
General Committee

Date

2016/04/06

Time

9:00 AM

Location

Civic Centre, Council Chamber,
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

Members

Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4 (Chair)
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Contact

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<http://www.mississauga.ca/portal/cityhall/generalcommittee>

1. CALL TO ORDER**2. APPROVAL OF AGENDA****3. DECLARATION OF CONFLICT OF INTEREST****4. PRESENTATIONS**

- 4.1. Shawn Slack, Director, Information Technology, Nigel Roberts, IT Manager, Digital Services and Mobility and David Soo, Open Data Application Developer with respect to Code & the City and presentations to the following winners at the Code and the City event:

"The Librarians" (1st Place)

1. Daniel Tyrala
2. Lucien Peron
3. Laura Martinez
4. Keyan Kwan

"Solutions Bureau" (2nd Place)

1. Oleksandr Bolgarov
2. Christopher Goguen
3. Trevor Kinsie

"AT&T" (3rd Place)

1. Greg Wood
2. Peter Phan
3. Alan Simon

5. DEPUTATIONS

- 5.1. Paul Damaso, Acting Director, Culture, Kathryn Garland, Poet Laureate Program and Anna Yin, Poet Laureate with respect to the Mayor's Poetry City Challenge and the announcement of the Youth Poet Laureate.
- 5.2. Item 6.1 Chris Rouse, Project Manager, Mobile Licensing
- 5.3. Item 6.1 Robert Fluney, Seneca Auto Body
- 5.4. Item 6.1 Brad Butt on behalf of Atlantic Collision Group

6. MATTERS TO BE CONSIDERED

6.1. Centralized Vehicle Pound Facility Feasibility Study - Final Report

*Due to waste reduction efforts, Appendix 1 attached to this report can be viewed in the online agenda at: <http://www.mississauga.ca/portal/cityhall/generalcommittee>

6.2. All-Way Stop - Hindhead Road and Welwyn Drive (Ward 2)

6.3. Lower Driveway Boulevard Parking – Fairview Road West between Confederation Parkway and Grand Park Drive (Ward 7)

6.4. Lower Driveway Boulevard Parking – Columbine Crescent (Ward 10)

6.5. Port Credit - Paid Parking Expansion and Operational Changes (Ward 2)

6.6. Amendments to the Business Licensing By-law 1-06, as amended, to Require Licensing of Outdoor Clothing Donation Drop Boxes.

6.7. Property Standards By-law Amendments to regulate the new Region of Peel Waste and Recycling Collection Carts

6.8. By-law to close public highways and a By-law to establish land as public highway. Wards 2, 3, 6 and 11.

6.9. Notice Agreement Between the City of Mississauga and Afrood Dorkalam 1215 Canterbury Road Site Plan Application SPI-14/134 (Ward 1)

6.10. Single Source Career Edge Internship Partnership: FA.49. 322-16

6.11. Direction re Regional Governance Task Force Discussions

6.12. Memorandum of Understanding Between the Corporation of the City of Mississauga and the Peel District School Board regarding the Future of Britannia Farm Located at the Northwest Corner of Bristol Road and Hurontario Street (Ward 5)

7. ADVISORY COMMITTEE REPORTS

7.1. Towing Industry Advisory Committee Report 2-2016 March 22, 2016

7.2. Museums of Mississauga Advisory Committee Report 1-2016 March 22, 2016

7.3. Traffic Safety Council Report 2-2016 March 23, 2016

8. **COUNCILLORS' ENQUIRIES**

9. **OTHER BUSINESS/ANNOUNCEMENTS**

10. **CLOSED SESSION**

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

10.1. A proposed or pending acquisition or disposition of land by the municipality or local board - Proposed sale of Surplus City owned lands - 3136 Victory Crescent (Ward 5)

11. **ADJOURNMENT**

City of Mississauga

Corporate Report



Date: 2016/03/22	Originator's files:
To: Chair and Members of General Committee	
From: Martin Powell, P. Eng., Commissioner of Transportation and Works	Meeting date: 2016/04/06

Subject

Centralized Vehicle Pound Facility Feasibility Study - Final Report

Recommendation

That the report from the Commissioner of Transportation and Works, dated March 22, 2016 entitled "Centralized Vehicle Pound Facility Feasibility Study – Final Report" be adopted in accordance with the following:

1. That Council amend the Tow Truck Licensing By-law 0521-2004, as amended, and Schedule 27 of Business Licensing By-law 0001-2006, as amended, to implement the Additional Regulations and Operating Procedures Alternative Option to a City owned and operated Centralized Vehicle Pound Facility to improve consumer protection, ensure that City By-laws conform with Provincial *Bill 15 - Fighting Fraud and Reducing Automobile Insurance Rates Act* regulations, and to improve the City's monitoring and auditing capabilities of the vehicle towing and storage industry;
2. That City staff be directed to implement a mandatory on-line towing and storage software application to be used by the Enforcement Division of the Transportation and Works Department and the motor vehicle towing and storage industries in Mississauga, and that the development or acquisition of the mandatory on-line towing and storage software application be included in the 2017 Transportation and Works Technology Workplan;
3. That Peel Regional Police and the local detachment of the Ontario Provincial Police be fully informed of the mandatory on-line towing and storage software application and that they be invited to assist in its planning, development and utilization; and,
4. That Enforcement Division staff work with the Communications Division to implement a public communication plan to inform Mississauga residents about consumer rights when interacting with the towing and storage industry.

Report Highlights

- A Centralized Vehicle Pound Facility (CVPF) feasibility study will help Council determine if a City owned and operated pound facility in Mississauga is the best means of ensuring

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consumer protection and address complaints about existing privately owned and operated vehicle pounds.

- This feasibility study involved researching and assessing: existing and proposed legislation; the existing private vehicle pounds in Mississauga; current vehicle tow and storage practices; and, identifying the best practices of other municipally owned CVPF's.
- This report includes a complete financial analysis of a City owned and operated CVPF under two operating scenarios: (1) acceptance of all inoperable vehicles involved in collisions and seized or abandoned vehicles; and (2) the acceptance of seized or abandoned vehicles and 10% of all inoperable vehicles involved in collisions only. This report also includes a cost benefit analysis of these two scenarios compared to three alternative options to a City owned and operated CVPF. The alternative options considered are: Maintaining the Status Quo; Establish Privately Owned and Operated CVPF's; and, implementing Additional Regulations and Operating Procedures.
- The Province has announced that some of the Bill 15, Fighting Fraud and Reducing Automobile Insurance Rates Act, regulations will come into effect on July 1, 2016 or on January 1, 2017.
- A CVPF owned and operated by the City under the Scenario 1 operating assumptions would likely generate a profit while improving consumer protection but there are some complicating issues and concerns with developing such a facility.
- Additional Regulations and Operating Procedures Option including the creation or acquisition, and implementation, of a mandatory vehicle towing and storage on-line software application would function as a "virtual" CVPF and provide significant consumer protection.

Background

Council provided direction to the Enforcement Division of the Transportation and Works Department to conduct a feasibility study concerning the establishment of a CVPF. Consideration of a CVPF ensures that the City has undertaken its due diligence to provide consumer protection, to ensure public safety and to achieve compliance with municipal by-laws with respect to vehicle impoundment.

The report from the Commissioner of Transportation and Works, dated December 1, 2015 and entitled "City of Mississauga Centralized Vehicle Pound Feasibility Study – Information Report" was received for information by the Towing Industry Advisory Committee (TIAC) on December 14, 2015. A copy of the Information Report is attached as Appendix 1. Council subsequently approved TIAC recommendation TIAC-0022-2015 on January 20, 2016 (attached as Appendix 2). Comments and submissions on this feasibility study were solicited at the TIAC meeting to ensure input from stakeholders was received.

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Members of Council, members of TIAC and representatives from the towing and storage industry provided comments at the December 14, 2015 TIAC meeting. In addition, staff also received three email submissions subsequent to this initial meeting. From the comments received, it was determined that there is no general consensus on industry issues, solutions or the options considered in this feasibility study. There are those that favour a City owned and operated CVPF, some that favour a private CVPF, and some that favour the status quo, with or without some additional form of regulation and/or enforcement.

The report from the Commissioner of Transportation and Works, dated February 15, 2016 and entitled "City of Mississauga Centralized Vehicle Pound Feasibility Study – Recommendation Report" was received for information and comments by TIAC on February 29, 2016 (TIAC-002-2016). Council will consider TIAC recommendation TIAC-002-2016 at its meeting of March 30, 2016. Comments on the proposed report recommendations from Members of Council, members of TIAC and representatives from the towing and storage industry on the Recommendation Report were requested at the meeting or to be provided in writing following the meeting. A summary of the comments received is outlined on page 13 of this report.

This Centralized Vehicle Pound Facility Study – Final Report includes a complete financial analysis of a City owned and operated CVPF under two operating scenarios: (1) acceptance of all inoperable vehicles involved in collisions and seized or abandoned vehicles; and, (2) the acceptance of seized or abandoned vehicles and 10% of all inoperable vehicles involved in collisions only. This report also includes a cost/benefit analysis of these two scenarios compared to three alternative options to a City owned and operated CVPF. The alternative options considered are: maintaining the status quo; establish privately owned and operated CVPF's; and, implementing additional regulations and operating procedures. Further, this report also includes a staff recommendation along with some initial suggestions and considerations for implementation.

The vehicle impoundment industry is connected with the towing and motor vehicle repair industries as well as the automotive insurance industry. Developing a response to the issues of vehicle impoundment in Mississauga in order to ensure consumer protection requires an equitable solution that will not favour any one industry or any particular participants within one or more industries.

Comments

Bill 15 - Fighting Fraud and Reducing Automobile Insurance Rates Act

In July 2014, the Province introduced Bill 15, Fighting Fraud and Reducing Automobile Insurance Rates Act, to improve road safety, strengthen consumer protection and reduce automobile insurance fraud. On December 17, 2015 the Province introduced regulations to the Consumer's Protection Act and the Highway Traffic Act that are to become effective as of January 1, 2017 and the regulations to the Repair and Storage Liens Act that will become effective as of July 1, 2016 or January 1, 2017. These regulations are designed to ensure better protection of consumers when they interact with the tow and storage industries in Ontario. Appendix 3 summarizes these new Provincial regulations. Some amendments to Tow Truck By-

law Licensing By-law 0521-2004, as amended, and Schedule 27 of the Business Licensing By-law 0001-2006, as amended, will be required to be consistent with the new Provincial regulations.

Financial Assessment of a City Owned and Operated CVPF - Two Operating Scenarios

Appendix 3 details the complete financial assessment of a City owned and operated CVPF under two operating scenarios including estimates of the projected capital and operating costs and potential revenues. The two CVPF operating scenarios are: (1) acceptance of all inoperable vehicles involved in collisions and seized or abandoned vehicles; and (2) the acceptance of seized or abandoned vehicles and 10% of all inoperable vehicles involved in collisions only. The anticipated number of vehicles processed annually under Scenario 1 is 12,450 vehicles and 4,690 vehicles under Scenario 2. Under operating Scenario 1, all vehicles involved in a collision would be required to be brought to the City CVPF in order to provide consumer protection by allowing for the disengagement of the consumer and their vehicle from the tow operator.

As noted in the Information Report, no other Canadian municipality with a CVPF requires consumers to first bring their vehicle involved in an accident to the municipal pound facility. Consumers in these municipalities are permitted to direct their vehicles to private facilities.

Operating Scenario 2 was developed to address the possibility that Council will decide not to force all inoperable accident vehicles to be delivered first to a City owned and operated CVPF. Instead, consumers could retain their current ability to select the destination of their damaged vehicle. Scenario 2 assumes that 10% of all inoperable vehicles involved in accidents would be delivered to a CVPF to recognize that some vehicle owners would not provide a location for their vehicle to be towed and the municipal pound facility would become the default location.

Staff could not ascertain the actual percentage of inoperable accident vehicles that would be delivered to a CVPF under Scenario 2 because a vehicle owner would not provide a tow destination. However, based upon our analysis of other municipalities with a CVPF and upon general assumptions of current tow operations in Mississauga, staff used 10% as a conservative working estimate. The City CVPF would function as the default location for these vehicles. Since there was a significant reduction in the anticipated number of vehicles that would be processed under Scenario 2, the size of the property and building was reduced from 1.42 hectares (3.5 acres) to 0.6 hectares (1.5 acres) and the size of the office building was reduced from 186 m² (2,000 square feet) to 92.9 m² (1,000 square feet). These and other reductions lessen the capital and operating expenditures along with the projected revenues. Appendices 4 and 5 detail the differing physical and operating assumptions of City owned and operated CVPF's under the two different CVPF operating scenarios.

Operating Scenario 1 appears to be financially viable should Council wish to proceed with the establishment of a City CVPF. It would produce over \$3.1 million dollars in annual revenues, a payback period of 6.2 years and a net present value of investment of almost \$3.5 million dollars after 10 years.

Annual revenues would be used to recover capital and annual operating expenditures. While municipalities have the ability to impose fees/charges for (a) services or activities provided or (b) for the use of its property including property under its control, there are limitations as to the amount of the fee charged. The fee must be related to the costs of administration, enforcement as well as costs related to the establishment, acquisition and replacement of capital assets. The intent of a fee cannot be to make a profit as this would constitute an indirect tax, which municipalities are not authorized to implement according to the courts. The fee structure of a facility or service must be a system of recovering costs and the fee revenues should match the costs of the regulatory scheme. Therefore, under the Scenario 1 proposal, the proposed daily storage fees may need to be reduced, thereby reducing the annual revenues, which would increase the payback period and/or reduce the net present value of the City's initial investment.

Operating Scenario 2 produces a net profit for the first three years of operation but then has net losses due to increases in operational expenditures, which are mostly increasing labour costs. It may be possible to reduce the labour costs by contracting some or all positions to outside companies (such as the required security staff) to improve the financial viability of Scenario 2. Other, less desirable, considerations that may improve the financial viability of this scenario may be to utilize an existing City property/facility or increase the proposed daily storage rate.

Any changes to any or all of the assumptions under either operating scenario will impact their respective financial assessments. The Facilities and Property Management Division of the Corporate Services Department provided the capital cost estimates but noted that more detailed and accurate construction estimates would need to be obtained by hiring a consultant should this project proceed.

Cost Benefit Analysis

This analysis identifies and assesses the potential costs and benefits of the two City owned and operated CVPF operating scenarios, and compares them with the following three alternative options:

- maintain the status quo;
- establish privately owned and operated CVPF's; and,
- additional regulations and operating procedures.

In addition to assessing the likely municipal costs and/or potential revenues, this analysis has been conducted on the basis of each option addressing the following:

- reducing and improving the process for resolving common consumer complaints,
- improving the ability of the City to monitor and audit licensed tow and storage businesses;
- ensuring vehicle pounds maintain sufficient hours of operation;

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- ensuring vehicle owners have access to impounded vehicles to obtain personal effects at all times;
- prohibiting the unethical manipulation to obtain signed vehicle work orders;
- providing consumers with several fee payment options (cash, debit and credit);
- providing protection from new or enhanced damage to impounded vehicles after an initial accident;
- ensuring towing and storage fees comply with the regulated rates;
- ensuring vehicles have been towed to the facility agreed to by the vehicle owner; and,
- ensuring pound operators follow the required vehicle owner notification process.

City Owned and Operated CVPF - Scenario 1

A City owned and operated CVPF requiring all seized, abandoned and inoperable vehicles involved in an accident to be delivered to the City facility first, would be financially viable and sustainable over the long-term. While the financial analysis outlined in Appendix 3 estimates a significant potential annual City profit, due to provincial legislation, the City would likely have to reduce the daily storage fee rate to be commensurate with recovering the actual capital and operating expenditures. The ability to recover all City expenditures, provide reasonable daily storage fees and have a positive net present value of a new City asset are strong benefits of this option. Not charging a storage fee for inoperable accident vehicles for the first 24 hours to allow consumers time to contact their insurance company and to obtain advice on where to have their vehicle repaired without the worry of increased daily storage expenses is also desirable. Having all vehicles processed through a City CVPF allows consumers to disengage themselves from towing (and/or vehicle repair) companies. Vehicle owners would likely feel less obligated to have their vehicle repaired at the repair facility associated with the towing company that conducted the initial tow. Conversely, there may be a significant number of complaints to the City from vehicle owners and vehicle repair facilities because the City would be forcing some vehicles to the CVPF and thus delaying the repair of their vehicles leading to increased costs.

A City CVPF would also ensure vehicles are fully secured upon arrival, include photographic documentation, on-site security personnel and would have full property video surveillance. Consumers would be able to obtain quick and reasonable vehicle releases because the City would receive no benefit other than daily fees as opposed to facilities directly or indirectly connected with a vehicle repair facility. Consumers would be ensured of only being charged the correct amount for both a tow and the daily storage fees as City staff would only charge fees in accordance with the by-law and /or tow and storage contractor rates, as applicable. Vehicle owners would be quickly notified of their vehicles' location if they were not previously provided with that information (example seized vehicles). These are all important benefits and would likely produce significant reductions in the number of pound related complaints to the City.

As mentioned in the Information Report (Appendix 1), finding a suitable property with the correct size, central location, permissive zoning, on or close to a public transit route may be difficult due to simple lack of availability. The City may have to wait for a suitable property to become available, select a less optimal site or find a means of utilizing an existing City property or Works yard. The search for an appropriate property would also need to consider existing contamination, site servicing costs and the suitability of any existing buildings that may need to be demolished and/or modified.

There are a number of risks of establishing a City owned and operated CVPF, including the possibility of having a very negative impact on the continued financial viability of some of the existing vehicle pound/vehicle repair facilities. This risk may be exacerbated if the repair facility does not have a City and/or police contract or are not a “preferred” insurance company shop. Several of the vehicle pound owners interviewed as part of this study indicated that they would lose a significant amount of business if the City proceeded with a CVPF because of the requirement to bring all inoperable accident vehicles to a City pound. Retaining customers that require vehicle repairs appears to be critical to the financial viability of several vehicle storage/repair businesses. One of the owners interviewed went so far as to advise staff that they would look at the possibility of a lawsuit against the City should the financial impact on his business become extreme. Other facility owners felt that the City would be losing some of its industrial tax base, local jobs and licence fees if their businesses were significantly impacted.

The City’s Risk Management Section advised that no additional insurance coverage would be required if a City owned and operated CVPF contained specific security measures (ie. fencing, video surveillance and security staff) and included specific, security related, operating business procedures. However, there is always the possibility of lawsuits against the City occurring due to damage caused, or perceived to be caused, to private vehicles while at a City facility. In addition, a City vehicle pound and its staff would bear the brunt of angry or agitated consumers because their vehicle has been towed and impounded. A government run facility may receive more consumer complaints than a similar private facility as people generally feel that the municipal government is there to provide services to them. Unlike the private sector, the government is obligated to investigate and respond to all complaints. The City will likely spend a considerable amount of time addressing towing and storage complaints regardless of whether the tow and impoundment are justifiable

Although not included in the financial assessment, additional mobile licensing officers may be needed to ensure that all required tows are being brought to the City CVPF in order to maximize the number of vehicles delivered appropriately.

The City needs to determine if the improved level of consumer protection resulting from establishing a CVPF as a new business is one of its strategic priorities given constrained financial resources. A significant amount of capital investment would be required to establish a CVPF that may be better spent elsewhere if a comparable alternative is available. While this option would likely provide the greatest level of consumer protection, there will likely be an increase in the number of complaints and possible lawsuits against the City. A City owned and operated CVPF may also have a negative financial impact upon some of the existing private

businesses in the tow and storage and vehicle repair industries as they may no longer be able to supplement their tow or vehicle repair operations with daily storage fees. Establishing a CVPF as a new business may not be financially viable if Provincial regulations change and/or significant changes occur within the automobile insurance or automobile repair industries.

City Owned and Operated CVPF - Scenario 2

A City owned and operated CVPF that would process all seized and abandoned vehicles and 10% of all inoperable vehicles involved in accident/collisions would not be financially viable or sustainable over the long-term. A review of the complete capital and operating expenditures compared to the projected revenues indicates that the City would begin to lose money annually after the third year of operation predominantly due to increasing staffing costs.

In addition to the significantly different financial outcome between the two operating scenarios, the second scenario would not provide the same amount of consumer protection because not all inoperable accident vehicles would be delivered to the City pound facility. Consumers would not be afforded the same ability to disengage themselves and their vehicle from the towing company as would be the case under Scenario 1. That being said, there may be fewer complaints to the City involving delayed vehicle repairs under Scenario 2. The balance of costs and benefits identified under Scenario 1 would be applicable to this scenario.

In summary, this option would also provide a significant level of consumer protection; however, due to the high annual operational expenditures, the long-term financial situation would not be desirable. Since there are alternatives that would also provide a significant level of consumer protection, less risk to the City, and less costs to the City and/or consumer, this option is not recommended. As mentioned previously, the City needs to determine if the improved level of consumer protection from establishing a new CVPF business is one of its strategic priorities given constrained financial resources.

Alternative Option 1 - Maintain the Status Quo

Once in effect, the *Bill 15* regulations will have an impact upon the towing and/or vehicle storage industries here in Mississauga and throughout the Province. The Province has indicated that municipalities with licensing regulations may keep their by-laws in place if they are as strict as, or stricter, than the Province's regulations. Staff will be conducting a detailed review of the Provincial regulations to determine what changes will be required to the City's existing by-laws to conform with the new Provincial regulations. For example, the City by-laws will need to be amended to require pound operators to permit consumers access to items within their impounded vehicles without charge and to provide consumers with various payment options for tow and storage fees.

Schedule 27 (Vehicle Pounds) of the Business Licensing By-law 0001-2006, as amended, already requires vehicle pounds to issue vehicle releases year-round, 24-hours-per-day. The by-law also requires pound operators to: ensure proper vehicle owner notification; present itemized invoices prior to demanding payment; comply with other municipal by-laws; ensure that the correct daily storage fee is charged; and, refuse to accept any vehicle repair work order that

is not signed by the vehicle owner or is signed by the owner but does not contain an itemized written estimate of the total repair cost.

In addition, the Licensing Administrative Penalty By-law 135-14, as amended, stipulates all of the offences and applicable fines associated with contraventions to the Tow Truck Licensing By-law. The Administrative Penalty System actively encourages compliance in the towing industry. Schedule 27 (Vehicle Pounds) of the Business Licensing By-law should also be included under the Administrative Penalty system to ensure improved compliance within the vehicle storage industry.

The City has also made recent amendments to the Tow Truck By-law 0521-2004, as amended, that requires towers to photograph vehicles involved in accidents at accident scenes. In addition, staff will be introducing new permission to tow sheets requiring more detailed information to be submitted to the City on all tows. These changes will allow the City to conduct manual audits of towing transactions to ensure that tow and storage fees are being charged in accordance with permitted by-law and City tow and storage contract maximums. The City would be able to use this additional information to determine if towed vehicles are being delivered to the correct destinations.

The tow and storage providers currently contracted to the City (and/or Peel Regional Police) could also be subject to heightened inspections and audits in accordance with the provisions of the existing tow and storage contracts. In order to improve this auditing function, the City could amend the vehicle storage by-law to require the remittance of a small administrative fee by private vehicle pound operators to the City for all vehicles being charged a daily storage fee in order to offset any increased City staffing costs due to heightened auditing.

In summary, if this alternative option is selected by Council, the City would move towards: reducing the number of consumer complaints; improving consumer protection; and, ensuring by-law compliance without incurring significant municipal expenditures or raising consumer costs.

Alternative Option 2 - Private Sector Owned and Operated CVPF

Another alternative option to a City owned and operated CVPF would involve outsourcing the pound facility to private contractors and dividing the City into service areas. Private sector run pound facilities could function similar to the City's current tow and storage contracts with service areas ranging in size and covering halves, thirds or even quarters of the City. Smaller service areas would likely reduce tow times and distances thereby improving customer service. The City could issue request(s) for proposals from private companies to bid to become one of the City authorized vehicle pounds subject to minimum physical and operational requirements. Under this option, all seized and abandoned vehicles and either all (or a portion of) inoperable vehicles involved in a collision that originated within specified geographical areas would be brought to the privately run CVPF located within that service area. In order to maximize the efficiency of this system, PRP and the OPP would need to be willing to utilize the same centralized facilities for their directed tows. This option would probably be more cost and time effective if the CVPF private sector operators were the same companies providing the contract towing services to the PRP and/or City.

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Consideration could also be given to physically separating the CVPF offices from existing businesses (such as motor vehicle body repair establishments) as a means of reducing the pressure on consumers to have their vehicles repaired at the business that provided the initial tow and/or vehicle pound. This separation could involve a separate entrance, building or property to distinguish between the businesses. If this option is selected, it is staff's recommendation that the related businesses operate on separate properties in order to maximize the distinction between businesses for consumers.

From a financial perspective, this alternative would be financially beneficial to both the private CVPF operators and the City because the private businesses would be supplementing their primary vehicle repair and/or storage business. It is likely that the businesses that would bid on the private CVPF's are already established with sufficient resources and property to meet the CVPF contract requirements. Therefore, a lesser amount of time and private capital investment would be required to set up these facilities. Further, privately run CVPF's would not be financially limited to only recover expenditures as would be the case for the City. The City could also financially benefit by not having to incur capital or operating expenditures and could also impose an administration fee (to be collected and remitted by the private contractors) on all stored vehicles. This administration fee could be used to recover the costs of additional enforcement staff to conduct financial and on-site audits of the private CVPF contractors in order to ensure that they are complying with the provisions of the contract and municipal by-laws.

If City by-laws are amended to require all seized and abandoned vehicles and either all (or a portion of) inoperable vehicles involved in a collision to be brought to private-sector-operated City CVPF, there may be a perception that the City is providing a significant financial advantage to the contracted businesses. Due to this perception, the City would need to demonstrate that this option would be in the public interest by improving public safety and consumer protection more so than the other options under consideration. This alternative option would likely provide a financial advantage to selected tow and pound businesses that obtain one of the City's CVPF contracts and may also result in the financial disadvantage to their competitors. Smaller tow and body repair companies may simply not have sufficient resources to meet minimum City and/or PRP tow and storage contract standards. The smaller companies that were consulted as part of this feasibility study indicated that if their tow trucks were required to bring accident vehicles to a competitor's pound, they have had and would continue to have (based upon their past experience), difficulty retrieving the vehicles from any private CVPF even at the vehicle owner's request. If this proves to be the case, the relative financial advantage to retaining customers moves to the auto body repair facility associated with the private CVPF contract. Should the private sector operated CVPF be contracted to a towing and storage operator that is also an insurance company preferred repair shop, it is anticipated that there would be even less chance that a consumer would consider utilizing the vehicle repair facility associated with the original tow truck service.

Having several privately run CVPF's would likely be more complex to administer, monitor and audit by the City. Further, by contracting storage services, the City may, by association, assume

some responsibility for incidents that occur at the facilities and between operators and consumers. Should Council select this alternative option, a trial implementation period should be considered in order to address any substantive or new issues and to avoid the creation of a monopoly in the tow, storage and/or vehicle repair industries.

Alternative Option 3 - Additional Regulations and Operating Procedures

This alternative option would involve amendments to the Tow Truck Licensing By-law 0521-2004, as amended, and Schedule 27 of the Licensing By-law 0001-2006, as amended, to ensure conformity with new *Bill 15* regulations and enable better auditing of the vehicle tow and storage industries in Mississauga to improve consumer protection. By-law amendments could incorporate changes to improve the documentation required to be prepared and submitted to the City by licensed tow truck drivers and vehicle pound operators when towing and/or storing vehicles. If these by-laws were amended, all towing and/or storage companies and operators would be required to provide more comprehensive information with respect to: details of fees charged for the tow and storage; the towing vehicle owner/operator; the vehicle being towed; the towing operator and company; details regarding the origin and destination of the tow; photos of the towed vehicles (when involved in a collision); duration or vehicle stay; and, vehicle owner notification.

The intent of requiring the submission of this documentation would be to enable the City to conduct better monitoring and auditing of the towing and storage industry. On-going monitoring and audits would ensure that the towing and storage industries are complying with the applicable by-laws and regulations to ensure that:

- vehicles have been towed to the facility agreed to by the vehicle owner;
- that the correct fees for towing and storage have been charged;
- vehicle owners are able to retrieve their vehicle upon request and in a timely manner;
- vehicle owners have been notified of their vehicle location in a timely manner;
- vehicle pounds are being properly staffed and maintained; and,
- vehicle pound facility hours of operation are sufficient.

In order to most effectively conduct these audits, the City could develop or acquire, and implement, an on-line towing and storage software application. Information Technology staff advised that this software application could be developed or acquired, and would function as a virtual CVPF. Information Technology staff would work with Enforcement staff to review the scope of work, timing and budget to support this initiative with a target implementation of 2017. Upon completion of the software application, business operations would work with potential users to provide instructions on use and/or initial industry training on the application. As a long-term goal, application training would be included in the standard tow truck operator training required by the City and separate training for vehicle pound operators could also be offered, if required.

The tow truck and vehicle pound licensing by-law would need to be amended to require vehicle pound operators and licensed towing companies to utilize the software as a condition of their business license. The initial data would be provided by tow truck operators with supplemental information provided by the storage provider and any law enforcement officers involved. The City and the police would then be able to monitor and audit the entire vehicle tow and storage process, including: tow origin and destination; current vehicle location; tow and storage fees charged; vehicle owners; tow truck owner and drivers involved; and vehicle owner notification. In essence, the use of this software by the towing and storage industries would function as a “virtual” CVPF without the significant financial cost of establishing and operating a new City owned and operated CVPF. Since all tow and storage operators would be required to enter all inoperable vehicles involved in collisions and all seized and abandoned vehicle tows into the system, the level of consumer protection would be comparable to the City owned and operated CVPF operating under Scenario 1. Once the software is operational and tow truck drivers and vehicle pound operators are required to use the software, the “virtual” CVPF would provide a comparable amount of consumer protection to a City owned and operated CVPF, since all vehicles would be tracked and all tow and storage business transactions could be audited for by-law compliance.

This system would likely require an initial setup fee by the City, but recovering this capital cost and any operational costs of the software could be off-set by requiring the collection and remittance of an administrative fee to the City by either the tow truck operator and/or the vehicle pound facility. In order to fully realize this system both the PRP and/or the OPP would need to be willing to utilize the same operating software. Since this option does not require vehicles involved in accidents to be brought to a City or privately run CVPF, there would be fewer consumer complaints regarding delays to vehicle repairs. Further, by allowing consumers the ability to select their vehicle destination, there would be less financial impact upon the existing tow and storage industry as towers associated with a repair facility may be able to retain customers at the same level as currently occurs. This option also does not require the City to establish and operate a new business that may or may not operate or continue to operate on a positive or revenue neutral basis. Further changes to the Provincial regulatory environment and or changes within the towing or automotive insurance industries may also impact upon the continued viability of a City owned and operated CVPF.

The benefits of this alternative option include minimal capital and operating expenditures, all of which would be able to be recovered through a City administration fee. The City and police would be able to monitor and audit all seized and abandoned vehicles and all inoperable vehicles involved in a collision from the time of the original tow until the vehicle is released. Monitoring and auditing would ensure that vehicle owners are notified of their vehicles’ locations in a timely manner and that the correct tow and storage fees are being charged. This alternative option was determined to provide significant consumer protection, generate fewer consumer complaints, have lesser legal risks for the City, have a minimal negative financial impact upon the private sector towing and storage industries and will be financially neutral for the City.

Additional Recommendation

During the course of this feasibility study, it became apparent that most residents are not aware of their rights as a consumer when it comes to vehicles being towed and stored. As a first step, staff are in the midst of amending the permission to tow forms to include an educational component that will raise some consumer awareness. However, it is also recommended that Enforcement Division staff work with the Communications Division to implement a public communication program to Mississauga residents with information on our towing regulations and by-laws, the tow and storage process in Mississauga, how residents can report concerns or provide feedback to the City and what the City is doing to provide consumer protection.

Comments Received

As previously mentioned, the report from the Commissioner of Transportation and Works, dated February 15, 2016 and entitled "City of Mississauga Centralized Vehicle Pound Feasibility Study – Recommendation Report" was received for information and comments by TIAC on February 29, 2016. Comments on the proposed report recommendations from Members of Council, members of TIAC and representatives from the towing and storage industry on the Recommendation Report were requested at the meeting or to be provided in writing following the meeting.

At the TIAC meeting of February 29, 2016 a number of questions were asked of staff and the Committee regarding the number and nature of complaints made to the City, whether the Bill 15 regulations would address some these complaints, current City operating procedures, pending changes to the City permission to tow forms and some questions regarding how a vehicle tow and pound software application would operate. A concern was raised that the City would be spending a considerable amount of tax dollars to address relatively few complaints if it chose to own and operate a CVPF. Some Committee members were supportive of staff's recommendation while one other member advised they would not support a City owned and operated CVPF.

Three emails were subsequently submitted to staff since the February 29, 2016 TIAC meeting. The first email was received from the owner of a private vehicle pound facility and advised that they believed that the City was more concerned about the interests of the larger towing and auto body repair companies and the automotive insurance industry than they were for the smaller tow and storage businesses or providing increased consumer protection.

The second email was received from the Insurance Bureau of Canada (IBC) which indicated its support for a City owned and operated CVPF in order to reduce consumer complaints and maximize consumer protection. The IBC also indicated a number of reasons for their support of this option and requested that as many of those reasons be implemented in the option ultimately selected by Council. The IBC also requested that they be allowed access to any tow and storage software application in order to track their customer vehicles in real-time and that they be included in any City initiated consumer education and awareness campaign.

The third email expressed concerns regarding the composition of TIAC and rendered complaints about the operating practices of one particular tow and storage business in Mississauga.

Strategic Plan

A City owned and operated CVPF or any of the alternative options discussed in this report would further the Connect Strategic Pillar, in particular, the goal to maintain Mississauga as the safest large city in Canada by providing better protection of consumers when they interact with the tow and storage industries would be met.

Financial Impact

Should Council approve the staff recommendation to implement additional regulations and improve operating procedures by amending City By-laws and direct staff to develop or acquire, and implement, a web-based software application, there would be minimal financial impact to the City as the capital and operating costs could be recovered through the collection of a new administration fee on vehicle tows and/or storage.

Conclusion

Staff conducted a comprehensive background study of existing City owned and operated CVPF's and best practices associated with these facilities. We also studied the existing private pound facilities, provincial and municipal legislation and proposed provincial regulations. Staff determined that a city owned and operated CVPF that would process all seized, abandoned and inoperable accident vehicles would be financially viable and would provide significant consumer protection. However, it was also determined that the Additional Regulations and Operating Procedures alternative option would provide significant consumer protection, generate fewer consumer complaints and risks against the City, have a minimal negative financial impact upon the private sector towing and storage industry and would be financially neutral for the City. This option would also include the creation or acquisition, and implementation, of a mandatory vehicle towing and storage on-line software application to be used by the towing and storage industry to enable more efficient financial auditing and vehicle tracking by the City and/or Police. The use of this software by the towing and storage industries would function as a "virtual" CVPF without the significant financial cost of establishing and operating a new City owned and operated CVPF.

Therefore, it is staff's recommendation that the Additional Regulations and Operating Procedures alternative option be implemented along with a public communication program to inform residents of their rights and City initiatives concerning the vehicle towing and storage industry.

General Committee

2016/03/22

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Attachments

Appendix 1: Report from the Commissioner of Transportation and Works, dated December 15, 2015, entitled "City of Mississauga Centralized Vehicle Pound Facility Feasibility Study - Information Report"

Appendix 2: TIAC Recommendation TIAC-0022-2015

Appendix 3: *Bill 15 – Fighting Fraud and Reducing Automobile Insurance Rates Act – Summary of New Regulations*

Appendix 4: Estimated Expenditures and Revenues of a City Owned and Operated CVPF

Appendix 5: Physical and Operating Assumptions – City Owned and Operated CVPF under Scenarios 1 and 2

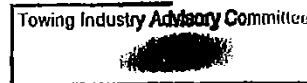


Martin Powell, P. Eng., Commissioner of Transportation and Works

Prepared by: Chris Rouse, Project Manager, Mobile Licensing, Enforcement Division

APPENDIX 1

6.1



DEC 14 2015



MISSISSAUGA

City of Mississauga Corporate Report

Date: December 1, 2015

To: Chair and Members of Towing Industry Advisory Committee

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

Originator's files:

CS.19.TOW

Meeting date:

2015/12/14

Subject

City of Mississauga Centralized Vehicle Pound Facility Feasibility Study Update - Information Report

Recommendation

1. That the report from the Commissioner of Transportation and Works dated December 1, 2015 entitled "City of Mississauga Centralized Vehicle Pound Facility Feasibility Study Update - Information Report" be received for information.
2. That the Towing Industry Advisory Committee (TIAC) provide comments on a centralized vehicle pound facility compared with the alternative options discussed in this report.

Report Highlights

- A feasibility study will help Council determine if a centralized vehicle pound facility in Mississauga is the best means of ensuring consumer protection and address complaints about existing privately owned and operated vehicle pounds.
- There are very few city-owned and operated central vehicle pounds in Canada.
- Staff conducted research and interviews with members of Council and TIAC, representatives from the vehicle towing and storage industry, representatives from the automotive insurance industry, police associations and other stakeholders to determine issues and concerns, and to identify best practices and opportunities
- This report contains financial estimates of the revenues and capital expenditures of establishing a city-owned and operated Centralized Vehicle Pound Facility (CVPF) and identifies several other alternative solutions for addressing vehicle storage issues and ensuring consumer protection, including: maintaining the status quo, introducing additional

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regulations for licensed tow truck drivers and vehicle pound operators and establishing a City CVPF operated by the private sector.

Background

City Council provided direction to the Enforcement Division of the Transportation and Works Department to conduct a feasibility study concerning the establishment of a CVPF. Consideration of a CVPF ensures that the City has provided its due diligence to provide consumer protection and public safety while enforcing compliance with municipal by-laws and the licensing regime with respect to vehicle impoundment.

This study began in July 2015 by researching and assessing the existing facilities and processes in the City of Mississauga, the Region of Peel and other Canadian municipalities. Members of Council and TIAC, representatives from Peel Regional Police (PRP), Ontario Provincial Police (OPP) and other police associations, owners of private vehicle pounds, representatives from the automotive insurance industry, the Canadian Automobile Association (CAA), Accident Support Services International (ASSI) Limited, Extend Communications and vehicle impoundment software manufacturers were all consulted in person, by telephone and/or through email.

The study conducted surveys of dozens of Canadian municipalities to determine which had CVPFs and how they operated. Staff then began to research the potential costs and revenues of developing a CVPF by estimating the number of vehicles that would be delivered to a City facility, calculating average duration of stay for impounded vehicles, locational characteristics of successful public vehicle pounds, the availability of suitable locations in Mississauga and identifying other operational considerations for a CVPF in Mississauga.

This report outlines Provincial initiatives to regulate the towing and storage industry, details the existing towing and storage process in Mississauga, presents initial research findings and outlines considerations for establishing a City-run CVPF along with several alternatives. The next report will include a cost benefit assessment comparing the establishment of a CVPF to other potential alternative options, and will include a staff recommended proposal with initial recommendations for implementation.

The vehicle impoundment industry is directly connected (with varying degrees) to the towing and motor vehicle repair industries, therefore, this report and study has included discussions of those industries where they overlap with vehicle impoundment.

Comments

Bill 15

In July 2014, the Province introduced *Bill 15, Fighting Fraud and Reducing Automobile Insurance Rates Act*, to improve road safety, strengthen consumer protection and reduce automobile

insurance fraud. *Bill 15* intends to address several issues including, inconsistent fees, improving the process and providing clarity to consumers. The Province released a summary report and draft regulations to amend the *Consumer Protection Act (CPA)* and the *Repair and Storage Liens Act (RSLA)* in September of 2015. The Province undertook public consultation on the proposed regulations between September and October of 2015 but has not yet reported their findings. The date that the *Bill 15* regulations will become active has not yet been announced by the Province. Appendix 1 provides a more fulsome summary of the *Bill 15* draft regulations.

Why Do We Tow and Impound Vehicles?

Motor vehicles are towed every day for a variety of reasons. The vast majority of tows are due to mechanical failure necessitating a tow to a mechanical vehicle repair facility. Tows are also required when a vehicle is involved in an accident/collision and cannot be safely driven, abandoned, or is seized by a police or enforcement officer. From a vehicle impoundment perspective, we are only concerned with vehicles involved in an accident/collision and cannot be driven, and vehicles that are seized by an enforcement agency or have been abandoned.

Vehicles seized by the police or enforcement officers are done for the following reasons:

- impaired driving or 12 hour licence suspension;
- Highway Traffic Act offence;
- occupant was arrested and cannot care for the vehicle;
- impeding traffic;
- parking violations; and/or,
- the vehicle may be evidence to a crime.

When a vehicle is seized, the police or enforcement officer is responsible to ensure the vehicle is safe and secure. Most vehicles will be towed to the police contracted impound yard in the geographical area in which it is seized. PRP have advised that approximately 30 percent of accident tows are done by a tow operator under contract to them with the remaining 70 percent of accident tows being done by non-contract tow operators that are licensed to operate in Mississauga. The police or enforcement officer will then make an effort to contact the registered owner of the vehicle if it was subject to a tow and if they had not already been provided with the information on where their vehicle was towed.

It should be noted that only the owner of the vehicle is authorized to pick up the vehicle. When the registered owner is notified of the vehicle seizure, they are required to attend the police division where the vehicle is being held. Upon providing sufficient identification, a release form will be issued unless the vehicle has been seized for a specific time frame (for example, three, seven or 30 day seizures). This form must be taken to the tow yard in order to claim the vehicle. When the vehicle is claimed at the tow yard, the registered owner will be provided with a bill for towing and

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storage expenses incurred. The cost of the tow and subsequent storage are the responsibility of the registered owner of the vehicle. In Mississauga, the tow and storage rates are specified in City licensing by-laws and are not permitted to exceed the specified rates. PRP and City tow contractors cannot charge more than the tow and impound rates specified in their respective contracts and the contract rates cannot exceed the by-law rates.

The OPP also seize and impound vehicles but are not contracted to specific tow companies. Vehicle seizures result from Criminal Code of Canada convictions (45 days) and *Highway Traffic Act* offences (seven day suspensions). The OPP currently uses a first available system for towing but does ensure that the tower is licensed in the municipality in which the seizure occurs. Similarly, the OPP also directs vehicles involved in an accident where the driver is unable or unwilling to request a tow to a specific location. Vehicles that are no longer operable following a collision are required to first attend an OPP collision reporting centre in Milton before being taken to the driver's selected repair facility or the tower's impound facility. Costs for towing and impoundment within Mississauga are regulated by the City by-laws. Therefore, the cost of a 45 day impoundment in Mississauga could be as high as \$2,700 plus the \$280 cost of the tow.

Vehicle Pound Complaints

Over the last three years the City has received an average of 66 complaints per year concerning the operations of some of the existing private vehicle pound facilities. The City received 78 pound related complaints by the third quarter of 2015. The complaints include the following:

- insufficient hours of operation;
- not providing vehicle owners access to impounded vehicles to obtain personal effects;
- unethical manipulation to obtain signed vehicle work orders;
- restricted payment options;
- vehicles being moved to different pounds without notification to owners;
- new or enhanced damage to impounded vehicles after the initial accident; and,
- towing and storage fees exceeding regulated rates.

Representatives from the insurance industry advise that there are many more complaints regarding pound facilities that are not made to the City. All complaints reported to the City are investigated by the City's Mobile Licensing Enforcement and/or Parking Enforcement sections and are either resolved, dropped at the request of the complainant or charges are laid for by-law infractions.

Existing Vehicle Pounds in Mississauga

Mississauga currently has 19 privately owned and licensed vehicle pounds that are generally located in industrial areas. Appendix 2 shows the location of all 19 licensed pound facilities in the

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City. The majority of the pounds are located in the northeast quadrant of the City where there is the largest amount of industrial lands. Only two vehicle pound facilities (100 Emby Drive and 1109 Seneca Avenue) are located outside of an industrial or business employment district. The size of the properties with vehicle pounds range from 0.05 hectares (0.12 acres) to 1.60 hectares (3.9 acres). The size of the vehicle pound component on each property ranges from approximately 0.045 hectares (0.12 acres) to 1.0 hectare (2.47 acres) in area with an average size of 0.3 hectares (0.76 acres). These approximate figures were calculated using occupancy permit information and air photograph interpretation. Appendix 3 of this report provides all licensed vehicle pound property sizes and their approximate pound area sizes.

Most of the vehicle pounds are directly or indirectly connected (either physically and/or financially) with a motor vehicle body repair facility either on the same lot or a nearby property. The motor vehicle body repair facility appears to be the largest component of the various businesses with the impounding component being ancillary and the towing component being the primary source of damaged vehicles to be repaired. In 2014, the City collected \$11,466 in vehicle pound licensing fees.

Existing Regulations and Contracts

Repair and Storage Liens Act

The *Repair and Storage Liens Act* regulates vehicle pounds. The *Act* sets out the rights of owners in the business of repair and storage as well as the rights of individuals whose goods have been repaired and stored. The requirements for registering liens against goods (vehicles) are set out along with the rights of those whom repair and/or store goods to take possession of said goods for failure to pay fees once 60 days have elapsed since notice is provided to the owner.

Zoning By-law 0225-2007, as amended

Vehicle pounds in Mississauga are regulated through the Zoning By-law 0225-2007, as amended. In addition to specifying the zones permitting vehicle pounds, the by-law defines the use, specifies minimum office size and building setbacks, fencing requirements and minimum parking standards. Appendix 4 of this report provides some additional details of the zoning provisions applicable to vehicle pound facilities in Mississauga.

Tow Truck Licensing By-law 0521-2004, as amended

The Tow Truck Licensing By-law 521-2004, as amended, regulates tow truck drivers, tow truck owners and operational practices within the City to ensure consumer protection, public safety, competence and accountability of industry participants, consistency in rates charged and good business practices. It should be noted that Mississauga is one of only 17 municipalities in Ontario that have a by-law regulating the towing industry. Further, Mississauga's by-law, arguably, contains the strictest regulations in the Province and was utilized by the Province when they were formulating the proposed *Bill 15* regulations.

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This by-law outlines the roles and responsibilities of both the industry and the City in conducting the business of towing and storage. It clearly identifies the permitted rates that can be charged to tow and store vehicles and the various licensing costs. It should be noted that the number of licensed tow truck drivers in the City of Mississauga has decreased from 486 in 2012 to 293 in 2015 due to consistent enforcement and enhanced licensing requirements to ensure consumer protection and public safety.

Schedule 27 to Business License By-law 0001-2006, As Amended, - Owners of Vehicle Pound Facilities

Schedule 27 of the Business Licensing By-law 0001-2006 regulates vehicle pound facilities in Mississauga by setting out the roles and responsibilities of pound owners and the City. Appendix 5 of this report outlines vehicle pound owner requirements. These regulations are enforced by the City of Mississauga's Mobile Licensing Enforcement section of the Enforcement Division.

Mississauga Tow and Storage Contracts

The City of Mississauga issues request for proposals to secure two or more contractors to fulfill four separate contracts to provide 24-hour-a-day, year-round, light and heavy towing and vehicle storage for the Enforcement Division. In accordance with the Mississauga Tow Truck Licensing By-law 521-2004, as amended, *"Every owner and driver of a tow truck who offers to tow or tows a passenger vehicle, light duty van or truck not exceeding 2 721 Kilograms (6,000 lbs.) in towing weight from a collision scene, shall only charge or cause to be charged an all-inclusive flat rate towing fee of two hundred and eighty dollars (\$280), no more and no less, with no other additional charges other than the applicable taxes."* Therefore, this weight measurement is used to distinguish between light and heavy tows and the applicable rate is permitted to be charged. This by-law also stipulates that *"every owner and driver of a tow truck who has towed a passenger vehicle, light duty van or truck not exceeding 2 721 Kilograms (6,000 lbs.) from a collision scene to a vehicle pound facility at the direction of the hirer, shall only charge or cause to be charged a maximum of one hundred and three dollars (\$103) for a re-tow from the vehicle pound facility to any salvage yard, body shop, storage yard or any other public garage, building or place when directed by the hirer, and may only charge the general mileage rate as set out in Schedule 3 of the by-law when towing outside of the municipal boundary."* Tow contractors assist Parking Enforcement staff to enforce the Traffic By-law 555-00, Accessible Parking By-law 1-09, Fire Route By-law 1036-81 and the City's three-hour parking limit by towing and storing vehicles as directed.

The tow and storage bid process is designed to ensure that the successful contractors have sufficient qualifications and resources to provide the right services and in the specified amount of time.

The City currently has three different companies contracted (Lyons Auto Body Ltd., Tolfa Auto Work Ltd (Atlantic Towing) and Atlantic Showcase Auto Collision Inc. that provide light towing services on a geographic basis and heavy tows on a city-wide basis (vehicles exceeding the

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specified weight). The areas for light towing contract areas are identified on Appendix 6. The heavy tow contract is for all lands within the City and is currently held by Lyons Auto Body Limited. Appendix 7 to this report summarizes the minimum requirements that successful contractors are required to meet. Contracts with the City are five years in duration with options to renew for two additional periods of up to two years.

Tow operators currently contracted to the City are obligated to pay the City a \$34 per light tow administration fee and a \$50 per heavy tow administration fee. These rates are scheduled to increase to \$35 and \$51.45, respectively, in 2016. In 2014, the City collected \$18,242 in administration fees from our tow contractors. The City contract specifies the maximum impound fees that can be charged to vehicle owners is \$25 per 24-hour period (one day) for light tows and \$100 per 24-hour period (one day) for heavy tows. The City's Parking Enforcement and Mobile Licensing Enforcement sections enforce the contract by conducting inspections of contractor vehicles and facilities, auditing payments to the City, as well as investigating complaints.

Peel Regional Police Tow and Storage Contracts

PRP currently has three towing contractors fulfilling four separate contracts to provide 24-hour-a-day, year-round service for light and heavy towing and vehicle storage. PRP is contracted to Lyons Auto Body Ltd. for 11 Division for light tows and 11, 12 and Airport Divisions for heavy tows, Atlantic Auto Body for light tows in 12 Division and Hansen Auto Parts for light and heavy tows in that portion of 21 Division located within Mississauga. The PRP Divisions are identified on Appendix 8.

The PRP tow contractor bidding and operational requirements are similar to the City's contract but also require a few additional items to suit their particular requirements as outlined in Appendix 9. PRP staff indicated that they conduct audits of their contractor vehicle pounds on an annual basis. The current daily impound fees for PRP contractors are \$10 or \$25 a day for light tows, depending on the contractor and either \$20 or \$25 per day for heavy tows depending on the contractor.

Consultation Summary

Members of Council and TIAC; representatives from PRP, OPP and other Police Associations; owners and operators of private vehicle pounds; representatives of the insurance industry; CAA; ASSI Limited; and vehicle impoundment software manufacturers were all consulted in person or through telephone and email discussions. In general, the majority of the towing and storage industry are opposed to the creation of a CVPF because it is seen as not necessary and that it will have a negative impact on the continued financial viability of existing towing, impound and vehicle body repair businesses. Members of Council advised that the primary focus of this study should be about consumer protection as opposed to generating revenue for the City. They also requested a clear financial picture of a CVPF including revenues and expenditures and for staff to consider alternatives to creating a City-run CVPF. Appendix 10 provides a summary of comments, issues and concerns identified to date.

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Canadian Municipalities with a CVPF

Staff conducted a survey of the largest Canadian cities to identify CVPF's, determine their physical and locational characteristics and investigate how they operate. No Ontario municipalities were found that operate CVPFs. In most municipalities tow and pound operations are run by the private sector. Several municipalities have contracts with private operators to provide towing and storage services in conjunction with their parking and/or by-law enforcement sections. Appendix 11 identifies Canadian municipalities with CVPFs including the population and size of the city, the size and capacity of the lots and the average number of vehicles processed yearly. These municipal pounds operate differently from one another and are described in greater detail below.

Calgary

The Calgary Parking Authority (CPA) operates one primary and one overflow vehicle pound on behalf of the City of Calgary. The primary lot is located within an industrial area that is centrally located within the City and is approximately two hectares (five acres) in size and can accommodate 750 vehicles. The 0.48 hectare (1.2 acres) overflow lot can accommodate an additional 120 vehicles and is primarily used for abandoned vehicles and for monthly auctions. The primary lot is open and staffed 24-hours-a-day, year-round by security staff that accept vehicles at all times. The facility only releases vehicles (with proper release forms) between 7 am and 11 pm weekdays and between 9 am and 4 pm on weekends/holidays. Pound staff use 325 m² (3,500 square feet) of a 650 m² (7,000 square feet) building located on site with the remainder of the building being used by parking enforcement. The CPA also operates several municipal parking garages and provides parking enforcement services to the City. Vehicles are delivered to the impound lots from CPA Parking Enforcement and the Calgary Police Services. A smaller number of vehicles are also received at the direction of Calgary Municipal By-law Enforcement.

In 2014, the revenues from the CPA impound operation exceeded the operating expenditures by approximately \$1.7 Million. Net revenues generated by the Calgary Parking Authority are forwarded back to the City of Calgary. The impound lot received almost 34,000 vehicles last year and employs 39 staff to process the vehicles comprising four management staff, 21 clerical staff and 14 yard operations (security) staff.

Each vehicle is subject to a \$30 lot administrative fee that includes a \$10 capital levy and a \$28 daily storage fee with the first 12 hours being free. The average duration of vehicle stay is 10 days. Vehicles can be claimed by the authority after 21 days and sold as scrap or are auctioned after 30 days. In 2014, 589 vehicles (1.8% of total) were auctioned generating approximately \$844,000 and 2,624 vehicles (7.9% of total) were scrapped generating approximately \$530,000 in revenues.

Saskatoon

The City of Saskatoon owns and operates a 1.7 hectare (4.3 acres) vehicle pound with 350 parking spaces in an industrial district that is located in the southwest quadrant of the City. The facility is operated from a 55 m² (600 square feet) mobile office trailer located on site by six staff from a

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Originators files: CS.19.TOW

private security firm and one city employee oversees operations. Between 2012 and 2014, the pound processed approximately 3,000 vehicles per year. Only vehicles seized by the Saskatoon Police, Parking Enforcement and Municipal By-law Enforcement are brought to this pound as vehicles involved in accidents are taken to private pound facilities, usually the pound affiliated with their insurance company. It should be noted that the Province, through Saskatchewan General Insurance (SGI), sets the tow and storage rates in the Province. Saskatoon charges a \$50 entrance (administration) and \$15 daily storage fee per vehicle. The pound accepts vehicles around the clock but only processes releases between 6 am and 7 pm weekdays and between 11 am and 4 pm on Saturdays.

In 2014, the facility saw a decrease in the number of vehicles brought to the pound facility due to a change made to the street debris sweeping program that now has vehicles towed to nearby streets instead. Vehicle owner retrieval rates over the last five years for this facility average 81% of the total but increased to 86% in 2014. Just over 350 vehicles (11.7%) were scrapped and 125 vehicles (4.1% of total) were auctioned that generated approximately \$178,000 in revenue. It was noted that owners of vehicles that are auctioned may apply for the amount generated from the vehicle sale minus processing and storage costs incurred by the City. The pound coordinator advised that this facility operates on a yearly budget around \$800,000 but continues to generate very modest yearly net revenues (\$39,000 in 2014).

Regina

The City of Regina owns and operates a 1.05 hectare (2.6 acres) vehicle pound with 230 parking spaces in an industrial district that is located in the northeast quadrant of the City. The facility is primarily operated from a small mobile office trailer located on site by six staff from a private security firm. The City of Regina has one city employee that oversees all operations but responsibility for processing liens against vehicles is spread out amongst the Regina Police Service, Parking and By-law Enforcement, which are the sources of vehicle impoundment. Like Saskatoon, Regina only charges a \$15 daily storage fee but they are considering adding an administration fee in order to purchase a pound management software system. The pound processed approximately 3,000 vehicles per year between 2012 and 2014. Vehicles are accepted around the clock but they only process releases between 7 am and 8:30 pm weekdays and between 8 am and 8:30 pm on weekends.

If a vehicle/property is in the compound for more than 25 days and notice has been provided to the owner, the unit is recorded and their sales and salvage clerk becomes responsible for releasing or auctioning. The applicable City of Regina By-law states that the vehicle/property may be claimed by the City after 30 days of impoundment and that they may sell or auction the vehicle to recover administration and storage costs. In 2014, 50 vehicles (1.7% of total) were scrapped and 309 vehicles (10.3% of total) were auctioned that generated approximately \$13,225 in revenue before commissions. It was noted that 2014 was an exceptional year for the number of scrapped and sold vehicles as the City was actively clearing out vehicles that had been impounded for

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several years. The pound coordinator advised that this facility operates on a yearly budget around \$437,000 but continues to generate very modest yearly net revenue (\$17,000 in 2014).

Edmonton

The Edmonton Police Service (EPS) operates an 3.2 hectare (eight acre) pound facility with a capacity of approximately 850 vehicles with a second vacant lot owned by the City that can be utilized for overflow during special events with an upward capacity for 600 vehicles. This facility operates from a 230 m² (2,500 square feet) office building located on site and employs 16 municipal staff and 13 contract private security guards to process approximately 20,000 vehicles per year. The facility receives vehicles from EPS, City Enforcement seizures and from accidents where the vehicle owner does or cannot select an alternate location. Vehicles are subject to a \$4 administration fee, \$15 lien check and \$33 daily storage fee. Vehicles are accepted 24-hours-a-day but releases are only processed between 10 am and 8 pm weekdays and between 10 am and 4 pm on weekends.

The EPS pound manager estimated that the facility revenues exceeded the approximate \$2.6 million budget expenditures by approximately \$3.7 million in 2014. Net revenues are divided between the City of Edmonton and EPS. Revenues are mostly generated by the daily storage fees but are supplemented by approximately 250 scrap vehicle sales (1.2% of all vehicles) generating \$56,250. EPS also collects the first \$1,250 from the sale of approximately 400 vehicles (2% of all vehicles) that are auctioned annually generating approximately \$500,000 in order to recover their administration and storage costs. It was noted, however, that owners of vehicles that are auctioned may apply for the amount generated from the sale minus the EPS costs incurred (\$1,250) and that any remaining profits are forwarded to the Province of Alberta.

Vancouver

The City of Vancouver contracts tow and storage operations to a private towing company (Busters Towing) that operates two City pound facilities. The 0.64 hectare (1.6 acres) primary lot contains 158 parking spaces while the abandoned vehicle lot is approximately 0.9 hectare (2.2 acres) with a capacity for approximately 200 vehicles. The primary pound is centrally located in the City's downtown eastside. The primary lot processes over 40,340 vehicles per year by Busters Towing who employs five full time clerks, five part time clerks and three management staff that divide their time between this facility and Busters' own facility next door. It was noted that there are no security personnel at either City pound. The facility is operated from a 148.6 m² (1,600 square feet) on-site office building that includes a large customer reception area. The facility is open around the clock and is most heavily staffed between 3 pm and 5 pm (rush hour) to issue releases and accept more incoming vehicles. Vancouver has no highways through their downtown so maintaining their major arterial roadways leads to a significant number of towed vehicles around peak travel times. This primary lot generally contains vehicles which were directed by Vancouver Police and municipal parking enforcement due to parking infractions. Most vehicles are typically claimed quickly by their owners.

Busters' also owns and operates their own two acre pound next to the city lot that is utilized when the city primary lot is over capacity. Busters' lot has 200 parking spaces but it usually has over 300 vehicles. Their staff advised that it can hold 450 vehicles at peak times. This lot is primarily used for vehicles that have been towed from private property or were involved in accidents.

The contract between Busters and the City of Vancouver requires the contractor to collect and forward \$8 per vehicle per day to the City. The City sets the maximum towing and storage fees and stipulates the annual facility lease rate (\$344,000 per annum). The City does pay for and/or performs some facility and building maintenance (\$20,000 to \$25,000 annually).

The abandoned vehicle lot is 0.84 hectares (2.1 acres) in size, located in South Vancouver and can hold over 200 vehicles. It is staffed with one contractor employee weekdays between 8 am and 4 pm. Busters towing currently operates this lot on behalf of the City in exchange for an administration fee. This lot is primarily used for vehicles that have been abandoned or were parked on a street with expired or no insurance.

The abandoned vehicle lot (AVL) was begun by the City in 2002 as part of the City's abandoned vehicle program. The AVL was created for a start-up cost of \$2.3 million for land and building improvements. In 2012, the program had operating costs of approximately \$468,000, of which, only half were able to be recovered by the City from storage fees, fines, selling scrapped vehicles and auctioning vehicles. In 2014, between 25 and 30 vehicles per month are towed to the AVL where they can stay for up to three months. The City scrapped 195 vehicles (0.06% of total) and auctioned 30 vehicles (0.08% of total) in 2014 which generated an estimated \$100,000. Staff were not able to ascertain from Vancouver staff what the percentage of the vehicles towed to the AVL are not claimed (it was over 60% in 2012) or if the abandoned vehicle program operating and administrations costs have increased or decreased since then.

Best Practices

Through consultations with staff from cities with CVPFs and some general research, we were able to identify a number of recommended best practices should the City proceed with a CVPF.

1. One Facility

Most cities have only one CVPF lot and those that have more than one lot, use the second lot for either long-term storage or only on occasions when the primary lot exceeds capacity. The reasons for having only one lot include: less capital investment required, reduced opportunity costs (utilizing industrial land for private use subject to taxation), less administration and security staff due to duplication of effort; and, better administration due to standardized procedures and control at one location.

2. Central Location

Centralizing the location of the only or primary pound within the geographical area that it services was seen as a best practice by pound operators. Decreased tow distance and close proximity for

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vehicle retrieval were the primary reasons. In most cases, shortening the tow distance reduced the amount of the tow because many municipalities include a time or distance fee as part of the overall towing charge. Tows also preferred the central location because they were able to bring vehicles in quickly and return for other tows in some instances. As well, central locations typically had better access to public transit for vehicle owners without alternative means to retrieve their vehicles.

3. Pound Software

Some municipalities developed their own pound management software (Calgary) whereas other municipalities were utilizing commercial developed software. In either case, staff recommended the use of pound management software to track vehicles through the seizure, source of tow, fees paid, release, vehicle claim, scrapping and auction processes. This enabled pound staff to work collaboratively and systematically with the various towing companies, law enforcement agencies and vehicle owners. Some software was also used to track vehicle owner and registered lien holder notifications to ensure proper notifications were provided. Staff advised that the prices for software ranged significantly but was generally available for lease or purchase.

4. Contingency Lots

Contingency lots were also utilized by several of the municipalities (Vancouver and Edmonton) for the storing of vehicles that were not likely to be released or claimed in the short-term. These lots could also be used for storing trailers or other larger vehicles that would otherwise be utilizing larger amounts of space in primary lots. Depending on the amount of security, vehicles seized by police that are anticipated to be held for longer periods could also be stored at a contingency lot. Leasing part of an existing private pound facility or an industrial property that is not centrally located for this purpose could be investigated further.

5. Online Payments

Allowing online payments of storage fees and fines through a pound management software system or separate online payment portal may be a way to lessen the amount of administration that occurs at the facility and provide a higher level of service for customers.

6. Vehicle Charging Stations

Including vehicle charging stations for electric vehicles with the ability to charge extra fees for this service was another recommendation received.

7. Sufficient Access and Space for Large Vehicle and Trailers

Designing the entrance and lot layout for larger vehicles including the heavy tow trucks that deliver them was a recommendation of the pounds that had spaces or areas assigned for larger vehicles and trailers.

8. Lowest Daily Storage Rates

In municipalities that have both public and private vehicle pounds, it was recommended that the public pound should have the lowest storage rates to ensure highest utilization and fewest consumer complaints regarding storage costs.

9. Contract Staffing

Vancouver is the only Canadian municipality that leases their pounds to a contractor which uses only their employees to manage the entire towing and pound process. The contractor does not employ security staff at either the primary or abandoned vehicle lot. The cities of Calgary, Edmonton, Regina and Saskatoon all contract their security services in order to reduce operational costs.

10. Hours of Operation

While all five Canadian municipalities accept vehicles on a 24-hour-a-day, 365-days-a-year basis, only Vancouver issues vehicle releases around the clock with the exception of vehicles held in their abandoned vehicle lot, which issues releases only during normal weekday business hours. The other four municipalities operating CVPF's have varying extended business hours and reduced weekend/holiday hours when they issue vehicle releases.

How Many Vehicles Would Use Centralized Vehicle Pound Facility in Mississauga?

In order to determine the size and number of centralized vehicle pounds, it was critical to determine the approximate number of vehicles that would utilize the facility. In order to maximize the number of vehicles delivered to a CVPF, the City would need to amend the towing by-law and/or Schedule 27 of the Licensing By-law to require all inoperable vehicles involved in an accident/collision and all seized and abandoned vehicles to be taken to the City's CVPF. PRP estimated that 40% of vehicle accidents that they attend require a vehicle to be towed and the OPP estimate approximately 35% of vehicle accidents that they attend require a vehicle to be towed.

City Parking Enforcement, Peel Regional Police and Ontario Provincial Police staff provided their estimated number of tows for the years 2012 to 2014 in order to provide an estimated yearly average. Appendix 12 details the total estimates from these three sources between 2012 and 2014 and estimates the average number of vehicles delivered to a CVPF would be 12,450 per annum. These estimates do not include various other vehicles (motorcycles, trailers etc.) that may be brought into a centralized vehicle pound as was evidenced by staff inspections at the existing private pound facilities including the City and PRP contracted facilities conducted this year.

It should be noted that none of the other City CVPFs have a by-law requirement that would require a vehicle involved in an accident that is no longer in an operable condition, to be brought to their CVPF. Vehicle owners are permitted to direct a tow operator to take their disabled vehicle to a destination of their choice unless the vehicle has been seized by a police or enforcement

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officer. Should Council choose not impose a by-law requiring all inoperable vehicles involved in accidents/collisions be brought to a CVPF, the total number of vehicles brought to a CVPF will likely decrease significantly (ie. only seized vehicles may be brought to the CVPF). If this becomes the case, the CVPF could be reduced in size along with reductions in the anticipated capital and operating expenditures, and potential revenues.

Should the City proceed with the by-law amendments to include inoperable vehicles that were involved in an accident, in addition to seized and abandoned vehicles, there may be a significant number of complaints to the City from vehicle owners and vehicle repair facilities because we are forcing some vehicles to the CVPF and thus delaying the repair of their vehicles leading to increased costs. Conversely, it can also be argued that the City is acting to ensure consumer protection by providing vehicle drivers that have been involved in an accident with the means to disengage themselves from the towing companies and allow them a period of 24 hours to seek advice and consider their best course of action without being charged a daily storage fee. Should the consumer be unable to decide what to do with their vehicle within that 24-hour period, the vehicle could be continued to be safely stored at a City CVPF with a relatively low daily storage fee of \$25 following the first 24-hour period that would not be charged. Once checked into the City CVPF for record keeping purposes, consumers can be given the option of taking their vehicle immediately to a repair facility or another destination of their choosing. Further, a reduced re-tow rate could also be included in the by-law to ensure that consumers are not being charged two, full tow fees. It should also be noted that the Provincial *Bill 15* discussions considered the possibility of not allowing storage fees to be charged for the first 24 to 72 hours of storage for vehicles involved in accidents.

Number, Location and Size of a CVPF

As previously stated, most cities have only one CVPF lot and those that have more than one lot, use the second lot for either long-term storage or only on occasions when the primary lot exceeds capacity. The reasons for having only one lot include: less capital investment required, reduced opportunity costs (utilizing industrial land for private use subject to taxation), less administration and security staff due to duplication of effort; and, better administration due to standardized procedures and control at one location. Creating more than one city-owned and operated CVPF is not anticipated to be administratively or financially prudent.

If the City decides to create a CVPF, it should ideally be located in the Mavis Erindale Employment Area as it would allow towed vehicles to be brought to a central location, reducing travel times thereby minimizing towing distances and costs. This area contains and is adjacent to truck routes that can accommodate large traffic volumes of both towed vehicles and passenger vehicles. It is served well by public transit. This District also contains at least two of the larger City towing contractors, several vehicle and body repair shops and numerous businesses with significant amounts of outdoor storage. This area is also close to several highways that transect the City that permits reduced tow pick-up and travel times.

Appendix 13 provides peak morning and afternoon travel time estimates from the Mavis Erindale Employment Area to various locations across the City. With the exception of sites located on the far side of the airport, the maximum peak period travel times in Mississauga to a CVPF in the Mavis Erindale Area would generally be less than 30 minutes and/or 20 kilometres (12.4 miles). Most of the estimated travel times would be significantly less during periods of non-peak traffic. In addition, these maximum travel times are likely to compare favourably when compared with the cities of Calgary and Edmonton, both of which, are more than twice the geographic size of Mississauga, process more towed vehicles and have only one primary pound facility.

The required size of a Mississauga CVPF is the combination of a number of factors including:

- the total number of vehicles anticipated to be processed;
- the average duration of impounded vehicle stay;
- minimum lot and indoor storage requirements specified in the Peel Regional Police tow and storage contract;
- size of office building for processing vehicles (which relates to anticipated number of staff and customers);
- building and lot compliance with Zoning By-law (setbacks and landscape requirements);
- the relative efficiency of the parking lot layout (which is also a function of the parcel selected);
- larger parking lot aisle widths (to aid in vehicle maneuvering);
- by-law requirements to include inoperable vehicles involved in an accident/collision to be brought to a CVPF, in addition to seized and abandoned vehicles or just seized vehicles; and,
- the use of some tandem parking spaces.

Determining the number of parking spaces that can be accommodated on a particular parcel of land depends primarily upon the configuration of the parcel, the topography of the site, site servicing requirements and any necessary zoning by-law requirements (ex. building setbacks and minimum landscape requirements). Figure 1 of Appendix 14 displays the average number of vehicles that could be accommodated on a 0.4 hectare (one acre) parcel of land using standard parking stall sizes measuring 2.6 metres by 5.2 metres (8.5 feet by 17 feet), larger 9.0 m (29.5 feet) aisle and gates and no tandem parking. Figure 2 of Appendix 14 demonstrates the number of vehicles that can be stored on a 0.4 hectare (one acre) parcel of land if some tandem parking is incorporated and utilized. In general terms, we assume that a CVPF would be able to provide approximately 370 parking spaces per hectare (150 parking spaces per acre), although we will include a 20% buffer to account for irregularly shaped properties, topography, servicing requirements and the provision of minimum landscape areas.

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Determining the required lot capacity will necessitate using the estimated 12,450 vehicles per annum and that the estimated average vehicle duration of stay (10 days). Ten days was the average vehicle duration of stay at the City of Calgary's CVPF. We can calculate the CVPF lot capacity required by multiplying 12,450 vehicles x 10 days divided by 365 days per year. This figure equals 341 parking spaces plus a 20% buffer equals 410 parking spaces.

Using the 410 parking spaces as the required vehicle capacity, the 370 parking spaces per hectare (150 parking spaces per acre) figure noted previously, a CVPF will require approximately 1.1 hectares (2.73 acres) of land, plus an area for a 186 m² (2,000 square feet) office building, a 130 m² (1400 square feet) indoor storage shed, staff and visitor parking and landscape buffer along a municipal street which we estimate to be approximately 0.2 hectares (0.5 acres). Therefore, for the basis of this feasibility assessment, staff assumed a 1.42 hectare (3.5 acres) parcel would be the appropriate size for a CVPF in Mississauga. A CVPF of this size will also allow for some flexibility in terms of additional parking spaces should the number of vehicles brought to the facility increase or should there be the necessity of storing some trailers or larger vehicles. This slightly larger site could also be used for other City storage needs on a temporary basis so as to maximize the utility of the lands.

What Lands Are Available for a CVPF?

Realty Services staff were requested to investigate the availability of land parcels with or without a small office building for lease or purchase in the Mavis Erindale Employment Area that permitted outdoor storage in the Zoning By-law. As discussed previously, this Area was determined to be the most efficient from a vehicle transport and public accessibility perspective. While there were a couple of smaller vacant parcels of land less than 0.6 hectares (1.5 acres) in size that permitted outdoor storage available for lease, nothing in the 1.2 hectare (three acres) plus size was recently listed. One large 1.8 hectare (4.5 acres) parcel is (or was) available in the area but was improved with an 8 547 m² (92,000 square feet) office/manufacturing facility. The property is not zoned to permit outdoor storage and would cost over \$3.45 million per hectare (\$1.4 million an acre).

In Mississauga, the cost of vacant industrial land ranges between \$800,000 and \$1.2 million per acre depending primarily on location, shape and size. Realty Services also advised that anything that does become available in the Mavis Erindale Employment Area will most likely be improved for specific industrial uses and will not be vacant, thus increasing the capital costs for acquisition.

The Mavis Erindale Employment Area currently contains two City Works Yards with the appropriate zoning requirements, however, both works yards are currently being fully utilized and City-wide works yard space is generally at capacity.

The Community Services Department works yard is located at the northwest quadrant of Mavis Road and the CP Railway Line, is approximately 1.6 hectares (4 acres) in size and is currently being utilized for storing and processing dead trees. A portion of this site may also be utilized in the future for an alternative use. The Mavis Works Yard, located on the east side of Mavis Road, south of the CP Railway Line, contains several Transportation and Works operations including the

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Parking and Mobile Licensing Enforcement sections of the Enforcement Division. This site is approximately 6.85 hectares (16.8 acres) in size. Although this facility is currently at capacity, there exists a possibility to use a portion of the yard for a CVPF if some of the existing operations that are not required to be located centrally, could be relocated. The City is in the midst of rezoning a large parcel of land on Loreland Avenue to allow for another municipal works yard. If the rezoning application for the property is approved and the yard opens for operation, some of the Mavis Road Yard operations could be relocated to the new facility allowing a portion of the Mavis Works Yard to be utilized for a centrally located CVPF. The timing of any approvals, construction and relocation of operations would not likely occur for two to three years.

The City could also utilize a non-central industrial property recognizing that the travel distances and times for tow operators and vehicle owners would increase. Realty Services advise that a large enough property may be possible to acquire, however, cautions that: amendments to the zoning may be required, any existing buildings on the property may or may not be suitable for conversion to an CVPF operation, environmental assessment and clean-up costs would have to be considered if the property has or held an industrial use and the property may or may not have satisfactory public transit accessibility.

CVPF List of Assumptions

In order to calculate the approximate capital and operating costs and potential operating revenues of a CVPF, it was necessary to establish a list of basic assumptions about the physical and locational characteristics. It was also necessary to make a determination regarding operational assumptions including staffing, hours of operation, operational expenses and that a suitable vacant parcel of land would come available for purchase by the City. These assumptions are primarily based upon a combination of estimates, data extrapolation and best practices from other CVPFs. All of these assumptions could be modified and the calculations changed to reflect the modification. Several alternative physical characteristic and operational considerations will also be identified.

Physical Pound Assumptions

The actual pound would be located on a 1.42 hectare (3.5 acres) vacant parcel of land within the Mavis-Erindale Employment Area comprising a 1.2 hectare (three acres) enclosure for impounded vehicles and would also include the following physical characteristics:

- 185.8 m² (2,000 square feet) office building with reception area, washrooms, kitchen, meeting room, offices includes furniture, computers, printer/copiers and phones;
- separate 0.41 hectare (one acre) facility within the enclosure for police seized vehicles that contains a 130 m² (1,400 square feet) basic structure/canopy building with lighting and hot water source;
- 1.8 metre (six feet) fence with two feet barb wire on top;

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- secured gate with card access;
- security lighting;
- video surveillance of entire yard;
- heavy duty asphalt on the 1.2 hectare (3.0 acres) vehicle pound enclosure;
- 135 m2 (1,453 square feet) landscape area; and,
- reducing the number of impounded vehicles will reduce the property and building requirements (capital costs).

Hours of Operation Assumptions

Similar to the majority of other municipal CVPF operations and the best practices identified, Mississauga would likely use the extended business hours of operation model that would operate as follows:

- 24-hours-a-day, 365-days-a-year - vehicle acceptance and security;
- Monday to Friday - 8 am to 11 pm for vehicle acceptance, processing and releases;
- Saturday and Sunday - 8 am to 4 pm for vehicle acceptance, processing and releases;
- Monday to Friday - 8:30 am to 4:30 pm - vehicle liens - scrapped and auctioned vehicle processing; and,
- Monday to Friday - 8:30 am to 4:30 pm - support staff operations.

Staffing Assumptions

A total of 19 municipal staff would be required to operate a CVPF in Mississauga with extended business hours while processing approximately 12,450 vehicles annually. The staff complement would be as follows:

- One Manager;
- Two Supervisors;
- Eight Clerks;
- Six Security Personnel; and,
- Two Administrative Support Staff.

This staffing complement was primarily estimated based upon the number of staff employed at the other municipal CVPFs. Staff would be processing approximately 70 vehicles per day and would include accepting, processing and releasing vehicles. With the extended business hours there would be two shifts of three clerical staff weekdays (based on 19 hour business day) and one

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clerical staff per day on weekends (based on eight hour business day). One clerical staff would work regular weekdays and would be responsible for arranging for vehicles that are not claimed to be auctioned or sold as scrap. Depending on the daily volume and, if there are peak periods for vehicle delivery and vehicle pick-up, adjustments to the daily staffing could be adjusted to accommodate the peaks. The CVPF manager and two supervisory staff would oversee operations, manage staff and resolve conflicts during the extended daily shifts. Six security staff was estimated to be sufficient to provide 24 hour-a-day, 365-days-a-year coverage for the facility. Security staff would also provide access to impounded vehicles for vehicle owners, accompany vehicles being brought into the facility and process the initial receipt of vehicles after hours on a 24-hour-a-day basis. Two administrative support staff to conduct general administrative and data record management have been included in the staff complement. It should be noted that the staff complement could be reduced or increased with any changes to the number of vehicles being processed. If the CVPF proceeds, it will need to be determined which City Department and Division would be responsible for CVPF operations.

Operational Assumptions and Considerations

The assumptions related to the anticipated CVPF operating costs are summarized below:

- the City would charge \$25 per vehicle per day storage fees which is consistent with the current PRP and City Tow and Storage Contracts and best practices of other municipal CVPFs;
- In order to provide further consumer protection and to offset the perception that the City is forcing all non-operational accident vehicles to a CVPF, the City would not charge consumers involved in accidents storage fees for the first 24 hour period thereby creating a "cooling off" period to allow the vehicle owner time to contact their insurance company and to determine what to do with their damaged vehicle;
- maintenance of building, parking, fencing, security features and landscaping;
- snow removal;
- environmental cleanups (from damaged vehicles);
- pound software purchase or leasing;
- the City has the capability of developing its own vehicle pound and towed vehicle monitoring software that may be more financially viable than purchasing or leasing software from the private sector;
- additional insurance may be necessary due to the nature of the operation to cover private property (impounded vehicles);
- staff training;
- front ending towing payouts, some of which may not be recovered (abandoned vehicles);

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- utilities including electricity, gas, water, wastewater and City Storm Water charges;
- approximately 5% of vehicles brought to CVPF would be claimed by City, scrapped and sold;
- approximately 2% of vehicles brought to CVPF would be claimed by City and auctioned;
- hours of operation for vehicle releases could be reduced;
- all or portions of staff could be contracted through private firms (example: Security);
- lost opportunity taxes from a private industrial use that may otherwise locate on the CVPF property; would range between \$60,000 and \$110,000 annually;
- utilize existing and/or enhanced municipal corporate security / video surveillance only; and,
- a reduction in the number of impounded vehicles will reduce the operating costs.

CVPF Physical and Location Characteristic Considerations

- There is possibility to use a portion of the Mavis Works Yard for a CVPF in the event that other municipal operations that are less location sensitive could be relocated to the Loreland Works Yard if the rezoning application for the property is approved and the yard opens for operation.
- Staff, building and land costs would all be reduced if the number of vehicles processed is reduced by not requiring all accident vehicles to be brought to the CVPF.
- Reduce the size of the primary lot by owning or leasing a non-central contingency lot for long-term vehicles and larger vehicles and trailers.
- The City could investigate the possibility of opening a shared collision reporting centre with the OPP and/or PRP at the CVPF which may save some operational and/or capital costs.
- Reduce land costs by locating CVPF to a non-central location that has greater travel times and distances.
- Lease land for entire CVPF which would likely reduce capital expenditures while raising operating expenditures.

Preliminary CVPF Financial Assessment

This preliminary CVPF financial assessment includes an estimate of the projected capital costs and potential operating revenues which are contingent upon the above-noted list of assumptions. Changes to any or all of the assumptions will impact this financial assessment to a greater or lesser degree. The Facilities and Property Management Division of the Corporate Services Department

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provided the capital cost estimates but noted that more detailed construction estimates would need to be obtained by hiring a consultant. An estimate of projected operating costs has not yet been completed at this time; work is on-going. An estimate of operating costs will be included in the CVPF financial assessment to be included in the recommendation report. The financial assessment will be prepared on the basis of two CVPF operating scenarios: (1) acceptance of all inoperable vehicles involved in accident/collisions and seized or abandoned vehicles; and (2) the acceptance of seized or abandoned vehicles only. As mentioned previously, the number of vehicles anticipated to be processed by the CVPF will have a direct impact on the capital and operating costs, and projected revenues.

Potential Expenditures

Land Acquisition Costs

1.42 hectares (3.5 acres) x \$1 million per acre	\$3,500,000
Other land acquisition costs (including appraisals, surveys, environmental reports, real estate commissions and/or legal fees)	\$55,000
Total Land Costs	\$3,555,000

Capital Costs of Land Improvement

• Construction (Building & Site Works)	\$3,000,000
• Consultant fees and soft costs	\$486,000
• Project contingency	\$275,000
• Other costs (charge back & HST)	\$235,000
• Site Services and utility connections, computers and phones	\$200,000
Total Capital Improvement Costs	\$4,196,000
Total Land Acquisition and Capital Improvement Costs	\$7,751,000

Potential Revenue Stream Assumptions

Number of Vehicles

In order to calculate the number of vehicles that would be subject to daily storage fees and to calculate the amount of money able to be recovered from unclaimed vehicles, staff had to estimate the number of vehicles that the City would be able to auction or sell as scrap. Staff estimated the percentages based on the rates from the other municipal CVPFs. The percentage of vehicles available able to be auctioned ranged from 0.08% to 10.3% while the percentage of

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vehicles available to be sold as scrap ranged from 0.06% to 11.7% at the other municipal CVPFs. The average percentage of vehicles able to be auctioned was 6.8% and the average number of vehicles able to be sold as scrap was 4.5%. Since some of the CVPF's do not currently operate as the Mississauga CVPF is anticipated to operate and because Calgary was seen as the most similar operation, staff utilized conservative estimates of 2% of all vehicles could be auctioned and 5% of all vehicles could be sold as scrap. Therefore, 7% of the total estimated volume of vehicles was subtracted from the estimated daily storage fee revenue calculation, since it is unlikely that fees would be paid on those unclaimed vehicles.

12,450 total vehicles – 2% (250) vehicles will be claimed by the City and auctioned per year

12,450 total vehicles – 5% (620) vehicles will be claimed by the City and sold as scrap per year

Of the remaining 11,580 vehicles, 8,619 would be accident vehicles and 3,831 non-accident vehicles that would be available for estimating the potential daily storage fees. In 2014, the CVPF in Calgary generated approximately \$1,400 per vehicle at auction and \$200 from each scrapped vehicle. Since the price of metal scrap has been reduced recently, staff used \$1,400 per auctioned vehicle and \$150 per scrapped vehicle in the estimates for the potential revenue generation at a Mississauga CVPF.

The revenue estimates also assume that the daily storage fee for the 8,619 vehicles involved in accidents would be stored free of charge for the first 24 hours (one day). The remaining 3,831 non-accident vehicles would be charged all daily storage fees. Vehicles brought into pounds are either classified as light or heavy tows and the corresponding fees for the tow and daily storage rates differ. Heavy tows typically cost more in terms of both the actual tow and the daily storage rate charged. The City CVPF will likely charge \$100 per day for heavy vehicles which is consistent with the current City and PRP contract rates. Since the estimated number of vehicles supplied by the City, OPP and PRP did not distinguish between light and heavy tows, the revenue estimates have all been classed as light tows for the purpose of these calculations. Since a portion of the tows will be heavy tows with correspondingly higher fees, the estimates will be on the conservative side. As stated previously, the City will charge \$25 per day storage fees for light tow vehicles which is consistent with the current PRP and City Tow and Storage Contracts and best practices of other municipal CVPFs.

Revenue Calculations

8619 Accident Vehicles * 9 days * \$25 per day =	\$1,939,275
3831 Non Accident Vehicles * 10 days * \$25 per day =	\$957,750
250 vehicles auctioned (2% of Total) x \$1400 (average per vehicle) =	\$350,000
620 vehicles sold as scrap (5% of Total) x \$150 (per scrapped vehicle) =	\$93,000

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Total Annual CVPF Potential Revenue =

\$3,334,025

Conclusion from Preliminary Financial Analysis

This preliminary financial assessment provides the magnitude of the projected capital costs and the projected operating revenues related to a city-run CVPF. The final financial assessment in the recommendation report will include the projected capital costs and operating costs, and the projected net costs/benefits for two city-run CVPF operating scenarios: (1) acceptance of all inoperable vehicles involved in accident/collisions and seized or abandoned vehicles; and (2) the acceptance of seized or abandoned vehicles only.

Alternatives to a CVPF

The following are alternatives options in lieu of a City-run CVPF and are being considered and assessed by staff.

Maintain the Status Quo Option

From a consumer protection perspective, the Province is anticipating that the draft *Bill 15* regulations, which are expected to be phased in during early 2016, will have a positive impact on the towing and storage industries in Ontario. Many of the *Bill 15* regulations are already by-law requirements in Mississauga, so the impact is not anticipated to be as significant as elsewhere in the Province. The Province has indicated that municipalities with licensing regimes may keep their by-laws in place if they are as strict, or stricter, than the Province's regulations. Mississauga's towing and licensing by-law requirements are already having an impact on the industry by reducing the number of tow vehicles on the roads and by placing minimum development standards on vehicle pounds. Prior to implementing a CVPF, or any other alternative, the City could consider waiting until the *Bill 15* regulations are adopted, in force and utilized for a specified period in order to determine what the effect is, if any, and which actions would be warranted by the City to further improve consumer protection.

The City could try to improve and enhance its current ability to inspect and/or audit the existing vehicle pounds for compliance with the existing regulations and license requirements to ensure better consumer protection. The tow and storage providers currently contracted to the City could also be subject to heightened inspections and audits in accordance with the provisions of the existing contracts to ensure compliance and improve consumer protection.

Additional Regulations and Operating Procedures Option

This option would involve amending the Tow Truck Licensing By-law 0521-2004, as amended, and Schedule 27 of the Licensing By-law 0001-2006, as amended, to improve the documentation required to be prepared by licensed tow truck drivers and vehicle pound operators when towing and storing vehicles. If these by-laws were amended, all towing and/or storage companies and operators would be required to provide more comprehensive information with respect to: details of fees charged for the tow and storage; the vehicle owner/operator; the vehicle being towed; the

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Originators files: CS.19.TOW

towing operator and company; details regarding the origin and destination of the tow; photos of the towed vehicles (when involved in an accident); duration or vehicle stay; and, vehicle owner notification. The intent of providing this new documentation would be to ensure that evidence is required to be kept and produced at the City's request to enable better auditing. These audits would ensure that the towing and storage industry is complying with the applicable by-laws and regulations to ensure that:

- vehicles have been towed to the facility agreed to by the vehicle owner;
- that the correct fees for towing and storage have been charged;
- that the vehicle owners have been able to retrieve their vehicles in a timely manner; and,
- the vehicle pound facility operators have followed the required process and sent the proper documentation to registered vehicle owners.

At the present time, audits of the vehicle pound facilities of this nature are not conducted by the City for two reasons:

- 1) the existing by-laws do not require vehicle pound facilities to maintain this type of detailed information; and,
- 2) Mobile Licensing Enforcement is not resourced to perform this type of audit function.

The City could consider raising the administration fees that the City currently charges on contract tows or charge a standardized vehicle storage administration fee to offset the increased costs that would result from increased and improved auditing.

In the future, the City could also investigate the possibility of utilizing a web-based software application to collect all information related to tows in the City instead of a manual process. Standardized software would likely improve the efficiency of any new auditing process. If all tows are entered into a standardized system, auditing contractor performance, vehicle location, tow and storage fees charged, registered vehicle owner notification becomes a simpler process for both the police and/or City. It should be noted that this software is commercially available.

Centralized Vehicle Pound Facilities Operated By Private Sector Option

The City could also consider contracting CVPF operations out to private contractors and dividing the City into service areas similar to the current tow and storage contracts. Service areas could range in size and cover half, thirds or even quarters of the City. Smaller and more numerous service areas would likely reduce tow times and distances, but would likely be more complex to administer, monitor and audit.

The City could issue request(s) for proposals that private companies could bid upon to become one of the City vehicle pounds subject to minimum physical and operational requirements. Under this option, tows originating within specified geographical areas would be brought to the privately

run CVPF located within that area. In order to maximize the efficiency of this system PRP and the OPP would need to be willing to utilize the same centralized facilities.

It would be possible that the CVPF private sector operators may not be the same companies that are the companies that can provide the contract towing services to the PRP or City. This would necessitate changes to the existing PRP and/or City tow and storage contracts and may necessitate increasing the tow and/or storage rates charged to consumers if both services are not provided by the same operator.

One new requirement that could be considered would be to physically separate privately operated CVPF offices from existing businesses (such as motor vehicle body repair establishments). The thought behind this concept is to provide some comfort to consumers to feel less pressure to have their vehicles repaired at the business that provided the initial tow and/or vehicle pound that now holds their vehicle.

If by-laws are amended to require all inoperable vehicles involved in accident/collisions and seized or abandoned vehicles to be brought to private-sector-operated City CVPF, the general perception may be that the City is unfairly treating smaller tow and pound operators and providing a great advantage to those larger businesses that successfully obtain one of the City's CVPF contracts. Smaller tow and body repair companies may not have sufficient resources to meet minimum City or PRP tow and storage contract standards.

The smaller companies that were consulted as part of this feasibility study indicated that if their tow trucks were required to bring vehicles to a large competitor's pound, they would likely have difficulty retrieving the vehicles and the relative advantage to retaining the consumer/customer moves to the auto body repair facility associated with the CVPF. Should the private-sector-operated CVPF be contracted to a towing and storage operator that also runs an insurance company preferred repair shop, there would be even less chance that a consumer would even consider utilizing the repair facility associated with the original tow truck.

Next Steps

In accordance with the direction given by Council, staff have conducted industry consultation and will further consider any input provided as a result of this report. The recommendation report will include a cost benefit assessment of two CVPF options in comparison to the alternative options presented in this report. The recommendation report is targeted for consideration by TIAC and General Committee in early 2016.

Strategic Plan

A CVPF would further the Connect Strategic Pillar, specifically, the goal to maintain Mississauga as the safest large city in Canada.

6.1y

Financial Impact

Funding was included in the 2015 Regulatory Services operating budget to perform the CVPF feasibility study. Should the implementation of a CVPF be feasible and should Council approve a format, additional funding may be required in future operating and capital budgets. The financial impact to the City will be clearer upon conclusion of this feasibility study and the completion of the financial assessment.

Conclusion

This report contains a summary of background research of existing and proposed legislation, existing private vehicle pounds in Mississauga, current practices, other municipal pound facilities, CVPF best practices, preliminary estimates of expenditures and revenues of a Mississauga CVPF and alternatives to a CVPF.

Attachments

- Appendix 1: *Bill 15 - Fighting Fraud and Reducing Automobile Insurance Rates Act* – Summary of Proposed Regulations
- Appendix 2: Mississauga Private Vehicle Pound Facilities - Locations
- Appendix 3: Mississauga Existing Private Vehicle Pound Facilities – Sizes
- Appendix 4: Summary of Zoning By-law 0225-2007 Provisions Regulating Vehicle Storage Facilities
- Appendix 5: Vehicle Pound Facility Owner Requirements – Summary of Schedule 27 of Mississauga's Business License By-law 0001-2006, as Amended
- Appendix 6: City of Mississauga Light Tow Contract Areas
- Appendix 7: City of Mississauga Tow and Storage Contractor Requirements
- Appendix 8: Peel Regional Police Divisions in Mississauga
- Appendix 9: Peel Regional Police Tow and Storage Contractor Requirements
- Appendix 10: CVPF Feasibility Study Consultation Summary
- Appendix 11: Canadian City Vehicle Pound Facility Characteristics Summary
- Appendix 12: Estimated Number of Seized, Accident and Abandoned Vehicle Tows in Mississauga 2012 – 2014

6.12

Towing Industry Advisory Committee

2015/12/01

27

Originators files: CS.19.TOW

Appendix 13: Estimated Peak Period Travel Times and Distances to CVPF

Appendix 14: Typical Vehicle Pound Parking Configuration - Approximate Number of Parking
Spaces per Hectare / Acre

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

Prepared by: Chris Rouse, Project Manager Mobile Licensing Enforcement Division

APPENDIX 1

**BILL 15 - Fighting Fraud and Reducing Automobile Insurance Rates Act -
Summary of Proposed Regulations**

Bill 15 intends to address several issues including:

- high and/or inconsistent fees for towing and storage;
- requiring cash payments without invoicing;
- not disclosing existing financial arrangements between towers and vehicle impounds and/or repair establishments to vehicle owners;
- vehicle owners not being allowed access to or being charged to access their impounded vehicle to retrieve articles; and
- requiring vehicle pound operators to notify vehicle owners where their vehicle is located within 15 days whereas they currently have 60 days.

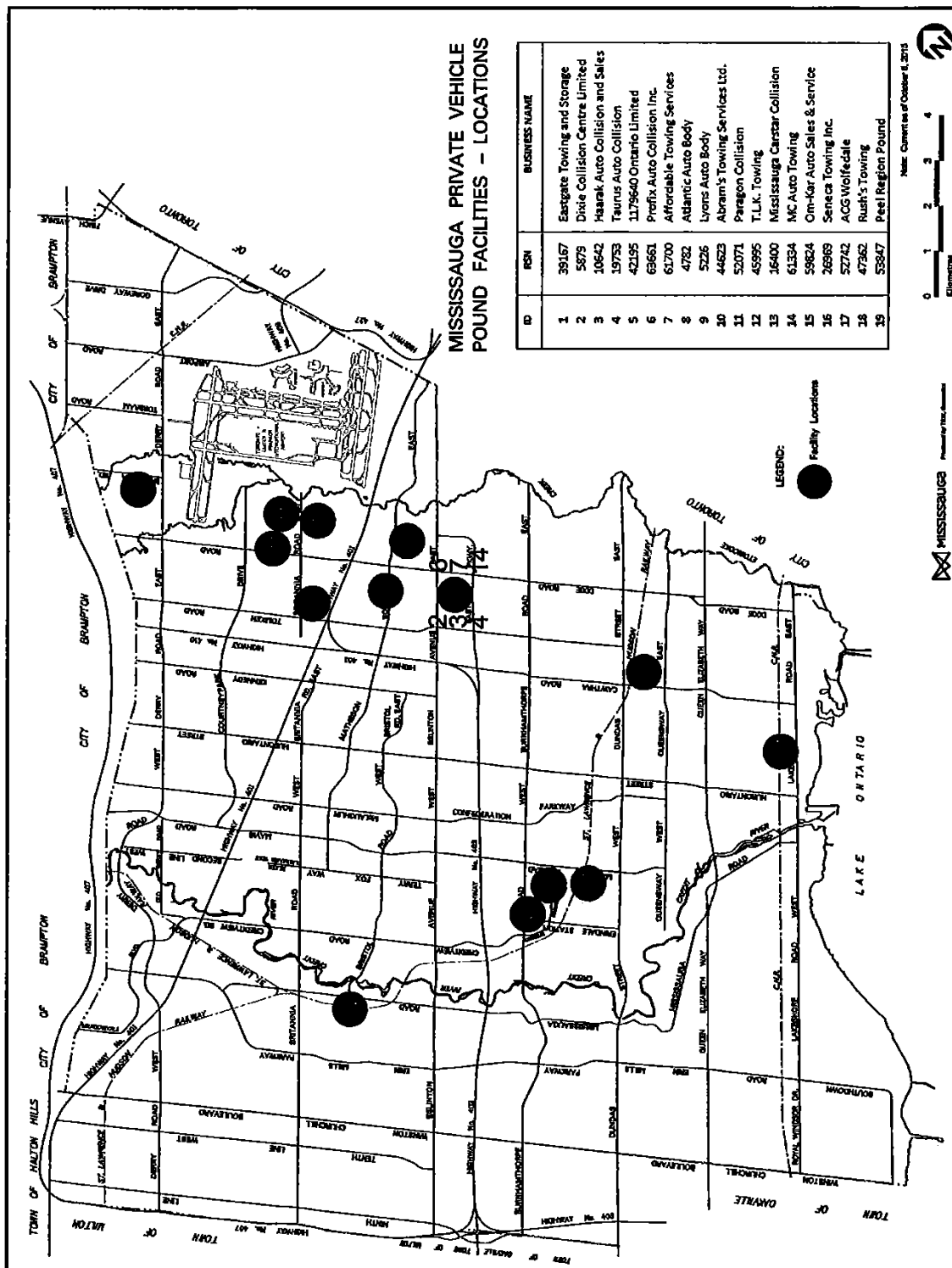
Under The *Consumer Protection Act (CPA)* and the *Repair and Storage Liens Act (RSLA)* the proposed regulations all tow and/or storage providers:

- are now defined and are considered as a supplier and are subject to existing and new CPA regulations;
- are required to provide detailed company information, direct or indirect financial connections between providers, applicable rates and final vehicle destination to consumers prior to the transaction (except for seized or impounded vehicles);
- are required to get a written authorization from the consumer (or designate) and provide a copy of the authorization to the consumer (or designate) except where the consumer is not able to provide authorization (except for seized or impounded vehicles);
- are not be allowed to recommend salvage yards, auto body repair shops, storage yards or garages unless asked by the consumer;
- If a recommendation is provided, the tow/storage providers is required to give a written statement of the benefits due to the provider, or another person, as a result of making the recommendation;
- cannot charge an amount for services greater than what the provider usually charges;
- are required to post minimum business contact identification and posted rates on every tow truck and business establishment;
- are required to deliver a written invoice that contains minimum business identification information, details of tow and vehicle towed and itemized charges (except for seized or impounded vehicles);
- must meet minimum liability insurance requirements; and,
- provide consumers access to towed or stored vehicles without charge to remove all contents during normal business hours or after hours for a reasonable fee;

The *RSLA* regulation revisions will:

- limit the dollar amount of liens that can be claimed if notice is not provided to consumers;
- outline how fair value is determined for repair and storage where no amount was previously agreed to between the consumer and provider; and
- shorten the required owner notification requirement from 60 days to 15 days where the provider knows (or has reason to believe) that a registered vehicle was received by a pound without the owner's authority.

APPENDIX 2



MISSISSAUGA EXISTING PRIVATE VEHICLE POUND FACILITIES - SIZES

#	RSN	POUND NAME	BUSINESS NAME	ADDRESS	SIZE OF PROPERTY HECTARE/ACRE	APPROXIMATE SIZE OF POUND FACILITY HECTARE /ACRE
1	39167	1532099 Ontario Ltd.	Eastgate Towing and Storage	5916 Shawson Drive	0.60 (1.48)	0.36 (0.89)
2	5879	Dixie Collision Centre	Dixie Collision Centre Limited	1220 Crestlawn Drive	0.36 (0.89)	0.08 (0.20)
3	10642	668796 Ontario Ltd.	Hearak Auto Collision and Sales	1190 Crestlawn Drive	0.36 (0.89)	0.19 (0.47)
4	19753	Taurus Auto Collision Inc.	Taurus Auto Collision	1232 Crestlawn Drive, Unit 1	0.36 (0.89)	0.08 (0.20)
5	42195	1 st Choice Auto Centre	1179640 Ontario Limited	1765 Shawson Drive, Units 1 and 2	0.81 (2.00)	0.36 (0.89)
6	63661	Profix Auto Collision Inc.	Profix Auto Collision Inc.	1180 Crestlawn Drive	0.36 (0.89)	0.09 (0.22)
7	61700	7626975 Canada Inc.	Affordable Towing Services	1202 Crestlawn Drive, Unit 1	0.36 (0.89)	0.08 (0.20)
8	4782	Tolfa Auto Work Ltd.	Atlantic Auto Body	6121 Atlantic Drive	1.22 (3.01)	0.82 (2.03)
9	5226	Lyons Auto Body Ltd.	Lyons Auto Body	1020 Burnhamthorpe Road West	1.60 (3.95)	0.98 (2.42)
10	44623	1512081 Ontario Ltd.	Abram's Towing Services Ltd.	2458 Haines Road, Bldg A	0.68 (1.68)	0.37 (0.91)
11	52071	1729298 Ontario Ltd.	Paragon Collision	1889 Gage Court	0.87 (2.15)	0.37 (0.91)
12	45995	T.L.K. Towing Ltd.	T.L.K. Towing	100 Emby Drive, Unit A	0.05 (0.12)	0.05 (0.12)
13	16400	1044160 Ontario Ltd.	Mississauga Carstar Collision	3575 Hawkstone Road	0.26 (0.64)	0.04 (0.10)
14	61334	1843538 Ontario Ltd.	MC Auto Towing	1095 Fewster Drive	0.37 (0.91)	0.18 (0.44)
15	59824	1161672 Ontario Ltd.	Om-Kar Auto Sales & Service	1270 Matheson Boulevard East, Unit B	0.42 (1.04)	0.22 (0.54)
16	26969	Seneca Towing Inc.	Seneca Towing Inc.	1109 Seneca Avenue	0.39 (0.96)	0.26 (0.64)
17	52742	Atlantic Showcase Auto Collision Inc.	ACG Wolfedale	3229 Wolfedale Road	0.59 (1.46)	0.15 (0.37)
18	47362	858911 Ontario Ltd.	Rush's Towing	1611 Trinity Drive	1.16 (2.87)	1.00 (2.47)
19	53847	1076878 Ontario Ltd.	Peel Region Pound	1690 Sismet Road	0.34 (0.84)	0.16 (0.39)

APPENDIX 3

APPENDIX 4**Summary of Zoning By-law 0225-2007, as amended, Provisions Regulating Vehicle Storage**

Vehicle pounds in Mississauga are regulated through provisions of Zoning By-law 0225-2007, Schedule 27 of Licensing By-law 0001-2006 and Tow Truck Licensing By-law 521-2004. The Mississauga Zoning By-law defines a Vehicle Pound Facility as:

"means an area, building or structure or part thereof, used for the temporary storage of impounded vehicles within a secure area which is fenced and gated or inside a building or structure and shall include an office within a permanent building with a minimum gross floor area - non-residential of 30 m², and may include property held under police or other government authority.

For the purposes of a "Vehicle Pound Facility", vehicle means a motor vehicle, commercial motor vehicle, motor assisted bicycle, trailer, farm tractor or any vehicle drawn, propelled or driven by any kind of power including muscular power. (0358-2007)"

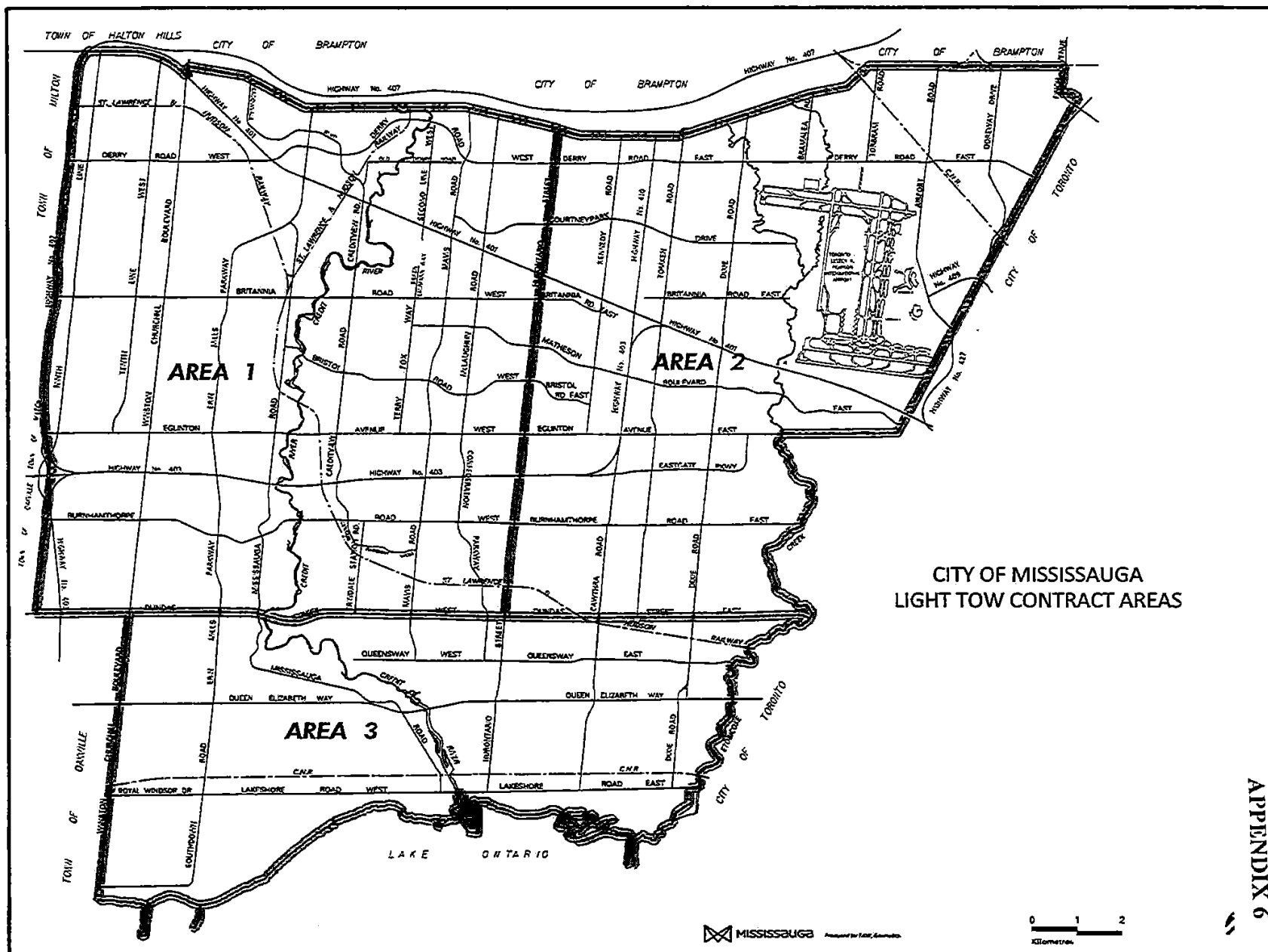
The Zoning By-law permits vehicle pounds only in E3 (Industrial) Base Zones and some E2 (Business Employment) Exception Zones that also allow outdoor storage. Some existing vehicle pounds are permitted through legal non-conforming rights and/or through a minor variance granted by the Committee of Adjustment.

The by-law also stipulates that the vehicle compound may not be any closer to a street line than the main building on the lot and requires a fence not less than 1.8 m (5.9 ft.) to surround the compound. Parking for the office component of vehicle pounds is to be provided at a rate of 3.2 parking spaces per 100 m² (1,076 sq. ft.).

APPENDIX 5**Vehicle Pound Facility Owner Requirements - Summary of Schedule 27 of Mississauga's Business License By-law 0001-2006, as Amended**

Schedule 27 of the Business Licensing By-law 0001-2006, as amended, regulates vehicle pound facilities in Mississauga by setting out the roles and responsibilities of pound owners and the City. Pound owners are required to:

- maintain copies of invoices for one year;
- provide customers with a detailed invoice before requiring payment;
- comply with Provincial legislation when disposing of unclaimed vehicles;
- ensure vehicle owners are able to obtain release of their vehicle at any time by ensuring proper staffing and procedures;
- maintain signage including a phone number to call for after-hour vehicle releases;
- keep the premises in good repair and well maintained;
- ensure compliance with the City's Zoning By-law;
- comply with all applicable legislation pertaining to the storage and disposal of hazardous wastes;
- prohibit the repair of vehicles outside of buildings;
- not charge more than \$60 per 24 hour period that a vehicle is impounded;
- not charge a storage fee for a vehicle that has been towed to a destination facility other than the one identified by the owner indicated on the Consent to Tow form; and,
- refuse to accept a work order for repairs for any vehicle to their pound facility that is not signed by the vehicle owner or is signed by the owner but does not contain an itemized written estimate from the establishment to which the vehicle is being towed.

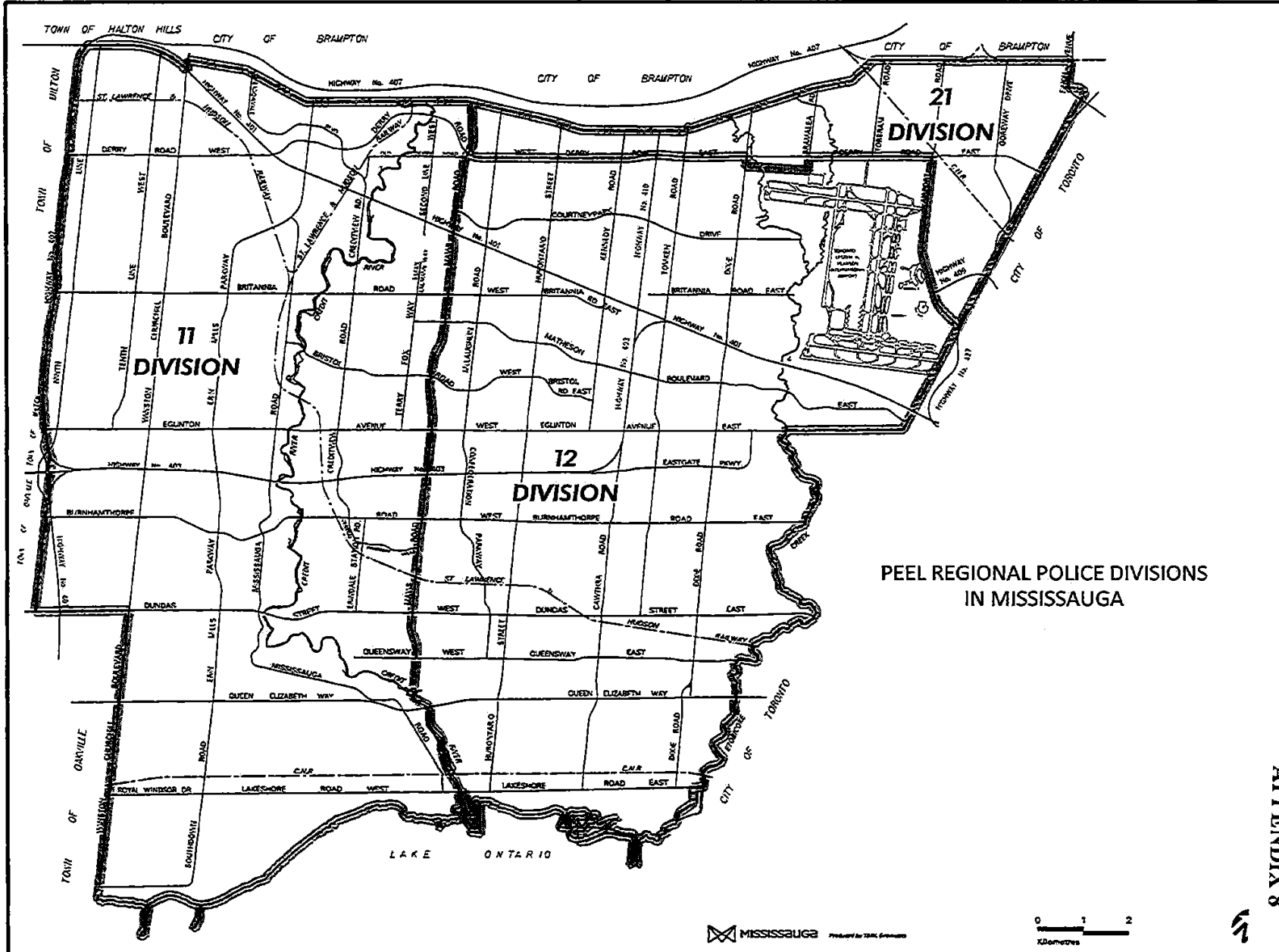


APPENDIX 7

Minimum City of Mississauga Tow and Storage Contractor Requirements

City of Mississauga tow and storage contractors are required to meet the following minimum requirements:

- meet minimum fleet sizes;
- own or lease specific tow vehicles for specific types of light and heavy tows;
- have a sufficient number of qualified staff to conduct the tows and release vehicles 24 hours a day, seven days a week, year round;
- own or lease a pound at least 1,850 m² (0.45 ac.) in size for Contract Areas 1 and 2 or 900 m² (0.22 ac.) in Contract Area 3. The size requirement for the heavy tow contract is 1,250 m² (0.31 ac.) which is to be in addition to the main pound if the bidder also has one the light tow contracts.
- only charge towing and impoundment fees for parking enforcement seizures in accordance with the fee schedule specified in the tow contract (which is typically less than the amount permitted by the towing and business license by-laws);
- accept any vehicle to be stored in their facility as directed by the City;
- tow directly to their pound facility;
- respond to a call within 30 minutes;
- keep vehicles and contents safe until release;
- allow owners access to their vehicles to obtain personal property without charge;
- provide fencing and security cameras;
- ensure controlled access to the pound;
- collect and remit to the City, on a quarterly basis, the City's per vehicle administration fees;
- maintain and provide to the City (when requested) accurate records of each impounded vehicle;
- remove, at no cost to the City, derelict vehicles from City property;
- remove derelict vehicles from private property at the direction of a Municipal Law Enforcement Officer and charge the owner of the property for the service; and,
- meet minimum insurance requirements.



APPENDIX 9**Peel Regional Police Tow and Storage Contractor Requirements**

Peel Regional Police tow and storage contractors must meet most of the same minimum requirements that the City of Mississauga contract requires, but must also meet the following requirements:

- more stringent insurance requirements;
- require a light tow response time of 20 minutes instead of 30 minutes;
- have a secure indoor facility capable of storing a vehicle plus a minimum working area totalling approximately 40 m² (430 sq. ft.) at each facility;
- contractors must have Workplace Safety and Insurance Board (WSIB) coverage;
- contractors must comply with the *Occupation Health and Safety Act* (OSHA);
- all employees are required to submit PRP security clearance forms;
- yearly MTO Inspection certificates on all tow vehicles;
- only PRP tow contractors shall tow seized vehicles, abandoned vehicles or vehicles where drivers are unable to direct a tow; and,
- all contractors shall have sufficient staff on site to permit the storage and release of vehicles at an all times basis.

APPENDIX 10

CVPF Feasibility Study Consultation Summary

Mayor and Councillors

Mayor and Council members expressed their desire that the primary focus of this study should be about consumer protection as opposed to generating revenue for the City. Concerns were expressed by some that the City should not be entering into a business that is already operated by the private sector unless there was a clear benefit to the residents of Mississauga by doing so. Council requested a clear financial picture of a CVPF including capital and operational considerations compared to alternatives to creating a CVPF.

Insurance Industry

Representatives from the insurance industry were generally supportive of a CVPF because it would, in their view, reduce vehicle storage costs and reduce the impediments to locating customer vehicles and having them delivered to the motor vehicle repair facilities requested by their owners. This would assist the industry to reduce the consumer cost of insurance and may also reduce the amount of fraud in the vehicle storage and repair industries. Representatives suggested that a city owned and operated CVPF should be financially viable, with the cost of the facility paying for itself.

Members of TIAC and the Vehicle Pound Industry

In general, members of TIAC and the majority of vehicle pound operators that were interviewed as part of this feasibility study do not support the creation of a city owned and operated CVPF. Many of those interviewed felt that vehicle collision "chasing" was the biggest issue facing the industry and that any issues with respect to vehicle pounds were relatively minor. Other issues and concerns that were identified include:

- a CVPF will unfairly burden the small shops that are not insurance industry preferred shops;
- the general public is not aware they have the right to choose where their vehicle is taken for repairs leading to unfair advantage towards the insurance industry;
- the existing storage and repair facilities pay taxes, fees and licenses and employ many staff;
- they are concerned that if customers have to take their car to a CVPF, the insurance companies will coerce their customers to take their vehicles to insurance industry preferred shops;
- some expressed that 24 hour a day, seven days a week pound operations are not efficient from an economic perspective as very few customers seek vehicle releases beyond extended business hours;
- some expressed that pounds should be manned 24 hours a day, seven days a week;
- some operators suggested that vehicle pounds should be separated from repair facilities;
- that the City could charge a per vehicle administration fee for facilities that were licensed to store vehicles;

- if there were a limited number of privately contracted City Vehicle Pounds, they should consider a police presence at each private pound;
- several operators expressed concerns with some private pound facilities refusing or delaying the release of vehicles requested by vehicle owners or Insurance company representatives;
- there should be a limit on the number of towers operating per repair facility / vehicle pound;
- that the storage revenue is a secondary component to either the towing and/or vehicle repair component of viable businesses;
- concerns were expressed about the dominance of the Insurance Industry to enforce "their will" upon their customers rather than let customers decide where their vehicles will be repaired;
- that the City should be concerned about liability and claims against the corporation should it establish a CVPF;
- depending on how they operate, a CVPF may be financially punitive to consumers if it delays consumers from having their vehicle repaired quickly; and,
- noted that the costs of claiming cars that are not retrieved by the vehicle owners or Insurance company may exceed the profit from their sale by auction or for scrap.

CANADIAN CITY VEHICLE POUND FACILITY CHARACTERISTICS

CITY	POPULATION	AREA OF CITY (km ²)	NUMBER OF LOTS	APPROXIMATE NUMBER OF PARKING SPACES	OPERATED BY	AREA OF LOT	NUMBER OF VEHICLES PROCESSED IN 2014 ***	NUMBER OF STAFF	ADMINISTRATION AND/OR DAILY STORAGE FEES
SASKATOON	222,189	144	1	350	City/Security Firm	4.3 acres	3,000*	6 contract staff 1 city staff	\$50 admin fee + \$15 per day
CALGARY	1,096,833	727	1 primary lot 1 overflow lot	750 150	City Parking Authority/ Security Firm	5 acres 1.2 acres	33,128	25 CPA staff 14 security staff	\$30 admin fee + \$28 per day
VANCOUVER	603,502	114.9	1 primary lot 1 abandoned vehicle lot 1 contractor lot	158 200 200*	Private Tow Company	1.6 acres 2.2 acres 2.1 acres	40,340 360 -	5 Clerks 5 PT Clerks 3 Mangers 1 Clerk (AVL) -	\$8 per day
REGINA	193,000	145.4	1	300	Security Firm / City Staff	2.6 acres	2,500	6 security staff 1 city staff	\$15 per day
EDMONTON	812,201	684	1	850	Edmonton Police	8 acres + 5 acres available as needed	20,000	16 EPS staff 13 security staff	\$4 admin fee + \$33 per day
MISSISSAUGA	741,000	292	19	Ranges	Private	Ranges	12,450	-	\$60 per 24 hour period Only \$10 or \$25 per day under police contract
HAMILTON	504,560	1,138	-	Ranges	Private	Ranges	-	-	Maximum of \$50 per day when seized under police contract**
TORONTO - CRC	2,791,140	630	2	Ranges	Ontario	2.7 acres 1.1 acres	8,000	-	Free first day, then \$40 per day
TORONTO POLICE SEIZURES			5	Ranges	Private	Ranges	30,000	-	\$50-\$80 per day

* 200 stalls but will hold 450 vehicles

** First 3 hours are no charge. Maximum fee of \$60 permitted in 2016.

*** Yearly average between 2012 and 2014 if provided.

APPENDIX 12

ESTIMATED NUMBER OF SEIZED, ACCIDENT AND ABANDONED
VEHICLE TOWS IN MISSISSAUGA

Approximate Number of Peel Regional Police Directed Tows (2012 to 2014)

CATEGORY	2012	2013	2014	3 Year Average
Impaired/Excess	895	965	859	906
VIP/Drive prohibited	258	175	180	204
CC Arrest /Other CC	127	100	101	109
Race/Stunt Driving (7 Day Suspension)	23	20	25	23
Safekeeping	196	206	180	194
Abandoned	68	51	77	65
ACCIDENTS				
Fatality	26	24	28	26
Personal Injury	3031* (1212)	2909* (1163)	2072* (829)	2670* (1068)
Property Damage	14844* (5,937)	14799* (5920)	15573* (6229)	15,072* (6029)
Total	8742	8624	8508	8624

*Of the total number of PRP accident responses, it was estimated that approximately 40% of Motor Vehicle Collisions resulted in a vehicle being towed.

Approximate Number of OPP Directed Tows in Mississauga (2012 to 2014)

CATEGORY	2012	2013	2014	Yearly Average
3 day ADLS Suspension	385	320	172	292
7 day roadside suspension	32	37	22	30
License Suspension	59	110	50	73
Stunt Driving (7 Day Suspension)	128	185	106	140
Drive While Suspended	633	591	553	592
Impaired Charges	226	224	164	205
Motor Vehicle Collision - Person Injury	722* (253)	879* (308)	886* (310)	829* (290)
Motor Vehicle - Property Damage	3180* (1113)	3558* (1245)	3819* (1337)	3519* (1232)
Total	2829	3020	2714	2854

Notes: 90-95% all this OPP detachment responses occur in Mississauga

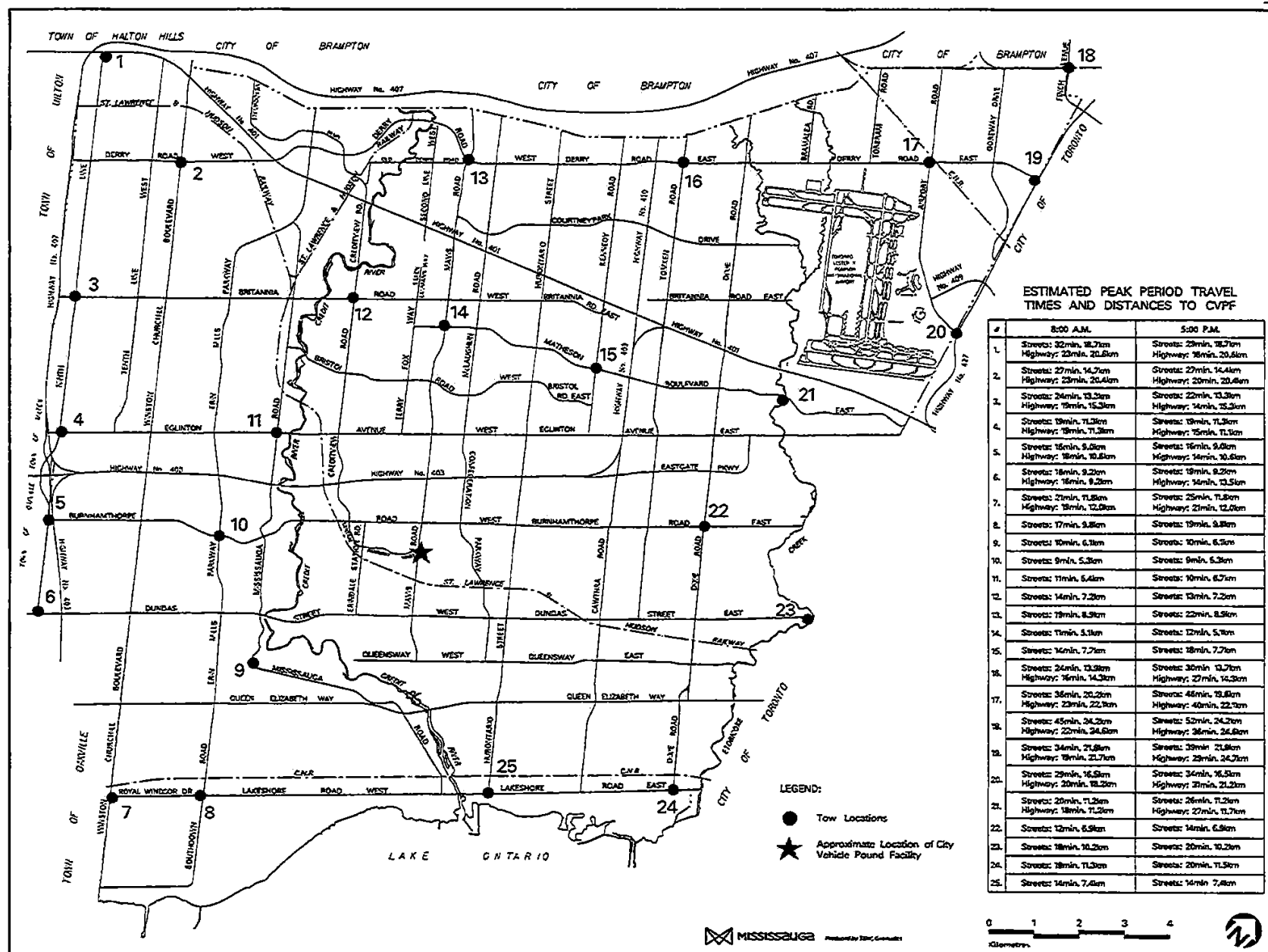
*Of the total number of OPP responses, it was estimated that approximately 30-40% of Motor Vehicle Collisions resulted in a vehicle being towed, therefore 35% was used to estimate number of tows.

City of Mississauga Parking Enforcement Directed Tows (2012 to 2014)

Year	2012	2013	2014	Yearly Average
Parking Enforcement	764	1173	970	969
Total	764	1173	970	969

Estimated Total Number of Secured Tows in Mississauga (2012 to 2014)

Year	2012	2013	2014	Yearly Average
PRP Directed Tows	8742	8624	8508	8624
OPP Directed Tows	2829	3020	2714	2854
City Directed Tows	764	1173	970	969
Total	12335	12817	12192	12448



APPENDIX14

Diagram 1 - 350 parking spaces per hectare (142 parking spaces per acre)

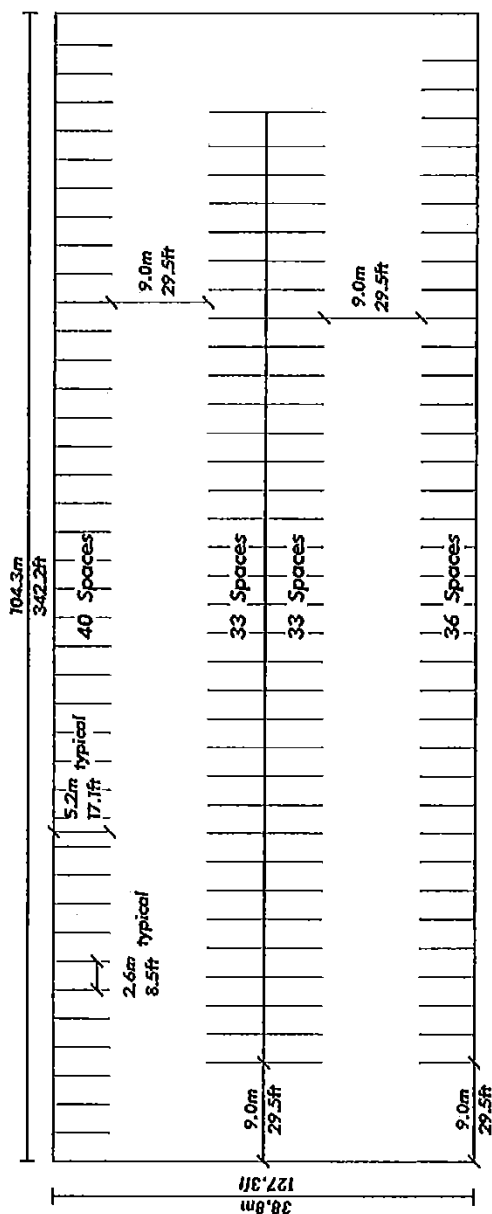
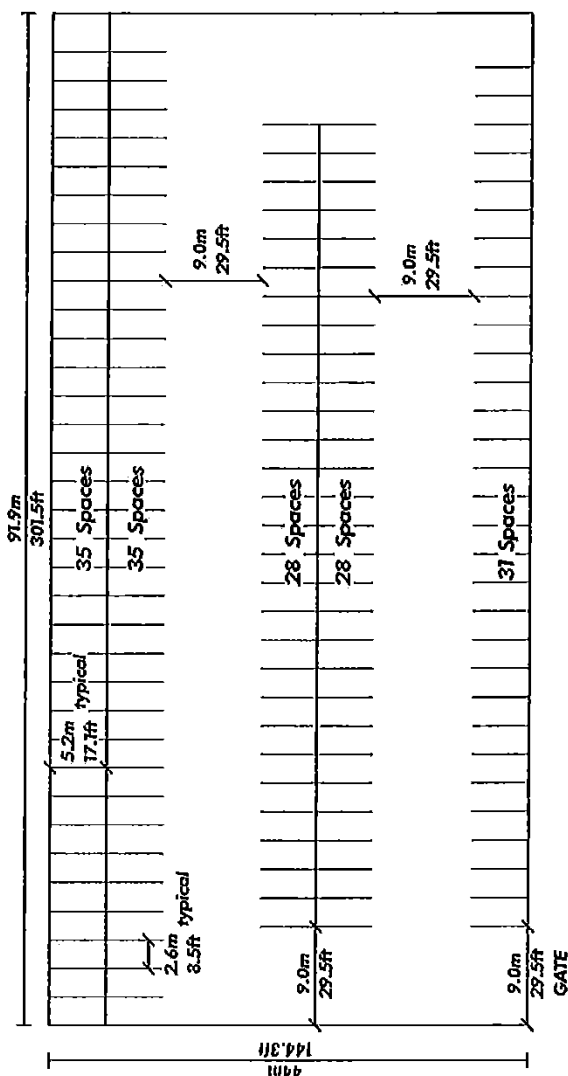
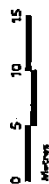


Diagram 2 - 388 parking spaces per hectare (157 parking spaces per acre) - includes some tandem parking spaces



TYPICAL VEHICLE POUND
PARKING CONFIGURATION
APPROXIMATE NUMBER OF PARKING
SPACES PER HECTARE/ACRE



MISSISSIPPI
Department of Transportation

Mississippi Department of Transportation

APPENDIX 2***“TIAC-0022-2015***

1. *That the report from the Commissioner of Transportation and Works dated December 1, 2015 entitled "City of Mississauga Centralized Vehicle Pound Facility Feasibility Study Update – Information Report" be received for information.*
2. *That the Towing Industry Advisory Committee (TIAC) provide comments on a centralized vehicle pound facility compared with the alternative options discussed in this report.*
3. *That the deputations under Items 5.1 and 5.2 from Chris Rouse, Project Manager, Mobile Licensing, and Brad Butt representing Atlantic Collision Group, respectively, to the Towing Industry Advisory Committee on December 14, 2015, be received.”*

APPENDIX 3

BILL 15 - Fighting Fraud and Reducing Automobile Insurance Rates Act - Summary of Regulations

Consumer Protection Act

After January 17, 2017, the new regulations to *Consumer Protection Act (CPA)* will require tow and storage providers to:

- Get permission from a consumer or someone acting on their behalf before providing tow and storage services;
- Record the name and contact information of the consumer, along with the date and time of authorization;
- Disclose certain information to the consumer or the person acting on their behalf, in writing, such as the provider's business name, contact information and address where the vehicle will be towed;
- Accept credit card payments, in addition to cash, from consumers;
- Provide an itemized invoice, listing services provided, the cost for each service, and the total cost before demanding or receiving payment;
- Make available a current statement of rates at their place of business and on any existing website;
- Post other information, for example, the provider's name and telephone number on the side of a tow truck, at all business premises and on any website;
- Provide a consumer (or someone acting on their behalf) with access to the towed vehicle, at no charge, so that they may remove personal property from the vehicle between 8 a.m. and 5 p.m. on business days;
- Prohibit tow and storage providers from recommending repair and storage facilities, legal service providers or health care service providers unless a consumer or a person acting on their behalf specifically asks, or the provider offers to make a recommendation and the consumer (or authorized person) agrees;
- Disclose to a consumer whether the provider is getting a financial reward or incentive for providing a recommendation for towing a vehicle to a particular storage or repair shop;
- Establish minimum insurance coverage including general liability insurance of \$2 million, customer vehicle insurance of \$100,000 and \$50,000 cargo insurance; and
- Maintain authorization and disclosure records, invoices, copies of insurance policy, and current statement of rates for three years.

The Province has indicated that there will be some exemptions for certain tow and storage providers. Where the consumer is not being charged for the specific service being provided, the tow and storage service provider is exempt from certain disclosures including authorization, invoices, and related record-keeping requirements because the services are provided under a prepaid agreement or membership (example: CAA membership or through an agreement connected to a vehicle lease or purchase).

Vehicles seized by a law enforcement agency will only be subject to a limited number of the new regulations. The new regulations will protect the owner of a seized vehicle by requiring the

APPENDIX 3

BILL 15 - Fighting Fraud and Reducing Automobile Insurance Rates Act - Summary of Regulations

provider to make available a current statement of rates, post identifiers and other information, and provide the consumer with the option to pay by credit card.

Repair and Storage Liens Act

The *Repair and Storage Liens Act* deals with the rights of individuals to claim vehicles through the lien process that they repaired and/or stored. Most of the changes to the *Repair and Storage Liens Act* will take effect on July 1, 2016. The new rules are expected to improve storage practices and remove associated costs from the auto insurance system.

Changes to the *Repair and Storage Liens Act* and its regulations will:

- Reduce the notice period from 60 days to 15 days where the provider knows (or has reason to believe) that a registered vehicle was received by a pound without the owner's authority. Currently a storer is required to give written notice of a lien to the owner and other interested parties within 60 days after the day it receives the vehicle (subject to the lien), if the vehicle was brought in for storage by someone other than the owner or without the owner's authority;
- If the notice is not provided, a lien is limited to the unpaid amount owing for the period of 15 days from the day of receiving the vehicle; and,
- Provide guidance to courts in determining the "fair value" of repair or storage where no amount has been agreed upon. A list of discretionary factors (e.g., fixed costs, variable costs, direct costs, indirect costs, profit and any other relevant factors) is set out for consideration.

Highway Traffic Act

The Province is also adding regulations to the *Highway Traffic Act* that to include tow trucks in the definition of commercial motor vehicles under the Commercial Vehicle Operator's Registration (CVOR) system. This new regulation will come into effect on January 1, 2017. A single CVOR certificate will cover an operator's entire fleet. Under CVOR, tow operators will be responsible for all the drivers and vehicles in their operation. These responsibilities include:

- Monitoring the conduct and safety performance of drivers;
- Resolving driver safety issues when they are identified;
- Keeping vehicles in good, safe condition at all times; and,
- Ensuring load security

Tow trucks will continue to be exempt from some requirements, such as hours of service limits, daily inspection, detailed recordkeeping requirements and entering truck inspection stations, until the Province concludes consultations with the towing industry and other stakeholders on an effective regulatory regime.

APPENDIX 4

Estimated Expenditures and Revenues of City Owned and Operated Centralized Vehicle Pound Facility

Estimated Expenditures and Revenues	CVPF – Scenario 1 (12,450 vehicles)*	CVPF – Scenario 2 (4,690 vehicles)*
Land Acquisition Costs		
Land purchase (\$1 million per acre)	\$3.5 Million	\$1.5 Million
Other land acquisition costs (including appraisals, surveys, environmental reports, real estate commissions and/or legal fees)	\$55,000	\$55,000
Total Land Acquisition Costs	\$3,555,000	\$1,555,000
Capital Costs of Land Improvement		
Construction (building and site works)	**\$3 Million	**\$1.5 Million
Consultant fees and soft costs	\$486,000	\$315,000
Project contingency	\$275,000	\$160,000
Other costs (charge back and HST)	\$235,000	\$140,000
Site Services and utility connections, computers and phones	\$200,000	\$130,000
Total Capital Costs of Land Improvement	\$4,196,000	\$2,245,000
Software purchase	\$70,000	\$70,000
Total Land Acquisition and Capital Improvement Costs	\$7,821,000	\$3,870,000
Annual Operating Expenditures		
Labour	***\$1,532,000	****\$1,054,000
Other (utilities, maintenance, etc.)	\$35,000	\$22,000
Additional Insurance	n/a	n/a
Lost opportunity costs (property taxes and fees)	\$103,000	\$61,000
TOTAL ANNUAL OPERATING COSTS	\$1,670,000	\$1,137,000
Revenue Calculations Estimates		
Seized and Abandoned Vehicles daily storage fees	\$891,000	\$890,000
Accident Vehicle daily storage fees	\$1,804,000	\$180,000
Auctioned Vehicles	\$349,000	\$132,000
Scrapped Vehicles	\$93,000	\$35,000
Total Annual CVPF Revenues	\$3,137,000	\$1,237,000
NET ANNUAL OPERATING BENEFITS (Year 1)	\$1,467,000	\$100,000
Payback Period	6.2 years	Never
Net Present Value of Investment over 10 years	\$3,495,000	-\$4,570,000

Financial Assumptions and Notes

Analysis only includes incremental cash flows

Discount Factor 2.9% Interest Rate

Annual Revenue Growth 2.0%

Annual Labour Cost Increases 5.5%

Annual Other Costs Increases 2.0%

Annual Lost Opportunity Cost Increases 2.0%

The daily storage fees would have to be reduced under CVPF-Scenario 1 to only recover City operating and capital costs

*Figures rounded to nearest thousand dollar

**Capital expenditures do not include site service and utility connections or potential soil remediation

***Scenario 1, increasing annually to \$2,002,000 in year 6 and \$2,480,000 in year 10

**** Scenario 2, increasing annually to \$1,378,000 in year 6 and \$1,707,000 in year 10

APPENDIX 5

Physical and Operating Assumptions – City Owned and Operated CVPF under Scenarios 1 and 2

PHYSICAL ASSUMPTIONS	SCENARIO 1	SCENARIO 2
PROPERTY SIZE AND BUILDING IMPROVEMENTS		
Property Size	1.42 Hectare (3.5 acre)	0.6 Hectare (1.5 acre)
Vehicle Pound Area	1.2 Hectare (3.0 acre)	0.4 Hectare (1.1 acre)
Office Building	186 m ² (2,000 sq. ft.)	92.9 m ² (1,000 sq. ft.)
Storage Building	130 m ² (1,400 sq. ft.)	130 m ² (1,400 sq. ft.)
ANNUAL NUMBER OF VEHICLES PROCESSED		
City seized and abandoned vehicles	969	969
RPP seized and abandoned vehicles	1,527	1,527
OPP seized and abandoned vehicles	1,332	1,332
100% of inoperable accident vehicles	8,619	n/a
*10% of inoperable accident vehicles	n/a	862
Total	12,450	4,690
STAFFING		
Management	3	1
Clerical	10	6
Security	6	6
Total	19	13

City of Mississauga

Corporate Report



Date: 2016/03/22

To: Chair and Members of General Committee

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

Originator's files:
MG.23.REP
RT.10.Z-10

Meeting date:
2016/04/06

Subject

All-Way Stop - Hindhead Road and Welwyn Drive (Ward 2)

Recommendation

That an all-way stop control not be implemented at the intersection of Hindhead Road and Welwyn Drive as the warrants have not been met.

Background

An area resident requested the installation of an all-way stop at the intersection of Hindhead Road and Welwyn Drive.

The Ward Councillor has requested that the Transportation and Works Department bring a report to General Committee regarding the implementation of an all-way stop at the intersection of Hindhead Road and Welwyn Drive.

Present Status

Currently, the intersection of Hindhead Road and Welwyn Drive operates as a four-way intersection with two-way stop control for northbound and southbound motorists on Welwyn Drive.

Comments

An A.M./P.M. manual turning movement count was completed on Wednesday June 3, 2015 to determine if an all-way stop is warranted. The results are as follows:

Hindhead Road and Welwyn Drive (Wednesday June 3, 2015):

Part A: Volume for All Approaches: 52%

Part B: Volume Splits: 95%

In order for an all-way stop to be warranted, both Part A and Part B must equal 100 percent. Based on the results, an all-way stop is not warranted at the intersection of Hindhead Road and Welwyn Drive.

A review of the collision history at this intersection revealed one (1) reported collision within the past 3 years that is the type considered correctable by the use of an all-way stop. An all-way stop is therefore not warranted based on the collision history.

Financial Impact

Not Applicable.

Conclusion

Based on the recent manual turning movement count warrant values and collision history, the Transportation and Works Department does not recommend the installation of an all-way stop at the intersection of Hindhead Road and Welwyn Drive.

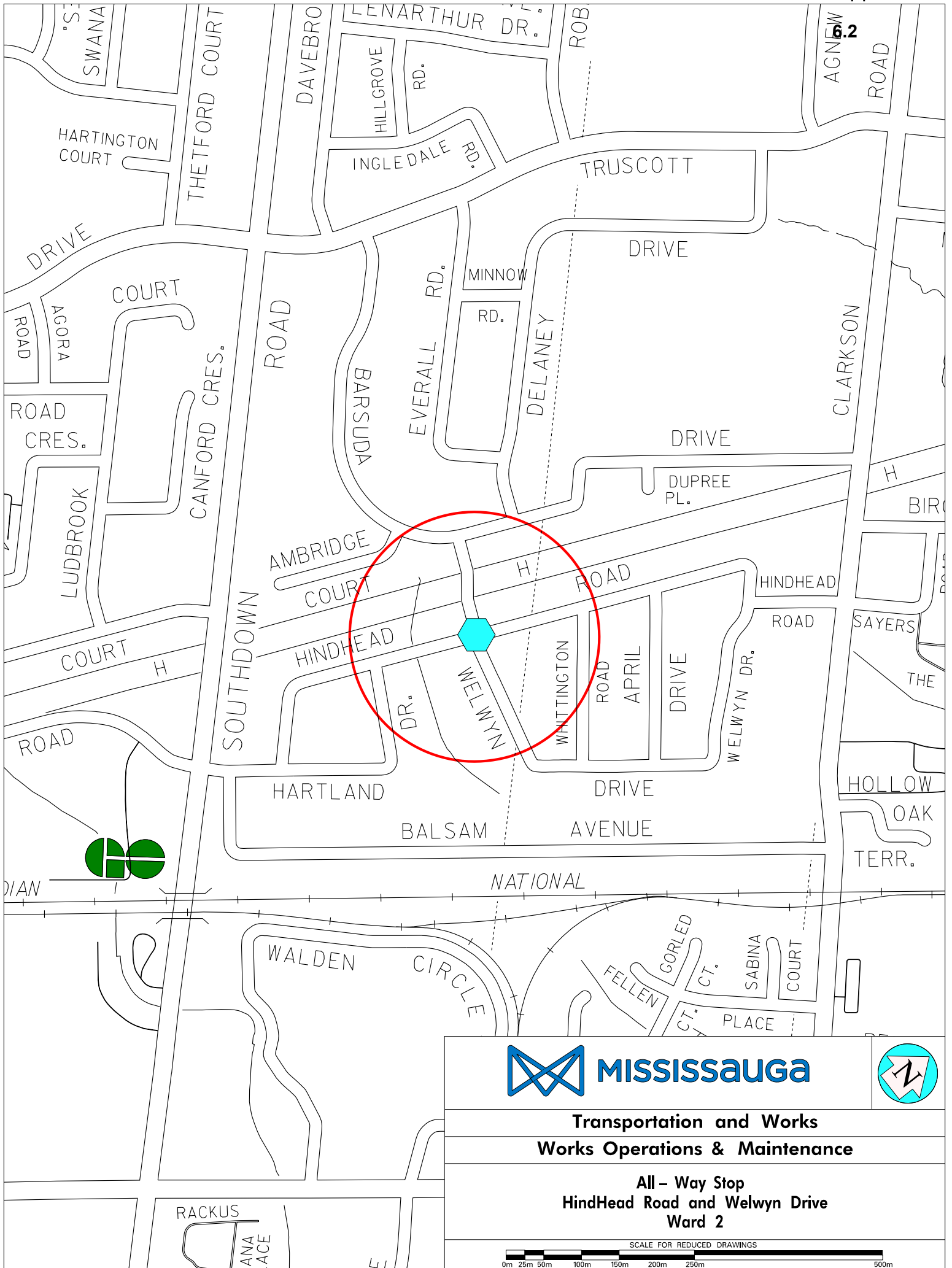
Attachments

Appendix 1: Location Map - All-Way Stop - Hindhead Road and Welwyn Drive (Ward 2)

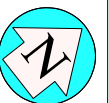
A handwritten signature in black ink, appearing to read 'Martin Powell', with a large, stylized flourish at the end.

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

Prepared by: Vivian Mansour, Traffic Operations Technician



MISSISSAUGA



**Transportation and Works
Works Operations & Maintenance**

**All – Way Stop
HindHead Road and Welwyn Drive
Ward 2**



City of Mississauga

Corporate Report



Date: 2016/03/22

To: Chair and Members of General Committee

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

Originator's files:
MG.23.REP
RT.10.Z22

Meeting date:
2016/04/06

Subject

Lower Driveway Boulevard Parking – Fairview Road West between Confederation Parkway and Grand Park Drive (Ward 7)

Recommendation

That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at any time, on Fairview Road West between Confederation Parkway and Grand Park Drive.

Background

The Transportation and Works Department received a completed petition from an area resident to implement lower driveway boulevard parking on Fairview Road West between Confederation Parkway and Grand Park Drive. A sidewalk is present on the north and south side of the roadway and lower driveway boulevard parking between the curb and sidewalk is currently prohibited. Three-hour parking is permitted on Fairview Road West between Confederation Parkway and Grand Park Drive.

Comments

To determine the level of support for lower driveway boulevard parking between the curb and sidewalk, a parking questionnaire was distributed to the residents of Fairview Road West between Confederation Parkway and Grand Park Drive.

One hundred and nine (109) questionnaires were delivered and 23 (21%) were returned; 21 (91%) supported the implementation of lower driveway boulevard parking and 2 (9%) were opposed.

Since greater than 66% of the total respondents support lower driveway boulevard parking, the Transportation and Works Department recommends implementing lower driveway boulevard parking between the curb and sidewalk, at any time, on Fairview Road West between Confederation Parkway and Grand Park Drive.

The Ward Councillor supports the proposal for lower driveway boulevard parking. The existing three-hour on-street parking will be maintained.

Financial Impact

Costs for the sign installations can be accommodated in the 2016 Current Budget.

Conclusion

Based on the results of the questionnaire, the Transportation and Works Department supports lower driveway boulevard parking between the curb and sidewalk, at any time, on Fairview Road West between Confederation Parkway and Grand Park Drive.

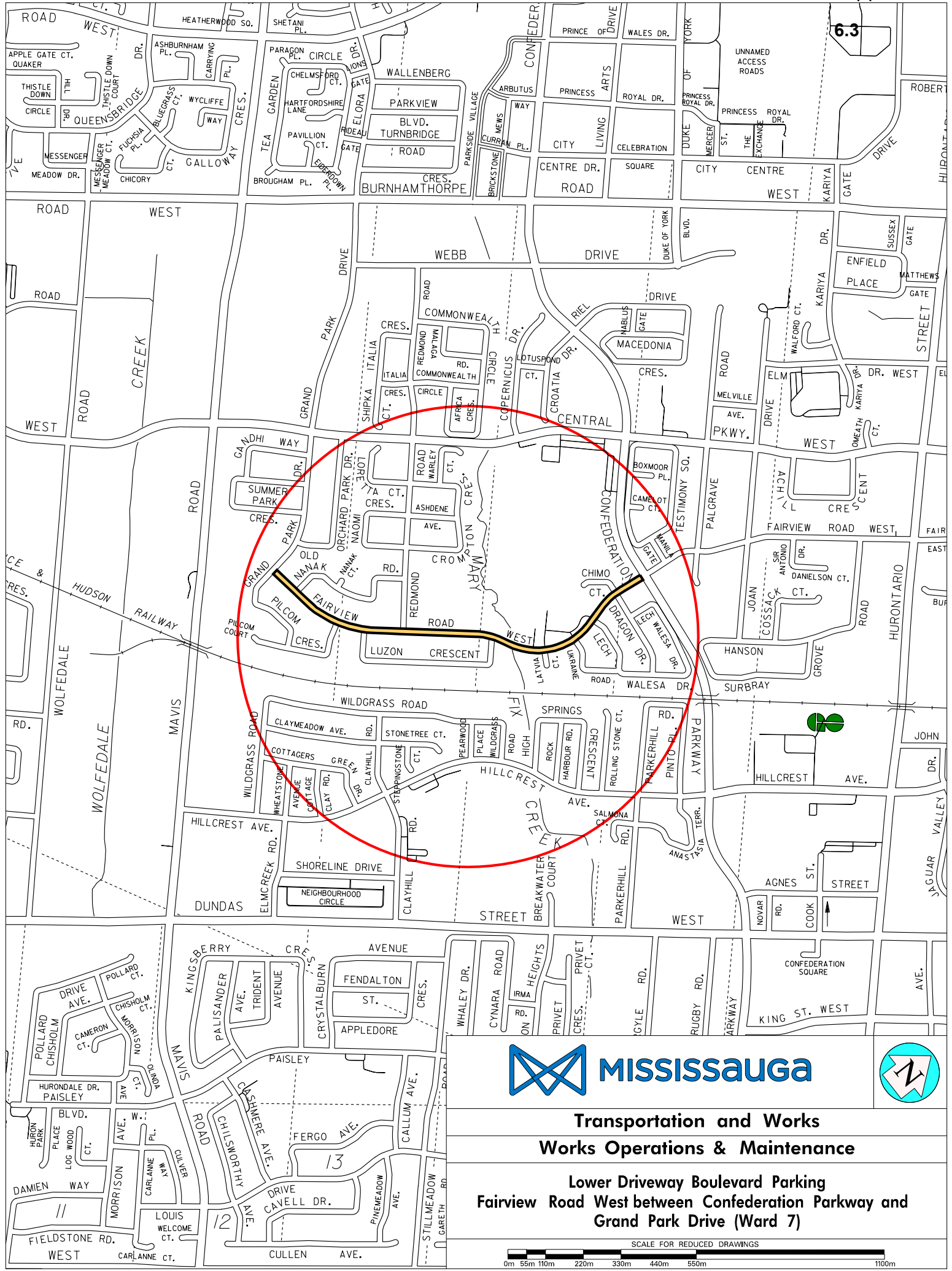
Attachments

Appendix 1: Location Map - Lower Driveway Boulevard Parking - Fairview Road West between Confederation Parkway and Grand Park Drive (Ward 7)



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

Prepared by: Alex Liya, Traffic Operations Technician



City of Mississauga
Corporate Report



Date: 2016/03/22

To: Chair and Members of General Committee

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

Originator's files:
 MG.23.REP
 RT.10.Z56

Meeting date:
 2016/04/06

Subject

Lower Driveway Boulevard Parking – Columbine Crescent (Ward 10)

Recommendation

That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at any time, on Columbine Crescent.

Background

The Transportation and Works Department received a completed petition from an area resident to implement lower driveway boulevard parking on Columbine Crescent. A sidewalk is present on the north and west side of the roadway and lower driveway boulevard parking between the curb and sidewalk is currently prohibited. Three-hour parking is permitted on Columbine Crescent.

Comments

To determine the level of support for lower driveway boulevard parking between the curb and sidewalk, a parking questionnaire was distributed to the residents of Columbine Crescent.

Thirty-seven (37) questionnaires were delivered and 15 (41%) were returned; 15 (100%) supported the implementation of lower driveway boulevard parking and 0 (0%) were opposed.

Since greater than 66% of the total respondents support lower driveway boulevard parking, the Transportation and Works Department recommends implementing lower driveway boulevard parking between the curb and sidewalk, at any time, on the north and west side of Columbine Crescent.

The Ward Councillor supports the proposal for lower driveway boulevard parking. The existing three-hour on-street parking will be maintained.

Financial Impact

Costs for the sign installations can be accommodated in the 2016 Current Budget.

Conclusion

Based on the results of the questionnaire, the Transportation and Works Department supports lower driveway boulevard parking between the curb and sidewalk, at any time, on Columbine Crescent.

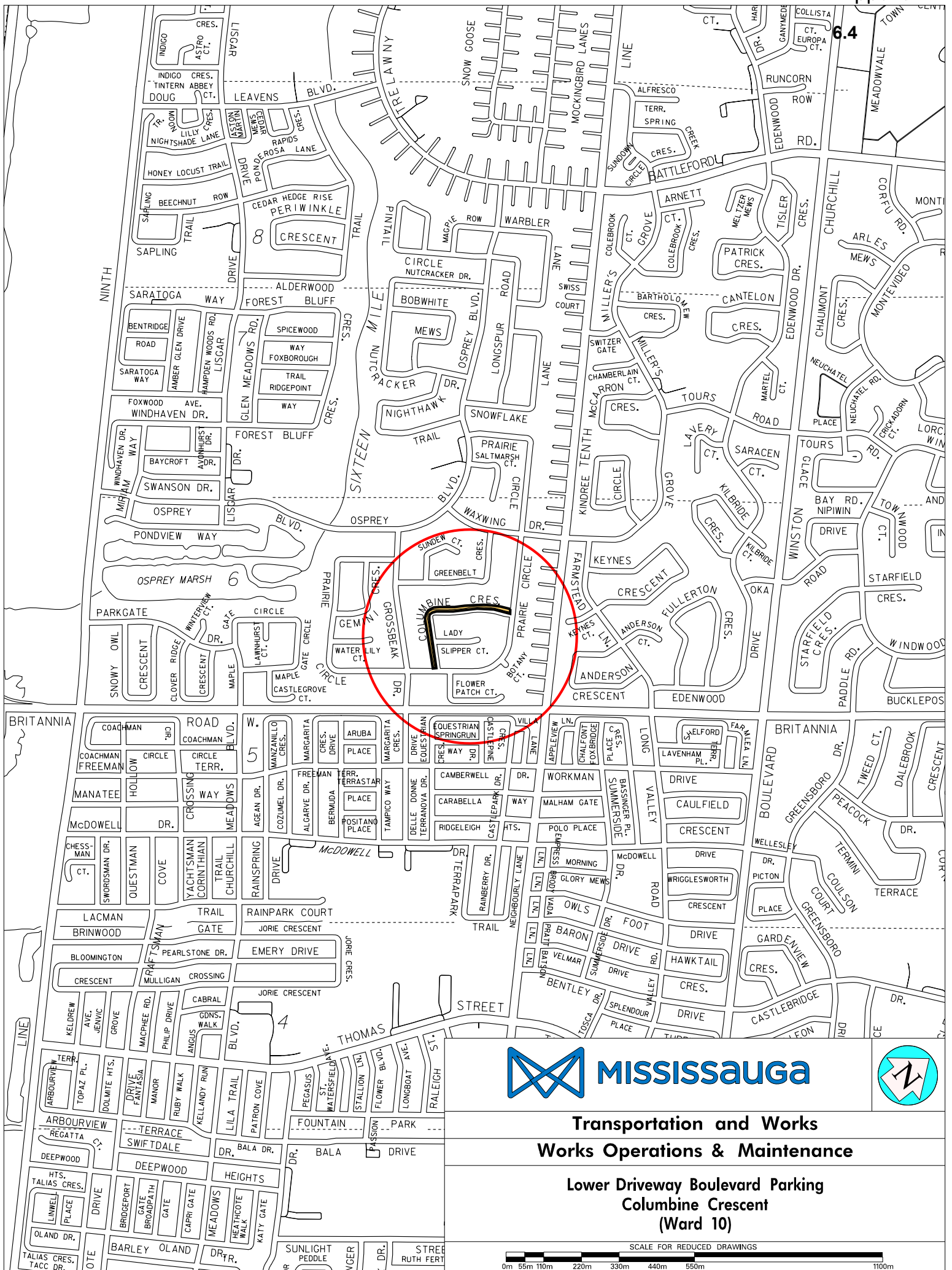
Attachments

Appendix 1: Location Map - Lower Driveway Boulevard Parking - Columbine Crescent
(Ward 10)

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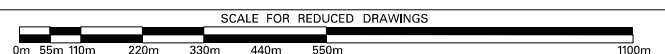
Martin Powell, P. Eng., Commissioner of Transportation and Works

Prepared by: Alex Liya, Traffic Operations Technician



Transportation and Works Works Operations & Maintenance

Lower Driveway Boulevard Parking
Columbine Crescent
(Ward 10)



City of Mississauga

Corporate Report



Date: 2016/03/21

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:

2016/04/06

Subject

Port Credit - Paid Parking Expansion and Operational Changes (Ward 1)

Recommendation

1. That a by-law be enacted to amend By-law No. 555-2000, as amended, to increase the rate for on-street parking in Port Credit from \$1.00 to \$1.50 per hour for the first two hours and \$2.00 per hour for the third hour as detailed in Appendix "1" of the report from the Commissioner of Transportation and Works dated February 22, 2016, titled *"Port Credit – Paid Parking Expansion and Operational Changes"*.
2. That a by-law be enacted to amend By-law 555-2000, as amended, to expand the paid parking hours of operation from Monday to Saturday, 10:00am to 9:00pm, and Sunday 10:00am to 6:00pm as detailed in Appendix "1" of the report from the Commissioner of Transportation and Works dated February 22, 2016, titled "Port Credit – Paid Parking Expansion and Operational Changes".
3. That a by-law be enacted to amend By-law 555-2000, as amended, to implement paid parking on streets located north of Lakeshore Road East, between Stavebank Road and Hurontario Street as detailed in Appendix "2" of the report from the Commissioner of Transportation and Works dated February 22, 2016, titled *"Port Credit – Paid Parking Expansion and Operational Changes"*.
4. That a by-law be enacted to amend By-law 555-2000, as amended, to replace the single head meters (70) with pay and display machines as detailed in Appendix "3" of the report from the Commissioner of Transportation and Works dated February 22, 2016, titled "Port Credit – Paid Parking Expansion and Operational Changes".

Report Highlights

- It has been proposed that the paid parking hours of operation in Port Credit expand from Monday to Saturday, 10:00am to 5:00pm, to Monday to Saturday, 10:00am to 9:00pm, and Sunday 10:00am to 6:00pm.
- It has been proposed that the existing on-street parking rates increase from \$1.00 to \$1.50 per hour, and the third hour costing \$2.00.
- It has been proposed that the existing high density free on-street parking located north of Lakeshore Road east, between Stavebank Road and Hurontario Street be converted to paid parking.
- As a result of the proposed operational paid parking changes the total gross revenue is anticipated to increase by \$100,000 in Port Credit for the first full year of operations in 2017.

Background

On June 23, 2014 a report entitled “Parking Strategy – Phase II: Port Credit and Lakeview – Final Report” was presented at Planning and Development Committee (PDC). The report and the recommendations were approved at the June 23, 2014 PDC meeting and subsequently approved by Council on July 2, 2014 via Resolution 0135-2014.

Following Council’s endorsement of this Parking Strategy, staff from the Municipal Parking section worked with the Port Credit Business Improvement Association (BIA) to establish an implementation plan that would best meet the needs of the local businesses, patrons and community.

Parking charges are implemented throughout the commercial district of Port Credit, through a program of individual single-head parking meters and pay and display machines located within the lay-bys along Lakeshore Road East, Port Street East and on each side street adjacent to the commercial developments. Paid parking is currently in effect Monday to Saturday, 10:00am to 5:00pm, \$1.00 per hour, with a 2-hour maximum parking limit.

Comments

Charging for parking is a tool to help manage parking demand, and encourage parking space turnover which is beneficial for local businesses. Paid parking also creates additional streams of revenue to offset parking maintenance costs and the development of new parking facilities. Developing and maintaining parking is costly, particularly with respect to the purchase of land and the construction of parking structures. While some funding is collected through the City’s Payment-In-Lieu (PIL) of parking program, additional funding is generated through parking charges in Port Credit.

Parking charges have been an effective management tool for on-street parking in Port Credit for many years. During the Parking Strategy consultation process, many stakeholders in Port Credit agreed that pay for parking is necessary, and should be expanded to include off-street lots. Local stakeholders also indicated a desire to expand the hours of operation for paid on-street parking. In the longer term, paid parking as a parking management tool will become more important as a variety of initiatives and redevelopment proposals is expected to result in parking demand increasing in Port Credit.

The recommendations from the Parking Strategy have been divided into two phases. This report seeks approval to implement the changes as outlined in Phase One. The recommendations outlined in Phase Two will not be implemented at this time and staff will bring forward a separate corporate report at a later date (Fall/Winter 2016).

Phase One: On-street paid parking changes

The Municipal Parking section has been working with the Port Credit BIA and its board members to develop a Phase One implementation plan that serves the needs of the businesses, their patrons and the community. As a result of the various discussions that took place, the following Phase One implementation plan was agreed to:

- Expansion of the paid parking hours of operation from Monday to Saturday, 10:00am to 5:00pm, to Monday to Saturday, 10:00am to 9:00pm, and Sunday 10:00am to 6:00pm
- Increase the parking maximum time stay from 2 hours to 3 hours
- Increase existing on-street parking rates from \$1.00 to \$1.50 per hour, and the third hour costing \$2.00
- Conversion of the existing high density free on-street parking located north of Lakeshore Road East, between Stavebank Road and Hurontario Street to paid parking
- Replacement of 70 single head meters with pay and display machines

Effective parking management typically requires the designation of higher rates for prime parking spaces where frequent vehicle turnover is desired. In this light, it is recommended that a maximum allowed parking stay of three hours be instituted for on-street paid parking areas in Port Credit, and that the hourly charge for use of these parking spaces increase from \$1.00 per hour to \$1.50 per hour for the first two hours of parking stay and \$2.00 for the third hour of a parking stay. It is expected that adoption of these measures will increase parking turnover in high demand parking areas of port Credit such as along Lakeshore Road.

This new parking rate is based on benchmarking that was undertaken of comparable on-street parking rates in neighbouring municipalities which determined:

- City of Toronto: \$1.50 to \$3.00 per hour (i.e. Bloor West \$2.25 per hour)
- City of Brampton: \$2.00 per hour

- City of Burlington: \$1.75 per hour
- City of Oakville: \$1.00 to \$2.00 per hour

On-street paid parking has now been in place for over 30 years in Port Credit. A rate increase from \$1.00 to \$1.50 per hour is a modest increase that will bring Port Credit in line with similar communities in surrounding municipalities.

Conversion of the existing high density free on-street parking located north of Lakeshore Road East, between Stavebank Road and Hurontario Street, to paid parking will improve the management of the parking in the area by dispersing parking demand evenly throughout the neighbourhood. A review of the existing area parking regulations was conducted. It was determined that a number of intersection parking prohibitions are required to facilitate safe parking and improve sightline visibility at the intersections. As per the General Provisions of Traffic By-law 555-2000, 15 metre (49 feet) intersection prohibitions were implemented at the following intersections:

- Park Street East and Helene Street North (south-east corner)
- Ann Street and High Street East (south-east corner)
- Helene Street North and High Street East (south-west corner)
- Stavebank Road and High Street East (north-east corner and north-west corner)
- Stavebank Road and Park Street East (north-east corner)
- Lakeshore Road East and Helene Street South (south-east corner)
- Helen Street East and Port Street East (north-west corner)

The single-head parking meter technology which is still in use in some areas of Port Credit is past its life cycle and limits the user to coin payment only. Replacement of these meters with up-to-date pay and display meters will allow customers to have the ability to pay for parking by coin or credit card and staff to collect information, such as time stay data, to better manage the parking program in Port Credit. The replacement of the single-head meters will require the purchase of seven Pay and Display parking machines.

The local Councillor and the BIA support these changes in parking.

Phase Two: Off-street paid parking and additional on-street paid parking

The Parking Strategy includes a number of additional recommendations intended to better manage the demand of parking in Port Credit, including an expansion of paid parking to off-street parking lots. These additional recommendations will be included in Phase Two of the Strategy's implementation. In consultation with local stakeholders, staff will bring forward a separate corporate report outlining the second phase.

The existing municipal parking lots in Port Credit can currently be used for free and are highly utilized with growing demand. In addition, the Parking Strategy identifies potential locations for new municipal parking infrastructure in Port Credit.

The Parking Strategy also recommended implementing on-street paid parking along Front Street north and south, along Queen Street in the vicinity of Mentor College; and along Rosewood Avenue. These locations are away from the existing on-street paid parking areas and located closer to residential neighbourhoods. It is anticipated that a residential permit parking program would be more appropriate than Pay and Display machines in this area. This recommendation will be reviewed again upon completion of the city wide Parking Master Plan and implementation Strategy currently underway.

Financial Impact

The cost of the new Pay and Display machines required to implement paid parking on the streets north of Lakeshore Road East, between Stavebank Road and Hurontario Street, as well as to replace the 70 single head meters with pay and display machines, can be accommodated in the 2016 Capital Budget. The costs for additional sign installations and sign replacement can be accommodated in the 2016 Operating Budget. Funding for these changes will be from the Port Credit Parking Reserve. The financial impact of increasing the on-street parking rate in Port Credit from \$1.00 to \$1.50 per hour will result in additional revenues of \$16,500 (\$40,000 annualized) assuming a September 1, 2016 start date. The financial impact of increasing the pay for parking time periods to include Sundays and evenings in Port Credit will result in additional revenues of \$25,000 (\$60,000 annualized) assuming a September 1, 2016 start date.

The total gross revenue from Port Credit on-street paid parking operations is anticipated to be \$240,000 for the first full year of operations in 2017 and annually thereafter.

Net revenue after operating expenses is allocated to the Payment in Lieu (PIL) of parking fund.

Conclusion

Council approved Parking Strategy – Phase II Port Credit and Lakeview provides recommendations for managing the increasing parking demand in Port Credit through expansion of the paid parking program and new hourly fee structure. These changes to the Port Credit paid parking program will require amendments to Traffic By-law No. 555-00 as outlined in this report.

Attachments

Appendix 1: Port Credit - Appendix 1

Appendix 2: Port Credit - Appendix 2

Appendix 3: Port Credit - Appendix 3

A handwritten signature in black ink, appearing to read 'Martin Powell', with a large, stylized flourish at the end.

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

Prepared by: Tomasz Brzeziak, Parking Coordinator

6.5
Appendix 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Highway	Side	Between	Max. Park. Period	Rate	Times
Elizabeth Street	Both	Lakeshore Road East and Port Street	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Lakeshore Road East	North	The Credit River and Ann Street	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Lakeshore Road East	South	The Credit River and Hurontario Street	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Lakeshore Road East	North	Rosewood Avenue and Seneca Avenue	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Lakeshore Road East	South	A point 65 metres east of St. Lawrence Drive and a point 100 metres east of Wenonah Drive	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Port Street East	Both	Stavebank Road South and St. Lawrence Drive	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted

- 2 -

Stavebank Road North	Both	Lakeshore Road East and High Street	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Stavebank Road South	Both	Lakeshore Road East and 100 metres southerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted

6.5
Appendix 2

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Highway	Side	Between	Max. Park. Period	Rate	Times
Ann Street	West	High Street East and Park Street East	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Elizabeth Street	East	High Street East and Park Street East	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Helene Street North	East	Lakeshore Road East and Queen Street East	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Helene Street North	West	Lakeshore Road East and High Street East	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Helene Street North	East	Port Street East and Lakeshore Road East	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
High Street	South	Elizabeth Street North and Helene Street North	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted

- 2 -

Park Street East	North	Stavebank Road and Ann Street	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Stavebank Road North	West	High Street East and a point 180 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted

6.5
Appendix 3

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Highway	Side	Between	Max. Park. Period	Rate	Times
Brant Avenue	East	Lakeshore Road East and a point 56 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Brant Avenue	West	Lakeshore Road East and a point 37 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Briarwood Avenue	East	Lakeshore Road East and a point 30 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Briarwood Avenue	West	Lakeshore Road East and a point 53 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Brant Avenue	East	Lakeshore Road East and a point 56 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Mohawk Avenue	Both	Lakeshore Road East and a point 51 metres northerly thereof	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted

- 2 -

Hiawatha Parkway	East	Lakeshore Road East and laneway	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted
Wenonah Drive	Both	Lakeshore Road East and laneway	3 hours	\$1.50/hr first two hours \$2.00/hr third hour	10am-9pm Mon-Sat 10am-6pm Sun Holidays excepted

Corporate Report



Date: 2016/03/22 To: Chair and Members of General Committee	Originator's files:
From: Martin Powell, P. Eng., Commissioner of Transportation and Works	Meeting date: 2016/04/06

Subject

Amendments to the Business Licensing By-law 1-06, as amended, to Require Licensing of Outdoor Clothing Donation Drop Boxes.

Recommendation

1. That a by-law to amend the Business Licensing By-law 1-06, as amended, be enacted to license outdoor clothing donation drop boxes in a form satisfactory to Legal Services as outlined in the report from the Commissioner of Transportation and Works, dated March 22, 2016 and entitled "Amendments to the Business Licensing By-law 1-06, as amended, to Require Licensing of Outdoor Clothing Donation Drop Boxes".
2. That Compliance and Licensing Enforcement staff enforce the outdoor clothing donation drop boxes amendments to the Business Licensing By-law 1-06, as amended, in the manner set out in the enforcement action plan outlined in the report from the Commissioner of Transportation and Works, dated March 22, 2016 and entitled "Amendments to the Business Licensing By-law 1-06, as amended, to Require Licensing of Outdoor Clothing Donation Drop Boxes".

Report Highlights

- Staff conducted a search and found approximately 186 outdoor clothing donation drop boxes located in the city.
- 55 outdoor clothing donation drop boxes were found to belong to non-registered charities in contravention of the Zoning By-law 0225-2007, as amended.
- Staff found that of the approximate 186 outdoor clothing donation drop boxes observed, 171 outdoor clothing donation drop boxes were identified as belonging to 18 different organizations and 15 outdoor clothing donation drop boxes were without any owner information.
- The proposed by-law will only permit organizations that comply with the Zoning By-law 0225-2007, as amended, to obtain a licence. Zoning By-law 0225-2007, as amended,

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only permits outdoor clothing donation boxes for registered charities.

- A written agreement must be in place with property owners to allow the placement of outdoor clothing donation drop boxes on private property.
- The by-law would permit the revocation of the licence, as well as the removal of derelict, illegal or unlicensed outdoor clothing donation drop boxes.

Background

The purpose of this report is to respond to the Council enquiry made at General Committee on November 18, 2015 regarding the issue of illegal clothing donation drop boxes located on private property without the permission of the property owner.

The City of Mississauga Business Licensing By-law 1-06, as amended, currently does not require outdoor clothing donation drop boxes to be licensed.

At its meeting of December 9, 2009 Council approved a recommendation to amend the Zoning By-law 225-2007, as amended, to permit the placement of outdoor clothing donation drop boxes. The provisions of the Zoning By-law 0225-2007, as amended, permit outdoor clothing donation drop boxes in commercial and employment zones subject to the following:

- Only outdoor clothing donation drop boxes for registered charities shall be permitted.
- The minimum setback of an outdoor clothing donation drop box from a residential zone shall be six metres (20 feet).
- An outdoor clothing donation drop box shall be located outside of any required landscaped area.
- An outdoor clothing donation drop box shall not be located on any required parking area or obstruct any required parking space.

Comments

Complaints

Compliance and Licensing Enforcement staff received complaints for outdoor clothing donation drop boxes ranging from their overall condition, graffiti markings, debris on the ground in the immediate area surrounding them and illegally placed outdoor clothing donation drop boxes on both City and privately owned properties. To address complaints Enforcement staff use the Property Standards By-law 654-98, as amended, or the Debris and Anti-Littering By-law 219-85, as amended, to remove the debris and ensure properties are kept in a reasonable condition. Since 2009 enforcement staff have received a total of 77 complaints in regards to outdoor clothing donation drop boxes (Appendix 1). (In 2015 Compliance and Licensing Enforcement received approximately 8,000 complaints for the various by-laws the section enforces).

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In the Fall of 2015 enforcement staff conducted a search and found approximately 186 outdoor clothing donation drop boxes located in the city. Of the 186 outdoor clothing donation drop boxes observed, 171 were identified as belonging to 18 different organizations and 15 were without any owner information. 55 outdoor clothing donation drop boxes were found to belong to non-registered charities in contravention of the Zoning By-law 0225-2007, as amended. Enforcement action in regards to the zoning contraventions is on hold pending the outcome of this report.

Municipal Scan

Staff benchmarked the following eight municipalities to determine the standards provided under their by-laws for the licensing of outdoor clothing donation drop boxes (Appendix 2). These municipalities were Brampton, Burlington, Hamilton, Markham, Newmarket, Oakville, Toronto and Vaughan.

The municipalities of Brampton, Burlington, Hamilton and Oakville use the same regulatory framework as Mississauga for regulating outdoor clothing donation drop boxes. These municipalities require clothing drop boxes to comply with their zoning by-laws in relation to the number of accessory structures permitted on the property and the setback requirements to property lines. Additionally, these municipalities use their property standards by-law to regulate the condition of outdoor clothing donation drop boxes, as well as the area surrounding them.

The municipalities of Markham, Newmarket, Toronto and Vaughan require outdoor clothing donation drop boxes to be licensed. These municipalities have either amended their business licensing by-law or enacted a new by-law for the licensing, regulating and placement of outdoor clothing donation drop boxes.

Proposed Amendment Highlights to Business Licensing By-law 1-06, as amended:

Compliance and Licensing Enforcement and Legal Services staff developed amendments to the Business Licensing By-law 1-06, as amended, to more effectively regulate outdoor clothing donation drop boxes:

- The by-law would permit the removal of derelict, illegal or unlicensed outdoor clothing donation drop boxes.
- Every application for a new licence for an outdoor clothing donation drop box would require a letter of agreement between the property owner or agent and the licensee.
- A limit of two clothing donation drop boxes will be permitted per property. By limiting the number of drop boxes to two, this will remain consistent with what other municipalities do, is aesthetically more pleasing and will assist with compliance and enforcement of the by-law.

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- A licence is required for every clothing donation drop box, regardless of how many the applicant may own or operate.
- Outdoor clothing donation drop boxes must be in good working order, free of rust, graffiti and pests, and the area immediately surrounding kept in a reasonable condition at all times.
- If clothing donation drop boxes are not maintained in accordance with the by-law, the City may issue a work order to the property owner or to the licensee to bring it into compliance with the by-law. Failure to comply with the order may lead to suspension and/or revocation of the licence.
- The fees for removing and disposing illegal clothing donation drop boxes may also be recovered via adding the charge to the property owner's tax roll and collecting the charge in the same manner as property taxes.

Licence Fee

Annual licence fees are proposed to be commensurate with other City business licences and to offset costs related to administering and enforcing the Business Licensing By-law 1-06, as amended. Enforcement staff recommend a new licence fee of \$200 for each clothing donation drop box and an annual renewal fee of \$100. The licensing fees of outdoor clothing donation drop boxes for the municipalities of Markham, Newmarket, Toronto and Vaughan are attached (Appendix 3).

Enforcement Action Plan

Once Council has enacted the by-law, Communications staff will assist to raise awareness and to support the proposed by-law amendments. Following that, Enforcement staff will notify by letter, all previously identified owners/operators of outdoor clothing donation drop boxes of the requirement commencing June 1, 2016 to obtain a business licence under the Business Licensing By-law 1-06, as amended. In addition, Enforcement staff will also notify by letter all the property owners of the 186 previously identified outdoor clothing donation drop boxes locations of the new licensing requirements.

This is the proposed date for the amendments to the Business Licensing By-law 1-06, as amended, to come into force and effect, in order to notify all previously identified owners and/or operators of outdoor clothing donation drop boxes, as well as the property owners, of the new licensing requirements. Further, it will provide staff sufficient time to complete the standard administrative and technological changes for a new class of business licence. In addition, Enforcement staff will also notify the owners of the 55 outdoor clothing donation drop boxes that are in contravention of Zoning By-law 0225-2007, as amended, and the property owners, to remove the outdoor clothing donation drop boxes prior to June 1, 2016.

Enforcement staff will then initiate proactive follow-up to ensure the previously identified outdoor clothing donation drop boxes obtain the required licence or are removed. Moving forward, staff recommend that the new class of licence be regulated on a reactive basis in response to

complaints, as is currently done for businesses requiring a licence under the Business Licensing By-law 1-06, as amended.

Financial Impact

Outdoor clothing donation drop boxes are not currently required to be licensed under the Business Licensing By-law 1-06, as amended. Enforcement staff have identified that there are approximately 186 outdoor clothing donation drop boxes in the City of Mississauga. These outdoor clothing donation drop boxes are dispersed throughout the city and it has been calculated that the long-term effect on the need for an enforcement presence will be minimal, as Compliance and Licensing Enforcement typically experiences a high rate of compliance with licensing by-laws.

The additional licensing revenue for outdoor clothing donation drop boxes is estimated to be \$36,000 for the first year and \$18,000 per year thereafter based on the fees proposed in this report and the number of outdoor clothing donation drop boxes remaining consistent over time.

Conclusion

Compliance and Licensing Enforcement staff support the licensing of outdoor clothing donation drop boxes to facilitate the identification, inspection and consistent enforcement standards of practice across the City of Mississauga. Furthermore, it is proposed that the amendments to the Business Licensing By-law 1-06, as amended, be enforced as outlined in the enforcement action plan.

Attachments

Appendix 1: Number of Outdoor Clothing Drop Box Complaints

Appendix 2: Municipal Scan of Outdoor Clothing Donation Drop Boxes

Appendix 3: Municipal Scan of Outdoor Clothing Donation Drop Boxes Licensing Fees



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

Prepared by: Douglas Meehan, Manager, Compliance and Licensing

Number of Outdoor Clothing Donation Drop Box Complaints

Year	Number of Clothing Drop Box Complaints
2009	18
2010	11
2011	8
2012	4
2013	16
2014	9
2015	11
Total	77

**Municipal Scan of Outdoor Clothing Donation Drop Boxes
Across Greater Toronto Area**

Municipality	Does the Municipality Licence Outdoor Clothing Donation Drop Boxes?	How Does The Municipality Regulate Drop Boxes if They Do Not Licence Them?
Brampton	No	Enforced under the Zoning By-law and Property Standards By-law
Burlington	No	Enforced under the Zoning By-law and Property Standards By-law
Hamilton	No	Enforced under the Zoning By-law and Property Standards By-law
Markham	Yes	
Newmarket	Yes	
Oakville	No	Enforced under the Zoning By-law and Property Standards By-law
Toronto	Yes	
Vaughan	Yes	

Municipal Scan of Outdoor Clothing Donation Drop Boxes Licencing Fees Across Greater Toronto Area

Municipality	Application Fee	Annual Renewal Fee	Additional Fees
Markham	\$242	\$242	\$50 for late renewal
Newmarket	\$206 (for-profit) \$77 (charity)	\$206 (for-profit) \$77 (charity)	\$52 to change drop box location
Toronto	\$505.94	\$213.65	\$100 additional cost per location
Vaughan	\$28	\$28	\$53 additional cost per location

City of Mississauga Corporate Report



Date: 2016/03/22

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:
2016/04/06

Subject

Property Standards By-law Amendments to regulate storage of the new Region of Peel Waste and Recycling Collection Carts

Recommendation

1. That a by-law be enacted to amend the Property Standards By-law 654-98, as amended, to include provisions to regulate storage of the new Region of Peel Waste and Recycling Collection Carts as outlined in the report from the Commissioner of Transportation and Works, dated March 22, 2016 and entitled "Property Standards By-law Amendments to regulate storage of the new Region of Peel Waste and Recycling Collection Carts."
2. That Compliance and Licensing Enforcement staff enforce the amendments to the Property Standards By-law 654-98, as amended, in the manner set out in the Enforcement Action Plan outlined in the report from the Commissioner of Transportation and Works, dated March 22, 2016 and entitled "Property Standards By-law Amendments to regulate storage of the new Region of Peel Waste and Recycling Collection Carts."

Report Highlights

- The City of Mississauga does not currently regulate the exterior storage of the new Region of Peel waste and recycling collection carts.
- Historically, enforcement staff have received few complaints related to the storage location of waste or recycling containers on residential property.
- The size of the new waste and recycling collection carts has created new storage problems for some residents.
- Proposed amendments to the Property Standards By-law 654-98, as amended, would prohibit front yard storage of waste and recycling collection carts except where strict compliance with the permitted storage locations is not practical as determined upon review by a Municipal Law Enforcement Officer (MLEO).

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Background

The purpose of this report is to respond to Council's enquiry at its January 20, 2016 Council meeting regarding a by-law to regulate storage of the new Region of Peel waste and recycling collection carts. On January 4, 2016 the Region of Peel commenced its new bi-weekly cart based waste collection for residents. Under the new bi-weekly waste collection program, garbage and recycling waste are picked up every other week (one week garbage, the following week recycling) with organic waste continuing to be picked up weekly.

The new waste collection carts vary in size (Appendix 1) except for the organic waste cart which is only available in one size (100 litre/22 gallons). The garbage and recycling waste collection carts are available in the following sizes: small (120 litre/32 gallon), medium (240 litre/64 gallon) and large (360 litre/95 gallon). Residents are able to choose the size of their new garbage and recycling waste collection carts.

Present Status

Since the introduction of the new waste collection carts in January 2016 Compliance and Licensing Enforcement and 311 staff have received approximately 13 inquiries or complaints related to the storage location of the new waste collection carts.

The City of Mississauga currently does not regulate where waste and recycling collection containers or carts are to be stored other than under the Property Standards By-law 654-98, as amended, which addresses exterior waste storage areas for multiple occupancy residential buildings (a building containing more than two dwelling units). Prior to the introduction of the new waste and recycling collection carts, waste containers and recycling boxes were found by enforcement staff to be primarily stored in garages, and in side and rear yards.

Historically, Enforcement staff have received few complaints related to the storage location of waste or recycling containers on residential property. Complaints related to the containers typically are in regards to:

- containers that are overflowing with garbage or debris;
- recycling bins that are uncovered allowing debris to blow onto neighbouring properties;
- garbage and debris that has not been placed in a container; and,
- accumulations of numerous containers (hoarding).

These issues are dealt with through the Property Standards By-law 654-98, as amended, under Section 28(4), which requires that all exterior property areas are to be maintained in a clean and reasonable condition free of accumulation of debris or other objects that create an unsafe or unsightly condition, deleterious to the neighbouring environment.

Comments

Compliance and Licensing Enforcement staff have identified that for some residents the new waste collection carts pose storage concerns as follows:

- The new waste collection carts are larger than their previous waste collection boxes or garbage containers and may no longer fit where previously kept such as in the garage or side yard.
- Residential properties such as town houses may have neither a garage or side yard nor access to a rear yard other than through the residence. See the photographs taken by Compliance and Licensing Enforcement staff of waste collection cart storage. (Appendix 2).

Through consultation with the Zoning Manager of the Planning and Building Department, Enforcement staff have identified that placement of these waste collection carts within garages may be problematic and not offer a ready solution to this issue. Where the space within the garage is a “required” parking space pursuant to the Zoning By-law 0225-2007, as amended, the by-law requires the parking space to be unobstructed. The minimum parking stall dimensions are, 2.75m x 5.2m (9.02 ft. x 17.06 ft.). Therefore, it would be inappropriate for an MLEO to order such placement where it would create conflict between the Property Standards By-law 654-98, as amended, and the Zoning By-law 0225-2007, as amended.

In cases where there is sufficient room within the garage to accommodate both the required parking space and waste collection carts, the MLEO may identify placement in a garage as a possible location of the waste collection carts to resolve the property standards issue.

Municipal Scan

Staff benchmarked with the following eight municipalities to determine the storage standards provided under their by-laws for waste collection carts or containers (Appendix 3). These municipalities were Brampton, Town of Caledon, Edmonton, Guelph, Hamilton, Toronto, Ottawa and Vaughan. The cities of Brampton, Town of Caledon, Guelph and Toronto have similar size waste and recycling collection carts that were introduced in Mississauga. On February 16, 2016 the City of Brampton Corporate Services Committee considered a report from staff which recommended amending their Property Standards By-law to allow the storage of the new waste collection carts in front yards. Staff were directed to bring forward a further report in May 2016 outlining all potential locations for storage of the collection carts. The Town of Caledon does not regulate the storage of waste collection carts and is reviewing the issue. The City of Guelph permits storage of the collection carts in any exterior location of the property, except collection carts stored in the front yard of the property must be located adjacent to a building, accessory building or a fence. The City of Toronto permits storage of the collection carts outside the enclosing walls of a building if they are screened.

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Proposed By-law Amendments

Compliance and Licensing Enforcement and Legal Services staff developed amendments to the Property Standards By-law 654,98, as amended, to address the identified deficiencies in the by-law as it relates to the storage of waste and recycling collection carts. The proposed amendment highlights are as follows:

- Waste and recycling collection cart storage would be restricted to the rear or side yards or garage or carport when space can accommodate it.
- Front yard storage of waste and recycling collection carts would be prohibited except where strict compliance with the permitted storage locations is not practical as determined upon review by a MLEO. Further, those determined by the MLEO to be permitted in the front yard would be required to be located adjacent to a building, accessory building or a fence and arranged in an orderly manner.

Enforcement Action Plan

Upon enactment of the proposed amendments, Communications staff from the City of Mississauga in partnership with the Region of Peel will implement a communications plan to raise awareness and support the proposed by-law amendments. Following that, Enforcement staff will enforce the by-law on a reactive basis in response to complaints received.

Property standards orders requiring compliance with the by-law may be issued for those who do not comply. Persons issued property standards orders maintain the right to appeal the order to the Property Standards Appeal Committee. On an appeal, the Committee has all the powers and functions of the MLEO who made the order and the Committee may do any of the following things if, in the Committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:

1. Confirm, modify or rescind the order.
2. Extend the time for complying with the order.

Financial Impact

There is no financial impact.

Conclusion

This report responds to the request received by Compliance and Licensing Enforcement staff from Council to regulate storage of the new Region of Peel waste and recycling collection carts. Enforcement staff believe the proposed by-law amendments to Property Standards By-law 654-98, as amended, provide the desired mechanisms to address storage of the new waste and recycling collection carts. If the proposed by-law changes are approved in this report, Enforcement staff will monitor the effectiveness of the by-law amendments and report back in one year's time with further changes, if necessary.

Attachments

Appendix 1: Picture of waste and recycling collection cart sizes.

Appendix 2: Photographs of waste and recycling collection cart storage.

Appendix 3: Municipal Scan of waste collection storage requirements.

A handwritten signature in black ink, appearing to read 'Martin Powell', with a large, stylized flourish at the end.

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

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





2016.03.11 11:53



2016.03.11 11:59⁶⁷





2016.03.11 11:50⁶⁷



2016.03.11 11:48⁶⁷



2016.02.19 12:38⁶⁷

Jurisdictional Scan of Waste Container/Cart By-laws

Municipality	Storage of Waste Collection Carts/Containers/Restricted?	Restrictions
Brampton	Yes	By-law prohibits storage of waste containers in the front yard.
Caledon	No	Containers must be operable, accessible at reasonable times, maintained in a state of good repair, kept clean and sanitary condition, free of accumulation of garbage, odours, insects and other pests.
Edmonton	Yes	By-law prohibits the storage of waste containers in the front yard or any location other than a location between the line established by the front wall of the residence and the rear property line.
Guelph	Yes	City issued carts may be stored in any exterior location on the property except carts stored in the front yard of a property must be located adjacent to a building, an accessory building or a fence. The carts cannot be stored on a road, road allowance or boulevard.
Hamilton	Yes	By-law provides that all waste containers must be kept in a rear yard located against a building, structure, fence or retaining wall and arranged in an orderly manner.

Jurisdictional Scan of Waste Container/Cart By-laws

Municipality	Storage of Waste Collection Carts/Containers/Restricted?	Restrictions
Ottawa	Yes	<p>By-law prohibits the placement of waste containers in the front yard/adjacent to any combustible structure or placed within 3 metres (10 ft.) vertically or horizontally of any opening in a habitable room of the building or of any neighbouring building.</p> <p>Must be placed in the rear yard when space can accommodate it, or otherwise in the side yard.</p> <p>Waste containers may be located in the front yard of a dwelling on a farm and residential properties over 7.5 acres in size where only one dwelling unit is situated on the property or where authority has been granted under a site plan or other agreement.</p>
Toronto	Yes	<p>By-law provides that where garbage or refuse is to be stored or placed for disposal outside the enclosing walls of a building, the storage place or place for disposal shall be screened.</p>
Vaughan	Yes	<p>By-law prohibits storage of waste containers in a location that is visible to the public, in the front yard or on a balcony. Required to be kept or stored in the rear yard or within an enclosure.</p> <p>Provides that waste containers be screened from a public highway, street, walkway, park or Residential Property so as not to be visible from such locations.</p>

City of Mississauga

Corporate Report



<p>Date: 2016/03/21</p> <p>To: Chair and Members of General Committee</p> <p>From: Martin Powell, P. Eng., Commissioner of Transportation and Works</p>	<p>Originator's files: MG.23.REP By-law to close and establish roads</p>
	<p>Meeting date: 2016/04/06</p>

Subject

By-law to Close Public Highways and a By-law to Establish Lands as Public Highway (Wards 2, 3, 6 and 11)

Recommendation

1. That a by-law be enacted authorizing the permanent closure of public highways described in Appendix 1 attached to the report entitled, By-law to Close Public Highways and a By-law to Establish Lands as Public Highway, dated March 21, 2016, from the Commissioner of Transportation and Works, and that City staff be authorized to register the by-law on title against the subject lands in the appropriate land registry office.
2. That following Council's approval to close the public highways described in Appendix 1 attached to the report entitled, By-law to Close Public Highways and a By-law to Establish Lands as Public Highway, dated March 21, 2016, from the Commissioner of Transportation and Works, that the Commissioner of Transportation and Works and the City Clerk be authorized to grant, execute and deliver such easements and rights as are necessary to preserve and protect the interests of public utilities with respect to the placement and maintenance of utilities within such closed public highways or parts thereof.
3. That a by-law be enacted authorizing the establishment of public highways on those lands described in Appendix 1 attached to the report entitled, By-law to Close Public Highways and a By-law to Establish Lands as Public Highway, dated March 21, 2016, from the Commissioner of Transportation and Works, and that City staff be authorized to register the by-law on title against the subject lands in the appropriate land registry office.

Report Highlights

- This report identifies six roads that need to be closed; namely a 20ft Lane, George Street, Albert Street, part of Church Street, part of Beech Street and part of Ivy Street.

- This report also identifies six parcels of land that need to be established as public highway; namely Church Street, Eastgate Parkway, Fieldgate Drive, Eglinton Avenue East, Tahoe Boulevard and Lorne Park Road.
- Transportation and Works Department staff recommends enacting a by-law to close the above-mentioned public highways and enacting a by-law to establish the above-mentioned parcels as public highway.

Background

As part of Transportation and Works Department's housekeeping efforts, the Geomatics Section is in the process of identifying public highways that should be closed and conversely, parcels of lands that should be established as public highway. For the purpose of this report, staff has identified six public highways that need to be closed, namely:

1. All of the 20 foot wide lane, Plan STR-5 as shown on Appendix 2.
2. All of George Street, Plan STR-5 and Part of Lot 1, Plan STR-5, established as George Street by By-Law 139-75 as shown on Appendix 2.
3. Part of Albert Street, Plan STR-5 and Part of Lot 37, STR-5, established as Albert Street by By-Law 556-74 as shown on Appendix 2.
4. Part of Church Street named on Plan STR-4 as shown on Appendix 3.
5. Part of Beech Street named on Plan STR-4 as shown on Appendix 3.
6. Part of Ivy Street named on Plan STR-4 as shown on Appendix 3.

Staff has also identified the following parcels of land that need to be established as public highway:

1. A portion of the travelled road for Church Street as shown on Appendix 4.
2. A portion of the travelled road for Eastgate Parkway lying east of Dixie Road as shown on Appendix 5.
3. A portion of the travelled road for Fieldgate Drive as shown on Appendix 6.
4. A portion of the travelled road for Eglinton Avenue East as shown on Appendix 7.
5. A portion of the travelled road for Tahoe Boulevard as shown on Appendix 8.
6. A portion of the travelled road for Lorne Park Road as shown on Appendix 9.

Comments

All of the 20 Foot Wide Lane, All of George Street, Part of Albert Street and Part of Lots 1 and 37, Plan STR-5 to Be Closed (Ward 6)

Plan STR-5 was filed in the Registry Office for the County of Peel on June 9, 1857. Currently, the lands identified as public highway in Appendix 1 are within the limits of Streetsville Public Cemetery. The roads were never constructed and Transportation and Works Department staff has confirmed there are no foreseeable plans to construct roads at these locations. These roads are shown on Appendix 2 attached to this report.

Part of Church Street, Part of Beech Street and Part of Ivy Street Named on Plan STR-4 to Be Closed (Ward 11)

Church Street, Beech Street and Ivy Street were shown as un-named streets on Plan STR-3, filed in the Registry Office for the County of Peel on July 14, 1856. They were subsequently named on Plan STR-4, filed in the Registry Office for the County of Peel on August 18, 1856. The roads were never constructed over the portion of the public highway identified in Appendix 1 and are within the limits of Park 114 known as Streetsville Memorial Park. Transportation and Works Department staff has confirmed there are no foreseeable plans to construct roads at these locations. These roads are shown as Appendix 3 attached to this report.

For each of the above locations, the notice of road closure has been undertaken to satisfy the requirements of the City Notice By-Law 0215-2008 as amended by By-Law 0376-2008.

Portion of Church Street to Be Established as Public Highway (Ward 11)

According to Plan STR-3, the limits for the original road allowance of Church Street extended from Water Street and continued southerly to the limit between Lots 2 and 3, Concession 4, West of Hurontario Street. The constructed road does not extend along the full length of the original road allowance, but instead extends southerly from Water Street to the approximate limit of the Streetsville Memorial Cemetery. From this point it diverts westerly from the original road allowance to approximately the southerly driveway entrance of what is now Vic Johnston Arena and then extends west to intersect Queen Street South. The portion of the constructed road for Church Street that diverts from the original road allowance was never established as public highway and is shown on Appendix 4 attached to this report.

Portion of Eastgate Parkway to Be Established as Public Highway (Ward 3)

The portion of Eastgate Parkway lying east of Dixie Road to the intersection of what was previously Fieldgate Drive was constructed between 1992 and 1995. Portions of the road were never established as public highway and are shown on Appendix 5 attached to this report.

Portion of Fieldgate Drive to Be Established as Public Highway (Ward 3)

Fieldgate Drive was re-configured from its original alignment and extended north to intersect the newly constructed Eastgate Parkway. The extension, which also was constructed between 1992 and 1995, was never established as public highway and is shown on Appendix 6 attached to this report.

Portion of Eglinton Avenue East to Be Established as Public Highway (Ward 3)

The daylight triangle and widening on the east side of the intersection of Eastgate Parkway and Eglinton Avenue East were transferred to the City in 2001 as part of the Bus Rapid Transit Project. The daylight triangle and widening on the west side of the intersection were transferred to the City in 1988 as part of a development application. These parcels of land were never established as public highway and are shown on Appendix 7 attached to this report.

Portion of Tahoe Boulevard to Be Established as Public Highway (Ward 3)

The original road allowance for Tahoe Boulevard was dedicated by Registered Plan 43M-1503. The travelled portion of the road extended past the legal limit to intersect the travelled portion of Eastgate Parkway. This 'extension' was never established as public highway and is shown on Appendix 8 attached to this report.

Portion of Lorne Park Road to Be Established as Public Highway (Ward 2)

The City acquired this parcel of land as a 3.0m widening along the westerly limit of Lorne Park Road, just north of Lakeshore Road West. This parcel of land was never established as public highway and is shown on Appendix 9 attached to this report.

As the above-mentioned roads involve municipal lands that are actively being travelled upon, it is desirable to formalize their current use and establish these lands as part of the public highway system for the benefit of the public.

Financial Impact

To close the above-mentioned public highways, the City has fulfilled its statutory requirement to advertise a notice of closure at each location in the Mississauga News. The costs for the advertisements are \$6,090.70.

The City will incur the appropriate registration fees to register the above by-laws on title against each of the subject properties.

General Committee

2016/03/21

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Originators files: MG.23.REP By-Law to close and establish roads

Conclusion

As part of the departmental housekeeping efforts, Transportation and Works Department staff recommends enacting a by-law to close the above-mentioned public highways and enacting a by-law to establish the above-mentioned parcels as public highway.

Attachments

- Appendix 1: Description of public highways to be closed and lands to be established as public highway.
- Appendix 2: Sketch showing 20 Foot Lane, Albert Street, and George Street to be closed.
- Appendix 3: Sketch showing Church Street, Beech Street, and Ivy Street to be closed.
- Appendix 4: Sketch showing lands to be established as Church Street.
- Appendix 5: Sketch showing lands to be established as Eastgate Parkway.
- Appendix 6: Sketch showing lands to be established as Fieldgate Drive.
- Appendix 7: Sketch showing lands to be established as Eglinton Avenue East.
- Appendix 8: Sketch showing lands to be established as Tahoe Boulevard.
- Appendix 9: Sketch showing lands to be established as Lorne Park Road.



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

Prepared by: Al Jeraj, O.L.S., City Surveyor

Appendix 1

Public Highways to be closed

(Ward 6, City Zone 38W, in the vicinity of Bristol Road West and Durie Road):

1. All of the 20 Feet Wide Lane, Plan STR-5

Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of all of the 20 Feet Wide Lane, Plan STR-5, designated as Parts 1 and 2, Plan 43R-36163.

2. All of George Street and Part of Lot 1, Plan STR-5

Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of all of George Street, Plan STR-5 and part of Lot 1, Plan STR-5 established as public highway known as George Street by By-Law 139-75, registered as Instrument No. V.S.350597, all designated as Parts 9 and 10, Plan 43R-36163.

3. Part of Albert Street and Part of Lot 37, Plan STR-5

Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of Albert Street, Plan STR-5 and Part of Lot 37, Plan STR-5 established as public highway known as Albert Street by By-Law 556-74, registered as Instrument No. V.S.337433, all designated as Part 11, Plan 43R-36163.

Public Highways to be closed

(Ward 11, City Zone 38W, in the vicinity of Queen Street South and Church Street):

4. Part of Un-named Street, Plan STR-3, named Church Street on Plan STR-4

Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of an Un-named Street, Plan STR-3, named Church Street on Plan STR-4, designated as Part 1, Plan 43R-35686.

5. Part of Un-named Street, Plan STR-3, named Beech Street on Plan STR-4

Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of an Un-named Street, Plan STR-3, named Beech Street on Plan STR-4, designated as Part 2, Plan 43R-35686.

6. Part of Un-named Street, Plan STR-3, named Ivy Street on Plan STR-4

Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of

an Un-named Street, Plan STR-3, named Ivy Street on Plan STR-4, designated as Part 3, Plan 43R-35686.

Public Highway to be established

(Ward 11, City Zone 38W, in the vicinity of Queen Street South and Church Street):

1. Church Street

Legal Description: In the City of Mississauga, Regional Municipality of Peel (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of Lot 3, Concession 4, West of Hurontario Street and part of Lots 12, 33, 34, 35, 36, 37 and 38, Plan STR-3 of the said Township, all designated as Parts 2, 5 and 6, Plan 43R-36189.

Public Highways to be established

(Ward 3, City Zone 26, in the vicinity of Eastgate Parkway and Eglinton Avenue East):

2. Eastgate Parkway

Legal Description: In the City of Mississauga, Regional Municipality of Peel (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of:

- Firstly: Part of Lot 3, Concession 2, North of Dundas Street of the said Township, designated as Parts 2 and 3, Plan 43R-23745, Parts 36, 37 and 38, Plan 43R-19857 and Parts 2, 3 and 13, Plan 43R-19831, save and except Part 2, Plan 43R-23903.
- Secondly: Part of Lot 4, Concession 2, North of Dundas Street of the said Township, designated as Part 5, Plan 43R-17559.
- Thirdly: Part of Lots 4 and 5, Concession 2, North of Dundas Street of the said Township, designated as 8, 11, 13, 16, 17, 20, 21, 23, 24, 25, 26, 27, 28, 29, 71, 74 and 75, Plan 43R-19857 and Part 14, Plan 43R-19831.

3. Fieldgate Drive

Legal Description: In the City of Mississauga, Regional Municipality of Peel (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of:

- Firstly: Part of Lot 3, Concession 2, North of Dundas Street of the said Township, designated as Parts 7, 8, 9, 10, 11 and 12, Plan 43R-19831 and Parts 39, 40, 41, 42, 43, 44 and 45, Plan 43R-19857.
- Secondly: Part of Block 23, Registered Plan M-398, designated as Part 46, Plan 43R-19857.

4. Eglinton Avenue East

Legal Description: In the City of Mississauga, Regional Municipality of Peel (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of:

- Firstly: Part of Lot 3, Concession 2, North of Dundas Street of the said Township, designated as Parts 1, 2, 3 and 4, Plan 43R-23903.
- Secondly: Part of Lot 4, Concession 2, North of Dundas Street of the said Township, designated as Part 3, Plan 43R-17559.

5. Tahoe Boulevard

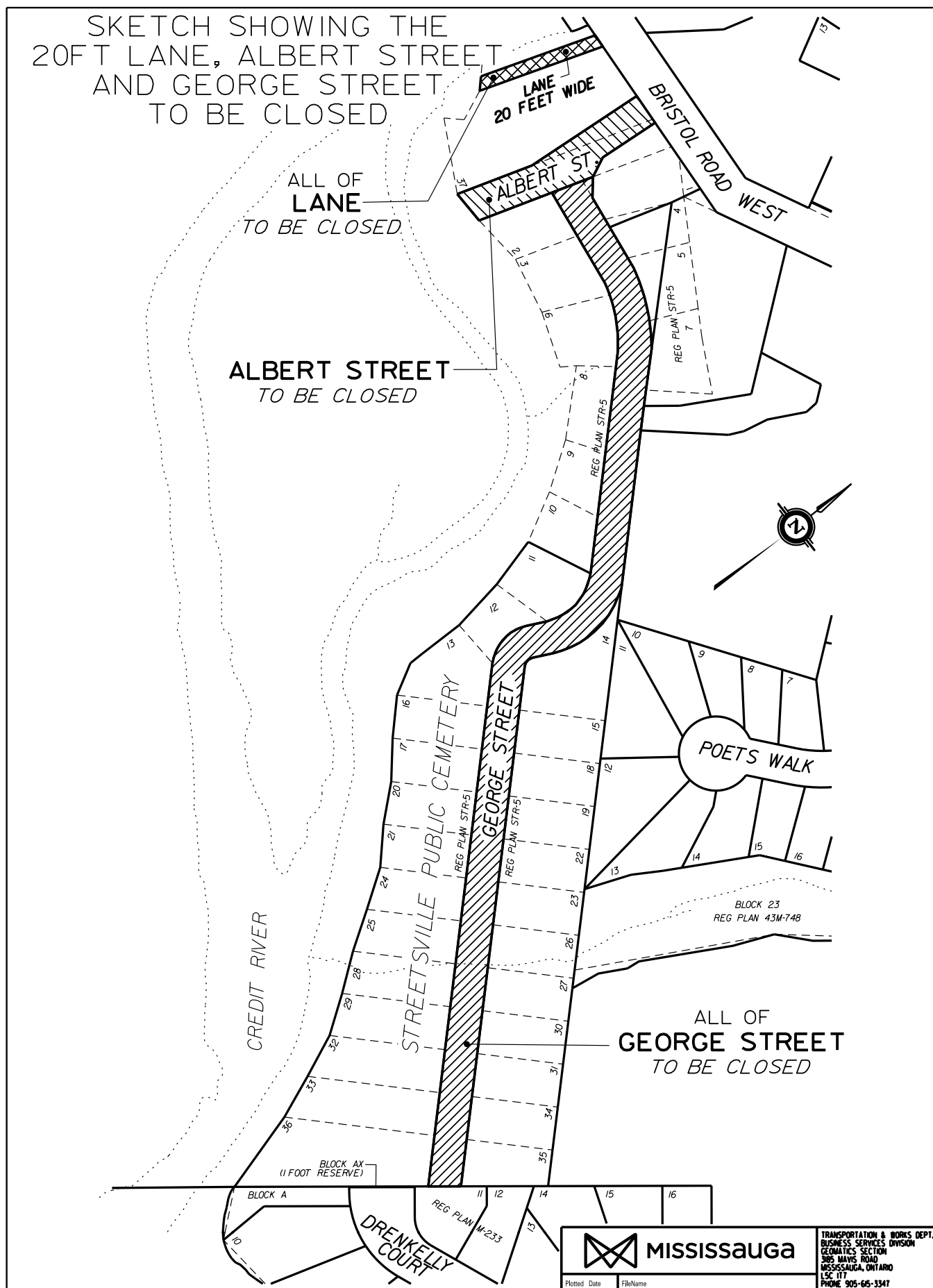
Legal Description: In the City of Mississauga, Regional Municipality of Peel (Geographic Township of Toronto, County of Peel), Province of Ontario and being composed of part of part of Lot 3, Concession 2, North of Dundas Street of the said Township, designated as Part 6, Plan 43R-27216.

Public Highway to be established

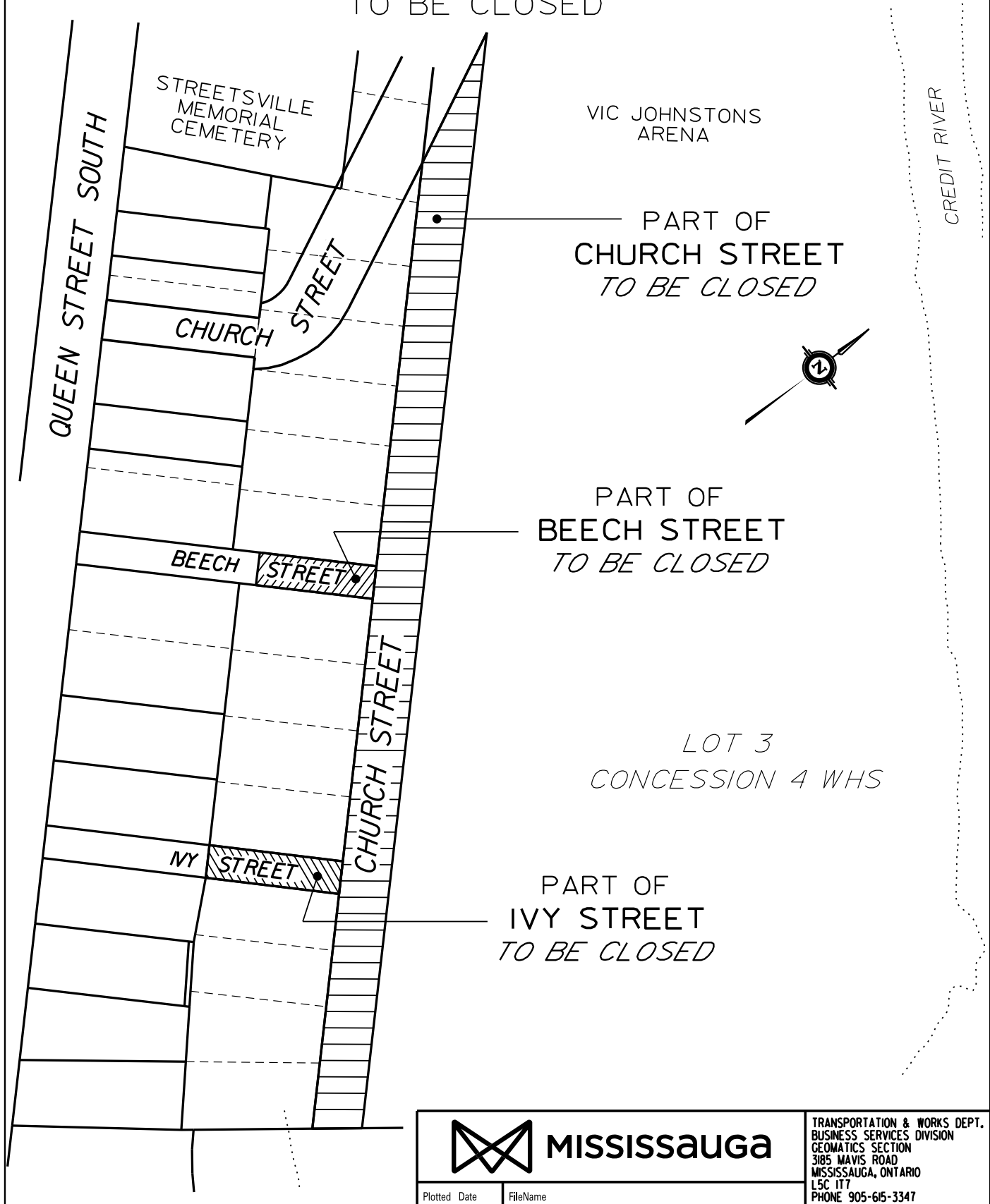
(Ward 2, City Zone 9, in the vicinity of Lakeshore Road West and Lorne Park Road):

6. Lorne Park Road

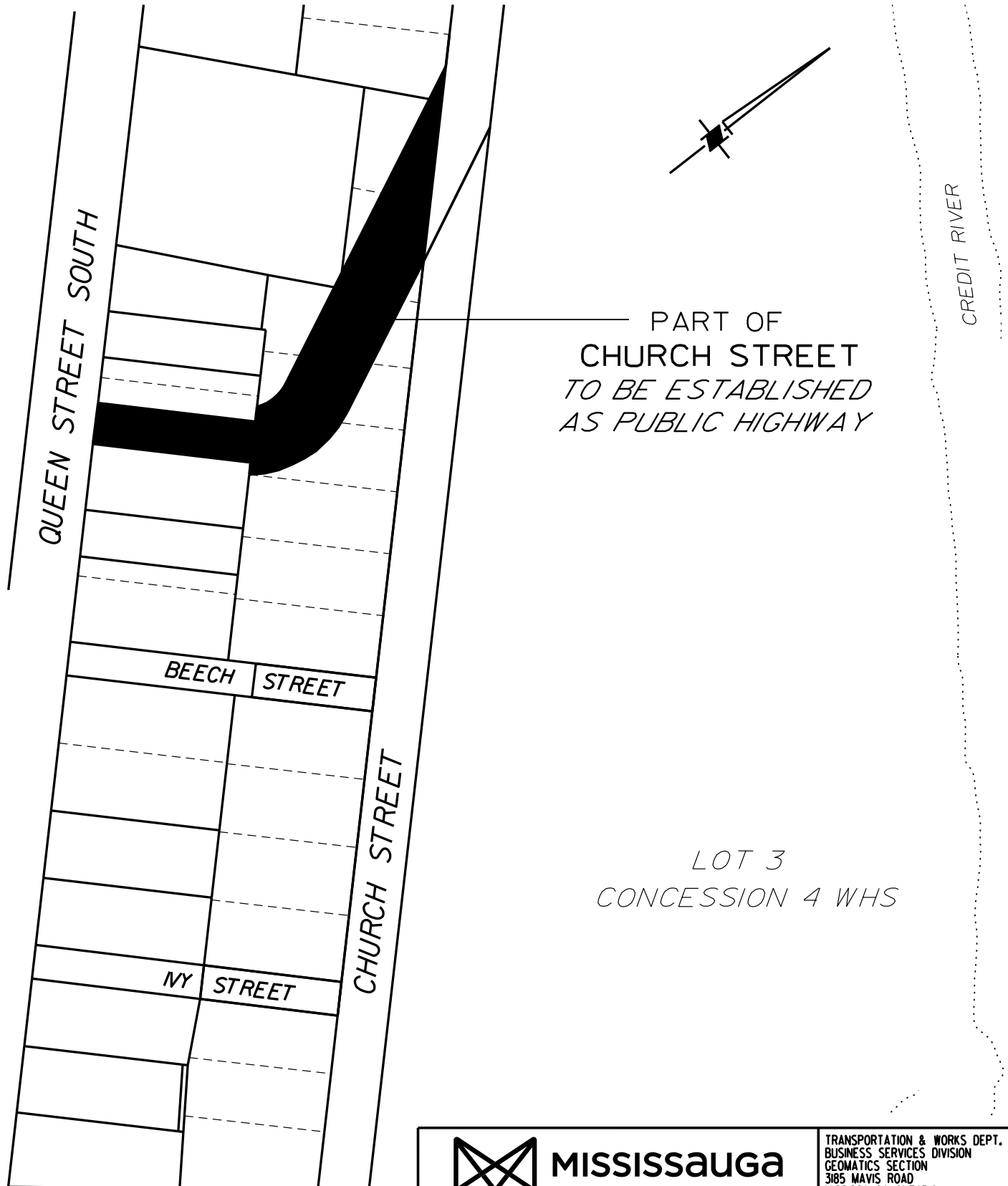
Legal Description: In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario, and being composed of part of Lot 23, Concession 2, South of Dundas Street of the said Township, designated as Part 1, Plan 43R-17610.



SKETCH SHOWING CHURCH STREET,
BEECH STREET AND IVY STREET
TO BE CLOSED



SKETCH SHOWING PORTION OF CHURCH STREET
TO BE ESTABLISHED AS PUBLIC HIGHWAY



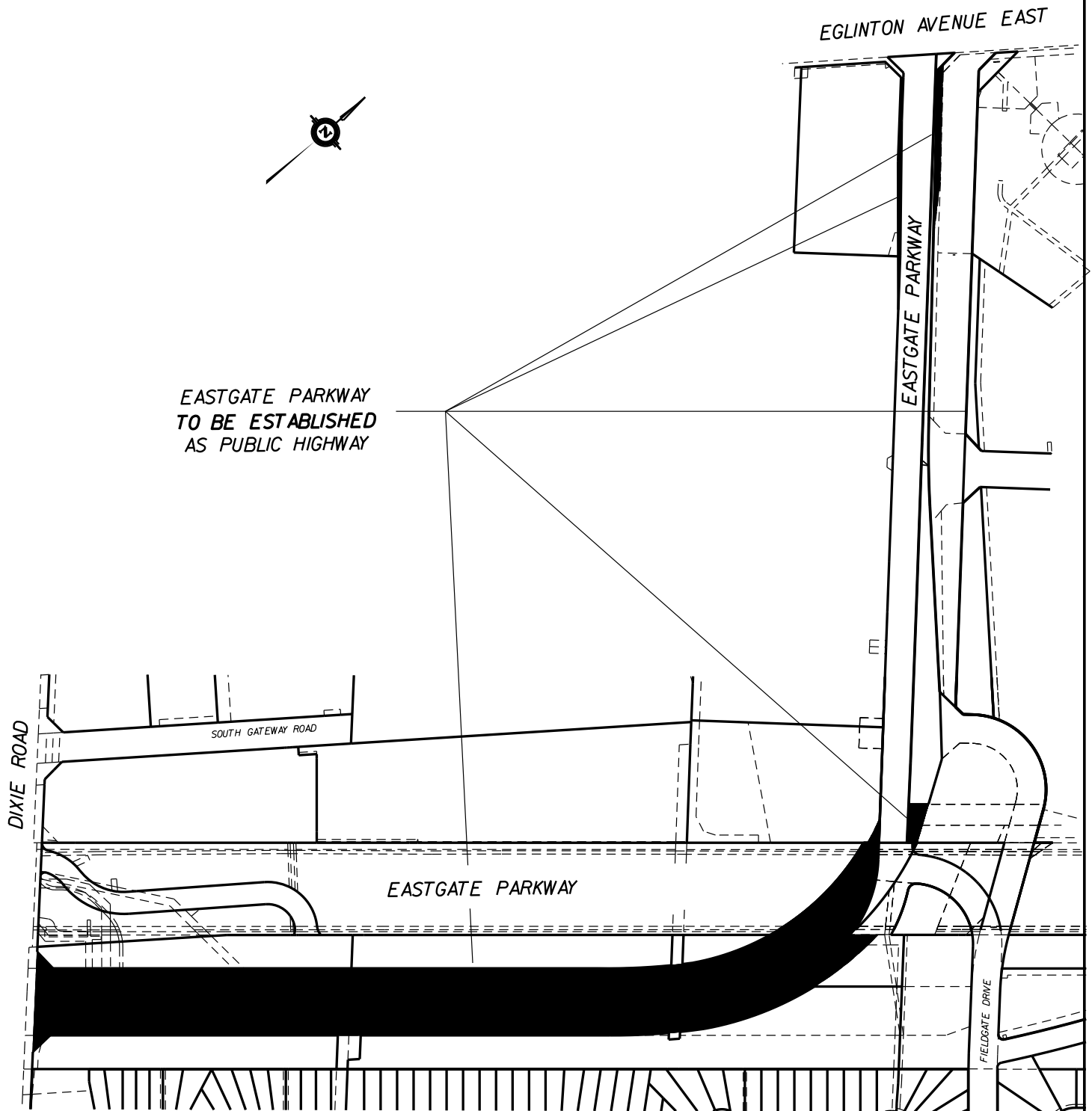
MISSISSAUGA

Plotted Date

FileName

TRANSPORTATION & WORKS DEPT.
BUSINESS SERVICES DIVISION
GEOMATICS SECTION
3185 MAVIS ROAD
MISSISSAUGA, ONTARIO
L5C 1T7
PHONE 905-615-3347

SKETCH SHOWING PORTION OF EASTGATE PARKWAY TO BE ESTABLISHED AS PUBLIC HIGHWAY

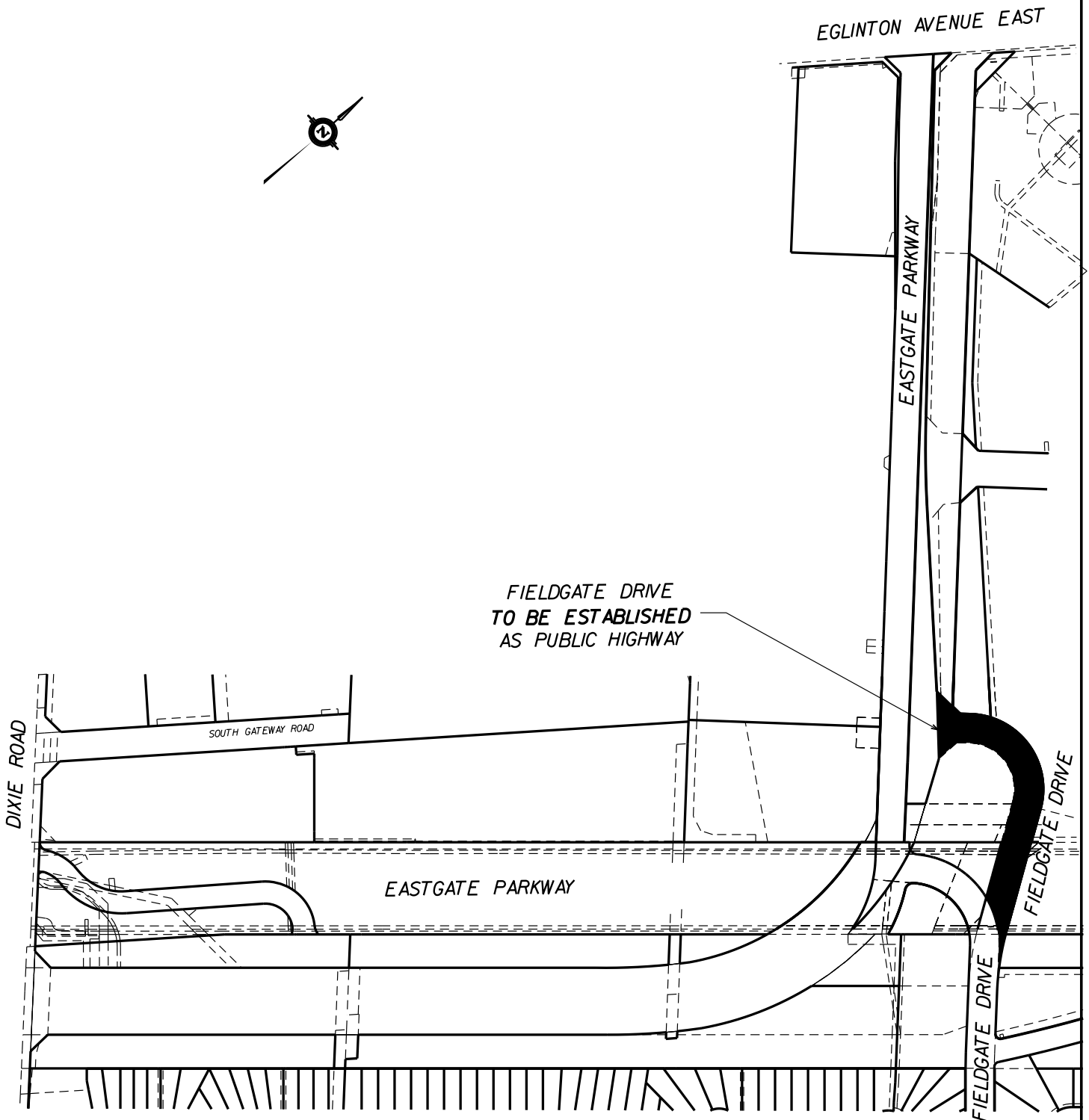


MISSISSAUGA

Plotted Date File Name

TRANSPORTATION & WORKS DEPT.
BUSINESS SERVICES DIVISION
GEOMATICS SECTION
20 CITY CENTRE DR., STE 800
MISSISSAUGA, ONTARIO
L5B 2T4
PHONE: 905-65-3200, EXT. 558

SKETCH SHOWING PORTION OF FIELDGATE DRIVE TO BE ESTABLISHED AS PUBLIC HIGHWAY



MISSISSAUGA

Plotted Date File Name

TRANSPORTATION & WORKS DEPT.
BUSINESS SERVICES DIVISION
GEOMATICS SECTION
20 CITY CENTRE DR., STE 800
MISSISSAUGA, ONTARIO
L5B 2T4
PHONE: 905-65-3200, EXT. 558

SKETCH SHOWING PORTION OF EGLINTON AVENUE EAST TO BE ESTABLISHED AS PUBLIC HIGHWAY

EGLINTON AVENUE EAST
TO BE ESTABLISHED
AS PUBLIC HIGHWAY

EGLINTON AVENUE EAST
TO BE ESTABLISHED
AS PUBLIC HIGHWAY

EGLINTON AVENUE EAST

EASTGATE PARKWAY

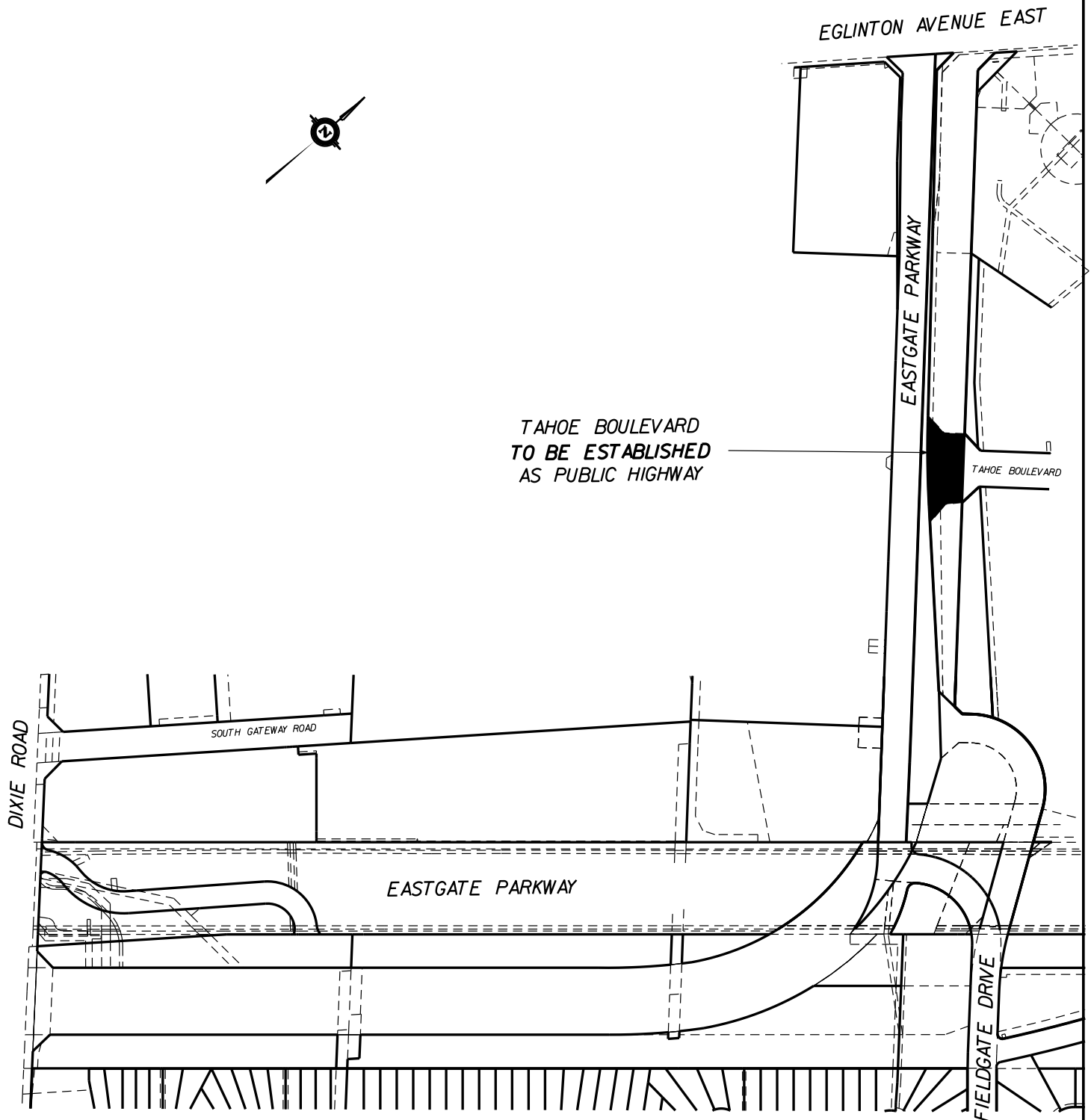


MISSISSAUGA

Plotted: Date: File Name:

TRANSPORTATION & WORKS DEPT.
BUSINESS SERVICES DIVISION
GEOMATICS SECTION
20 CITY CENTRE DR., STE. 800
MISSISSAUGA, ONTARIO
L5B 2T4
PHONE: 905-66-3200, EXT. 568

SKETCH SHOWING PORTION OF TAHOE BOULEVARD TO BE ESTABLISHED AS PUBLIC HIGHWAY



MISSISSAUGA

Plotted Date File Name

TRANSPORTATION & WORKS DEPT.
BUSINESS SERVICES DIVISION
GEOMATICS SECTION
20 CITY CENTRE DR., STE 800
MISSISSAUGA, ONTARIO
L5B 2T4
PHONE: 905-65-3200, EXT. 558

SKETCH SHOWING PORTION OF LORNE PARK ROAD
TO BE ESTABLISHED AS PUBLIC HIGHWAY



LORNE PARK ROAD

LORNE PARK ROAD
TO BE ESTABLISHED
AS PUBLIC HIGHWAY

LAKESHORE ROAD WEST



MISSISSAUGA

Plotted Date

FileName

TRANSPORTATION & WORKS DEPT.
BUSINESS SERVICES DIVISION
GEOMATICS SECTION
20 CITY CENTRE DR., STE 800
MISSISSAUGA, ONTARIO
L5B 2T4
PHONE: 905-65-3200, EXT. 568

City of Mississauga

Corporate Report



Date: 2016/03/18

To: Chair and Members of General Committee

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

Originator's files:
MG.23.REP
SP-14/134

Meeting date:
2016/04/06

Subject

Notice Agreement between the City of Mississauga and Afrood Dorkalam

1215 Canterbury Road

Site Plan Application SP-14/134 (Ward 1)

Recommendation

That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute and affix the Corporate Seal to the Notice Agreement between Afrood Dorkalam and The Corporation of the City of Mississauga to the satisfaction of the City Solicitor as outlined in the report dated March 18, 2016 from the Commissioner of Transportation and Works titled *Notice Agreement between the City of Mississauga and Afrood Dorkalam, 1215 Canterbury Road, Site Plan Application SP-14/134 (Ward 1)*.

Background

Afrood Dorkalam is the owner of a parcel of land located at 1215 Canterbury Road, Mississauga, Ontario, L5G 4A5, described as PIN 13472-0200, Lot 148, 149 and 150, Plan F-20, in the City of Mississauga (the 'Development Lands'). Afrood Dorkalam has submitted a Site Plan Application to construct a two-storey residential dwelling on the above-noted Development Lands.

Comments

The proposed development is located within the floodplain of Cooksville Creek; therefore an agreement will be required to advise the current and future owners of the Development Lands of the potential for flooding from Cooksville Creek, and to save the City harmless from any acts, actions, damages or costs which may arise in the future as a result of the approval of the application and location of the Development Lands within the floodplain. This agreement will be registered on title.

Financial Impact

Not applicable.

Conclusion

The Notice Agreement between The Corporation of the City of Mississauga and Afrood Dorkalam will warn the current and future owners of the potential for flooding from Cooksville Creek, and will save the City harmless. The Notice Agreement has been approved by Legal Services.

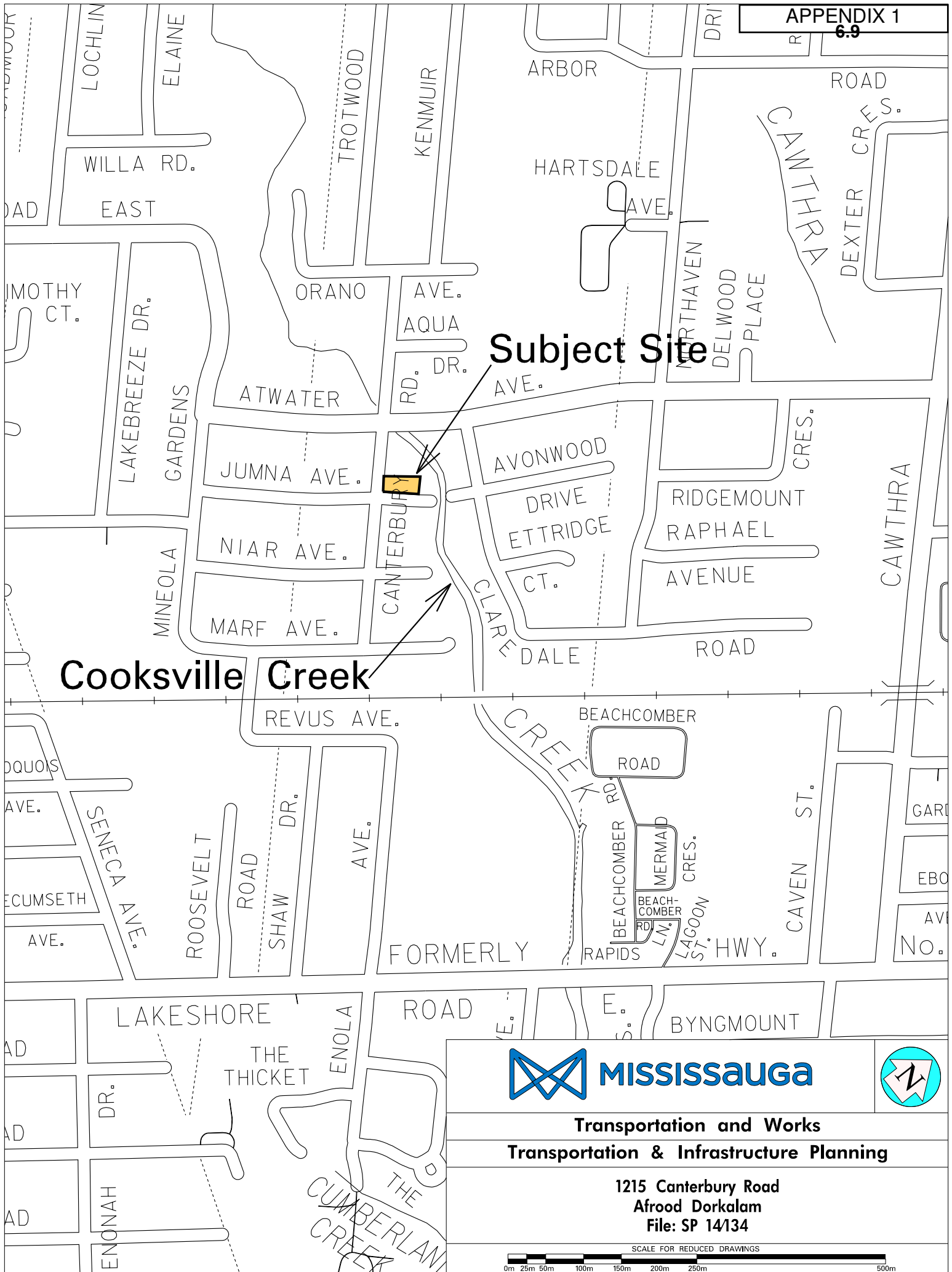
Attachments

Appendix 1: Site Location Map - 1215 Canterbury Road

A handwritten signature in black ink, appearing to read 'Martin Powell', with a large, stylized flourish at the end.

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

Prepared by: Ryan Au, Development Engineering Technician



City of Mississauga

Corporate Report



Date: 2016/03/09

To: Chair and Members of General Committee

From: Gary Kent, Commissioner of Corporate Services and
Chief Financial Officer

Originator's files:

Meeting date:
2016/04/06

Subject

Single Source Career Edge Internship Partnership: FA.49. 322-16

Recommendation

1. That the Purchasing Agent be authorized to execute the necessary documents with Career Edge for a period of one year at an estimated cost of \$225,000 excluding taxes, including an option to extend for up to three years subject to price negotiation as described in the report "Single Source Career Edge Internship Partnership" dated March 9, 2016 from the Commissioner of Corporate Services and Chief Financial Officer and subject to City Solicitor approval of the contract and annual budget approval.
2. That the Purchasing Agent be authorized to issue amendments to increase the value of the single source document, where necessary, to accommodate growth and where the amount is approved in budget.

Report Highlights

- Internship programs are a cost effective way to access pools of entry-level and mid-level experienced talent and supports building a diverse labour force that reflects the community the City of Mississauga (City) serves.
- Career Edge has over 20 years' experience in connecting highly motivated, diverse, qualified and screened candidates with leading edge organizations for four to twelve month internships and continues to evolve in the services it offers to meet the needs of the community and organizations such as the City. Career Edge partners include the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), City of Toronto, Toronto Region Immigrant Employment Council (TRIEC) and Partners for New Comers Success.

- The City has partnered with Career Edge for over 10 years and placed over 40 successful interns at the City.
- Human Resources are recommending a contract be entered into with Career Edge on a single source basis for a one year period with the option to extend an additional three years.

Background

Career Edge, previously named Career Bridge, was founded in 1996 as a non-profit, self-sustaining social enterprise. Career Edge programs include the following streams:

- Career Bridge- for internationally qualified professionals
- Career Edge – for recent graduates from Canadian colleges and universities
- Ability Edge- for graduates with disabilities
- Canadian Armed Forces Reservists internships

Career Edge continues to evolve by expanding their stream of candidates and partnering with new organizations such as AMTCO to provide free training to interns.

Career Edge's internship model allows the City to cost effectively attract diverse, qualified talent in return for providing a supportive and professional work environment that allows interns to learn, thrive and contribute. Career Edge has access to a wide network of professionals at both the entry-level and mid-level experience including some of the following:

- Post –secondary institutions such as Canadian universities and colleges
- Community and government employment service providers
- Labour and professional associations
- Immigrant employment councils

Career Edge meets our needs as a source for the City to tap into a variety of diverse talent pools including; internationally trained professionals, reservists, recent graduates, and individuals with disabilities. Additionally, Career Edge uses an effective and efficient hiring model where they are responsible for all the sourcing and screening to ensure all candidates meet both legislative and job requirements prior to interviews with the hiring manager. Career Edge can provide candidates to hiring managers within six weeks and will cancel any placement should there be any issues or changes requested.

The City has been an Employer Partner with Career Edge since 2005 and has successfully placed approximately 45 interns; extended 40% internships beyond their original contract and hired 11 interns as employees; nine from the internationally qualified professional stream and two from the new graduate stream. Initially, the City placed four interns annually. In 2015, funding was approved by Council to increase the number of interns to up to eight and in 2016 funding was approved by Council to increase the number of interns to up to 12. Internships are

General Committee	2016/03/09	3
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usually for four months and cost approximately \$13,000 depending on the stream the intern comes from.

The program has been successful for both candidates and the City. Career Edge is highly regarded by the hiring managers who have had placements in the past. Human Resources staff has received positive feedback from hiring managers on the quality and experience of having a Career Edge intern. The demand for internships has increased over the years and Human Resources have received requests for 11 placements for 2016 so far.

Participation in this program is one of the contributing factors for the City to win Mediacorp Canada Inc., Canada's top 100 employer's nationwide competition recognizing the best employers for new Canadians in 2011 and 2012.

Comments

The People Strategy looks to "increasing diversity at all levels of the organization" to increase our competitive advantage; better reflect and serve the community we live in; and create an inclusive workplace that values what each employee brings and how the organization leverages those unique talents and strengths. An initiative, such as the continued partnership with Career Edge, supports this action.

The purchasing By Law #374- 2006, provides for a single source award under the circumstances, wherein it states, in Schedule A 1 (b) (viii) it is advantageous to the City to acquire Goods and/or Services directly from another Public Body or public service body.

It is important to note the City has many partnerships that provide internships and would continue to do so even with the increased commitment to Career Edge. In 2015, the City partnered with over 60 organizations to support internships including the Region of Peel, Community Living Mississauga, YMCA, Peel Multicultural Council, Peel District School Board, Dufferin Peel Catholic School Board, Ontario colleges and universities, Peel Children's Aid and Service Canada.

Career Edge is being requested on a Single Source basis. Statement of Work is attached as Appendix 1.

Financial Impact

The total cost of the partnership with Career Edge is \$225,000 annually.

Funding in the amount of \$156,000 was approved for 2016 through BR#2170 "Increasing number of diversity placement" in the Human Resources budget to support a continued relationship with Career Edge.

The additional \$59,000 allows departments to use their own funding to access Career Edge interns beyond the centralized funding through Human Resources. Given the success and

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demand for the interns from Career Edge this additional funding allows approximately 5 more internships.

Conclusion

In an effort to source and attract diverse talent and meet organizational needs, the City has long supported internship programs and, specifically, has been an active partner with Career Edge since 2005. The partnership has successfully placed over 40 interns at the City since that time.

Human Resources are recommending a contract be entered into with Career Edge on a single source basis for a one year period with the option to extend an additional three years to continue to support this positive relationship.

Attachments

Appendix 1: Single Source Career Edge Internship Partnership- Statement of Work



Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Christine Gabany, Manager Talent Acquisition

Single Source Career Edge Internship Partnership

Statement of Work

Background:

The People Strategy looks to “increasing diversity at all levels of the organization” to increase our competitive advantage; better reflect and serve the community we live in; and create an inclusive workplace that values what each employee brings and leverages those unique talents and strengths. An initiative, such as the continued partnership with Career Edge, supports this action.

Career Edge programs include the following streams:

- Career Bridge -- for internationally qualified professionals
- Career Edge -- for recent graduates from Canadian colleges and universities
- Ability Edge -- for graduates with disabilities
- Canadian Armed Forces Reservists internships

The City of Mississauga (City) has partnered with Career Edge for over 10 years and placed over 40 successful interns at the City.

Goal:

The objective of hosting internship programs with Career Edge is to support a non-profit organization, in conjunction with the City’s Strategic Plan and People Strategy, in a cost effective way to access a pool of experienced talent that can address current skill shortages and diversify the organization’s labour force to be a better reflection of the community the City serves. This partnership provides meaningful work experiences, gives interns valuable workplace experiences related to their field of study, and assists them in successfully entering the workforce.

Deliverables:

The City of Mississauga expects the following deliverables are completed by Career Edge as part of the partnership:

- Consultation with the City of Mississauga to provide recruitment expertise to support our talent needs;
- Provide a single point of access for online job postings including branding with the City of Mississauga’s approved graphics and images;
- Provide in-person and online proprietary candidate pre-screening processes of diverse, qualified entry-level and mid-level experienced professionals;

- Ensuring all necessary documentation is valid and current for candidates to legally work in Canada including, but not limited to, a criminal records search, work permits and educational credentials;
- Provide advice and guidance on an as needed basis to support the successful completion of the internship;
- A payment schedule satisfactory to the City of Mississauga including protocols for crediting the City of Mississauga for interns who may leave an internship prior to the end date.

City of Mississauga

Memorandum



Date: 2016/03/28

To: Chair and Members of General Committee

From: Janice M. Baker,
City Manager & Chief Administrative Officer

Meeting Date: 2016/04/06

Subject: Direction re Regional Governance Task Force Discussions

Regional Council of the Region of Peel have approved holding of governance discussions. A Task Force consisting of the Mayors and CAO's of each area municipality, and the Regional Chair and CAO as well as the Clerk of the Region of Peel has been struck to hold initial discussions, with any proposed changes being subject to approval by all Councils. A facilitator has been hired by the Region, and discussions are being held throughout the months of April, May and June. The following is the schedule set by the facilitator:

- March 31; 2:00 p.m. – 4:00 p.m.
Orientation Meeting: *Propose and approve process, presentation and discussion of elements of a decision-making framework, propose and approve interview questions*
- April 7, 14, 21 *Confidential thirty minute interviews with each member of Regional Council to discuss perspectives and concerns*
- April 28; 2:00 p.m. to 4 p.m.
Working Meeting 1: *Presentation and discussion of findings; Approval of a decision-making framework; Discussion of council composition and chair scenarios*
- May 27; 9:00 a.m. to 2:00 p.m.
Working Meeting 2: *Review and discuss council and chair scenarios; Identify preferred scenarios*
- June 9; 2:00 p.m. to 4:00 p.m.
Concluding Meeting: *Discuss outstanding issues; Approve preferred scenario for discussion by regional council*

In October 2013, when this issue was originally on the agenda of the Region, Mississauga Council considered a report (attached as Appendix 1) from the City Manager and CAO outlining some principles that could be considered in dealing with the issue of representation at the Region. As the Mayor and I will be sitting at the table for the upcoming facilitated talks, it would be helpful to understand if Council still feels these principles are ones that we should take with us to the table, and whether Council has any other guidance to us for these discussions.

Attachments:

Appendix 1: Council Report dated October 9 2013 RE: Brampton Request for
Additional Representation



Prepared by: Janice M. Baker, City Manager & Chief Administrative Officer



Corporate Report

Clerk's Files

Originator's
Files

DATE: October 1, 2013

TO: Mayor and Members of Council
Meeting Date: October 9, 2013

FROM: Janice M. Baker, FCPA, FCA
City Manager and Chief Administrative Officer

SUBJECT: **Brampton's Request for Additional Regional Representation at
Regional Council**

- RECOMMENDATION:**
1. That the Corporate Report entitled, "*Brampton's Request for Additional Regional Representation at Regional Council*" dated October 1, 2013, from the City Manager and Chief Administrative Officer, be received for information.
 2. That Council provide direction on the next steps with regard to Brampton's request for additional Regional representation at Regional Council.

BACKGROUND: In 1974 the City of Mississauga was formed from an amalgamation of the former Towns of Mississauga, Port Credit and Streetsville and a portion of the Town of Oakville. The Region of Peel was established as part of the Province of Ontario's initiatives on government reform. It was one of five Regional Municipalities established within the Greater Toronto Area (GTA). In all of the regional municipalities, government representation was closely based on population with the exception of the Region of Peel which had a more disproportional representation.

In the early 2000s, Mississauga initiated a lengthy process on the matter of governance reform and representation in Peel. After a review lead by provincial facilitator Justice George Adams QC, the Province legislated that Mississauga's representation at Regional Council be increased from 10 to 12 and that the City of Brampton (Brampton) be increased from 6 to 7. The Town of Caledon (Caledon) remained unchanged at 5. At this point the size of Regional Council increased from 21 seats to 24, plus the Regional Chair. The Province enacted this recommendation in 2005. A chronology of this process can be found in Appendix 1 (Corporate Report: Provincial Election 2007: The Status of the City of Mississauga within the Region of Peel).

The Justice Adam's report had recommended that Brampton's regional representation be increased from 6 to 11 with a cumbersome system of "weighted" voting to balance the fact that Brampton's population at the time did not justify having 11 seats on Regional Council. The Province increased Brampton's representation by one seat due in part to the fact that the population growth in Brampton had not yet been realized.

In December 2012, a report was brought forward to Brampton Committee of Council recommending a task force be formed to develop, recommend and implement a strategy to increase Brampton's representation at Regional Council. Brampton undertook a Ward Boundary Review (March 2013) that recommended that the current 10 wards be re-divided to more equally distribute population, but the total number of wards remain the same.

On September 26, 2013, a Brampton delegation requested Regional Council support a request to the Minister of Municipal Affairs and Housing to enact a regulation for the size of Regional Council to be increased by the addition of four City of Brampton Councillors. Regional Council instead passed a resolution to notify the Minister of Municipal Affairs and Housing that the area municipalities within Peel have initiated discussions to contemplate a change to Regional Council (Appendix 2 has a copy of the resolutions from Regional Council on the Brampton issue of Regional representation.)

COMMENTS:

For the second time in a decade a request to change Regional governance in the Region of Peel is under consideration. This report suggests some principles be established for governance in Peel and presents information on the current level of representation, representation in different regional municipalities and information on weighted voting.

Principles:

It is proposed that the membership of Regional Council should be based on the following principles:

- Efficiency and cost – The size of Regional Council should not increase beyond the current 24 Regional Council members and the Regional Chair, (total 25).
- Fairness – One area municipality should not have an effective veto over the others by holding a majority of the total number of Regional seats. Mississauga currently has 12 Regional Councillors and cannot veto decisions at Regional Council as Brampton and the Town of Caledon (Caledon) also have a combined 12 Regional Councillors.
- Representation by Population – Whenever governments review electoral boundaries, whether federal, provincial or municipal, the population represented by any one member is a key consideration for final decisions. There may be other factors that affect the final outcome that may move boundaries away from a pure mathematical formula, however, representation by population is always viewed as the standard that should be achieved. Therefore any changes to Regional representation should move us closer to and not further away from representation by population.

Representation by Population:

The following tables provide some background information and analysis:

COMMENTS:

For the second time in a decade a request to change Regional governance in the Region of Peel is under consideration. This report suggests some principles be established for governance in Peel and presents information on the current level of representation, representation in different regional municipalities and information on weighted voting.

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Representation by Population:

The following tables provide some background information and analysis:

Table 1 illustrates the representation in other Regional Councils. It shows that Peel and York Region, being the most urban, have higher populations per ward than the others. Peel sits in the middle in terms of size; it is difficult to draw any conclusions about “right sizing” Regional Council since the smallest Regions by population (Durham and Niagara) have the largest number of Regional Councillors. Brampton’s ward boundary consultation found that the majority of comments opposed any ward scenario that would increase the size of Council.

Table 1 Representation across the GTAH (2011 Census)				
Regional Municipality	Population	Region Council*	Population in Ward	Number of Municipalities
Durham	608,000	28	22,000	8
Halton	502,000	20	25,000	4
Peel	1,297,000	24	54,000	3
York	1,033,000	20	52,000	9
Niagara	431,000	30	14,000	12

*Not including Regional Chair

The City of Mississauga has historically advocated for representation by population. Given the existing population distribution in Peel, based on there being 24 Regional Councillors, this would result in the reduction in Caledon’s representation to one Regional Councillor and the ability for Mississauga to have a veto over Brampton and Caledon as illustrated in Table 2.

Table 2 Regional Representation by Population (2011 Census)					
Municipality	Population	Percentage Population	Current Regional Council Rep.	Population per Regional Council Member	Recalculated Regional Council per Rep. by Population
Mississauga	713,000	55%	12	59,000	13
Brampton	524,000	40%	7	75,000	10
Caledon	59,000	5%	5	12,000	1
Total	1,297,000	100%	24*	54,000	24*

*Regional Chair not included

Even with the population growth projected within Peel, these numbers do not shift in any dramatic way over time. Using the current 2031

population estimates, Mississauga would have 12 seats, Brampton would hold 11 and Caledon would continue to hold 1.

This matter could be resolved through phasing additional Councillors to Brampton and removing them from Caledon over time. This could mean a change of one Councillor for the 2014 election and additional Councillors to be discussed for the election in 2018.

Weighted Voting:

Selected municipalities use weighted voting including Simcoe, Middlesex, Lanark and United Counties of Prescott and Russell. These differ from Peel in that they are rural areas with smaller populations than those reviewed in Table 1. Each of these seems to have developed individual formulas for weighted voting. This can be based on electors rather than population.

A review of the preliminary information on weighted voting from these municipalities suggests that it can be complex and may reduce transparency for the public in relation to decisions from Region Council. Weighted voting was not implemented by the Province in 2005 and will require further review and consideration.

OPTIONS:

The following are options to address the request to consider Brampton's representation at Regional Council:

Option 1: Status Quo

Maintain Regional Council as it is until the term of Council beginning in 2015. Given the current timeframe, a decision on Brampton's representation be addressed within the next term of Council, with a solution to be determined no later than 2016, to allow a more fulsome consideration on the matters of Regional governance and the principles. This was the recommendation of the Regional Task Force.

Option 2: Representation by Population

Adjust Regional Council for a true representation by population. This would mean increasing the representation of Brampton and

Mississauga and reducing Caledon's representation (illustrated in Table 2). This does give Mississauga an effective veto which would violate one of the principles outlined earlier in this report.

Option 3: Modified Representation by Population

Adjust Regional Council to move closer to representation by population over time. This could be achieved by increasing Brampton's representation and reducing Caledon's representation by equal numbers thereby maintaining the current size of Regional Council. For example, for the 2014 election, Brampton could add one, and Caledon could be reduced by one. Further adjustments could be made for successive elections based on population changes as warranted.

Option 4: Implement Justice Adams recommendation, including weighted voting

This option would be challenging for a number of reasons:

- It would increase the size of Regional Council.
- Weighted voting is a complex system that is not transparent to the public. It also violates the principle of fairness as some Council votes are "worth more" than others.
- This system was reviewed and rejected in the 2005 Provincial review.

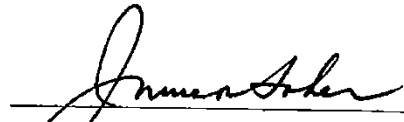
FINANCIAL IMPACT: Depending on the option selected, there may be costs at the Regional Council level.

CONCLUSION: Region of Peel Council has referred Brampton's request for a change in the composition of Regional Council to the area municipalities for their consideration. Mississauga is well aware of the challenges that can result from disproportionate representation as the City spent considerable time to bring forward the 2005 change to Regional Council. Given the numerous issues and options regarding Regional governance that have arisen from this limited review, it is clear a more fulsome consideration and public discussion is needed before moving forward with this request.

ATTACHMENTS:

Appendix 1: Corporate Report: Provincial Election 2007: The
Status of the City of Mississauga within the Region of
Peel

Appendix 2: Resolution from Regional Council on the Brampton
issue of Regional representation



Janice M. Baker, FCPA, FCA
City Manager and Chief Administrative Officer

Prepared By: Emily Irvine Acting Advisor, City Manager's Office

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Corporate Report

Clerk's Files

M6.17

Originator's
Files

GENERAL COMMITTEE
JUN 13 2007

DATE: June 7, 2007

TO: Mayor and Members of General Committee
Meeting Date: June 13, 2007

FROM: Janice M. Baker, CA
City Manager and Chief Administrative Officer

SUBJECT: Provincial Election 2007:
The Status of the City of Mississauga within the Region of Peel

RECOMMENDATION: 1. That the report entitled "Provincial Election 2007: The Status of the City of Mississauga within the Region of Peel" dated June 7, 2007 from the City Manager and Chief Administrative Officer, being one in a series of corporate reports regarding matters of importance relating to the upcoming October 10, 2007 provincial election, be received for information.

BACKGROUND: A provincial election is a critical event which causes us to reflect on past achievements and look to the future to better understand and articulate actions that are required to ensure the Province of Ontario continues to flourish and be a premier location for businesses and residents.

For the first time in Ontario, the province has set a fixed election date, of October 10th, 2007, and this allows key stakeholders, such as the City of Mississauga, to structure their approach to influencing political party policy.

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This is the fourth in a series of papers that will be brought forward to articulate the critical issues that impact the City of Mississauga where most attention needs to be paid.

After all corporate reports in this series have been received, the City Manager and Chief Administrative Officer will bring forward a summary report of these issues and the next steps towards engaging key stakeholders and provincial parties with the view to favourably influencing provincial policies on issues of major importance to the City of Mississauga. This summary report is expected to be presented at the June 20th, 2007 meeting.

While there are many issues that the City of Mississauga has with the provincial government ranging from Pit Bull legislation to a review of the Library Act, staff will outline the major issues where policy needs to be set. Other issues will continue to be monitored and reports prepared to Council at the appropriate time.

History and Timetable of Events to Date

For over a decade, the City of Mississauga has analyzed and discussed the governance model it exists in, being a local municipality within a regional government. The reasons for Mississauga's difficulty with the two-tier system are:

- Mississauga taxpayers subsidize Brampton and Caledon for programs delivered by the Region of Peel,
- duplication and overlap of services exist between the City and the Region which adds bureaucracy, causes delay, creates inefficiencies, and is wasteful of Mississauga taxes,
- not withstanding adjustments made through Bill 186, representation of the taxpayers of Mississauga at the regional level is still not proportional to the assessment base or population,
- the City of Mississauga is the third largest municipality in Ontario and the sixth largest in Canada and is best able to represent its citizens on all matters critical to them,

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- the issues facing the City of Mississauga require solutions that are local in nature or that must take into account this City's location and role within the Greater Toronto area. In those areas where complexity, size and efficiencies support a service delivery model engaging one or more municipalities, in addition to the City of Mississauga, 2001 amendments to the *Municipal Act* provides for the establishment of municipal service boards - for example, to facilitate policing, waste management or sewers and water mains. These are administrative boards under municipal direction.
- development, transportation infrastructure and service delivery in the City of Mississauga must take into account local impact and GTA-wide considerations, not ones based on an artificial regional boundary. There must be sufficient local autonomy to build communities by ensuring that local neighbourhood identities are protected and continue to grow and develop. The City of Mississauga's 'City for the 21st Century' initiative provides the framework for this.
- development of agencies such as the Greater Toronto Transit Authority (GTTA) reflects the growing importance of the GTA urban area. The public is not well served by fragmenting service delivery into what are essentially three levels of municipal government organizations. The effectiveness and usefulness of the Region of Peel as a level of government is shrinking in this broader GTA context.
- the forced amalgamations that occurred during the Harris administration clearly demonstrate that such mergers do not enhance participation or a sense of community and do not achieve any of the efficiencies or cost savings expected by the Province. To the contrary, these amalgamations once again proved that service levels, staff costs and demands will go up to or exceed the highest level available in any one of the former municipalities.

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The Golden Report on the GTA Governance Challenge

The Golden Report (1996) concluded that a new government structure is required "that will allow us to coordinate certain critical services on a (GTA) region-wide basis, while ensuring that these services are cost-effective and responsive to local needs and preferences. ...The degree to which a new government structure balances this strong sense of local identity and our shared interests as interdependent members of a larger community will be a determining factor in its success."

The following are some of the important events that have occurred in the past decade regarding the governance model of the City of Mississauga within the Region of Peel.

1995 -- 2000

As early as 1995 the City of Mississauga was involved in governance reform for both the City and the Greater Toronto Area (GTA). Also, during that time, the Harris provincial government was making sweeping changes in municipal boundaries resulting in 815 municipalities being reduced to 447 during this period. In the GTA region, two significant amalgamations occurred which were the City of Toronto and the City of Hamilton.

These restructurings caused all municipalities, especially in the GTA, to look closely at their own governance model and discuss the possibility of amalgamation. As one of the largest cities in Canada, the City of Mississauga completely dismissed the argument that a larger, amalgamated city would add any benefit or savings to the taxpayer.

Between the years of 1995 – 2000, there was also a focus on finding a governance model to better manage the GTA's services, and in turn save taxpayers dollars. Significant events included:

- Report of the GTA Task Force (the "Golden Report, 1996") chaired by Dr. Anne Golden.
- 'Moving Forward Together' discussion paper (January, 1996),

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which Mayor McCallion and the mayors of Oshawa, North York, and Toronto co-developed. A key recommendation of this study was to eliminate regional government.

- 'Who Does What' panel, which David Crombie chaired and Mayor McCallion served on, that focussed on disentanglement of the responsibilities of the various orders of government. The outcome was a call for change to the structure of government in the GTA, which was not implemented.
- the provincially mandated formation of the Greater Toronto Services Board (GTSB) in 1999, as an inter-municipal coordinating body for the purpose of promoting the decision making among the 29 municipalities and regions of the GTA and new City of Hamilton. The GTSB was to coordinate the delivery of services across the GTA, but its only real authority was control over the Greater Toronto Transit Authority, including the GO Transit system. The GTSB was funded by municipal levies and was run by elected representatives within the GTA. The GTSB was dissolved on December 31, 2001.
- provincial planning initiatives including the revised Provincial Policy Statement, *Places to Grow Act, 2005*, *Greenbelt Act, 2005*, *Strong Communities (Planning Amendment Act), 2006*, *Planning and Conservation Statute Law Amendment Act, 2006* emphasize the importance of the local urban growth nodes and the GTA planning interconnectedness, and leave little of value to be achieved at the level of regional government in the GTA.

2001 – Present

The following list highlights the sequence of key events and formal recommendations by the City of Mississauga's City Council, between 2001 and the present:

- February 10, 2001: The inaugural meeting of the Citizens' Task Force on the Future of Mississauga was held. The 18-member volunteer Task Force was comprised of representatives from all City wards and was charged with bringing forward

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recommendations on governance in the GTA, including the role of the City of Mississauga. The final report of the Task Force entitled, '*Securing our Future*' (May, 2002) and included the following recommendations:

- that the City of Mississauga remain as a separate local municipality, with expanded authority to deliver local services,
- that the provincial government create a GTA-wide Coordinating Body for regional service delivery,
- that after the Coordinating Body is created, the GTA regional governments be dissolved within five years.

The Mississauga City Council endorsed the Citizens' Task Force recommendations and requested the provincial government to permit the transition to a separated city. (refer to Appendix 1: Resolution 0297-2002: City Response to the Citizens' Task Force)

- November, 2003: The Citizens' Task Force report did not include a financial analysis of their recommendations, therefore the City of Mississauga undertook an independent financial review, by Day & Day Chartered Accountants, to determine the financial and municipal property tax impacts that would result if it were to be separated from the region. The report indicated that the cost to Mississauga taxpayers of remaining with a two tier structure would be \$24 million per year (updated to November 2004 analysis).

It is interesting to note that during this period, the City of Brampton also retained an external financial consultant (Hemson Consulting Ltd.) to make a financial analysis of restructuring the Peel region's municipalities. In their final report (January, 2004) it indicated that Mississauga "has for many years represented a disproportionately high share of the Region's tax base".

- Spring, 2004: Mississauga residents were included in the conversation about regional governance with the City's 'One City One Voice' campaign. Information was distributed in the Mayor's newsletter, including a mail-back pledge card where 99% of all pledged votes were supportive. A statistically valid, independent survey indicated 71 percent support, 12 percent opposed and 18

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percent offered no opinion for the City of Mississauga to be a separated city. Also, the City received endorsements of becoming a separated city from various organizations, business associations, newspapers and local MPPs.

- June 7, 2004: The City of Mississauga Council endorsed the recommendations in the corporate report entitled: *"A plan to take significant steps towards separation from the Region of Peel"* which asks the provincial government hear the request of the City of Mississauga to become a separated city. (refer to Appendix 2: Resolution 0137-2004: Significant Steps toward Separation from the Region of Peel)
- Fall, 2004: The McGuinty provincial government appointed an arbitrator, Justice George W. Adams, Q.C., to review the *Regional Municipality of Peel Act*, and make recommendations on Mississauga's request to become a separated city from the Region of Peel. Representatives from all three area municipalities and the region produced extensive materials, and were given opportunities to speak with Justice Adams during the ensuing three months.
- December 14, 2004: Justice George Adams delivered his review to the provincial government. It included recommendations on changes to the existing number of regional councillors representing the three area municipalities.

Justice Adams also made specific recommendations on future reviews that should be undertaken regarding regional roads, land use planning, and cost allocation. In his words, *"The reviews will be aimed at real change and guided by the acceptance of the following principles:*

- *greater administrative streamlining (savings) and other efficiencies are possible and desirable;*
 - *more area municipal operational control is possible and desirable;*
 - *service levels should be maintained or improved."*
- January 6, 2005: In response to Justice Adams review, the City of Mississauga submitted *'A Summary of the Position of the*

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Corporation of the City of Mississauga on Restructuring and Governance and Operations at the Region of Peel. to the provincial government. This position received unanimous support of all City of Mississauga Councillors.

- April 13, 2005: Minister Gerretsen, Municipal Affairs and Housing (MMAH), issued a letter outlining the final decision on the number of regional councillors for each area municipality and endorsed Justice Adams recommendations respecting ways to address service delivery issues in Peel Region. Minister Gerretsen further encouraged the partner municipal governments to move forward to implement these recommendations. (refer to Appendix 3: Letter from Minister Gerretsen, MMAH)
- May 6, 2005: City of Mississauga representatives including Mayor McCallion, Councillors Saito and Adams, Janice Baker (CAO) and Ed Sajecki (Commissioner of Planning and Building) made deputations at the Public Hearings for Bill 186 – An Act respecting the composition of the council of The Regional Municipality of Peel.
- June 13, 2005: Bill 186 receives royal assent and the *Regional Municipality of Peel Act, 2005* came into force on that same day. The legislation allowed for additional regional councillors to serve at the Region of Peel.
- November 17, 2005: Mississauga Councillor Saito, at a Regional Council meeting, requested Peel Public Works to review the criteria for designating a road as upper tier and to undertake a review to rationalize the arterial road network.
- July 5, 2006: Mississauga City Council approved the recommendations in a corporate report entitled, *'Modernizing Roads Service Delivery and Cost Allocation Methods in the Region of Peel'*. The recommendations of that report included:
 - that each area municipality have jurisdiction and financial responsibility over the roads within their boundaries (excluding provincial roads and rural arterial roads in Caledon),

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- that the Region of Peel implement the transfer of these roads by a specific date.

(refer to Appendix 4: Resolution 0158-2006: Modernizing Roads Service Delivery)

- August 3, 2006: Region of Peel Council included multiple items on the agenda regarding the regional roads, including the City of Mississauga's Modernizing Roads Service Delivery report, two separate resolutions by the City of Brampton and Town of Caledon indicating non-support for the City of Mississauga position, and a report by Peel Public Works recommending that regional staff discontinue the work on the directive that Regional staff had received on November 17, 2005. Regional Council approved two motions: a) to not support the Mississauga position (Brampton and Caledon Regional Councillors voting in favour; Mississauga Regional Councillors voting against), and b) for Peel Public Works to continue their road rationalization review (all in favour).
- October 2, 2006: City of Mississauga Council endorsed a matrix of Region and Area Municipal Planning Responsibilities as the basis for defining and clarifying planning responsibilities among the Region of Peel, the three area municipalities. The endorsement of the matrix "... recognizes that the matrix is the best that can be achieved at this time and that further elimination of duplication will require amendments to the *Planning Act* and the Regional Official Plan, and discussion pertaining to the implementation of the Growth Plan for the Greater Golden Horseshoe." (refer to Appendix 5: Recommendation PDC-0088-2006: Planning Responsibilities Matrix)
- November 13, 2006: Municipal elections take place which see the City of Mississauga increase in the number of City Councillors (and therefore Regional Councillors) by two more ward seats, as allowed under the new *Regional Municipality of Peel Act, 2005*. The City of Brampton's representation increased by one seat at the regional level.

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- The Province of Ontario official website contains the following message, "It's time for fairness for all Canadians". This relates to Ontario receiving its fair share of federal funding and most recently representation. Premier McGuinty is quoted in the May 19, 2007 Toronto Star criticizing the federal government for "cheating Ontario out of its fair share of representation" in its new plan to add federal seats. The City of Mississauga deserves no less.

COMMENTS:

Mississauga's City Council has clearly and consistently presented the difficulties with the two-tier system of governance in that it is a very large, capable, cosmopolitan city constrained within a regional system of governance.

Mississauga is a financially stable, well-governed municipality, and as the third largest municipality in Ontario and the sixth largest municipality in Canada should be allowed to make the decisions regarding all municipal issues pertaining to the City of Mississauga.

As an alternative to full restructuring, Mississauga has proposed interim solutions such as the establishment of municipal service boards - for example, to facilitate policing, waste management or sewers and water mains. These are administrative boards under municipal direction. These proposals have come forward formally and informally involving all the relevant key stakeholders, but no progress has been made.

As part of the submission to Justice Adams, Mississauga proposed:

- implementation of a revised cost sharing model where costs are allocated based on use,
- the transfer of funding and delivery of local programs to the member municipalities,
- the continuation of the regional model for certain programs as municipal service boards is provided for in the *Municipal Act*,

2001,

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- implementation of a representation-by-population model.

The City of Mississauga articulated that it was simply seeking the same status of other cities in Ontario including cities like London, Kingston and Windsor.

Since the 2004 arbitration process by Justice Adams, there have been some changes and events that are worth noting:

- In 2004, it was clearly shown that at the regional level of government, the City of Mississauga had 61.9% of the region's population, its tax levy share for most regional services ranged from 66-72%, yet its share of seats on Regional Council was less than 48%. Now, with changes in the numbers of regional councillors and significant increases in population, especially in the City of Brampton, these numbers have somewhat changed, as shown in the chart below.

Municipality	% of Population (2006 census)	% of Regional Tax Levy (2006 assessments used for 2007 tax levies)	% of Vote per Regional Council Members *
Caledon	4.9%	4.7%	20.8%
Brampton	37.4%	32.5%	29.2%
Mississauga	57.7%	62.8%	50.0%

* The Regional Chair may not vote in a Council meeting except in the event of an equality of votes so therefore is not included in the above table.

Clearly, with an increased vote at Regional Council from 47.6% to 50%, the City of Mississauga has a better chance of representing its residents on important local issues that are being decided at the regional level. However, having almost 58% of the population of the Region, but only 50% of the vote, it is not at all an equitable situation. Add to this the 62.8% of the regional tax levy that Mississauga pays, it is clear that the City of Mississauga continues to carry the lion's share of the regional costs. Financially the

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Region of Peel is a burden on the City of Mississauga's taxpayers.

- The City of Mississauga continues to be a very unique, large city within a region municipality - unlike any of the other 24 local municipalities that make up the GTA (excluding the City of Toronto). Mississauga's population is larger than both the Region of Durham and the Region of Halton. Mississauga is also the only local municipality with greater than 50% of the population of its region and in fact is now 58%. Outside of the Peel area, Mississauga's population is over 2.5 times larger than the next largest municipality (Markham) and Brampton is also significantly larger than every other municipality. (refer to Appendix 6: GTA Municipalities Population and Representation - 2006 Census)
- The road rationalization review (see Background – November 17, 2005 above) has progressed and it is understood that the first phase of the review will be tabled before regional council by the end of June, 2007. City Council endorsed the recommendations of the "Modernizing Roads Service Delivery and Cost Allocation Methods in the Region of Peel" (Appendix 4) in July, 2006. Due to the conflict between the road rationalization review and City Council's position, City staff did not attend the meetings, however were copied on the minutes.
- In early 2007, the Region of Peel moved to increase its planning staff complement by requesting that contract planning staff be made permanent staff complement. The decision was that half (8) of the contracts be converted and the remainder wait until a consultant was hired to review the roles and responsibilities of the planners at the Region. At this time the Terms of Reference for the hiring of the consultant is being developed.

One new GTA agency that has recently been created, and appears to be better aligned with the City of Mississauga's envisioned governance model, is the Greater Toronto Transportation Authority (GTTA). Mississauga's Mayor and Councillors have always contended that there are important GTA-wide issues that must be jointly decided by all GTA municipalities – transportation infrastructure and planning being one of the most important issues.

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Since its inception in late 2006, the GTTA is now beginning its cross-GTA work on a comprehensive transportation plan. Clearly, it shows that long-range, cross-municipal planning is important and needed. This is not possible at the regional level of government. The inter-relationships between GTA municipalities require coordination at a level much larger than the Region of Peel. City building must continue at the local level and region building must occur on a GTA-wide level.

FINANCIAL IMPACT: In November 2004, the financial analysis of an independent accounting firm confirmed that the taxpayers of Mississauga would save \$24 million annually if it were a separated city from the Region of Peel. (refer to Appendix 7: Day & Day Chartered Accountants – Financial analysis)

CONCLUSION: The Council of The City of Mississauga has clearly and consistently articulated its desire for it to be the only level of local government for the citizens of Mississauga. The citizens have been consulted in a meaningful way through different channels and letters of support have been received from businesses, agencies and citizens who also believe Mississauga is ready and able to stand on its own. Mississauga has a clear vision to continue to grow as a City for the 21st century.

Mississauga has proposed alternatives to full restructuring with no progress being made. These proposals have come forward formally and informally involving all the relevant key stakeholders.

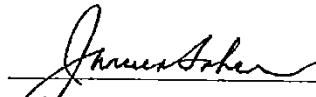
It is important that the provincial candidates in the upcoming election, be advised that progress concerning the advancement of the service delivery reviews, recommended by Justice Adams and endorsed by the Province, has been unsatisfactory to the City of Mississauga and remains an outstanding issue.

As the third largest city in Ontario and the sixth largest in Canada, the City of Mississauga simply seeks the status and ability to make its own decisions of other cities in Ontario including cities like London, Kingston, Windsor and Barrie, cities that are less than half our size.

ATTACHMENTS:

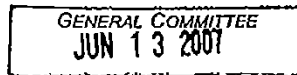
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- Appendix 1: Resolution 0297-2002: City Response to the Citizens' Task Force
- Appendix 2: Resolution 0137-2004: Significant Steps toward Separation from the Region of Peel
- Appendix 3: Letter from Minister Gerretsen, MMAH
- Appendix 4: Resolution 0158-2006: Modernizing Roads Service Delivery
- Appendix 5: Recommendation PDC-0088-2006: Planning Responsibilities Matrix
- Appendix 6: GTA Municipalities Population and Representation - 2006 Census
- Appendix 7: Day & Day Chartered Accountants – Financial Analysis



Janice M. Baker, CA
City Manager and Chief Administrative Officer

*Prepared By: Gary Kent, Director of Strategic Initiatives
City Manager's Office*



Appendix 1

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RESOLUTION 0297-2002
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on October 23, 2002

Moved by: G. Carlson

Seconded by: N. Iannicca

WHEREAS in 1974 the City of Mississauga was formed and constituted an amalgamation of a number of municipalities including the former Towns of Mississauga, Port Credit and Streetsville plus a portion of the former Town of Oakville;

AND WHEREAS in 1974 the Regional Municipality of Peel was established as part of the Province of Ontario's initiatives on government reform that resulted in five regional municipalities being created within the GTA and, with the City of Mississauga being one of the three area municipalities that constitute the Regional Municipality of Peel;

AND WHEREAS representation on all regions was based on population, with the exception of the Regional Municipality of Peel which specifically had disproportional representation;

AND WHEREAS this resulted in Mississauga having only 49% of the vote or 10 seats on Regional Council and Brampton and Caledon having 28% or 6 seats and 23% or 5 seats respectively, in spite of Mississauga having 63% of the population of the region, and inequity that has continued until the present time;

AND WHEREAS with Metro Toronto becoming fully developed, increased pressures were put on the City of Mississauga and surrounding municipalities to keep up with increased growth demands and accompanying services and infrastructure which led to "entangled" cross border services and a lack of clarity as to who should be responsible for the cost and delivery of services;

AND WHEREAS in 1995, coinciding with the Provincial government's GTA Task Force, the City of Mississauga demonstrated its commitment to change by introducing a series of reports and recommendations on GTA reform which clearly illustrated how the GTA could change for the benefit of the entire community;

AND WHEREAS, the City of Mississauga in its 1995 report titled "*Running the GTA Like a Business*", the City recommended that legislation be developed to abolish the five regional governments by December 1, 1997, and further, that the Greater Toronto Services Commission be responsible for developing an overall GTA strategy to co-ordinate urban and rural growth management and infrastructure;

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Resolution 0297-2002

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October 23, 2002

AND WHEREAS the City of Mississauga has on several occasions, through the "Report on GTA Governance" submitted to the Crombie Panel, "The Four Mayors Report", 1996, and the 1997 response to Milt Farrow's report on "Developing a Framework for the Greater Toronto Services Board", stated that there is no longer a need for regional governments and that most GTA wide services can be provided through a broader, strong, effective decision making body and that wherever possible, services be provided by local municipalities;

AND WHEREAS the City of Mississauga and the "The Four Mayors Report" has clearly emphasized the need for GTA restructuring and the elimination of the regions prior to any GTA wide services body being established;

AND WHEREAS on January 16, 2000, City Council passed a resolution dealing with a report written on behalf of six GTA Mayors outlining restructuring of 905 municipalities and the under legislated authority of the Greater Toronto Services Board (GTSB), stating that the structure of the GTSB should be determined after municipal restructuring and recommending, amongst other matters, that the provincial government consult with the area municipalities on municipal restructuring, re-legislating the GTSB and boundary issues;

AND WHEREAS on October 11, 2000, City Council adopted a report "Urban Sprawl and the Greater Toronto Services Board" and recommended that the Provincial government be requested to appoint a special advisor by March 2001 to review the structure and functions of the GTSB including the relationship of the GTSB with the Province and local municipalities with the objective of the new GTSB having the legislative authority and financial capability to compete in the global economy, negotiate with other levels of government and establish an effective partnership with municipalities for adoption of a growth management strategy;

AND WHEREAS in February 2001, Mayor Hazel McCallion appointed a 20 member volunteer Citizens' Task Force to examine and bring forward recommendations on governance in the Greater Toronto Area (GTA), including the role of Mississauga;

AND WHEREAS on December 31, 2001, the Provincial government dissolved the GTSB and subsequently appointed a Central Zone SMART GROWTH Panel, chaired by Mayor Hazel McCallion to address issues of gridlock, solid waste and growth strategy;

AND WHEREAS on April 10, 2002, City Council considered a report, "Ward Boundaries Review" which, amongst other matters, states that the City of Mississauga has 63% of the population within the Region of Peel and less than 49% of the vote and that Mississauga may wish to redistribute or increase the number of wards in the City in order to make representation more equitable and that an increase in wards would change the balance of representation at the Regional level and would require Provincial legislation to do so;

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Resolution 0297-2002

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October 23, 2002

AND WHEREAS on April 10, 2002 City Council adopted Resolution 0108-2002 that the *"Ward Boundaries Report"* be deferred, pending the report from the Citizens' Task Force and that appropriate steps be taken to deal with the recommendations of the Task Force, including if necessary, a review of the ward boundaries and/or the status of the City of Mississauga within the Regional Municipality of Peel and consultation with the appropriate Ministries of the Provincial government;

AND WHEREAS on May 10, 2002, the Citizens' Task Force presented their final report, *"Securing Our Future"*, which made a number of recommendations on governance, services and funding including the phasing out of Regional government 5 years after the formation of a GTA wide governing body intended to provide delivery of certain services;

AND WHEREAS, on October 9, 2002 City Council considered a report titled *"City of Mississauga's Response to the Citizens' Task Force on the Future of Mississauga"*, which concludes that the Task Force's recommendations for a legislated GTA wide Co-ordinating Body to plan and coordinate GTA wide issues as a first priority, to be followed with the phasing out of the Regions and, that the GTA wide Co-ordinating Body have representation based on population, are consistent with the position that has been maintained by the City of Mississauga since 1995;

AND WHEREAS the City of Mississauga contributes 67% of the levy of the Region of Peel and still has 63% of the population while still only having 49% of the representation;

AND WHEREAS the City of Mississauga is the third largest City in Ontario and is not dependant on the Regional Municipality of Peel to manage its future;

AND WHEREAS Members of Council of the City of Mississauga, all of whom also serve as Councillors at the Region of Peel have attempted to disentangle services at the local and regional level but have been unsuccessful due to the disproportionate representation at the region;

AND WHEREAS Council of the City of Mississauga is concerned that at times the Region of Peel involves itself in local issues, not part of its mandate of being a service provider within the City of Mississauga, resulting in unnecessary duplication and cost;

AND WHEREAS the average population of the 9 wards in the City of Mississauga is 70,000 and in Wards 6 and 9, the combined population is 200,000 with an expected additional future growth of more than 35,000;

AND WHEREAS the population of the City of Mississauga in 2002 is 630,000;

AND WHEREAS the City of Mississauga should address as part of the ward boundaries, issues relating to its urban boundary both west of Ninth Line and the northern boundary, south of Highway 407;

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Resolution 0297-2002

- 4 -

October 23, 2002

AND WHEREAS the City of Mississauga needs to adjust its ward boundaries, however, changes made now to the ward boundaries or Regional government representation would only be short term solutions, and therefore the appropriateness of making any changes prior to the 2003 election is questionable;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That no action be taken with respect to ward boundary changes for the 2003 Municipal Election;
2. That the Province of Ontario be requested to permit the transition of the City of Mississauga to a separated city in advance of the 2006 election;
3. That the Province of Ontario be requested to establish a GTA wide Coordinating Body at the same time they consider the recommendations of the SMART GROWTH Panel;
4. That the report dated September 25, 2002, from the City Manager, regarding the City of Mississauga's Response to the Citizens' Task Force on the Future of Mississauga, be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Region of Peel, the City of Brampton, the Town of Caledon, and the Mississauga MP's and MPP's.

Appendix 2

15r



RESOLUTION NO: 0137.2004 Page 1 of 2

Date: June 9, 2004

File: MC.11

Moved by: [Signature]

Seconded by: [Signature]

GENERAL COMMITTEE
JUN 13 2007

WHEREAS on May 10, 2002, the Citizens' Task Force presented their final report, 'Securing Our Future', which made a number of recommendations on governance, services and funding including the phasing out of Regional government;

AND WHEREAS The Council of the City of Mississauga resolved in 2002 that the Province of Ontario be requested to permit the transition of the City of Mississauga to a separated city in advance of the 2006 election;

AND WHEREAS it has been demonstrated that the citizens of Mississauga are currently subsidizing Brampton and Caledon for programs delivered by the Region of Peel as contained in the report 'Financial Report to the City of Mississauga on the Transition to a Single Tier' dated November 2003;

AND WHEREAS Mississauga property taxpayers' dollars are subsidizing the property taxpayers of Brampton and Caledon;

AND WHEREAS duplication and overlap of services that exist between The City of Mississauga and the Region of Peel is additional bureaucracy and wasteful of Mississauga taxes;

RECORDED VOTE		
	YES	NO
MAYOR	✓	
WARD 1	✓	
WARD 2	✓	
WARD 3	✓	
WARD 4	✓	
WARD 5	✓	
WARD 6	✓	
WARD 7	✓	
WARD 8	✓	

Carried
Acting Mayor



RESOLUTION NO: 0137-2004 Page 2 of 2

Date: June 9, 2004

File: MG-11

Moved by: [Signature]

Seconded by: [Signature]

AND WHEREAS there exists a need to increase the number of wards in Mississauga as a result of population growth;

AND WHEREAS representation of the taxpayers of Mississauga at the regional level is not proportionate to the assessment base or population;

AND WHEREAS a statistically valid survey has been completed demonstrating 71 percent support of becoming a separated city, with only 12 percent against;

AND WHEREAS over 20,000 pledge cards in support of the City of Mississauga becoming a Separated City, no longer a part of the Region of Peel have been received;

NOW LET IT BE RESOLVED AS FOLLOWS

1. That the report dated June 7, 2004 from the Acting City Manager, detailing a plan to take significant steps towards separation from the Region of Peel and a copy of the resolution approved by Council in 2002, be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Region of Peel, the City of Brampton, the Town of Caledon and the Mississauga MPs and MPPs.
2. That the Mayor request, as a matter of urgency, a meeting with the Premier of Ontario to present the facts as contained in various reports and the overwhelming support from the citizens of Mississauga and to discuss the process for immediate implementation;

TELEPHONE & CURP COMM 585 7247 TO 990589658

Appendix 3

Minister of Municipal Affairs
and Housing

Ministre des Affaires municipales
et du Logement

Minister Responsible for Seniors

Ministre délégué aux Affaires des personnes âgées

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel. (416) 585-7000
Fax (416) 585-8470
www.mah.gov.on.ca

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. (416) 585-7000
Télex. (416) 585-8470
www.mah.gov.on.ca



Ontario

15+

CB05-01027

April 13, 2005

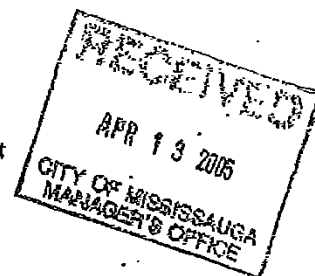
GENERAL COMMITTEE
JUN 13 2007

Mr. Emil Kolb
Chair
Regional Municipality of Peel
10 Peel Centre Drive
Brampton ON L6T 4B9

Her Worship
Mayor Susan Fennell
City of Brampton
2 Wellington Street West
Brampton ON L6Y 4R2

Her Worship
Mayor Hazel McCallion
City of Mississauga
Civic Centre
300 City Centre Drive
Mississauga ON L5B 3C1

Her Worship
Mayor Marilyn Morrison
Town of Caledon
6311 Old Church Road
P.O. Box 1000
Caledon East ON L0N 1E0



Dear Chair and Mayors!

As we discussed at our meeting of April 7, 2005, the government has chosen a way forward to resolve the ongoing local debate on regional governance issues, to provide fairness and balance and the certainty needed to permit the council to resume its regional governance.


With regard to council structure in Peel, we see a strong need to improve the fairness of representation of electors while preserving the voice of all communities on regional council.

In seeking to strike a balance among diverse local interests in service provision as well as a fair solution to the issues of local representation, we have chosen to retain the current governance structure of Peel Region. To move toward fairer representation, the government has today introduced legislation to add two seats from Mississauga and one from Brampton. If passed by the Legislature, this proposed Bill, known as the *Regional Municipality of Peel Act, 2005*, would result in the new representation model being implemented for the 2006 municipal election.

As for service delivery issues, we fully endorse the recommendations made by the Honourable George W. Adams, Q.C., respecting ways to address service delivery issues in Peel Region, and we encourage the partner municipal governments to move forward to implement the service delivery reviews recommended.

I want to thank you for your dedication and encourage you to move forward to provide strong policy leadership and regional services that are essential to the quality of life of your residents.

Sincerely,


John Gerretsen
Minister

11220490

** TOTAL PAGE.02 **

Council Date: 20060705

Appendix 4

Resolution 0158-2006

0158-2006 Moved by: P. Saito

Seconded by: N. Iannicca

15u

Whereas Justice Adams, QC recommended the completion of a review of the planning, construction, operation and maintenance of existing regional roads by June 2005;

And whereas the provincial government fully endorsed Justice Adams' recommendations related to service delivery;

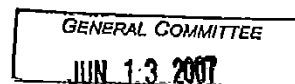
And whereas Regional staff has been meeting with area municipal staff on this issue;

And whereas Regional staff have not yet reported to Regional Council;

Now therefore let it be resolved that:

1. That the Cities of Mississauga and Brampton and the Town of Caledon each have jurisdiction and financial responsibility over all roads within their boundaries, excluding those under provincial jurisdiction and those rural arterial roads in Caledon deemed truly regional following a rationalization review.
2. That a copy of the report entitled 'Modernizing Roads Service Delivery and Cost Allocation Methods in the Region of Peel' dated June 27, 2006 from the City Manager and Chief Administrative Officer be forwarded for implementation to the Region of Peel and for information to the City of Brampton, Town of Caledon, Mississauga MPPs, and the Minister of Municipal Affairs.
3. That an appropriate transition plan be prepared by Region of Peel and area municipal staff by September 14, 2006 to effect the transfer of Regional roads to local municipalities, including the realignment of tax room, reserve funding and resources including staffing.
4. That Regional Council direct Regional staff to move expeditiously to determine which roads in the Town of Caledon are 'regional' roads.

Carried
RT.23



Council Date: 20061011

Appendix 5

Recommendation PDC-0088-2006

15v

PDC-0088-2006 1. That the planning matrix contained as Appendix 5 to the report titled 'Region and Area Municipal Planning Responsibilities' dated September 25, 2006 from the Commissioner of Planning and Building be endorsed at this time as the basis for defining and clarifying planning responsibilities among the Region of Peel, the Cities of Brampton and Mississauga and the Town of Caledon.

This endorsement recognizes that the matrix is the best that can be achieved at this time and that further elimination of duplication will require amendments to the Planning Act and the Regional Official Plan, and discussion pertaining to the implementation of the Growth Plan for the Greater Golden Horseshoe.

GENERAL COMMITTEE

JUN 13 2007

2. That staff from the Region of Peel and the Cities of Brampton and Mississauga and the Town of Caledon be requested to continue to work on the areas of shared responsibilities identified in the report titled 'Region and Area Municipal Planning Responsibilities' dated September 25, 2006 from the Commissioner of Planning and Building with the aim of eliminating all duplication and having either the Region or Area Municipality assume full responsibility, where appropriate, and report back to their respective Councils in early 2007.
3. That the correspondence dated April 13, 2005, from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, with respect to governance and service delivery issues, be received.
4. That the Region of Peel be advised that although the report titled 'Region and Area Municipal Planning Responsibilities' dated September 25, 2006 from the Commissioner of Planning and Building, does not deal with the jurisdiction of regional roads due to the refusal by Regional Council, on August 3, 2006 to support resolution 0158-2006 adopted by Council of the City of Mississauga on July 5, 2006, duplication in processing of development applications, signage approvals, etc. for properties located along regional roads continues to be a major concern to the City of Mississauga.

CD.21.Peel

Appendix 6

GTA Municipalities Population and Representation - 2006 Census

Municipality	Population		Regional Population Representation	Local Representation	Population by Regional Rep	Regional Representation	% of Regional Representation
	(2006) Census	% of Population					
City of Oshawa	141,590						
City of Pickering	87,838	25%		11	17,699	8	28%
Town of Ajax	90,187	16%		7	21,960	4	14%
Town of Whitby	111,184	16%		7	30,056	3	10%
Municipality of Clarington	77,820	20%		8	27,796	4	14%
Township of Brock	11,979	14%		7	25,940	3	10%
Township of Scugog	21,439	2%		7	5,990	2	7%
Township of Uxbridge	19,169	4%		7	10,720	2	7%
Durham Region	561,258	3%	*	7	9,585	2	7%
Town of Aurora	47,629	5%				29	**
Town of East Gwillimbury	21,069	2%		9	47,629	1	5%
Town of Georgina	42,346	5%		5	21,069	1	5%
Township of King	19,487	2%		7	21,173	2	10%
Town of Markham	261,573	29%		7	19,487	1	5%
Town of Newmarket	74,295	8%		13	52,315	5	24%
Town of Richmond Hill	162,704	18%		9	37,148	2	10%
City of Vaughan	238,866	27%		9	54,235	3	14%
Town of Whitchurch-Stouffville	24,390	3%		9	59,717	4	19%
York Region	892,712	*		7	24,390	1	5%
City of Burlington	164,415	37%				21	**
Town of Halton Hills	55,289	13%		7	23,488	7	33%
Town of Milton	53,939	12%		11	18,430	3	14%
Town of Oakville	165,613	38%		11	17,980	3	14%
Halton Region	439,256			13	23,659	7	33%
City of Mississauga	668,549	58%				21	**
City of Brampton	433,806	37%		12	55,712	12	48%
Town of Caledon	57,050	5%		11	61,972	7	28%
Peel Region	1,159,405			9	11,410	5	20%
						25	**

*Regional population numbers include people living in areas of these regions that do not fall within one of the member municipalities (eg. Indian Reserves)

**Regional representation numbers include the Chairperson of that Region

GENERAL COMMITTEE
JUN 13 2007

15W

Schedule 2

Appendix 7

The City of Mississauga
Adjusted Apportionment Formula
Financial Impact - Adjusted for Regional Data
(see Note 1)

GENERAL COMMITTEE

JUN 13 2007

Program	Mississauga	Brampton	Caledon	Basis of Cost Allocation
Roads (see Note 2)	9,836	(2,611)	(6,424)	Lane kilometres
Waste Management	-	-	-	Waste volume
Planning (see Note 3)	308	(31)	34	Population
Transhelp	(101)	(54)	155	# of trips
Children's Services	835	(1,265)	430	# of active clients
Public Health	531	(614)	83	Population
Long Term Care	2,193	(1,626)	(667)	Actual cost
Housing Policy and Program	(3,058)	477	2,581	# of units
Heritage	-	-	-	Weighted assm't
Ambulance/Emergency Programs	1,236	(469)	(767)	Vehicle hours
Non Program Tax Supported	1,508	(1,044)	(464)	Actual revenue
Ontario Works	2,093	(3,567)	1,474	# of active clients
Ontario Disability Support Program	636	(1,392)	756	# of active case files
Peel Regional Policing	7,507	(7,507)	-	Population
Conservation Authorities	(188)	155	33	Prescribed formula
Assessment Services	356	(289)	(67)	Prescribed formula
GO Transit	-	-	-	Development charges
GTA Pooling	-	-	-	Weighted assm't
Total Projected Impact - Savings (Cost)	23,692	(19,737)	(2,843)	
Note 1:				
Cost apportionments have been adjusted based on recently released data provided by the Region of Peel for Transhelp, Children's Services, Housing, Ambulance/Emergency Programs, Ontario Works and the Ontario Disability Support Program. Costs are per our analysis of the 2003 Regional Budget.				
Note 2:				
A savings of \$800,000 predicted by Mississauga staff as a result of consolidating the roads maintenance function at the local level.				
Note 3:				
A savings of \$311,000 is reflected as a result of consolidating the planning function at the local level.				



Resolution

Moved By: Mayor McCallion	Date: September 26, 2013
Seconded By: Councillor Palleschi	Item Number 5b

That the presentation from the City of Brampton to the September 26, 2013 Regional Council meeting regarding Brampton's representation at Regional Council be referred to the area municipalities, for their consideration.

CARRIED

Chair



Resolution

Moved By: Mayor Fennell	Date: September 26, 2013
Seconded By: Councillor Paleschi	Item Number 5b

That the Council of the Regional Municipality of Peel notify the Minister of Municipal Affairs and Housing that the municipalities with the Region of Peel have initiated discussions to contemplate a change to Regional Council to include the eleven members from Brampton Council;

And further, that the matter of the change to the composition of Regional Council, be deferred to enable deliberations at the local level;

And further, that the local Councils be requested to deliver the results of the deliberations in time to permit the process, if proceeding, to be finalized no later than December 31, 2013.

CARRIED

Chair

City of Mississauga Corporate Report



<p>Date: 2016/03/21</p> <p>To: Chair and Members of General Committee</p> <p>From: Edward R. Sajecki, Commissioner of Planning and Building</p>	<p>Originator's files:</p> <hr/> <p>Meeting date: 2016/04/06</p>
---	--

Subject

Memorandum of Understanding between The Corporation of the City of Mississauga and the Peel District School Board regarding the future of Britannia Farm located at the Northwest Corner of Bristol Road and Hurontario Street (Ward 5)

Recommendation

1. That the Commissioner of Planning and Building and the City Clerk be authorized to execute a "Memorandum of Understanding between the Peel District School Board and The Corporation of the City of Mississauga substantially in the form attached as Appendix 2 to the report entitled "Memorandum of Understanding between The Corporation of the City of Mississauga and the Peel District School Board regarding the future of Britannia Farm located at the Northwest Corner of Bristol Road and Hurontario Street", dated March 21, 2016 from the Commissioner of Planning and Building, and all ancillary documents to give effect thereto, each in a form satisfactory to Legal Services.
2. That the necessary by-law(s) be enacted.

Background

Britannia Farm is 81 hectares (200 acres) located at the northwest corner of Bristol Road and Hurontario Street as shown in Appendix 1.

King William IV granted the subject property to local school trustees in 1833 for educational purposes. The deed stated that rents or profits from the site are to be used for the maintenance of the school and advancement of education in Peel region. Since then, the Farm has been used to reflect this purpose.

In 1989, the Board approved a Master Plan to redevelop the Britannia Farm into a heritage agricultural education centre. Unfortunately, this plan was not fully implemented due to funding challenges. However, the Farm still is an active teaching resource for students and teachers.

General Committee	2016/04/06	2
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Recently, representatives from the Peel District School Board (the Board) met with City staff to discuss implementing a refresh of their 1989 Master Plan for the Farm. This includes consulting with the public and stakeholders. As the City has extensive experience in public consultation, the Board has requested assistance in the community engagement process to support a Master Plan refresh. As part of this process, the Board agrees to establish appropriate future public access to the Farm. This is significant, as public access to the Farm has not been available to date.

Comments

Staff from Strategic Community Initiatives have facilitated community discussions on the future of sites within the city that are of strategic importance to building a great city. This includes Inspiration Lakeview, owned by Ontario Power Generation, and Inspiration Port Credit sites owned by Canada Lands and Imperial Oil. Support to the Britannia Farm refreshed Master Plan is consistent with these other city building projects.

A Memorandum of Understanding (MOU) between the Board and the City is an appropriate mechanism to clearly identify the City's role in this project. The MOU outlines the project purpose, objectives, timelines, and the roles and responsibilities of each party. The full MOU is attached as Appendix 2. Key aspects include:

- Sustainable use of the Farm as an educational resource is the Board's first priority.
- City staff will provide advice and guidance on the community engagement process undertaken as part of the Board's refresh of the Farm's Master Plan.
- As part of the process, appropriate public access opportunities will be established.
- The Board will fund all aspects of the project.
- Project oversight will be through a joint steering committee consisting of staff from each organization and political representatives from the Board and City Council.
- The target date for completion of the Master Plan is December 2016.
- The Board's trustees will have final approval of the Farm Master Plan document.
- A site access agreement for public use of the Farm will follow approval of the Master Plan.

Public access is of interest to the City as this large tract of open space adds to the public realm without the outright purchase of land. This is consistent with recommendation 38 in Future Directions for Parks and Forestry which calls for the City to work with the school boards on joint facility development and use agreements where it is mutually beneficial to both.

Strategic Plan

The City's participation in this project is consistent with the Strategic Goals outlined in the Connect and Green Pillars of the Strategic Plan.

Financial Impact

There is no financial impact at this time, as the Peel District School Board will provide funding for the refresh of the Master Plan for the Farm. The City's contribution will be the in kind support of existing staff from Strategic Community Initiatives. Once the site access agreement for public use of the Farm is developed, any costs associated with this will be addressed through future business and budget plans.

Conclusion

The Peel District School Board is proposing to refresh their Master Plan for Britannia Farm. To do this they are requesting support from City staff on engaging the community. In order to clearly identify the City's role in this project, a Memorandum of Understanding is proposed.

Furthermore, the Board agrees to establish appropriate future public access to the Farm. This is of interest to the City as it provides residents and visitors with a significant open space in the heart of the City that has not previously been available.

Attachments

Appendix 1: Britannia Farm, northwest corner of Bristol Road and Hurontario Street

Appendix 2: Memorandum of Understanding between The Corporation of the City of Mississauga and the Peel District School Board



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Susan Burt, Director, Strategic Community Initiatives



APPENDIX 2**MEMORANDUM OF UNDERSTANDING (“MOU”)**

Between:

**The Corporation of the City of Mississauga
(hereinafter called “the City”)**

and

**Peel District School Board
(hereinafter called “the Board”)**

(together the “Parties”)

WHEREAS the Board is the owner of Britannia Farm (the “Farm”) located on the north-west corner of Hurontario Street and Bristol Road in Mississauga, Ontario;

WHEREAS pursuant to the original grant of the Farm from King William IV, the Farm is held by the Board to be used for the advancement of education in Peel;

WHEREAS the Farm is an active teaching resource for students and teachers;

WHEREAS the Board wishes to refresh a previously completed master plan to further enhance use of the Farm as a learning centre;

WHEREAS the Board is interested in entering into discussions with the City with regards to a public access agreement to permit some form of public access to the Farm;

WHEREAS the City has a shortage of parkland;

WHEREAS the Board wishes to consult with the public on the proposed refresh of the master plan for the Farm;

WHEREAS the City has extensive experience in facilitating community engagement processes in the development of master plans;

WHEREAS the Project (defined below) is consistent with the Vision Statement and Strategic Pillars of the City’s Strategic Plan (approved by City Council April 22, 2009) and set out at www.mississauga.ca;

WHEREAS staff from each of the Parties have met to discuss the principles that will form the basis of their relationship to move the Project forward;

WHEREAS the City and the Board wish to enter into this MOU to establish the framework to support, through a public engagement process, the refresh of the master plan for the Farm (the “Refreshed Master Plan”), including appropriate public access to the Farm, and to define the relationship between the Parties and their respective responsibilities during the development of the Refreshed Master Plan.

NOW THEREFORE the Parties agree as follows:

I. The Project

The “**Project**” is the creation of a Refreshed Master Plan for the future, sustainable use of the Farm that respects the Farm as an educational resource for the Board and determines appropriate public access to the farm, with the final outcomes to be approved by the Board. The City will support the Project through a process of community engagement and stakeholder consultation.

II. Project Objectives

The Project’s objectives are:

1. Create a Refreshed Master Plan for the sustainable development of the Farm, including cost estimates and implementation plan, to support outdoor programs for students of the Board and other appropriate uses;
2. Ensure proposed Refreshed Master Plan is within the City’s land use planning guidelines;
3. Determine how and when the public could access the Britannia Farm lands;
4. Examine possible funding and development opportunities to implement the Refreshed Master Plan;
5. Engage the public and stakeholders to inform and consult with them in regards to input on the Refreshed Master Plan, while ensuring it is clearly understood the decision making power is with the Board; and
6. Create a conceptual plan for a commercial/residential/institutional development within the approved 12.9 hectare development area along Hurontario Street and part of Bristol Road West in order to commence the municipal planning process.

III. Term and Termination

This MOU is effective upon the date of its signing of the last of the two parties and, unless otherwise extended by the Parties in writing, expires on the date that is the earlier

of (a) December 31, 2016; and (b) the approval by the Board Trustees of the Refreshed Master Plan.

Either Party may terminate this MOU at any time upon providing the non-terminating Party at least fifteen (15) days' notice.

IV. Governance

The Parties agree that:

1. The Board is the approving body for the final Refreshed Master Plan;
2. Both the Board and the City are the approving bodies for a public access agreement to the Farm;
3. The Parties will form both a steering committee and a technical and operational committee to perform tasks as outlined in an agreed upon Project Charter

V. Resources

The Parties agree to the following allocation of staff and financial resources:

1. The Board shall fully fund the Project;
2. Both Parties will provide a Project lead;
3. The Board shall provide necessary staff support and any required documents and reports to the City;
4. The City shall facilitate a public engagement process, provide staff resources and any required documentation and reports regarding same to the Board; and
5. Consultants will be retained by and on behalf of the Board to design and implement an engagement strategy, record, summarize and author reports on engagement outcomes; provide a draft Refreshed Master Plan and present it to the public, staff and elected officials as will be outlined in the Board's agreement with the Consultant(s).
6. The City will provide advice to the Board during the consultant procurement process.
7. The Board shall provide the City will reasonable access to the Farm upon request for the purpose of the Project.

VI. Timelines

The Parties agree to the following timeline for the delivery of the Project. If such timelines cannot be met, the Parties shall complete the following as soon as reasonably possible in the circumstances thereafter as agreed upon by the Parties:

1. Seek approval of MOU by Board Trustees and City Council March 2016
2. Issue RFP for consultant to draft Refreshed Master Plan and lead public engagement process April 2016

3. Consultant engaged by the Board May 2016
4. 1st draft of Refreshed Master Plan to public June 2016
5. Final draft of Refreshed Master Plan to public October 2016
6. Final draft of Refreshed Master Plan to Board Trustees December 2016 and any proposed public access agreement to Board Trustees and City Council as soon as possible thereafter.

VII. Freedom of Information

The Parties acknowledge that each of the City and the Board is subject to the *Municipal Freedom of Information and Protection of Privacy Act* (R.S.O. 1990, c. F-31) and that information provided in connection with this MOU may be subject to the provisions thereof.

VIII. Third Party Communication Protocol

The Parties shall create and comply with a communications protocol that ensures prior mutual consent for all third party communications and will promote the collaborative nature of the Project in a coordinated, timely, effective and proactive manner. Such communication protocol will be implemented by each Party within ten (10) days following its execution by each of the Parties and it shall be incorporated into this MOU by reference and form an integral part hereof.

IX. Records

Each Party is responsible for the proper care, transportation, handling, maintenance, use and storage of their respective records, in accordance with applicable laws, government directives, internal policies and guidelines, each as amended from time to time.

X. Notices

Any notice contemplated by this MOU will be properly given if it is in writing and delivered in person, by prepaid courier, electronic mail ("**Email**") or prepaid registered mail to the contacts set out below . A notice that is delivered in the following manner shall be deemed received as follows: (a) in person or by prepaid courier; received on the day of delivery; (b) prepaid registered mail; received on the seventh (7th) day following the date it was sent; (c) by Email, when the party giving the notice receives an written/electronic mail acknowledgement confirming receipt. Any notice received after 5:00 p.m. or on a day that is not a business day will be deemed to have been received at 9:00 a.m. on the next business day. During any postal disruption, all notices must be delivered in person, Email or sent by prepaid courier to be effective.

To the City: Attn: Director, Strategic Community Initiatives
Cc/ City Solicitor
The Corporation of the City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1
Email: Susan.burt@mississauga.ca; cc: Maryellen.bench@mississauga.ca:

To the Board: Attn: Controller, Planning and Accommodation Support Services
Cc/ Solicitor
Peel District School Board Keel Cottrelle LLP
5650 Hurontario Street 36 Toronto Street, Suite 920
Mississauga, ON L5R 1C6 Toronto, ON M5C 2C5
Email: Randy.Wright@peelsb.com; cc: JEasto@keelcottrelle.ca

XI. Amendment

This MOU may only be amended in writing between the Parties.

XII. Entire Understanding:

This MOU constitutes the entire understanding between the Parties with respect to the Project and supersedes all prior formal and informal agreements, proposals, promises, inducements, representations, conditions, warranties, understandings, negotiations and discussions, whether oral or written, of the Parties respecting same.

XIII. Counterparts.

This MOU may be executed by manual or facsimile signature in two (2) counterparts, each of which when so executed shall be deemed to be an original and all such counterparts shall constitute one and the same instrument.

.[INTENTIONALLY LEFT BLANK – SIGNATURE PAGE FOLLOWS]

DATED at Mississauga, Ontario, this _____ day of _____, 2016

IN WITNESS WHEREOF the Parties have executed this MOU upon the date above written.

THE CORPORATION OF THE CITY OF MISSISSAUGA

Per: _____

Name: Edward Sajecki

Title: Commissioner, Planning and Building

Per: _____

Name: Crystal Greer

Title: City Clerk

PEEL DISTRICT SCHOOL BOARD

Per: _____

Name: Jaspal Gill

Title: Associate Director, Operational Support Services

Per: _____

Name: Randy Wright

Title: Controller, Planning and Accommodation Support Services

[SIGNATURE PAGE TO MEMORANDUM OF UNDERSTANDING]

REPORT 2 - 2016

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Towing Industry Advisory Committee presents its second report for 2016 and recommends:

TIAC-0004-2016

That the deputation by Caroline Grech, Government Relations Specialist, CAA with respect to permission to tow vehicle forms be recieved.

(TIAC-0004-2016)

TIAC-0005-2016

That the Towing Industry Advisory Committee provide comments to staff, for inclusion in a future report to General Committee, on the report from the Commissioner of Transportation and Works dated March 14, 2016 and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, requirements for the use of "Permission to Tow Vehicle" forms.

(TIAC-0005-2016)

TIAC-0006-2016

That the 2016 Towing Industry Advisory Committee Action List be recieved for information.

(TIAC-0006-2016)

REPORT 1 - 2016

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Museums of Mississauga Advisory Committee presents its first report for 2016 and recommends:

MOMAC-0001-2016

That Joe Zammit be appointed Chair of the Museums of Mississauga Advisory Committee for the term ending November 2018, or until a successor is appointed.
(MOMAC-0001-2016)

MOMAC-0002-2016

That Barbara Tabuno be appointed Vice Chair of the Museums of Mississauga Advisory Committee for the term ending November 2018, or until a successor is appointed.
(MOMAC-0002-2016)

MOMAC-0003-2016

That the deputation from Jeremy Harvey, former Museums of Mississauga Advisory Committee (MOMAC) Member, dated March 22, 2016, be received.
(MOMAC-0003-2016)

MOMAC-0004-2016

That the Museums and Heritage Planning Strategic Plan Final Report dated March 2016 prepared by TCI Management Consultants entitled Heritage Management Strategy be approved as presented.
(MOMAC-0004-2016)

MOMAC-0005-2016

That the Interim Recommendations for staff consideration resulting from the Community Vision Task Group and the Engagement and Outreach Task Group dated November 24, 2015, be received.
(MOMAC-0005-2016)

MOMAC-0006-2016

That the Museums of Mississauga Update from the Manager of Museums and Chief Curator dated February 29, 2016, be received for information.
(MOMAC-0006-2016)

MOMAC-0007-2016

That the Memorandum under Item 8.1 entitled *Temporary Traditional Aboriginal Sweat Lodge at the Bradley Museums*, and the Memorandum under Item 8.2 entitled *Wrapped Tied Tucked Debrief*, both from the Manager of Museums and Chief Curator, dated February 24, 2016, be received for information.
(MOMAC-0007-2016)

MOMAC-0008-2016

That the Memorandum dated February 24, 2016 entitled Regional Roundtable on Diversity (RDR), from the Manager of Museums and Chief Curator, be received for information.
(MOMAC-0008-2016)

MOMAC-0009-2016

That as a result of Jeremy Harvey's resignation, a vacancy exists on the Museums of Mississauga Advisory Committee, and that the City Clerk be requested to fill the vacancy.
(MOMAC-0009-2016)

MOMAC-00010-2016

That the document entitled *Advisory Committee Role* dated November 2015, be received for information.
(MOMAC-0010-2016)

REPORT 2 - 2016

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Traffic Safety Council presents its second report for 2016 and recommends:

TSC-0015-2016

That the deputation from Max Gill, Traffic Operations Technologist regarding the Traffic Calming Policy be received.

(TSC-0015-2016)

TSC-0016-2016

1. That the request for a crossing guard at the driveway of Edenrose Public School be denied as the warrants are not met.
2. That Transportation and Works be requested to review the following:
 - a. The signage on Edenrose Street, in front of Edenrose Public School.
 - b. The feasibility of installing speed boards, in the spring 2016, on Edenrose Street, for the students attending Edenrose Public School.
3. That Parking Enforcement be requested to enforce all "No Stopping/No Parking" violations between 8:40 a.m. to 9:00 a.m., and 2:50 p.m. to 3:15 p.m., on Edenrose Street, for students attending Edenrose Public School, once signage is in place.
4. That Peel Regional Police be requested to enforce speeding, passing, and no U-turn violations on Edenrose Street for students attending Edenrose Public School, between 8:40 a.m. to 9:00 a.m., and 3:10 p.m. to 3:30 p.m.
5. That the Peel District School Board be requested to review the following:
 - a. The operation of the Kiss & Ride area
 - b. Consider extending the Kiss & Ride area to include the staff parking lot on the west side of Edenrose Public School.

(Ward 6)

(TSC-0016-2016)

TSC-0017-2016

That the request for a crossing guard at the intersection of Derry Road and Tenth Line West for the students attending Plum Tree Park Public School, be denied as the warrants are not met.

(Ward 9)

(TSC-0017-2016)

TSC-0018-2016

1. That Transportation and Works be requested to ensure that the traffic signals at McLaughlin Road and Novo Star Drive/Arrowsmith Drive, and at Mavis Road and Crawford Mill Avenue/Novo Star Drive are at a slow walking speed for September 2016, as the Student Transportation of Peel Region will no longer provide school bus services for students attending St. Veronica Catholic School and David Leeder Middle School effective September 2016.
2. That the Principals of St. Veronica Middle School and David Leeder Middle School be requested to remind their students to always activate the pedestrian signal button before crossing Mavis Road and McLaughlin Road.

(Ward 11)

(TSC-0018-2016)

TSC-0019-2016

1. That the request to change the current location of the crossing guard, for students attending Sheridan Park Public School, be denied as the current crossing guard location works well and is strategically placed.
2. That Parking Enforcement be requested to enforce all No Stopping/No Parking prohibitions between 3:20 p.m. and 3:40 p.m., in the vicinity of Thorn Lodge Drive and Perran Drive for the students attending Sheridan Park Public School.
3. That Transportation and Works be requested to review the signage in the vicinity of Thorn Lodge Drive and Perran Drive for the students attending Sheridan Park Public School.

(Ward 2)

(TSC-0019-2016)

TSC-0020-2016

1. That the request for a crossing guard at the intersection of Breckenridge Drive and Cedar Creek Drive for the students attending Silverthorn Public School be denied as the warrants are not met.
2. That the request for a crossing guard 3535 Cedar Creek Drive, in front of Silverthorn Public School be denied as the warrants are not met.
3. That the Principal of Silverthorn Public School be requested to:
 - a. Ensure that school staff/volunteers are in place when students are being loaded onto the school bus.
 - b. Review the Kiss & Ride operation and ensure that school staff/volunteers are manning the area during the prescribed time of the Kiss & Ride operation.
4. That Transportation and Works be requested to conduct a study at the intersection of Breckenridge Drive and Cedar Creek Drive to determine if the warrants are met for the implementation of an all way stop, for the students attending Silverthorn Public School.

(Ward 3)

(TSC-0020-2016)

TSC-0021-2016

That the email dated February 23, 2016 from Nancy, resident, requesting the implementation of a crossing guard at Tomken Road and Runningbrook Drive for the students attending Blessed Teresa of Calcutta School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to Traffic Safety Council.

(Ward 3)

(TSC-0021-2016)

TSC-0022-2016

That the email dated March 2, 2016 from Councillor Fonseca on behalf of a resident requesting a site inspection at the intersection of Fieldgate Drive and Bough Beeches Blvd. for the students attending Saints Martha & Mary Catholic School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to Traffic Safety Council.

(Ward 3)

(TSC-0022-2016)

TSC-0023-2016

That the email dated March 17, 2016 from Sheelagh Duffin, Supervisor, Crossing Guards, on behalf of a resident requesting a site inspection at the intersection of Barondale Drive and Cortina Crescent for students attending Barondale Public School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to Traffic Safety Council.

(Ward 5)

(TSC-0023-2016)

TSC-0024-2016

That the report from the Manager of Parking Enforcement with respect to parking enforcement in school zones January and February 2016 be received for information.

(TSC-0024-2016)

TSC-0025-2016

That the Action Items List from the Transportation and Works Department for the month of January 2016, be received for information.

(TSC-0025-2016)

TSC-0026-2016

1. That up to three (3) Traffic Safety Council members be authorized to attend the 2016 Ontario Traffic Council Annual Conference, on May 15 to 17, 2016 in Barrie, Ontario and that the costs for registration, accommodation and travel, of approximately \$1,500 per attendee to attend the Conference, be allocated in the 2016 Traffic Safety Council budget.
2. That the Traffic Safety Council Members who attend the 2016 Ontario Traffic Council Annual Conference on May 15 to 17, 2016 submit a report, summarizing the sessions they attended, at the Traffic Safety Council meeting in June 2016.

(TSC-0026-2016)

TSC-0027-2016

That the verbal update provided by Peter Westbrook, Chair, Traffic Safety regarding the joint Walk and Bike to school initiative, coordinated by the Traffic Safety Council and the Mississauga Cycling Advisory Committee, be received for information.

(TSC-0027-2016)

TSC-0028-2016

That the letter dated December 10, 2016 from the Director of Education, Peel District School Board advising that Robert Crocker, Trustee, Wards 6 & 11, was appointed as the Board's representative to the Traffic Safety Council, and that Nokha Dakroub, Trustee, Wards 9 & 10 was also appointed as the alternate representative to the Traffic Safety Council, be received for information

(TSC-0028-2016)

TSC-0029-2016

That the letter dated February 22, 2016 from the Director of Education, Dufferin-Peel Catholic District School Board advising that Thomas Thomas, Trustee, Ward 5, was appointed as the Board's representative to the Traffic Safety Council, be received for information.

(TSC-0029-2016)

TSC-0030-2016

1. That Transportation and Works be requested to review the pavement markings at the intersection of Paisley Blvd. and Mavis Road, for students attending Cashmere Public School.
2. That prior to September 2016, if school bus service is removed for 25 Cashmere Public School students living west of Mavis Road, Transportation and Works be requested to ensure the traffic control signals are set to slow walking speed.
3. That Traffic Safety Council schedule a further site inspection at Paisley Blvd. and Mavis Road, for students attending Cashmere Public School, in October 2016 if school bus service has been removed.

(Ward 7)

(TSC-0030-2016)

TSC-0031-2016

1. That the Principal of St. Basil Catholic School be requested to consider the following:
 - a. Advise parents to use the Kiss & Ride area when dropping off their children in the morning.
 - b. Provide safety vests for the staff/volunteers that operate the Kiss & Ride area.
 - c. Inform parents that it is now legal to park on the east side of Golden Order Drive between Larny Court and St. Basil Catholic School driveway entrance.

2. That Parking Enforcement be requested to enforce all parking/no stopping prohibitions between 3:05 p.m. and 3:30 p.m. on Golden Orchard Drive for the students attending St. Basil Catholic School.

(Ward 3)

(TSC-0031-2016)

TSC-0032-2016

That the verbal request made by Councillor Sue McFadden at the Traffic Safety Council meeting on March 23, 2016 regarding the scheduling of a site inspection at the intersection of Perennial Drive and Tenth Line West to determine the feasibility of installing No stopping signs, for the students attending Oscar Peterson Public School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to Traffic Safety Council.

(Ward 10)

(TSC-0032-2016)

TSC-0033-2016

That the cost of approximately \$170.00 be approved for the purchase of a plaque to present to the recipient of the 2015 Dr. Arthur Wood Award.

(TSC-0033-2016)

TSC-0034-2016

That Council be requested to pass a resolution to authorize the absence of a Traffic Safety Council Citizen Member who will be absent for three (3) consecutive months.

(TSC-0034-2016)