recreation, the Director of Parks and Forestry or the Director of Culture. Justification for the transfer and/or compensation provided must be documented and retained for audit purposes at the CSC, along with the original Contract.

REFERENCE: GC-0034-2005 – 2005 02 09

LAST REVIEW DATE:

CONTACT: For more information, contact the Recreation Division, Community Services Department.

36K

Appendix 2

Summary of Feedback – Payment and Refund of Facility Rental Fees

2013 06 10

Comment – Definitions	Response
<p>Re: <i>“Facility” means meeting rooms, auditoriums, pools, arenas, gymnasiums, museums, parks, picnic areas, sports fields, and other facilities which are owned or operated by the City of Mississauga. It does not include municipal golf courses, cemeteries, marina slips, theatres or properties which are leased or under a management agreement for long-term use.</i></p> <p>In the definition of “Facilities” I believe the reference should be made to “management <u>and</u> operation agreement” in the last line.</p>	<p>Agree.</p> <p>Draft policy revised.</p>
Comment - Contracts	Response
<p>In the definition of “Contract” it currently states that a booking would be cancelled if the terms and conditions were not adhered with. However, the last sentence states that a customer may re-book. If someone were to be in breach of terms and conditions of a contract would we necessarily want them to re-book a facility? What if it was because they bounced all their cheques or what if they caused damage? While I am certain I understand what this sentence is meant to cover, perhaps it should be worded more clearly.</p>	<p>The statement has been reworded for clarity.</p> <p>Draft policy revised.</p>
Comment – Placing Facilities on Temporary Hold	Response
<p>Re: <i>“In such cases, the temporary hold period cannot exceed five calendar days (with the exception of filming productions, which may exceed this period)”</i></p> <p>Who grants the exception for filming productions and for how long?</p>	<p>The Film & Television Office makes arrangements for facility rentals when required. This is not specifically covered in the Film policy but is arranged in consultation with the Customer Service Centre.</p>

Is this addressed in the Film Policy?	No change to draft policy.
For greater clarity, the sentence "Due to demand, rentals for ice, pools, sports fields and parks will not be placed on temporary hold" could be more prominent. Perhaps it could be the first or second sentence in this section with minor changes in wording to the section to accommodate this.	Agree. Draft policy revised.
In the Section "Placing Facilities on Temporary Hold" I believe the last sentence should state: "... will be cancelled by the City if the booking is not finalized <u>within the stipulated time period.</u> " (Or something similar).	Agree. Draft policy revised.
I would suggest similar wording regarding when a booking may be cancelled be added to the second portion of this with respect to events where alcohol is served.	This section of the policy is providing an exception to the number of days a facility may be put on a temporary hold. All other aspects of the temporary hold would apply (i.e. cancelled if not adhered to.) No change to draft policy.
Comment – Payment Terms	Response
Re: <i>"Contract with seasonal or recurring rentals"</i> - Is it necessary to define what "seasonal" and "recurring" mean? Are two or more rentals considered "recurring"?	The language has been clarified and the use of "seasonal" and "recurring" Contracts removed. Draft policy revised.
Re: <i>"If booked more than 30 days prior to rental, full payment is required on the first day of the previous month"</i> What happens if booking is less than 30 days prior to rental? Will payment for the first rental be due immediately i.e. the second bullet	This scenario is covered in bullet two: "if the booking is made within 30 days of the rental date noted on the Contract, regardless of the duration , full payment is required at the time of booking"

in this section applies?	No change to draft policy.
Comment – Exceptions to Standard Payment Terms – Statement Payment Customers	Response
In the section on “Statement Payment Customers”, I believe the two paragraphs should be reversed so this starts with explaining what this means and then states to whom it applies.	Agree. Draft policy revised.
Comment – Payment Methods	Response
When referencing who cheques should be made, should we emphasize this? (“The City of Mississauga”)	This is covered in the Payment Methods section (“Payments may be made by credit card, cash, debit card or cheque, payable to the City of Mississauga.”) No change to draft policy.
Comment – Cancellation and Refunds	Response
Re: “ <i>Note: Seasonal Contracts: cancellation of seasonal Contracts for arena ice and/or individual rentals within a seasonal ice Contract (e.g. one week’s practice ice) is not permitted, unless otherwise stipulated in the Contract</i> ” Does this “Note” only apply to seasonal contracts for ice rentals? What about sports field?	The Note currently applies to arena ice that has been allocated in accordance with the Arena Ice Allocation policy. The policy has been clarified. Draft policy revised.
Where it says “unless otherwise stipulated in the Contract”, who is responsible for drafting and executing the contract? In other words, who has the authority to execute a Contract (and based on what criteria) that will allow the exception to the policy?	The Customer Service Centre drafts the contract. This statement was included because, as part of the revision to the Primetime Ice Allocation policy, exceptions to cancellation of seasonal contracts may be permitted, with Director authority, to allow emerging sports a chance to book ice without committing to an entire season.

	No change to draft policy.
Page 10 of the Comparison chart indicated that "CSC has confirmed that customers with long-term or seasonal contracts rarely cancel a Contract, so they are unlikely to be impacted by this change". But what happens if they do cancel. Right now, they are not allowed to unless it is stipulated in the Contract. If they do request a cancellation, is it handled on a case by case basis and on whose approval? Currently, the Policy does not grant the respective Directors authority to do this.	The policy has been clarified to allow the CSC and Facility manager to authorize refunds or credits to customer accounts for one-time bookings. Any request for cancellation and refund of a Contract that is not a one-time booking must be authorized by the applicable director. Draft policy revised.
Comment – Cancellation and Refunds	Response
Re: <i>"Cancellation of individual rentals within other seasonal Contracts (e.g. one church group room booking; two sports league field rentals) is not accepted"</i> Is church group room booking a seasonal Contract or more of a recurring Contract?	The policy has been revised to remove the terms seasonal and recurring. Draft policy revised.
What about cancellation of the entire Contract (seasonal or recurring)? If this happens, does the penalty noted in the second bullet in this section (i.e. under "all other bookings") apply?	The policy has been revised to remove the terms seasonal and recurring and clarify cancellation of arena ice allocated for the fall/winter season. Draft policy revised.
Re: <i>"Meeting rooms that are booked at no charge in accordance with the Community Group Support Program must be cancelled if they will not be used. The cancellation charges outlined above will be applied if such notice is not provided."</i> I assume Community Group Support covers Affiliated Groups. If so, can you check to see if the draft Policy is in compliance with the	By-Law 0305-2011 would apply to meeting room cancellations by affiliate groups. By-Law 0249-2012 outlines the room rental rates only and not any of the detail contained in Schedule A of by-Law 0305-2011. The policy has been revised to reflect By-Law 0305-2011, as amended from time to time.

<p>Rental Rates By-law? By-law 0305-2011 which governed the rental rates for meeting rooms for Sept 1st to December 31st, 2012, contains a note indicating that "In the event a group neglects to cancel a free room booking or does not show up for booked dates, a financial penalty of 50% of the affiliated room rental will be applied" which is different from what is currently stated in the draft Policy. Rental rates for meeting rooms for Jan 1st to Dec 31st, 2013 are listed in By-law 0249-2012. However, By-law 0249-2012 only lists the rates with no notes attached. So the question is whether By-law 0305-2011 with respect to cancellation for affiliated groups still applies.</p>	<p>Draft policy revised.</p>
Comment – General	Response
<p>What happens if the customer request a rescheduling of the rental after the deadline has passed? Will the request be granted and will there be an administrative fee charged because of the additional work that needs to be done to reschedule and to amend the Contract?</p>	<p>The customer would not be allowed to reschedule. One Contract would be cancelled, with the applicable cancellation penalties, and a new Contract drawn up.</p> <p>No change to draft policy.</p>
<p>Conversely, what if a customer with a seasonal or recurring Contract requests additional rentals under that Contract? Will this be allowed under the Contract? If so, will there be an administrative fee charged, or will a new Contract be required for the additional rentals separate from the seasonal/recurring Contract?</p>	<p>A new Contract is created for requests for additional rentals. The existing Contract is not revised.</p> <p>No change to draft policy.</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

2013 06 12

Page 1 of 14

<i>Current Policy – deletions and additions</i>	<i>Proposed Policy</i>	<i>Rationale</i>
POLICY STATEMENT Facility rental fees are administered according to this policy.	POLICY STATEMENT No change.	
PURPOSE This policy establishes payment terms for all Facility rentals and the criteria under which refunds may be given.	PURPOSE No change.	
SCOPE Facility includes meeting rooms, auditoriums, pools, arenas, gymnasiums, parks, and other facilities which are owned or operated by the City of Mississauga. It does not include municipal golf courses, cemeteries, marina slips, theatres or properties which are leased or under a management agreement for long-term use. This policy applies to all users and user groups, including groups having affiliated group status under Corporate Policy and Procedure - Volunteer Group Liaison <u>Community Group Support Program</u> .	SCOPE This policy applies to all users and user groups, including groups having affiliated group status under Corporate Policy and Procedure - Community Group Support Program.	The description of “Facility” has been moved to the Definitions section. Updated policy name to Community Group Support Program only.
This policy does not apply when the use of the Facility is subject to internal charge-back (i.e. facilities used for the operation of City programs, staff meetings, etc.).	No change.	

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
This policy does not establish additional charges for costs incurred for services over and above the Facility rental fees or establish rates or discounts for the use of Facilities. For information on rates and charges, refer to the rental rate schedule as approved by Council annually.	This policy does not establish additional charges for costs incurred for services over and above the Facility rental fees or establish rates or discounts for the use of facilities. For information on rates and charges, refer to the rental rate schedule as approved by Council annually	Included information with respect to additional charges for other services.
Specific requirements of Civic Centre Complex facilities are outlined in Corporate Policy and Procedure - Booking Facilities at the Civic Centre Complex and Outdoor Events in the Civic District. In the event of a conflict the Booking Facilities at the Civic Centre Complex policies will apply.	Specific requirements of Civic Centre Complex facilities are outlined in Corporate Policy and Procedures - Civic Centre - Booking Facilities at the Civic Centre Complex and Outdoor Events in the Civic District. In the event of a conflict the Civic Centre policies will apply.	Added second Civic Centre policy – Outdoor Events in the Civic District. No other change.
Specific requirements related to filming and photography in Facilities are outlined in Corporate Policy and Procedure - Filming and Photography on City Property. In the event of a conflict, the Filming and Photography on City Property policy will apply.	No change.	
DEFINITIONS For the purposes of this policy: “Contract” means a provides formal written authority issuance, by the City, to a person or group which allows for the rental of space under the City’s standard terms and conditions and may include additional charges for costs incurred for	DEFINITIONS For the purposes of this policy: “Contract” means a formal written authority, by the City, to a person or group for the rental of space under the City’s standard terms and conditions and may include additional charges for costs incurred for services over and above the	Added definitions section for clarity. Moved definition from the “Contract” section. Included additional costs as these do appear on the Contract.

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

2013 06 12

Page 3 of 14

Current Policy – deletions and additions	Proposed Policy	Rationale
services over and above the Facility rental fees.	Facility rental fees.	
<p>“Facility” includes means meeting rooms, auditoriums, pools, arenas, gymnasiums, museums, parks, picnic areas, sports fields and other facilities which are owned or operated by the City of Mississauga. It does not include municipal golf courses, cemeteries, marina slips, theatres or properties which are leased or under a management and operation agreement for long-term use.</p>	<p>“Facility” means meeting rooms, auditoriums, pools, arenas, gymnasiums, parks, picnic areas, sports fields, and other facilities which are owned or operated by the City of Mississauga. It does not include municipal golf courses, cemeteries, marina slips, theatres or properties which are leased or under a management and operation agreement for long-term use.</p>	<p>Moved from the Scope section; added additional examples.</p>
<p>CONTRACTS</p> <p>A “contract” provides formal written authority, by the City, to a person or group which allows the rental of space under the City’s standard terms and conditions.</p> <p>A Contract listing the date(s) booked is issued for all Facility rentals. and wherever possible is signed and returned The terms and conditions for use must be accepted by the customer prior to use of the Facility. Failure to return signed acknowledge a Contract or to comply with the terms and conditions of the a Contract may will result in the City cancelling the booking. If the customer wishes, he or she may re-book, in person and make the appropriate payments at that time.</p>	<p>CONTRACTS</p> <p>A Contract listing the date(s) booked is issued for all Facility rentals. The terms and conditions for use must be accepted by the customer prior to use of the Facility. Failure to acknowledge a Contract or to comply with the terms and conditions of a Contract will result in the City cancelling the booking. If the customer wishes, he or she may re-book, providing all terms and conditions are met and the space is still available.</p>	<p>Moved to Definitions section above.</p> <p>Policy amended to acknowledgement of the Contract before use of a facility. The Audit Committee report of September 29, 2008 recommended the requirement of a signature on every Contract. The wording was changed to “acknowledge” the Contract, as customers may now make and pay for bookings on line. Also revised to remove requirement to rebook in person as online booking is possible.</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>providing all terms and conditions are met and the space is still available.</p>		
<p>PLACING FACILITIES ON TEMPORARY HOLD Due to demand, rentals for ice, pools, sports fields and parks will not be placed on temporary hold. Otherwise, in order to allow Facilities may be placed on a temporary hold so that the customer can to view the Facility prior to booking, or so that the customer can to arrange to provide the required payment, a Facility may be put on temporary hold. In such cases, the temporary hold period cannot exceed five calendar days (with exception of filming productions, which may exceed this period) and will automatically be cancelled by the City if the booking is not finalized within the required time period. Due to demand, rentals for ice, pools and sports fields and parks will not be placed on temporary hold.</p> <p>If the rental agreement involves an event where alcohol will be served, the Facility may be put on temporary hold for a maximum of twelve calendar days to allow time for the customer to meet the Conditions for Serving Alcohol outlined in Corporate Policy and Procedure – Use of Public Property – Serving Alcohol at City Facilities.</p>	<p>PLACING FACILITIES ON TEMPORARY HOLD Due to demand, rentals for ice, pools, sports fields and parks will not be placed on temporary hold. Otherwise, in order to allow the customer to view the Facility prior to booking or to arrange to provide the required payment, a Facility may be put on temporary hold. In such cases, the temporary hold period cannot exceed five calendar days (with the exception of filming productions, which may exceed this period) and will be cancelled by the City if the booking is not finalized within the required time period.</p> <p>If the rental agreement involves an event where alcohol will be served, the Facility may be put on temporary hold for a maximum of twelve calendar days to allow time for the customer to meet the Conditions for Serving Alcohol outlined in Corporate Policy and Procedure – Use of Public Property – Serving Alcohol at City Facilities.</p>	<p>Minor wording changes and restructuring for clarity. Removed “automatically” cancelled as the system does not auto-cancel bookings. Updated to reflect that, due to demand, pools and parks may not be placed on temporary hold.</p> <p>New section to reflect the Serving Alcohol at City Facilities policy.</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

2013 06 12

Page 5 of 14

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>PAYMENT TERMS</p> <p>The City's standard payment terms are based on the principle of full payment in advance of use. Standard payment terms are as follows: outlined in Appendix 1 at the end of this policy.</p> <ul style="list-style-type: none"> • if the rental agreement is for three hours or less, full payment is required at the time of booking • if the booking is made within 30 days of the rental date noted on the Contract, regardless of the duration, full payment is required at the time of booking • if the rental agreement is for greater than three hours, a 25% initial payment is required at the time of booking, with full payment due 30 days prior to the rental date noted on the Contract • for Contracts that include a series of dates over a span of more than one month, if booked more than 30 days prior to rental, full payment is required on the first day of the previous month (e.g. booking for July – payment due June 01). 	<p>PAYMENT TERMS</p> <p>The City's standard payment terms are based on the principle of full payment in advance of use. Standard payment terms are as follows:</p> <ul style="list-style-type: none"> • if the rental agreement is for three hours or less, full payment is required at the time of booking • if the booking is made within 30 days of the rental date noted on the Contract, regardless of the duration, full payment is required at the time of booking • if the rental agreement is for greater than three hours, a 25% initial payment is required at the time of booking, with full payment due 30 days prior to the rental date noted on the Contract • for Contracts that include a series of dates over a span of more than one month, if booked more than 30 days prior to rental, full payment is required on the first day of the previous month (e.g. booking for July – payment due June 01). 	<p>Removed Appendix 1. The chart is no longer required as the terms and conditions have been simplified. The determination for full payment at time of booking is now based on an hourly rental (3 hours or less = full payment), rather than a dollar amount, as this eliminates the issue of the City pursuing payment of amounts that customers were not required to pay up front. (e.g. if full payment is required for \$150 or less and the rental is \$200, the City could be attempting to collect \$50).</p>
<p>EXCEPTIONS TO STANDARD PAYMENT TERMS</p> <p>Exceptions to the City's standard payment terms are made for Statement Payment Customers, who</p>	<p>EXCEPTIONS TO STANDARD PAYMENT TERMS.</p> <p>Exceptions to the City's standard payment terms are made for Statement Payment Customers, who</p>	<p>Added a description of what defines a Standard Payment Customer. Included all</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
are allowed to pay after using a Facility rather than in advance, and in cases where the Director of Recreation, and the Director of Parks and Forestry or the Director of Culture authorizes alternate payment terms.	are allowed to pay after using a Facility rather than in advance, and in cases where the Director of Recreation, the Director of Parks and Forestry or the Director of Culture authorizes alternate payment terms.	Community Services applicable directors. No other changes.
<p>Statement Payment Customers. Statement Payment Customers are issued a statement on the first day of each month for all amounts owing, including any cancellation charges. Payment is due immediately. The accounts of Statement Payment Customers will be monitored by the Director of Manager, Customer Service Centre (CSC), Recreation and Parks Division, Community Services Department. Those that do not meet the required payment terms may be removed from the Statement Payment Customer list and required to pay in advance.</p> <p>Statement payment customers are allowed to pay after using a facility rather than in advance. Statement privileges are given available to government agencies, and school boards and community youth groups affiliated under the Volunteer Group Liaison Community Group Support Program Policy who have been previously approved to pay after use upon request. Note: At the time of approval of this policy, some customer groups that did not meet the</p>	<p>Statement Payment Customers Statement Payment Customers are issued a statement on the first day of each month for all amounts owing, including any cancellation charges. Payment is due immediately. The accounts of Statement Payment Customers will be monitored by the Manager, Customer Service Centre (CSC), Recreation Division, Community Services Department. Those that do not meet the required payment terms may be removed from the Statement Payment Customer list and required to pay in advance.</p> <p>Statement privileges are available to government agencies, school boards and community groups affiliated under the Community Group Support Program policy upon request.</p>	<p>The paragraphs were reversed for ease of reading and understanding. Included description of a Standard Payment Customer in the previous paragraph. Other wording changes to clarity that this payment option is not automatic, but is available upon request. Updated affiliation policy name.</p> <p>Minor wording changes for clarity and to reflect that the Manager, Customer Service Centre, is responsible for monitoring Statement Payment Customer accounts.</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

2013 06 12

Page 7 of 14

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>requirements for statement payment customers had been permitted to pay after the use of facilities. These groups are not grandfathered. Staff will continue to work with these groups to remove them from the statement payment customer list.</p>		<p>The deleted paragraph is no longer required as all ineligible groups have been removed from Statement Payment arrangements.</p>
<p>Alternate Payment Terms Alternate payment terms may be established for an individual Contract, with written approval from the appropriate director, when, in the opinion of the Director of Recreation, and the Director of Parks and Forestry or the Director of Culture, the customer has an established history of meeting payment commitments and the magnitude of dollar value of the Contract does not allow the customer to pay in advance.</p>	<p>Alternate Payment Terms Alternate payment terms may be established for an individual Contract, with written approval from the appropriate director, when, in the opinion of the Director of Recreation, the Director of Parks and Forestry or the Director of Culture, the customer has an established history of meeting payment commitments and the magnitude of dollar value of the Contract does not allow the customer to pay in advance.</p>	<p>As recommended by Audit, director approval for alternate payment terms must be in writing. Also included all Community Services applicable directors.</p>
<p>Failure to Meet Payment Terms All payments must be made when due. The Customer Service Centre Supervisor Manager, CSC may cancel bookings if payments are not made when due. In addition, the Director of Recreation, and the Director of Parks and Forestry or the Director of Culture is authorized to cancel withhold all future booking and/or statement privileges if payments are not made when due.</p> <p>New booking requests will not be considered until</p>	<p>Failure to Meet Payment Terms All payments must be made when due. The Manager, CSC may cancel bookings if payments are not made when due. In addition, the Director of Recreation, the Director of Parks and Forestry or the Director of Culture is authorized to withhold all future bookings and/or cancel statement privileges if payments are not made when due.</p> <p>New booking requests will not be considered</p>	<p>Minor wording changes to reflect current titles and policy name. Included all Community Services applicable directors. No change to intent.</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
all outstanding balances are paid in full or until the Director of Recreation, and the Director of Parks and Forestry or the Director of Culture has authorized an alternative payment plan. Collection of overdue accounts will be undertaken in accordance with Corporate Policy and Procedure - Finance and Accounting - Invoicing and Collections.	until all outstanding balances are paid in full or until the Director of Recreation, the Director of Parks and Forestry or the Director of Culture has authorized an alternative payment plan. Collection of overdue accounts will be undertaken in accordance with Corporate Policy and Procedure – Finance and Accounting – Invoicing and Collections.	
<p>PAYMENT METHODS</p> <p>Payments may be made by credit card, cash, debit card or cheque, payable to the City of Mississauga. Post-dated payments, if required, must be supplied at the time of signing the Contact and may take the form of preauthorized credit card payments or post-dated cheques.</p> <p>Note: Cheques are only accepted if the rental is later than 14 days from payment date or the customer is a Statement Payment Customer.</p>	<p>PAYMENT METHODS</p> <p>Payments may be made by credit card, cash, debit card or cheque, payable to the City of Mississauga. Post-dated payments, if required, must be supplied at the time of signing the Contact and may take the form of preauthorized credit card payments or post-dated cheques.</p> <p>Note: Cheques are only accepted if the rental is later than 14 days from payment date or the customer is a Statement Payment Customer.</p>	New section to reflect the various customer payment options.
<p>Returned Cheques Declined Payments</p> <p>The City will notify a customer when cheques have not been honoured by the bank and will request replacement. Payments which have not been honoured by the bank must be rectified immediately upon notification by the City. The City reserves the right to cancel the booking or to</p>	<p>Declined Payments</p> <p>Payments which have not been honoured by the bank must be rectified immediately upon notification by the City. The City reserves the right to cancel the booking or to revoke booking and/or statement privileges until full payment is received. An administrative fee, in the amount</p>	Revised to include other current methods of payment (e.g. electronic fund transfers) that may be dishonoured by the bank.

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>revoke booking and/or statement privileges until full payment is received. An administrative fee, in the amount established by the City's Fees and Charges By-Law, will be charged for each returned cheque declined payment. New booking requests will not be considered until the cheque payment has been replaced, or until the Director of Recreation, and the Director of Parks and Forestry or the Director of Culture has authorized an alternative payment plan. Staff should refer to Corporate Policy and Procedure - Finance and Accounting -Returned Cheques/Payments and to the Community Services Department Cash Handling Procedures for information on handling returned cheques.</p>	<p>established by the City's Fees and Charges By-law, will be charged for each declined payment. New booking requests will not be considered until the payment has been replaced, or until the Director of Recreation, the Director of Parks and Forestry or the Director of Culture has authorized an alternative payment plan. Staff should refer to Corporate Policy and Procedure – Finance and Accounting – Returned Payments and to the Community Services Department Cash Handling Procedures for information on handling returned cheques.</p>	
<p>CANCELLATIONS AND REFUNDS</p> <p>The customer may cancel a booking at any time, however, penalties may apply. Cancellation and refund terms, are outlined in appendix 1, and are included in the Facility booking Contract, are as follows: Cancellation of part of a contract may result in a new contract being issued.</p> <ul style="list-style-type: none"> – all bookings for a duration of three hours or less are non-refundable; – all other bookings: – 25% of the Contract is non-refundable if cancelled more than 30 days prior to the rental 	<p>CANCELLATIONS AND REFUNDS</p> <p>The customer may cancel a booking at any time, however, penalties may apply. Cancellation and refund terms, included in the Facility booking Contract, are as follows:</p> <ul style="list-style-type: none"> • all bookings for a duration of three hours or less are non-refundable; • all other bookings: <ul style="list-style-type: none"> – 25% of the Contract is non-refundable if cancelled more than 30 days prior to the rental date 	<p>Appendix 1 has been removed. The cancellations and refunds are based on the Payment Terms (e.g. bookings of less than three hours in duration are non-refundable). Relevant information from Appendix 1 has been included in this section.</p> <p>The 25% non-refundable portion of Contracts cancelled more than 30 days prior to the rental date is not applied consistently. Some customers (e.g. those booking prime time room rentals; hockey</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>date</p> <ul style="list-style-type: none"> – 100% non-refundable if cancelled less than 30 days prior to the rental date – where facility space has been allocated by an allocation policy, the minimum number of weeks specified will apply for which no cancellations or refunds will be permitted. <p>Seasonal Contracts: – if less time or space is required due to reduced registration, space may be cancelled without penalty prior to the predetermined date communicated to customers by the CSC.</p> <p>Cancellation of individual rental dates within any Contract that includes a series of bookings (e.g. one church group room booking; one week's practice ice) is not accepted.</p>	<ul style="list-style-type: none"> – 100% non-refundable if cancelled less than 30 days prior to the rental date – where facility space has been allocated by an allocation policy, the minimum number of weeks specified will apply for which no cancellations or refunds will be permitted. <p>Cancellation of individual rental dates within any Contract that includes a series of bookings (e.g. one church group room booking; one week's practice ice) is not accepted.</p>	<p>schools and tournaments) are being charged the 25% cancellation penalty, while the same penalty does not apply to other users, such as seasonal contracts. The intent is to treat all customers the same, with exceptions on a case-by-case basis. Revisions to the Primetime Ice Allocation policy, currently underway, will resolve the issue of youth hockey organizations cancelling ice at the end of the regular hockey season that is not required for play-offs. Teams will be committing to a 26 week contract.</p>
<p>The City may cancel a contract due to inclement weather or emergency situations. Should the City be required to cancel a booking without transferring the customer to another City facility, a full refund or a credit to the customer's account of any amounts paid for the booking will be provided.</p>		<p>This information has been moved to the Cancellation by the City section.</p>
<p>The Volunteer Group Liaison Program permits</p>		

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

2013 06 12

Page 11 of 14

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>affiliated groups the use of a limited number of Meeting rooms that are booked at no charge in accordance with the Community Group Support Program must be cancelled if they will not be used. In the event of cancellation of a no-charge meeting, groups are expected to provide notice as outlined in the chart at the end of this policy. The cancellation charges outlined in By-Law 0305-2011, as amended from time to time, will be applied if such notice is not provided. the group will be charged an administrative fee in an amount approved by Council. (Refer to Facility Rental Rate Schedule, as approved by Council, for the current fee.)</p>	<p>Meeting rooms that are booked at no charge in accordance with the Community Group Support Program must be cancelled if they will not be used. The cancellation charges outlined in By-Law 0305-2011, as amended from time to time, will be applied if such notice is not provided.</p>	<p>No change to intent. Policy language simplified and policy name and current by-law information updated.</p>
<p>Statement Payment Customers must adhere to the standard cancellation requirements, and will be charged on their monthly statements for cancelled bookings in accordance with standard the cancellation and refund terms in this policy.</p>	<p>Statement Payment Customers must adhere to the standard cancellation requirements, and will be charged on their monthly statements for cancelled bookings in accordance with the cancellation and refund terms outlined in this policy.</p>	<p>No change to intent. Minor wording changes for clarity.</p>
<p>Cancellation by the City The City may cancel a Contract, or individual rentals within a seasonal Contract, due to inclement weather or emergency situations or government elections. Should the City be required to cancel a booking without transferring the customer to another City Facility, a full refund or a</p>	<p>Cancellation by the City The City may cancel a Contract, or individual rentals within a seasonal Contract, due to inclement weather, emergency situations or government elections. Should the City be required to cancel a booking without transferring the customer to another City Facility, a full</p>	<p>No change to intent; included elections. Minor wording changes for clarity.</p>

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
credit to the customer's account of any amounts paid for the booking will be provided.	refund or a credit to the customer's account will be provided.	
Inclement Weather Customers with Contracts for outdoor sport facilities may cancel a booking due to inclement weather, without penalty, in accordance with the "Sports Field Rain Out Procedures", available on the City's external web site, www.mississauga.ca or from the CSC.	Inclement Weather Customers with Contracts for outdoor sport facilities may cancel a booking due to inclement weather, without penalty, in accordance with the "Sports Field Rain Out Procedures", available on the City's external web site, www.mississauga.ca or from the CSC.	
Exceptions Non-refundable amounts may be refunded or credited to a customer's account, in whole or in part, for a Contract with a single date if the customer is dissatisfied with the Facility, provided the reason for the dissatisfaction has been thoroughly investigated by the Facility manager and has been found to be justified, or if there are other significant extenuating circumstances. If a refund or credit to the customer's account is warranted, the Facility manager will consult with the Manager, CSC to determine the refund and/or compensation. Cancellation of a Contract, in whole or in part, that includes a series of bookings and which does not meet the cancellation and refund criteria	Exceptions Non-refundable amounts may be refunded or credited to a customer's account, in whole or in part, for a Contract with a single date if the customer is dissatisfied with the Facility, provided the reason for the dissatisfaction has been thoroughly investigated by the Facility manager and has been found to be justified, or if there are other significant extenuating circumstances. If a refund or credit to the customer's account is warranted, the Facility manager will consult with the Manager, CSC to determine the refund and/or compensation. Cancellation of a Contract, in whole or in part, that includes a series of bookings and which does not meet the cancellation and refund criteria	This section has been added to comply with an Audit recommendation. The City has permitted refunds under these circumstances but these exceptions and the corresponding authority levels were not documented in the Corporate Policy.

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

2013 06 12

Page 13 of 14

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>established in this policy must be approved by the Director of Recreation, the Director of Parks and Forestry or the Director of Culture.</p> <p>In all cases, documentation outlining the justification for the refund or credit must be retained for audit purposes at the CSC, along with the original Contract.</p>	<p>established in this policy must be approved by the Director of Recreation, the Director of Parks and Forestry or the Director of Culture.</p> <p>In all cases, documentation outlining the justification for the refund or credit must be retained for audit purposes at the CSC, along with the original Contract.</p>	
<p>TRANSFERS</p> <p>Transfers to another location at the request of the customer may be permitted, depending on the availability of alternate facilities and staff resources. upon at least two months advance notice for prime time rooms and one month advance notice for all other facilities. Transfers may result in the issuance of a new contract. Transfers are not permitted for Contracts that include a series of bookings.</p>	<p>TRANSFERS</p> <p>Transfers to another location at the request of the customer may be permitted, depending on the availability of alternate facilities and staff resources. Transfers are not permitted for Contracts that include a series of bookings.</p>	<p>Reflects a change in policy to increase customer satisfaction, as transfers will now be allowed if the room is available and there are staff available for set-up, etc.</p>
<p>When transferring from one bookable area to another at a higher rate, the additional fees will be charged. When transferring from one bookable area to another at a lower rate, the payment due will be adjusted to the lower rate. If full payment has been made, the difference will be refunded or credited to the customer's account.</p>	<p>No change.</p>	

Comparison of Current and Proposed Policy – Payment and Refund of Facility Rental Fees

Current Policy – deletions and additions	Proposed Policy	Rationale
<p>Circumstances may arise which would necessitate the City transferring a booking to another location. In this case, no additional charges will be applied. If the customer is transferred to a Facility at a lower rental rate, the City will refund the difference or credit the customer's account. The City may offer additional customer compensation for the inconvenience with the written approval of the Director of Recreation, the Director of Parks and Forestry or the Director of Culture. Justification for the transfer and/or compensation provided must be documented and retained for audit purposes at the CSC, along with the original Contract.</p>	<p>Circumstances may arise which would necessitate the City transferring a booking to another location. In this case, no additional charges will be applied. If the customer is transferred to a Facility at a lower rental rate, the City will refund the difference or credit the customer's account. The City may offer additional customer compensation for the inconvenience with the written approval of the Director of Recreation, the Director of Parks and Forestry or the Director of Culture. Justification for the transfer and/or compensation provided must be documented and retained for audit purposes at the CSC, along with the original Contract.</p>	<p>In practice, on a case by case basis, the City may offer additional compensation, however this was not documented in the Policy. The applicable director must approve any additional compensation, in writing.</p>