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## General Committee

### Date

2016/06/15

### Time

IMMEDIATELY FOLLOWING SPECIAL COUNCIL

### Location

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

### Members

Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
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 (Chair)
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

### Contact

Sacha Smith, Legislative Coordinator, Legislative Services  
905-615-3200 ext. 4516  
Email [sacha.smith@mississauga.ca](mailto:sacha.smith@mississauga.ca)

### Find it Online

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

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1. **CALL TO ORDER**

2. **APPROVAL OF AGENDA**

3. **DECLARATION OF CONFLICT OF INTEREST**

4. **PRESENTATIONS - Nil**

5. **DEPUTATIONS**

5.1. Dianne Douglas, Chair, Malton Community Festival with respect to the Malton Community Festival on June 17-18, 2016.

5.2. Diane LaPointe-Kay, President, Small Arms Society with respect to the adaptive reuse of the Small Arms Building at 1352 Lakeshore Road.

5.3. 6.2 Clara Grassia, Project Lead, 2016 Ontario Summer Games, Michael Cleland , Area Manager, Hershey Facilities, Sport & Community Development and Beth Cooper, Manager, Sport, Tourism Community Development.

6. **MATTERS TO BE CONSIDERED**

6.1. (Unfinished Business)Towing Industry Advisory Committee Citizen Member Appointments

6.2. 2016 Ontario Summer Games Update

6.3. Older Adult Bingo Events in Mississauga Community Centres

6.4. Boulevard Gardens and By-Law Amendment

6.5. Route 10 Bristol-Britannia - Petition for Earlier Service

6.6. Holiday Messages on MiWay Bus Destination Signs

6.7. Authority to Enter into an Agreement with Corporate Sponsors for Bus Shelter Installation

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- 6.8. Parking Prohibition – Longside Drive (Ward 5)
- 6.9. Parking Prohibition – Ivygate Court (Ward 8)
- 6.10. Parking Prohibition – Glen Erin Drive between Battleford Road and Aquitaine Avenue (Ward 9)
- 6.11. “Please Slow Down” Lawn Signs
- 6.12. Retrofit of The Collegeway Stormwater Management Facility #5903 - Additional Funding -PN 10-142 (Ward 8)
- 6.13. Agreements with the Ontario Ministry of Transportation for the construction of the Second Line West Pedestrian/Cyclist Bridge (Ward 11)
- 6.14. Supply of Transit Shelter Media Space for Targeted Advertising - Sole Source Contract Award to Outfront Media, - FA. 49.0082-16
- 6.15. Single Source Contract Negotiations and Award to Active Network LTD. for a Recreation Enterprise System Solution File Ref: FA.49.107-16
- 6.16. Single Source Contract for Bell Canada Voice Telecommunication Services File Ref : FA.49.663-10
- 6.17. Single Source Recommendation with Avolve Software Corporation File Ref: FA.49.266-13
- 6.18. Corporate Policy - Use of City Facilities Draft Policy
- 6.19. Environmental Impairment Liability Insurance Coverage
- 7. **ADVISORY COMMITTEE REPORTS**
- 7.1. Towing Industry Advisory Committee Report 3-2016 May 30, 2016
- 7.2. Accessibility Advisory Committee Report 3-2016 June 6, 2016

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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 - Small Arms Inspection Building, 1352 Lakeshore Road East (Ward 1)

11. **ADJOURNMENT**

# City of Mississauga

## Corporate Report



Date: 2016/04/20

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:  
2016/05/18

### Subject

**Towing Industry Advisory Committee Citizen Member Appointments**

### Recommendation

That the Corporate Report dated April 20, 2016 from the Commissioner of Corporate Services and Chief Financial Officer entitled "Towing Industry Advisory Committee Citizen Appointments" be received for information.

### Background

At the April 18, 2016 Governance Committee meeting, staff were directed to review opportunities to expand the membership of the Towing Industry Advisory Committee (TIAC) to include Citizen Members who are not involved in the towing industry. It was suggested that the opportunities to expand TIAC include looking into the interest of citizen members from other advisory committees of Council.

Following the 2014 Municipal Election, Clerk's Office staff advertised in the Mississauga News and on the City of Mississauga website opportunities for citizen members involvement and appointment to all Advisory Committees of Council including TIAC. In total, staff received 11 applications from citizens who were interested to sit on TIAC. All applicants were in some way involved in the industry as owners or operators and none were identified as members of the general public.

### Comments

The Terms of Reference for TIAC allows any resident of Mississauga or any Mississauga business owner to apply and become a citizen member of TIAC. The composition of TIAC is to include 2 councillors and 6 citizen members as outlined in Appendix 1. The current TIAC committee composition is as follows;

- Councillor Starr (Chair)
- Councillor Mahoney (Vice-Chair)
- Mark Bell, Citizen Member (Tow Truck Operations Manager)
- Robert Fluney, Citizen Member (Towing Owner and Operator)

- Daniel Ghanime, Citizen Member (Tow Truck Company Owner)
- John C. Lyons, Citizen Member (Tow Truck General Manager)
- Tullio (Tony) Pento, Citizen Member (Tow Truck Owner)
- Armando Tallarico, Citizen Member (Collison Centre Owner)

In accordance with Corporate Policy and Procedure 02-01-01, the Office of the City Clerk will canvass citizen members of committees in the fall of 2016, which is mid-term, to confirm that they wish to carry out the balance of their term. If any current citizen members indicate their resignation at mid-term, the clerk's office will proceed to fill the vacancies in accordance with the Corporate Policy. Should Council determine that additional members of the public would be an asset to the composition of TIAC, Council can direct staff to advertise and expand the committee composition. This could be done now, or as part of the mid-term recruitment.

In 2013, an in-depth City Committee of Council Structure Review was completed with benchmarking from other municipalities and it was found that there is no similar Towing Industry Advisory Committee. To date, there is still no comparable Towing Industry Advisory Committee to benchmark best practices or citizen involvement.

## Financial Impact

Not applicable.

## Conclusion

If Council wishes to add additional citizen members who are not involved in the towing industry the Terms of Reference would need to be amended to include the specific number of citizen members to be added, with provision that these members are not involved in the towing industry. In addition, direction should be given as to when the appointments are to be initiated now, or as part of the mid-term confirmation of citizen appointments.

## Attachments

Appendix 1: Terms of Reference for Towing Industry Advisory Committee



For:

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Stephanie Smith, Legislative Coordinator

## Terms of Reference for Towing Industry Advisory Committee

### Mandate

The Towing Industry Advisory Committee is an advisory committee of Council established to make recommendations to the Council of the City of Mississauga designed and intended to review and advise Council on issues relating to the towing industry in the City of Mississauga.

### Objectives/Goals

The Towing Industry Advisory Committee shall operate according to the Procedural By-law regulating the operation of meetings of Council and its Committees. Appointed members are required to attend meetings on a bi-monthly and on an 'as required' basis to discuss issues related to the towing industry in the City of Mississauga. Staff reports are primarily generated based on referral from the Towing Industry Advisory Committee.

### Work Plan

All Advisory Committees shall prepare annual Work Plans which they will send to their parent standing committee, then to Council at the beginning of the new year, as well as a progress update at the end of the year. Committee members shall work collaboratively with City staff devise these Work Plans to ensure that the workload is manageable and appropriately shared between the two parties. Work plans will need to be carefully crafted in order to meet the Committee's mandate and objectives, as well as the City's Strategic Plan, Master Plans, and budgetary capacity.

The work plan shall speak directly to the specific goals the committee aims to accomplish.

The work plan for each Advisory Committee attempts to use the City's Strategic Plan Pillars, action items, master plans, or legislation as sub-headings to organize the committee's focus and nature of work.

The Committee shall present its accomplishments as they relate to the work plan, to Council annually.

### Definitions

Definitions are provided for the purpose of clarity and only where necessary. That definitions provided are referenced to the appropriate source/legislation.

### Procedures and Frequency of Meetings

All Committees are subject to Council Procedure By-law, which outlines the procedures for Council and Committee meetings.

[http://www7.mississauga.ca/documents/bylaws/procedural\\_by-law\\_2013.pdf](http://www7.mississauga.ca/documents/bylaws/procedural_by-law_2013.pdf)

The Towing Industry Advisory Committee will meet approximately 6 times per year, usually on the first third Tuesday of every month, or as determined by the Committee at the call of the Chair.

### Membership

All members are subject to the Code of Conduct and Complaint Protocol for Local Boards.

[http://www7.mississauga.ca/documents/CityHall/pdf/2014/Local\\_Boards\\_Code\\_of\\_Conduct.pdf](http://www7.mississauga.ca/documents/CityHall/pdf/2014/Local_Boards_Code_of_Conduct.pdf).

and Corporate Policy 02-01-01: Citizen Appointments to Committees, Boards and Authorities. <http://inside.mississauga.ca/Policies/Documents/02-01-01.pdf>

That the Terms of Reference clearly outline what is expected of members of the committee, especially regarding the level and nature of the involvement expect.

Membership of the Towing Industry Advisory Committee shall comprise of the following with full voting rights:

Appointment of Members (by Resolution)

2 Councillors,

6 Citizens

### Role of Chair

The role of the Chair is to:

1. Preside at the meetings of Towing Industry Advisory Committee using City of Mississauga's Procedure By-law, and keep discussion on topic.
2. Provide leadership to Towing Industry Advisory Committee to encourage that its activities remain focused on its mandate as an Advisory Committee of Council.
3. Review agenda items with the Committee Coordinator and Enforcement Office in the City.
4. Recognize each Member's contribution to the Committee's work.
5. Serve as an *ex-officio* member of subcommittees and attend subcommittee meetings when necessary.
6. Liaise with the Manager of Mobile Enforcement on a regular basis.

### Role of Committee Members

The role of Committee Members is to:

1. Ensure that the mandate of Towing Industry Advisory Committee is being fulfilled.



2. Provide the Chair with solid, factual information regarding agenda items.
3. When required, advise Council on matters relating to towing.
4. Actively participate in the promotion of the Committee's signature events/Site inspections/etc. (whatever they may be).
5. Notify the Committee Coordinator if they are unable to attend Towing Industry Advisory Committee meetings to ensure that quorum will be available for all meetings.

### Quorum

1. Quorum of the Towing Industry Advisory Committee shall be reached with the presence of a majority of the appointed and elected members, at a time no later than thirty (30) minutes past the time for which the beginning of the meeting was scheduled and so noted on the agenda or notice of the meeting.
2. The issuance of an agenda for a meeting of this Committee will be considered as notice of that meeting.
3. The presence of one (1) of the appointed Council members shall be required to establish quorum.

### Subcommittees

That, as per the Procedure By-law 139-2013, a Committee of Council may establish a subcommittee which shall consist of members of the parent Committee, as may be determined by such parent Committee and any other member approved by Council.

- Sub-committees will be formed to deal with specific issues, and will make recommendations to the parent Committee. Once the specific issue is dealt with the subcommittee shall cease.
- All appointed members of the subcommittee have the right to vote.
- The Chair of the subcommittee will be appointed at the first meeting of the subcommittee.

# City of Mississauga Corporate Report



Date: 2016/05/24

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:  
2016/06/15

## Subject

**2016 Ontario Summer Games Update**

## Recommendation

That the Corporate Report dated May 24, 2016 from the Commissioner of Community Services entitled "2016 Ontario Summer Games Update" be received for information.

## Report Highlights

- The 2016 Ontario Summer Games will take place from August 11-14, 2016.
- A total of 34 sports with 4,000 athletes, coaches and officials will be hosted over the 4-day event, making it the largest Ontario Summer Games program in history.
- The event is on target to meet the total overall operating budget of \$1.9 million.
- Key staff has been recruited to lead all 17 Committees required to plan and operate the Games.
- Host Committee has met monthly to oversee all logistical management of the Games program.
- Ministry of Tourism, Culture and Sport milestones have been met and \$720,000 in funding has been received to date. A total of \$1.04 million will be received from the Ministry.

## Background

The City of Mississauga was awarded the 2016 Ontario Summer Games in August of 2014. Logistics and operational planning have been underway since that time. Under a partnership agreement known as the Transfer Payment Agreement with the Ministry of Tourism, Culture and Sport (MTCS); staff has been assigned lead roles in areas that include volunteer recruitment, accommodations, sport and venue management, marketing and communications, emergency management, information technology and transportation. Staff from Recreation, Culture, Parks,

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Corporate Services and Transportation and Works make up the Games Organizing Committee and meet on a monthly basis to share progress and report any challenges that require direction.

A Host Committee with representatives from MTCS, Toronto Tourism, Members of Council, City Management Team, Mississauga Sports Council and Chair, Mr. Peter Fonseca oversees all aspects of the Games at monthly meetings.

Mississauga anticipates 4,000 athletes, coaches and officials arriving for the largest ever Ontario Summer Games set for August 11-14, 2016. The Opening Ceremonies will take place August 11, 2016 at the Hershey Centre.

The purpose of this report is to provide General Committee with a status update on planning activities associated with the 2016 OSG in Mississauga.

## Comments

The Games Organizing Committee consists of 12 Committee Chairs that plan and will deliver day to day operations associated with the Games. A review on the project status of these Committees follows:

- Accommodations: 2100 rooms have been confirmed at 22 local hotels and 500 rooms at the residences of University of Toronto Mississauga to house all athletes, coaches and officials.
- Sports/Venues: 16 local venues and 5 venues in surrounding municipalities are secured to host the 34 events.
- Volunteers: Recruitment goal of 1,000 will be achieved. Volunteer training is set for July 25, 26 and 27 at the Hershey Centre. A Volunteer Recognition night is planned for Sunday August 14, 2016.
- Marketing/Communication: A robust website and social media program launched in April. A street banner program will roll out in June.
- Special Events: Led by the Culture Division, a successful Summer Games 101 launch at Celebration Square welcomed 2,500 elementary school children celebrating "101 Days to the Games" in conjunction with Rebel Week's Music Monday on May 2, 2016. Staff are now preparing a spectacular Opening Ceremonies program on August 11, 2016 with a pre-celebration for athletes planned at the Mississauga SportZone. Tickets will be made available for sale to family members of participants.
- The Culture Division led a call of local artists to design the 2016 Ontario Summer Games gold, silver and bronze medals to be presented to over 2,000 athletes. Local artist Tomas

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Rojcik has created a unique Mississauga centric medal design that was chosen among the selections received.

- Transportation: Mi-Way staff have developed schedules to accommodate daily transportation from hotels to venues in cooperation with an approved school bus vendor.
- Food Service: Procurement to be awarded in early June to provide lunch service to all athletes, volunteers and officials daily. Opening Ceremonies and VIP reception meals are included in this procurement.
- Sponsorship: At present \$75,000 in cash and in-kind achieved. Grant request of up to \$75,000 to help offset volunteer program budgets still outstanding. Confirmation to be received by end of May.
- Administration: Games' office established at the Hershey Centre as the anticipated headquarters during Games' time. Accreditation and Volunteer Centre will be established at this site.
- Sports and Venues: Recreation, Parks and Facilities and Property Management staff are working diligently to prepare City facilities for the 4 day showcase. Parks staff is ensuring all outdoor fields are prepared for competition and provide welcoming aesthetics with colourful flower beds and in-field Games' logos. Facility staff is reviewing maintenance schedules to ensure all work required is completed by Games time.
- Lakefront Promenade Beach Volleyball: Venue set for completion first week of June with light installation following in July. A Games' Volunteer tournament will be planned upon venue completion to test the facility prior to the competition start on August 12, 2016.

Staff and Ministry representatives continue to work on meeting all timelines and objectives required to host the 2016 Ontario Summer Games. The Host Committee and Games Organizing Committee are committed to achieving a successful Games program delivered on time and on budget providing the opportunity for athletes to achieve personal best in competition and feel the spirit of comradery and friendship through their experiences in Mississauga.

## Financial Impact

The 2016 Ontario Summer Games will be delivered within the budget of \$1.9 million presented to Council in October 2015. Current revenue and expense projections are on target to achieve a balanced budget by Games end.

## Conclusion

This update on the 2016 Ontario Summer Games provides an overview leading up to the final weeks of preparations for Mississauga's first ever multi-sport hosting opportunity. Ministry representatives have provided positive feedback to City staff and community volunteers on planning and strategies implemented to date. Staff and volunteers will continue to work diligently to maintain a fiscally responsible budget while meeting all critical milestones and objectives to ensure success. Games' planning is moving forward within budget and established timelines.



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

Prepared by: Clara Grassia, Project Lead, 2016 Ontario Summer Games

# City of Mississauga

## Corporate Report



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng., MBA, Commissioner of  
Transportation and Works

Originator's files:

Meeting date:  
2016/06/15

## Subject

**Older Adult Bingo Events in Mississauga Community Centres**

## Recommendation

That the report from the Commissioner of Transportation and Works dated June 1, 2016 and entitled "Older Adult Bingo Events in Mississauga Community Centres" be received for information.

## Report Highlights

- Through the investigation of a complaint received in 2015, the Enforcement Division determined that unlicensed bingo events were occurring at numerous Mississauga community centres as part of regular older adult group gatherings.
- Pursuant to the *Criminal Code of Canada*, gambling is illegal in Canada unless it falls under one of the limited exceptions listed specifically therein and one of those exceptions is charitable gaming.
- Older adult groups are primarily social clubs that do not meet eligibility requirements for lottery licensing as set by the Alcohol and Gaming Commission of Ontario (AGCO).
- A Seniors Bingo Pilot Project proposal submitted to the AGCO suggested a limited form of approval, through a licence or permit, which allows bingo to be played with the stipulation that all money paid out is given back in the form of prizes, and included a limit to how much each player may spend during each event as well as a cap on the prize boards that would be determined in consultation with the AGCO. The proposal would be an exemption to the legal and regulatory framework for lottery licensing.
- The AGCO confirmed that they and the City do not have the authority to exempt persons or organizations from the requirements in the *Criminal Code of Canada*. The City is bound by the guidelines set out by the AGCO in determining organizational eligibility for

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lottery licensing.

- Staff do not support the use of City facilities for unlicensed gaming events.

## Background

The purpose of this report is to respond to the Council enquiry made at General Committee on April 6, 2016 regarding the issue of older adult bingo activities and the provincial regulations that govern the requirement for a charitable lottery licence to hold these gaming events.

Compliance and Licensing Enforcement staff are responsible for enforcing provincial regulations and policies as they relate to certain gaming activities including but not limited to bingo, raffles and 50/50 draws, and for determining an organization's eligibility to hold a lottery licence.

In 2015, the Enforcement Division received a complaint regarding bingo being played in a Mississauga Community Centre without a lottery licence. Upon further investigation, it was determined that these unlicensed bingo events were occurring at numerous community centres as part of regular older adult group gatherings.

Recreation staff were informed by Compliance and Licensing Enforcement staff that a lottery licence is required for these older adult groups to hold bingo events. In November 2015, through the Recreation Division, all community groups using City facilities were informed that bingo activities are a form of gambling and are illegal without a lottery licence (Appendix 1). Groups were provided with information on how to apply for a lottery licence and an Eligibility Questionnaire.

Subsequently, on February 21, 2016 the Mississauga Seniors' Council contacted Members of Provincial Parliament, Members of Council and the AGCO to advocate the social value of bingo activities for older adults, and to request that these groups be allowed to continue (Appendix 2).

## Comments

In Canada, all authority to license gaming activity flows from provisions in the *Criminal Code of Canada*. Pursuant to the *Criminal Code of Canada*, gambling is illegal in Canada unless it falls under one of the exceptions listed specifically therein.

*"Section 206 of the Criminal Code establishes that it is an indictable offence to participate in a lottery scheme in any manner.*

*Section 207(1)(a) of the Criminal Code provides an exemption from the general prohibition against gambling, allowing provincial governments to conduct and manage lottery schemes.*

*Section 207(1)(b) provides an exemption from the general prohibition against gambling, allowing eligible charitable and religious organizations to conduct and manage lottery schemes under the authority of a licence issued by the appropriate authority."*

Lottery licensing refers to lottery schemes permitted by a licence under the *Criminal Code of Canada*. A lottery scheme is defined as any scheme, which has the following three components: a prize; a chance (to win the prize); and, consideration or a fee.

### **Regulatory Framework for Charitable Gaming**

Based on the authority conferred by the *Criminal Code of Canada*, the Government of Ontario through an Order-in-Council, has delegated its authority to license eligible charitable gaming events to the AGCO and municipalities.

The regulatory framework for charitable gaming requires that only those organizations that are considered charitable or religious may hold lottery licences and that the proceeds raised from lottery schemes must be used solely to support charitable or religious activities that provide a direct charitable benefit to the community.

Requirements for lottery licensing eligibility and use of lottery proceeds are set by the AGCO. Municipalities are responsible for determining an organization's eligibility to hold a lottery licence, for monitoring the funds generated by the lottery licence, and for enforcing provincial regulations and/or policies as they relate to certain gaming activities.

### **Lottery Licensing Eligibility**

A municipality is bound by the guidelines set out by the AGCO in determining organization eligibility. In order to qualify to receive a lottery licence under the charitable gaming program, the organization must be a charitable or not-for-profit organization and the proceeds of the lottery scheme must benefit a charitable object or purpose.

A charitable organization is defined as an organization whose purpose or object is for one of the following:

- relief of poverty;
- advancement of education;
- advancement of religion; or,
- other charitable purposes beneficial to the community not listed above.

Extensive research and review of the AGCO's Lottery Licensing Policy Manual (LLPM), discussions with other municipalities, and consultation with the AGCO were undertaken by Compliance and Licensing Enforcement staff to determine if these older adult groups could be eligible for lottery licensing.

Our research has concluded that these older adult groups are neither charitable nor not-for-profit organizations but primarily social clubs that do not meet eligibility requirements for lottery licensing as set by the AGCO, and subsequently confirmed by them.



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It should be noted that licensed charitable organizations are required to open and maintain a separate designated lottery trust account to administer all funds related to the conduct of the lottery event; must conduct and manage their events in accordance with licensing policies and the terms and conditions of the licences; and, fulfill all prescribed reporting requirements.

The requirements as outlined are intended for licensees raising profits for charitable purposes under a lottery licence and would otherwise be onerous for an organization to fulfill particularly if the gaming activity is organized for the intended purpose of its members to have fun.

### **Seniors Bingo Pilot Project Proposal**

Recognizing the social value of bingo activities for older adults and that these events are intended to provide recreational activity rather than to specifically raise profits, a proposal (Appendix 3) was submitted by Compliance and Licensing Enforcement staff on February 3, 2016 to the AGCO requesting their assistance in finding a way to offer these bingo events within the existing legal framework.

The Seniors Bingo Pilot Project proposal suggested a limited form of approval, through a licence or permit, which allows bingo to be played with the stipulation that all money paid out is given back in the form of prizes. The proposal included a limit to how much each player may spend during each event as well as a cap on the prize boards that would be determined in consultation with the AGCO.

The proposal referenced “Section 9.5.1(c) In-House Bingos – Senior Homes” of the Lottery Licensing Policy Manual (LLPM) and outlined the similarities to bingo events that occur in seniors homes involving trivial amounts of money with the underlying objective of providing entertainment rather than raising funds. The only difference is that these bingo events would take place in community centres rather than seniors homes.

### **The AGCO’s Position**

On April 20, 2016, City staff from Legal Services, Enforcement Division and Recreation Division met with representatives from the AGCO to discuss the City’s proposal. The AGCO’s position is outlined in a letter from Mr. Frank Cuda, Manager, Gaming Eligibility attached as Appendix 4.

In summary, the AGCO “*does not have authority to exempt persons or organizations from the requirements in the Criminal Code of Canada or to direct what action can be taken by a municipality with respect to these unlicensed gaming activities*”. If a gaming activity qualifies as a lottery scheme, it must be licensed by the AGCO or a municipality in order to be considered legal under the *Criminal Code of Canada*.

### **Municipal Scan**

On May 2, 2016, Compliance and Licensing Enforcement staff contacted members of the Municipal Lottery Licensing Network (MLLN) to inquire if any municipalities have had

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occurrences of older adult groups conducting unlicensed bingo events in their City facilities and what was done about it. The MLLN is a grass roots network comprising municipal employees responsible for the administration of lottery licensing and representing 36 municipalities (including Mississauga) across Ontario. Through the members of this network, the following municipalities were contacted: Amherstburg, Brampton, Brant, Brantford, Burlington, Chatham-Kent, Fort Erie, Grimsby, Haldimand County, Hamilton, Huronville, Kincardine, Kingston, Kitchener, Leamington, London, Markham, Marmora and Lake, Milton, Niagara Falls, Norfolk County, Oakville, Orillia, Pelham, Penetanguishene, Port Colborne, Prescott, Richmond Hill, Southgate, St. Mary's, Tiny Township, Toronto, Vaughan, Wainfleet and Welland. Of these 35 municipalities benchmarked, two responses were received.

The City of Brampton has recently become aware that various older adult groups are running bingos in City operated community centres. City of Brampton licensing staff met with a number of these groups along with individuals from their Parks and Recreation Department to explain that the bingo events were in contravention of Municipal, Provincial and Federal regulations and, as such, constituted illegal gaming. The groups were advised, as applicable, to stop their current activities. When the City of London became aware that older adult bingo events were taking place in their community centres, the Program Directors at the community centres ensured that the events ceased.

### **Use of City Facilities for Unlicensed Gaming Events**

Staff consulted with the Recreation Division who advised that the Terms and Conditions of the Facility Rental states that the renter agrees to comply with any by-laws, policies or regulations imposed by the City of Mississauga governing the use of the facility and specifically states that gambling, betting for gain/reward or any illegal activity is not permitted in any City facility.

Staff also consulted with Legal Services who confirmed that the City does not have the authority to exempt persons or organizations from the requirements in the *Criminal Code of Canada*. Further, Legal Services confirmed that the City is bound by the guidelines set out by the AGCO in determining organizational eligibility for lottery licensing. As such, staff do not support the use of City facilities for unlicensed gaming events.

## **Options**

Because these older adult groups are not eligible to hold a lottery licence, the options to allow these bingo events within the existing legal framework are very limited.

A bingo game, if structured to include all three elements of a "lottery scheme", is considered gambling regardless of the value of the prize or the amount paid to take part. The gaming activity would no longer qualify as a "lottery scheme" if the structure of the game was changed to take away any consideration or a fee to play. This option has already been offered to older adult groups; however, we have been informed that the excitement of winning a monetary prize or even the enjoyment of watching their friends win is fundamental to their participation and attendance.

Alternatively, Council may wish to send a letter to Premier Kathleen Wynne and local Members of Provincial Parliament to advocate the social value of bingo activities for older adults, and request that the Province, on behalf of older adult Ontarians, lobby the federal government to provide an exemption to the general prohibition against gambling, allowing older adult groups to conduct bingo events for the intended purpose of recreational activity.

## Financial Impact

There is no financial impact.

## Conclusion

The Enforcement Division in consultation with Legal Services has determined that these older adult bingo events cannot continue as they are currently structured because it is a clear contravention of the *Criminal Code of Canada*.

## Attachments

- Appendix 1: Letter to all Community Groups from Recreation Division
- Appendix 2: Letter from Mississauga Seniors' Council
- Appendix 3: Seniors Bingo Pilot Project Proposal
- Appendix 4: Letter from Mr. Frank Cuda, Manager, Gaming Eligibility, Alcohol and Gaming Commission of Ontario



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Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Yelena Adamopoulos, Administrative Supervisor, Compliance and Licensing Enforcement

November 10, 2015

Dear Community Group:

The City of Mississauga is committed to ensuring that your group continues to enjoy the facilities that you rent.

A complaint was received by the City of Mississauga Enforcement Division, regarding a group that was playing bingo in a City of Mississauga owned facility without the necessary lottery licence. I wanted to take this opportunity to send a general reminder to all groups using City of Mississauga facilities that you must be compliant with all Federal, Provincial and Municipal laws, bylaws, policies and/or regulations while using a City of Mississauga facility.

Flowing from the Criminal Code of Canada, The Alcohol and Gaming Commission of Ontario (AGCO) requires a lottery licence for any gaming where there is payment (or consideration) for a chance to win a prize such as bingo, raffles, 50/50 draws, etc. regardless of prize amount. We have done a great deal of research to determine if there is a way we can allow this to continue without a lottery licence and it is simply not permitted.

If your group wishes to run bingos, raffles, 50/50 draws, you would be required to apply for a lottery licence. Enclosed is a lottery licence Eligibility Questionnaire for your information.

Information on lottery licencing can be found at  
[www.mississauga.ca/portal/business/businesslicensing](http://www.mississauga.ca/portal/business/businesslicensing)

For further information regarding the AGCO, please visit their website at  
<http://www.agco.on.ca/en/home/index.aspx>.

In the event that a formal complaint is lodged with the Enforcement office regarding any of the above stated activities, the City of Mississauga would be obligated to investigate the complaint. If the complaint is substantiated your current rental contract and any future rentals may be in jeopardy.

Please ensure you have the necessary licences for the activities that you provide so that you can continue to offer successful services. If you require further information, please contact xxx at 905- 615-xxxx.

We wish you continued success in your endeavors.

Thank you,



Shari Lichterman,  
Director, Recreation  
905-615-3200 ext. 3700  
[shari.lichterman@mississauga.ca](mailto:shari.lichterman@mississauga.ca)

City of Mississauga  
Community Services Department  
Recreation Division  
201 City Centre Drive - 9<sup>th</sup> Floor  
Mississauga, ON L5B 2T4 [www.mississauga.ca](http://www.mississauga.ca)

# MISSISSAUGA SENIORS' COUNCIL

February 21, 2016

Hon. Mario Sergio  
Ministry Responsible for Seniors  
12<sup>th</sup> Floor, Ferguson Block  
77 Wellesley Street West  
Toronto, Ontario  
M7A 1N3

Dear Mister Sergio

The Mississauga Seniors' Council which represents 52 seniors clubs in Mississauga with a total membership of over 10,000 seniors is both disappointed and outraged with the decision to terminate bingo activities in all the Community Centres in Mississauga.

This directive comes as a result of a violation of The Alcohol and Gaming Commission of Ontario. This activity involves very little money which gives our seniors much pleasure and interaction with other senior members of the community.

Many of these club members only participate in this activity once a week, which means that many seniors will no longer get out of their homes to engage in the many joyful moments that playing bingo provides.

Our seniors are confused why this is happening because they have been playing bingo for many years and they don't understand why the Liberal Government can allow this to happen. Because Bingo is such a major part of a senior's lifestyle we are appealing to you to make the necessary changes to allow them to continue playing bingo without the threat of legal action.

Sincerely

The Executive of the Mississauga Seniors Council

Bob Harrick - Chair – [rharrick@rogers.com](mailto:rharrick@rogers.com) -416-786-5083  
Frank Stendardo – Vice Chair – [fstandardo@yahoo.com](mailto:fstandardo@yahoo.com) – 416-559-4993  
Andrew Lee – Executive Secretary – [alee8239@rogers.com](mailto:alee8239@rogers.com) – 905-270-8239

CC - Charles Sousa - MPP , Dipika Damerla - MPP  
- Bonnie Crombie - Mayor - City of Mississauga

**1997 Deanhome Road, Mississauga, Ontario, L5J 2K6**



February 3, 2016

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue East  
Suite 200-300  
Toronto, ON M2N 0A4

Attn: Strategy and Policy Division

In 2015, the City of Mississauga's Charity Gaming Office received a complaint regarding bingo being played in a Mississauga Community Centre without a lottery licence. Upon further investigation, it was determined that these small bingo events were occurring regularly, at numerous community centres, as part of regular seniors' gatherings. Since then, we have concluded that gambling is clearly involved, therefore the events must be licensed. Unfortunately, because these groups are small "friendship" clubs, they are not eligible for lottery licensing.

Through our Recreation Division, all clubs using recreation facilities have now been informed that they may not operate bingo, or other types of gambling such as 50/50 draws, without a lottery licence.

As you can appreciate, this has resulted in a maelstrom of phone calls and complaints to Recreation staff, Charity Gaming office, Councillors and local MPP's.

Since the information was provided, we have been informed that many seniors have stopped attending the weekly meetings/events. We now recognize that the excitement of possibly winning a few dollars, or even the enjoyment of watching friends win, is fundamental to their attendance. For some, this is their only form of social interaction.

As we all know, Ontario's senior population continues to grow. We also know that loneliness and isolation for this aging society is a growing concern in all of our communities. We feel that it is essential for all of us to assist in providing a social activity to mitigate this isolation, if at all possible.

These activities do not fall under 9.5.1 of the LLPM and we are not aware of any exception that would allow these events.

Therefore, the City of Mississauga's Charity Gaming Office is asking the AGCO if we can work together to find a way to sanction these events – perhaps as a "Seniors Bingo Pilot Project". We suggest a limited form of approval, through a licence or permit, which allows bingo to be played with the stipulation that all money paid out is given back in the form of prizes. There will be a limit to how much each player may spend during each event, as well as a cap on prize boards – amounts to be determined in consultation with AGCO.

This is very similar to LLPM 9.5.1[c]. The only differences that we can determine are: that these events will take place in community centres rather than in seniors' homes and; that the municipality will monitor the activities. What is missing is "the intent on anyone's part to make a profit, or even raise funds. The underlying objective is to provide some entertainment and have a lot of fun." LLPM 9.5.1

We are facing increased pressure about this issue and hope to be able to provide a definitive answer as soon as possible. We thank you very much for your time and sincerely hope that we can come to a solution for this situation that will satisfy all parties. Our office is available at any time to discuss this issue.



Douglas Meehan  
Manager, Compliance and Licensing Enforcement  
City of Mississauga

cc: Y. Adamopoulos, Administrative Supervisor, Compliance and Licensing Enforcement  
K. Grove, Charity Gaming Analyst, City of Mississauga

Alcohol and Gaming  
Commission of Ontario  
90 Sheppard Avenue East  
Suite 200  
Toronto, ON M2N 0A4

Commission des alcools  
et des jeux de l'Ontario  
90, avenue Sheppard Est  
Bureau 200  
Toronto, ON M2N 0A4



April 26, 2016

Yelena Adamopoulos  
Administrative Supervisor, Compliance and Licensing Enforcement  
City of Mississauga  
300 City Centre Drive  
Mississauga, Ontario L5B 3C1

Re: Bingo Events in Mississauga Community Centres

Thank you for the opportunity to meet on Wednesday, April 20, 2016 to discuss a complaint you received regarding unlicensed bingo events in your community. We appreciated the chance to discuss options moving forward to provide older adult groups with access to bingo within the existing legal framework.

As you know, the legal framework for charitable lottery licensing in Canada flows from the *Criminal Code* (Canada), which is federal legislation. Pursuant to the Criminal Code, gambling is illegal in Canada unless it falls under one of the limited exceptions specifically listed therein. Charitable gaming is one of those exceptions, and the Alcohol and Gaming Commission of Ontario (AGCO) is responsible, in partnership with municipalities, for administering the charitable lottery licensing program in Ontario.

The regulatory framework for charitable gaming requires that only those organizations that are considered charitable or religious may hold lottery licences, and that the proceeds raised from lottery events must be used solely to support charitable or religious activities. A lottery event (or lottery "scheme", as it's referred to in the Criminal Code) is defined as an event that consists of three (3) elements: a fee or consideration, chance and prize. A bingo game, depending on how it is structured, may be considered a lottery scheme, regardless of the amount of the prize being awarded.

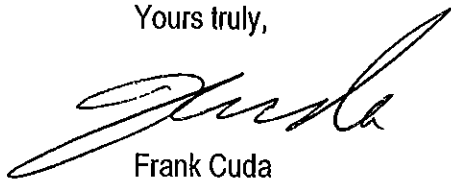
The AGCO acknowledges the social value of bingo activities for older adults. The AGCO also recognizes that bingo activities organized for older adults conducted in community centres and intended to provide recreational activity and not to raise profits (i.e., mandatory entry fees are nominal, all proceeds are returned in prizes, etc.) are commonly viewed as having low social risk factors and therefore they are not a primary focus for enforcement activities.

The AGCO does not have the authority to exempt persons or organizations from the requirements in the federal Criminal Code. If a type of gaming activity qualifies as a "lottery scheme", it must be licensed by the AGCO or a municipality in order to be considered legal under the Criminal Code. Ultimately, the AGCO only has authority to ensure compliance with the law by the licensees and registrants in the areas that we regulate. The AGCO cannot dictate or direct what action might be taken by others with respect to unlicensed gaming activities. Generally speaking, this is a matter for the local municipality and/or police to assess and determine based on the nature of the activity and the level of risk involved.



We appreciate you bringing this matter to our attention. Should you wish to discuss further, please feel free to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Frank Cuda", with a long, sweeping horizontal stroke extending to the left.

Frank Cuda  
Manager, Gaming Eligibility

cc. Douglas Meehan, Manager Compliance and Licensing Enforcement

City of Mississauga  
**Corporate Report**



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
 Transportation and Works

Originator's files:

Meeting date:  
 2016/06/15

## Subject

**Boulevard Gardens and By-law Amendment**

## Recommendation

1. That a by-law be enacted to amend the Encroachment By-law 0057-04, being a by-law regulating encroachments on public lands, in the form and content of the draft amending by-law attached as Appendix 1 to the report dated June 1, 2016 from the Commissioner of Transportation and Works entitled "Boulevard Gardens and By-law Amendment".
2. That a by-law be enacted to amend the Schedule 'A' of the Transportation and Works Fees and Charges By-law 247-15 to include the Boulevard Garden Encroachment Permit with a fee of \$50.00 per permit under the Works Operations and Maintenance Division, Maintenance Standards and Permits section in the form and content of the draft amending by-law attached as Appendix 4 to the report dated June 1, 2016 from the Commissioner of Transportation and Works entitled "Boulevard Gardens and By-law Amendment".

## Report Highlights

- Staff from Legal Services and Transportation & Works (Works Operations and Maintenance) have developed a simpler, more user-friendly process for residents who wish to seek permission to install and maintain boulevard gardens.
- This process would allow residents to enter into a written agreement specific to boulevard gardens separate from a formal Encroachment Agreement or Minor Encroachment Agreement.
- An amendment to the existing Encroachment By-law 0057-04 is recommended to facilitate this process.

## Background

Council directed that Works Operations and Maintenance staff review the encroachment process to streamline the installation of boulevard garden encroachments.

The current Encroachment By-law (0057-04) prohibits encroachments onto public lands except where a minor encroachment agreement exists. This agreement is granted temporarily for a specific period of time and requires a certificate of insurance. These conditions are not suitable to boulevard gardens and may serve to deter residents who would otherwise seek a permit.

The City of Guelph and Town of Oakville have also recognized a similar interest in boulevard gardens and have created specific and streamlined processes to allow these encroachments.

An amendment to the Encroachment By-law (0057-04) is required to facilitate a streamlined process in Mississauga.

## Comments

The necessary amendments to the Encroachment By-law (0057-04) would include an expansion of the definition of encroachment agreement to include boulevard gardens:

2. (f) ***“encroachment agreement”*** means a document prepared by the City allowing an encroachment on public lands and shall take either of the following three forms:
- (i) *a permit for all minor encroachments on public highway lands not consisting of boulevard garden encroachments; and*
  - (ii) *a permit for boulevard garden encroachments located on the non-travelled portion of a public highway in accordance with Schedule “A” to this by-law, each of which shall be approved and signed by the Director of Works Operations & Maintenance of the Transportation & Works Department, or his/her authorized delegate; and*
  - (iii) *an agreement for all other types of encroachments, each of which shall be signed by the applicable Commissioner or his/her authorized delegate.*

The attached amendment would allow for a separate, more streamlined permit process specific to boulevard gardens. Applicants will be required to provide to the City a detailed plan of the proposed garden in accordance with the requirements of the Encroachment By-law. Staff will then evaluate the encroachment to ensure that the garden does not:

1. Conflict or interfere with Transportation & Works operations and/or guidelines for sightlines;
2. create a safety hazard for vehicles, pedestrians, cyclists or anyone performing maintenance activities on City owned lands;
3. contain sharp or dangerous objects; and
4. include plants or materials that may: (a) impede drainage; (b) contain vegetables or grains; or (c) prevent or obstruct snow clearing or removal operations.

General Committee	2016/06/01	3
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The permit clarifies that the Applicant shall:

1. Remain solely responsible and liable for all maintenance and repairs to the garden encroachment, notwithstanding that damage to the garden encroachment may have been caused by City employees or their agents or any utility companies (i.e. snow plowing activity).
2. Be fully responsible for the restoration of City lands to the then current City standards, including all applicable costs and expenses.
3. Be solely responsible liable and responsible for any injury or damages sustained or suffered by any person as a result of the existence of the garden encroachment.

Enforcement of the existing Encroachment By-law occurs as a result of a complaint being received by Transportation & Works staff. It is expected that this process will continue.

On a go-forward basis, where City staff find a boulevard garden encroachment, the person(s) responsible for the encroachment will have an opportunity to apply for a Boulevard Garden Encroachment Permit. Residents will be encouraged to apply for a permit in advance of planting a boulevard garden.

## Financial Impact

Staff recommend an administration fee of \$50 plus applicable tax for the issuance of a Boulevard Garden Encroachment Permit.

## Conclusion

Staff from Legal Services and Transportation & Works (Works Operations and Maintenance) have developed a Boulevard Garden Encroachment permit process to allow the installation of boulevard gardens on the boulevard/untraveled portion of a public highway. The process is intended to be a more streamlined and user-friendly alternative to the Minor Encroachment Agreement, which requires conditions not appropriate for boulevard gardens.

To enable this process to come into practice, certain amendments to By-law 0057-2004, a By-law regulating encroachments on public lands were necessary. Staff have prepared what they consider the necessary amendments and have attached a draft By-law for the Committee's consideration.

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## Attachments

Appendix 1: Encroachment By-law Amendment

Appendix 2: Boulevard Garden Encroachment Application

Appendix 3: Boulevard Garden Encroachment Permit

Appendix 4: Amendment 2016 Transportation and Works Fees and Charges By-law



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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Bob Levesque, Acting Director, Works Operations & Maintenance

## Appendix 1: Encroachment By-law Amendment

**A by-law to amend the  
Encroachment By-law 057-04, as amended,**

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25 (hereinafter the *Municipal Act, 2001*) provides that a municipality may pass by-laws within the following spheres of jurisdiction: Highways, including parking and traffic on highways at section 11(1) 1; Culture, parks, recreation and heritage at section 11(1) 5 and Structures, including fences and signs at section 11(1) 7;

AND WHEREAS section 9(1) of the *Municipal Act, 2001* provides that sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable them to govern their affairs as they consider appropriate, and (b) enhance their ability to respond to municipal issues;

AND WHEREAS section 391(c) of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on any class of persons for the use of its property including property under its control;

AND WHEREAS section 427(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law or otherwise but has failed to do;

AND WHEREAS the Council of the City of Mississauga considers it desirable to amend the Encroachment By-law 057-04, as amended;

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

1. That subsection 2 (f) of By-law 057-04, is hereby deleted and replaced with the following:
  - (f) **“encroachment agreement”** means a document prepared by the City allowing an encroachment on public lands and shall take either of the following three forms:
    - (i) a permit for all minor encroachments on public highway lands not consisting of boulevard garden encroachments; and
    - (ii) a permit for boulevard garden encroachments located on the non-travelled portion of a public highway in accordance with Schedule “A” to this by-law, each of which shall be approved and signed by Director of Works Operations & Maintenance of the Transportation & Works Department or his/her authorized delegate; and
    - (iii) an agreement for all other types of encroachments, each of which shall be signed by the applicable Commissioner or his/her authorized delegate;
2. That paragraph 3 (2)(f) of By-law 057-04, as amended, is hereby deleted and replaced with the following:
  - (f) encroachments arising from surface changes made in connection with residential driveways, provided such encroachments do not:
    - (i) alter the established elevation of the public lands or public highway lands leading to the residential driveway; or
    - (ii) results in the breach of any other municipal by-law or regulation.

The City shall not bear any responsibility for any form of damage or deterioration occurring to these encroachments, howsoever or whenever caused, and the current property owner using the residential driveway shall cause such repairs to be made to the encroachments as may be necessary, at the property owner’s sole cost and expense.

- 3. Appendix “A” attached hereto shall be added as Schedule “A” to By-law 057-04, as amended.

ENACTED AND PASSED this            day of            , 2016.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

## APPENDIX “A”

### Schedule “A” to the Encroachment By-law 057-2004

#### Terms and Conditions Relating to Boulevard Garden Encroachments

#### DEFINITIONS

1. For the purposes of this Schedule “A”, the following definitions shall apply:
  - (a) **“Boulevard”** means the non-travelled portion of a public highway, consisting of the grassed or earthed area between the roadside curb, or edge of a ditch where there is no curb, and the property line of the abutting property owner, save and except for the Sidewalk, if applicable.
  - (b) **“Director”** means the Director of Works Operation & Maintenance of the Corporation of the City of Mississauga and his or her delegate.
  - (c) **“Hardscaping”** means paving stones, boulders, stones, gravel, concrete asphalt, rail or any other hard materials.
  - (d) **“Invasive Plant”** has the meaning ascribed to it by the Credit Valley Conservation Authority.
  - (e) **“Raised Planter”** means any above-ground container or frame holding soil and/or plants.
  - (f) **“Sidewalk”** means the non-travelled portion of the public highway, whether paved or not, intended for the use of pedestrians and/or cyclists and is generally situated between the public highway curb and property line of the abutting property owner.

#### APPLICATION FOR PERMIT

2.
  - (1) Any person requesting a permit for a boulevard garden encroachment shall be required to submit a signed and completed permit application to the City not less than five (5) business days in advance of the proposed installation date, along with the payment of the non-refundable application fee.
  - (2) The permit application shall include the following:
    - (i) two copies of a detailed plan or sketch on a minimum of 8.5” x 11” paper showing:
      - (a) the proposed boulevard garden, including dimensions and its location relative to fixed features;
      - (b) all topographical features;
      - (c) all boundary lines for the lots abutting the garden;
      - (d) street names and municipal addresses; and
      - (e) north arrow depicting true north.
    - (ii) property owner’s consent, if applicable;
    - (iii) copies of any additional municipal permits, if applicable.
  - (3) Where an applicant has not complied with the terms, conditions and requirements of this by-law, the Director may refuse to approve the permit application.



## **CONDITIONS**

3. Where a boulevard garden encroachment permit has been granted, the permit holder is solely responsible for ensuring that the boulevard garden complies with the Encroachment By-law and the terms contained herein.
4.
  - (1) A garden is only permitted within the Boulevard of the public highway. The permit holder is responsible for ensuring the garden falls within Boulevard portion of the public highway.
  - (2) Permits will only be issued for the Boulevard area directly abutting lands owned, rented or leased by the permit holder.
  - (3) The permit holder is responsible for locating all utility services, including but not limited to gas, phone, hydro and cable, prior to commencing any works on the Boulevard.
  - (4) Gardens shall not pose any danger to the public, compromise drainage, impede any sightlines or adversely affect the delivery of municipal maintenance activities, as determined by Transportation and Works staff.
5.
  - (1) Invasive Plant material shall not be permitted in gardens.
  - (2) Plant material shall not exceed 1.0m in height so as to ensure, among other matters, the plants do not obstruct or impair any sightlines.
  - (3) Notwithstanding the above, all plant material shall comply with the following requirements, unless otherwise approved by the Director in writing:
    - (i) fire hydrants must be easily visible and accessible from both the public highway and the Sidewalk. Any plant material within a 1.5m radius of the fire hydrant shall be no higher than 15cm;
    - (ii) no plant material of any kind shall be planted within a 1m radius of a utility structure ;
    - (iii) plants shall not overhang the Sidewalk or path or pose a hazard to pedestrians or other users of same;
    - (iv) plant material shall not interfere with proper water flow or proper draining, including but not limited to within roadside ditches and drainages swales;
    - (vi) no plants of any kind, with the exception of grass, shall be planted, grown or maintained within a 1.0m radius of any Boulevard tree.
6.
  - (1) The following are not permitted, unless otherwise approved by the Director in writing:
    - (i) permanent fixtures, chattels, equipment or any non-plant installations, including but not limited to below surface irrigation systems;
    - (ii) Raised Planters or other above-ground planting structures;
    - (iii) any Hardscaping materials or landscaping stones;
    - (iv) any garden or outdoor furniture;
    - (v) any railings, hoarding or fencing.
  - (2) The garden shall be at the same grade as the adjacent Sidewalk or path.
  - (3) The garden shall be used for planting and shall not be used for parking. If the garden area is subsequently used as a parking area, the permit will be revoked without notice and the permit holder shall

restore the Boulevard to its former condition within thirty (30) calendar days.

7. (1) The permit holder accepts full sole responsibility for the garden and assumes all risk, responsibility and expense related to its presence, installation and maintenance, including any damage arising out of any works undertaken by the City or by other agencies or damage from any other means.
- (2) The permit holder is responsible for ensuring the garden complies with the terms and conditions of this by-law and the City shall not be responsible for any damage to the garden whatsoever.

#### **DISCONTINUANCE OF PERMIT**

8. (1) The Director and his or her delegate reserve the right to revoke a permit at any time, effective immediately, and shall provide written notice to the permit holder of the revocation of the permit.
- (2) Where a permit has been revoked or discontinued, the permit holder shall restore the public lands to their former condition at the permit holder's sole cost and expense within thirty (30) calendar days.

#### **REMOVAL OF BOULEVARD GARDEN**

9. (1) At any time following written notice, the Director may order the removal or alteration of any garden within the public highway which has not been:
  - (i) permitted;
  - (ii) installed in accordance with the permit issued;
  - (iii) adequately maintained in accordance with this and/or any other applicable by-law.
- (2) If an permit holder fails to remove or alter the garden or restore the Boulevard to its former condition in accordance with this by-law or upon the termination of the permit, the City may, on behalf of the permit holder, remove or alter the garden, and/or restore the public lands to their former condition at the expense of the permit holder and the property owner, and the City may recover these expenses by adding same to the tax roll of the property owner in accordance with section 12 of this by-law.

Application  
Boulevard Garden  
Encroachment Permit

City of Mississauga  
Transportation & Works Department  
3185 Mavis Road  
Mississauga, ON L5C 1T7  
Tel: (905)615-4950  
Fax: (905)615-3172  
tw.counter@mississauga.ca



Personal information on this form is collected pursuant to Section 286 (c) of the Municipal Act 2001, SO 2001, c.25 and City policy 04-05-02, and will be used for the purposes of administering City of Mississauga By-Law 487-78, as amended.

APPLICANT INFORMATION

Name of Applicant:

Phone Number:

Email Address:

PROPERTY OWNER INFORMATION, if different than Applicant Information above.

Name of Owner:

Phone Number:

Email Address:

ENCROACHMENT DETAILS

Address:

Installation Date:

Description of Proposed Garden:

Pending approval, a Boulevard Garden Encroachment Permit shall be issued to the undersigned under the authority of the [City of Mississauga Encroachment By-law 0057-2004](#) and shall be on the following terms and conditions:

1. The garden encroachment does not and will not cause any conflict or interfere with Transportation & Works guidelines for sightlines.
2. The garden encroachment shall not create a safety hazard for vehicles, pedestrians, cyclists or anyone performing maintenance activities on City owned lands.
3. The garden encroachment does not and shall not contain sharp or dangerous objects.
4. The garden encroachment shall not include plants or materials that may: (a) impair drainage; (b) contain vegetables or grains; or (c) prevent or obstruct snow clearing or removal operations.
5. The Applicant shall remain solely responsible and liable for all maintenance and repairs to the garden encroachment, notwithstanding that damage to the garden encroachment may have been caused by City employees or their agents or any utility companies (i.e. snow plowing activity).
6. The Applicant shall be fully responsible for the restoration of City lands to the then current City standards, including all applicable costs and expenses.
7. The Applicant shall provide to the City a detailed plan of the proposed garden installment in accordance with the requirements of the Encroachment By-law. The Applicant covenants to maintain the garden encroachment in the same condition as the detailed plan.
8. The City reserves the unfettered right to revoke the Permit for any reason at any time upon written notice to the Applicant.
9. The Applicant shall be solely liable and responsible for any injury or damages sustained or suffered by any person as a result of the existence of the garden encroachment.
10. If any claim, demand or court action is instituted against the City as a result of the garden encroachment, the Applicant hereby agrees to fully indemnify, defend and save harmless the City for all costs, expenses, legal fees, orders, awards and damages required to be paid by the City.
11. The Permit is not assignable by the Applicant and shall terminate automatically if title to the Applicant’s property or leasehold interest is transferred to another party.
12. Where the Applicant does not own the property directly abutting the garden encroachment, the property owner’s consent to install the garden has been obtained in writing and submitted to the City.

I have read the requirements of the Corporation of the City of Mississauga Encroachment By-law 057-04, as amended, and agree to comply with the terms and conditions set out therein and in this application.

I acknowledge that all Boulevard Gardens must comply with the terms and conditions contained the Corporation of the City of Mississauga Encroachment By-law 057-04, as amended. Any failure to comply will result in a contravention of By-law 057-04, as amended, and the undersigned will be responsible for any damage to the Boulevard Garden as a result.

Signature of Applicant:

Date:

Signature of Property Owner (if applicable):

Date:

Where applicable, I/we have authority to bind the Corporation.

OFFICE USE ONLY

Receipt Number:

Inspection Number:

# Application Boulevard Garden Encroachment Permit

City of Mississauga  
Transportation & Works Department  
3185 Mavis Road  
Mississauga, ON L5C 1T7  
Tel: (905)615-4950  
Fax: (905)615-3172  
[tw.counter@mississauga.ca](mailto:tw.counter@mississauga.ca)



Page 2

## BOULEVARD GARDEN ENCROACHMENT DETAILS

- A garden is only permitted within the Boulevard of the public highway. The permit holder is responsible for ensuring the garden falls within the Boulevard portion of the public highway.
- Permits will only be issued for the Boulevard area directly abutting lands owned, rented or leased by the permit holder.
- The permit holder is responsible for locating all utility services, including but not limited to gas, phone, hydro and cable, prior to commencing any works on the Boulevard.
- Gardens shall not pose any danger to the public, compromise drainage, impede any sightlines or adversely affect the delivery of municipal maintenance activities, as determined by Transportation and Works staff.
- Invasive plant material shall not be permitted in gardens.
- Plant material shall not exceed 1.0m in height so as to ensure, among other matters, the plants to do not obstruct or impair any sightlines.
- Notwithstanding the above, all plant material shall comply with the following requirements, unless otherwise approved by the Director in writing:
  - fire hydrants must be easily visible and accessible from both the public highway and the Sidewalk. Any plant material within a 1.5m radius of the fire hydrant shall be no higher than 15cm;
  - no plant material of any kind shall be planted within a 1m radius of a utility structure;
  - plants shall not overhang the Sidewalk or path or pose a hazard to pedestrians or other users of same;
  - plant material shall not interfere with proper water flow or proper draining, including but not limited to within roadside ditches and drainage swales;
  - no plants of any kind, with the exception of grass, shall be planted, grown or maintained within 1.0m radius of any Boulevard tree.
- The following are not permitted, unless otherwise permitted by the Director in writing::
  - permanent fixtures, chattels, equipment or any non-plant installations, including but not limited to below surface irrigation systems;
  - raised planters or other above-ground planting structures;
  - any hardscaping materials or landscaping stones;
  - any garden or outdoor furniture;
  - any railings, hoarding or fencing
- The garden shall be at the same grade as the adjacent Sidewalk or path;
- The garden shall be used for planting and shall not be used for parking. If the garden area is subsequently used as a parking area, the permit will be revoked without notice and the permit holder shall restore the Boulevard to its former condition within thirty (30) calendar days.

## FEES

Application fee: \$50.00 (plus HST)  
*Application fee is non-refundable.*

Method of payment: Debit, Credit Card, Bank Draft, Certified Cheque  
Please make cheques payable to "City of Mississauga."

Boulevard Garden  
Encroachment Permit

City Of Mississauga  
Transportation and Works Department  
3185 Mavis Road  
Mississauga ON L5C 1T7  
Tel: (905) 615-4950 Fax: (905) 615-3172  
TW.counter@mississauga.ca



Permit Number: Permit Issuance Date:

Applicant Information: Property Owner Information (if different than Applicant)

Address:  
Encroachment Type: Boulevard Garden  
Encroachment Description:

This Boulevard Garden Encroachment Permit is issued to the undersigned Applicant under the authority of the City of Mississauga Encroachment By-law 0057-2004 and shall be on the following terms and conditions:

1. The garden encroachment does not and will not cause any conflict or interfere with Transportation & Works guidelines for sightlines.
2. The garden encroachment shall not create a safety hazard for vehicles, pedestrians, cyclists or anyone performing maintenance activities on City owned lands.
3. The garden encroachment does not and shall not contain sharp or dangerous objects.
4. The garden encroachment shall not include plants or materials that may: (a) impair drainage; (b) contain vegetables or grains; or (c) prevent or obstruct snow clearing or removal operations.
5. The Applicant shall remain solely responsible and liable for all maintenance and repairs to the garden encroachment, notwithstanding that damage to the garden encroachment may have been caused by City employees or their agents or any utility companies (i.e. snow plowing activity).
6. The Applicant shall be fully responsible for the restoration of City lands to the then current City standards, including all applicable costs and expenses.
7. The Applicant shall provide to the City a detailed plan of the proposed garden installment in accordance with the requirements of the Encroachment By-law. The Applicant covenants to maintain the garden encroachment in the same condition as the detailed plan.
8. The City reserves the unfettered right to revoke this Permit for any reason at any time upon written notice to the Applicant.
9. The Applicant shall be solely liable and responsible for any injury or damages sustained or suffered by any person as a result of the existence of the garden encroachment.
10. If any claim, demand or court action is instituted against the City as a result of the garden encroachment, the Applicant hereby agrees to fully indemnify, defend and save harmless the City for all costs, expenses, legal fees, orders, awards and damages required to be paid by the City.
11. This Permit is not assignable by the Applicant and shall terminate automatically if title to the Applicant's property or leasehold interest is transferred to another party.
12. Where the Applicant does not own the property directly abutting the garden encroachment, the property owner's consent to install the garden has been obtained in writing and submitted to the City.

The Corporation of the City of Mississauga:

Per:

Authorized by By-Law No. 0057-2004

FOR OFFICE USE ONLY:

Inspection Completed Date:  
Installation/Start Date:

Inspection Observation Approval  
Observation Comments

A By-law to Amend By-law 0247-2015, as amended, being  
the Transportation and Works Fees and Charges By-law

**WHEREAS** the Corporation of the City of Mississauga has enacted the Transportation and Works Fees and Charges By-law 0247-2015;

**AND WHEREAS** the Council of The Corporation of the City of Mississauga wishes to amend the Transportation and Works Fees and Charges By-law 0247-2015;

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

- 1. That Schedule ~~A~~ Works Operations and Maintenance Division Maintenance Standards and Permits of By-law 0247-2015, as amended, is hereby amended by adding the following:

WORKS OPERATIONS AND MAINTENANCE DIVISION 3185 Mavis Road	
Maintenance Standards and Permits	
Boulevard Garden Encroachment Permit	\$50.00 per permit

**ENACTED and PASSED** this                      day of                      , 2016.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# City of Mississauga Corporate Report



Date: 2016/05/30

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
Transportation and Works

Originator's files:

Meeting date:  
2016/06/15

## Subject

**Route 10 Bristol-Britannia - Petition for Earlier Service**

## Recommendation

That the report titled Route 10 Bristol-Britannia – Petition for Earlier Service to General Committee dated May 30, 2016 from the Commissioner of Transportation and Works be received for information.

## Background

Routing changes to Route 10 Bristol-Britannia were implemented on Monday April 11, 2016 caused the changes in schedules due to an increased runtime.

A petition for earlier service on Route 10 was presented at Council on May 11, 2016 and referred to the Transportation and Works Department for a report to General Committee. The petitioners' concerns are regarding the arrival time of the first trip causing employees working at businesses on Britannia Road and Hogan Drive to arrive late for work. Previously, the first trip of Route 10 arrived at Britannia Road and Hogan Drive at 5:58 AM. As of April 11<sup>th</sup>, the first trip arrives at 6:08 AM.

## Comments

The petition received requests earlier transit service to arrive at work on time (6:00 AM) and also suggests the implementation of one of two options:

- Earlier arrival time of Route 10 at Britannia Road and Hogan Drive; and
- Diverting Route 10 via Hogan Drive and Millcreek Drive to allow for closer drop off for shorter walking time to their workplace.

Upon review of the two options, it was determined that neither option would be preferable as a long-term solution. Instead, an alternative solution, which is an earlier trip on Route 39 Britannia, is recommended to allow customers to arrive at work on time. Customers will have to connect to this trip via Route 19B Hurontario service, boarding at City Centre Transit Terminal at

5:24 AM, and arriving at Britannia Road and Freemont Blvd at 5:39 AM. Route 39 connects at Freemont Boulevard at 5:44 AM and arrives at Hogan Drive at 5:57 AM. Travel time is similar to the current Route 10 trip resulting in this trip plan being a viable option for customers working at Britannia Road and Hogan Boulevard. This recommendation will have the least impact on existing service with minimal increase in service hours and meets the travel needs of the customers and businesses. Communication has been established with the business, and employees have been informed of the upcoming change.

## Financial Impact

The recommended changes have no financial impact.

## Conclusion

MiWay staff reviewed the suggestions from customers and developed an alternative that meets the customers travel needs and aligns with the goals of MiWay 5 – earlier service spans and connecting major corridors. A new earlier trip on Route 39 Britannia will be implemented to arrive at Britannia Road and Hogan Boulevard to meet customers' work start time. Customers will have to connect with this trip using Route 19B from City Centre Transit Terminal. This service change will be included in our July Board Period, effective July 4<sup>th</sup>, 2016. This change has been communicated to the business, and has been shared with the employees.

## Attachments

Appendix 1: Petition




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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Dominic Ho, Transit Planner, MiWay, Transportation and Works



06 April 2016

Director of Operations  
Mississauga Transit  
City Centre Terminal Square One

Dear Sir,

It has come to our attention that the City Centre Terminal in Square One will undergo construction starting April 11th of this year. In view of that the route 10 Bristol and Britannia will be 8 minutes later reaching Britannia and Hogan Drive. Although it is of our benefit that the Management is doing improvement, our work start time will be compromised. Having said that may we request / suggest the following options? :

Option 1. Earlier time of arrival at Britannia and Hogan Dr. (5:45am to 5:50am at least).

Option 2. Put up another <sup>Bus</sup> stop sign at Millcreek and Hogan Dr.

Going West, The bus will make a right turn upon reaching Millcreek then left at Hogan then right and goes back to Britannia. A closer stop sign to the work place will mean fewer walking time to reach our work place. This will benefit more people working on this area and will generate more revenue to the Transit.

Your consideration to this matter will be highly appreciated. Thank you in advance and more power.

Best Regards,

Concepcion Tan. Aguilera

Misty Mohamed

O.V.S.S. Anisurath

LORNA Albarico

Monaliza Songcan

Mary Grace Segura

Evelyn Guala - Tagbar

Melinda Tayonlong

Edgmar

Manisha

Ramsey Brown

ENICETECCON

MIS Briza - A

# City of Mississauga

## Corporate Report



Date: 2016/05/27

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
Transportation and Works

Originator's files:

Meeting date:  
2016/06/15

## Subject

**Holiday Messages on MiWay Bus Destination Signs**

## Recommendation

That only service-related messages on the front and curbside destination signs of MiWay buses be displayed so that all customers can quickly identify the route/service provided by a bus as outlined in the report dated May 27, 2016 from the Commissioner of Transportation and Works.

## Report Highlights

- MiWay Transit operators have discretion to display pre-programmed, non-service-related messages on buses, along with the standard route/service information.
- Some of these non-service-related messages include holiday messages such as Happy Canada Day and Merry Christmas.
- While holidays such as Canada Day are promoted in corporate facilities (Celebration Square event), other City vehicles and corporate facilities do not display holiday messages such as Merry Christmas.
- An external review of other municipal transit systems in Ontario found that only one of the three transit systems that MiWay connects with (Oakville Transit) displays holiday and other non-service-related messages (e.g. GO Raptors GO) on their bus destination signs.

## Background

MiWay received a request to display Happy Hanukkah which prompted this review.

All MiWay buses have electronic destination signs on the front and curbside of the vehicle. The destination signs contain the same information as the voice and visual stop announcement systems that announce and display pre-recorded stop information, inside and outside the bus, prior to arriving at a stop.

Outside the bus, passengers can see on the electronic destination signs the service provided by the bus; that is, the route number, name and direction (e.g. Route 1 – Dundas East). At every bus stop, including stops within terminals, this same information is also externally announced by the automated system.

Inside the bus, bus stop information is displayed visually over display signs (e.g. Dundas Street at Wolfedale Road) allowing passengers to see the stop information while it is being announced, and before the bus arrives at the next stop.

MiWay has voice and visual stop announcement systems, as well as electronic destination signs, on its buses to comply with the Integrated Accessibility Standards Regulation (IASR) under the *Accessibility for Ontarians with Disabilities Act* (AODA). This ensures that customers of all abilities have access to the information they need to use the transit system.

Along with the standard route/service information, MiWay buses can display other service-based messages, such as “Planned Detour,” “Temporary Detour” and “Drop Offs Only” (see Appendix 1).

## Comments

MiWay Transit Operators currently have the discretion to display pre-programmed, non-service-related messages on buses, such as “Happy Canada Day” or “Don’t be a Litterbug,” by completing a two-step process.

First, at the beginning of their shift, the Operator enters their employee number and work duty number into the iBus system, which then automatically populates the route/service information onto the destination sign. Second, the Operator manually inputs a code into the destination sign system that corresponds to a pre-programmed message, such as “Happy Holidays.” The messaging on the destination sign then alternates between the route/service information and the non-service-related message.

Displaying holiday messages on buses has generated some public feedback in the past. For example, in 2014 MiWay Customer Service received five compliments and no complaints about displaying “Merry Christmas” on its bus destination signs. In 2015, MiWay Customer Service received one complaint and no compliments.

Displaying non-service-based messages increases the amount of information the destination sign must display/scroll through and therefore the time it can take for a customer to determine the route/service provided by the bus.

An external review of other transit systems in Ontario found that only one of the three municipal transit systems that MiWay connects with (Oakville Transit) displays holiday and other non-service-related messages on their buses.

Service Provider	Displays Non-Service Messages	Examples	Details
Brampton Transit	No	N/A	Organization determined their practice is supported by the <i>Accessibility for Ontarians with Disabilities Act</i> (AODA).
Toronto Transit Commission (TTC)	No	N/A	ACAT group (Advisory Council on Accessible Transit) advised TTC not to display non-service messages as they can pose challenges for customers with low vision. However, TTC uses window clings to advertise events and holidays, such as Remembrance Day.
Oakville Transit	Yes	<ul style="list-style-type: none"> <li>- Have a nice day</li> <li>- GO Jays GO</li> <li>- GO Leafs GO</li> <li>- GO Raptors GO</li> <li>- Merry Christmas!</li> <li>- Happy Canada Day!</li> <li>- Happy Thanksgiving</li> </ul>	Buses display various messages throughout the year that are displayed at the bus operator's discretion.

Since MiWay Transit Operators can choose to display (or not display) pre-programmed, non-service-related messages, achieving consistency across the fleet of more than 460 buses is not always feasible. Increasing the scope of non-service-related messages would add complexity to transit operations and present other challenges.

While holidays such as Canada Day are promoted in corporate facilities (Celebration Square event), other City vehicles and corporate facilities do not display holiday messages such as Merry Christmas.

As a result MiWay recommends displaying only service-related messages to focus on the information customers need to travel.

## Strategic Plan

Making it easier for all customers to quickly identify the route/service provided by a bus helps to improve the service so that MiWay becomes a more attractive choice to the automobile, which supports the following strategic goals:

**Move: Developing a Transit-Oriented City**

- Build a reliable and convenient system.

**Ensuring Youth, Older Adults and New Immigrants Thrive**

- Ensure Affordability and Accessibility

**Connect: Completing our Neighbourhoods**

- Provide mobility choices

**Financial Impact**

Not applicable.

**Conclusion**

MiWay is committed to providing a transportation system that ensures its services and operations are accessible to everyone.

MiWay Transit Operators currently have the discretion to display pre-programmed, non-service-related messages on buses; however, doing so increases the amount of information the destination sign must display/scroll through and therefore the time it can take for a customer to determine the route/service provided by the bus.

While holidays such as Canada Day are promoted in corporate facilities, other City vehicles and corporate facilities do not display other holiday messages such as Merry Christmas.

Only one of the three municipal transit systems that MiWay connects with (Oakville Transit) displays holiday and other non-service-related messages (e.g. GO Raptors GO) on their buses.

MiWay should display only service-related messages on the front and curbside destination signs of MiWay buses so that all customers can quickly identify the route/service provided by a bus.

**Attachments**

Appendix 1: MiWay Destination Sign Messages




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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

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Prepared by: Ryan Cureatz, Marketing Manager

## Appendix 1

### Destination Sign Messages



<b>Service-Related Messages</b>
MIWAY.CA
SPECIAL
FREE RIDE!
SHORT TURN
SERVICES ALL STOPS
PLANNED DETOUR
TEMPORARY DETOUR
SHUTTLE
DROP OFFS ONLY
BUS FULL, SORRY
<b>Charter Messages</b>
MISSISSAUGA MARATHON
ROUTE A
ROUTE B1
ROUTE B2
ROUTE C
ROUTE D1
ROUTE D2
ROUTE C1
ROUTE C2
ROUTE B
RELAY RUNNER A
RELAY RUNNER B
RELAY RUNNER C
RELAY RUNNER D
RELAY RUNNER E
<b>Messages for Elimination</b>
DON'T BE A LITTERBUG
MISSISSAUGA
HAPPY CANADA DAY
MERRY CHRISTMAS
SMOG ALERT TAKE TRANSIT
LEST WE FORGET
HAPPY HOLIDAYS
HAPPY NEW YEAR

# City of Mississauga

## Corporate Report



Date: 2016/05/30

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
Transportation and Works

Originator's files:

Meeting date:  
2016/06/15

## Subject

**Authority to Enter into an Agreement with Corporate Sponsors for Bus Shelter Installation**

## Recommendation

That a by-law be enacted authorizing the Commissioner of Transportation and Works to enter into an agreement with BMO and any future business sponsors on a cost recovery basis for the bus shelters installed in a form satisfactory to Legal Services as outlined in the corporate report dated May 30, 2016 from the Commissioner of Transportation and Works entitled, "Corporate Sponsored Shelters".

## Report Highlights

- MiWay developed a transit shelter sponsorship program which allows businesses in Mississauga to sponsor/purchase transit shelter(s) at their nearest stop(s) when shelter requests cannot be accommodated by MiWay's regular annual shelter warrant program.
- Bank of Montreal (BMO) was approved to purchase two shelters through the transit shelter sponsorship program which are now installed at their location.
- The report requests that a by-law be enacted authorizing the Commissioner of Transportation and Works to enter into future agreements with local business sponsors.
- The Transit Shelter Sponsorship Program is an alternate solution to expand transit shelters to locations that may not meet the warrant process.

## Background

Several Mississauga businesses have contacted MiWay staff requesting a shelter be placed at a bus stop near their building location. As a part of the current contract with Outfront Media, MiWay receives 13 shelters per year and the shelter placement locations are determined by a warrant process. Locations that do not meet the warrant require additional funding and



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businesses have indicated they are interested in providing funding for the purchase a shelter for those locations.

As a result of the requests, MiWay developed a Transit Shelter Sponsorship Program which allows businesses in Mississauga to support their employees who use transit by providing transit shelter(s) at their nearest stop(s) when shelter requests cannot be accommodated by MiWay's regular annual shelter warrant program.

The Bank of Montreal (BMO) in the Meadowvale Corporate Centre was the first company to request to purchase a shelter as a part of the transit shelter sponsorship program. BMO agreed to sponsor two shelters which have now been installed at the southwest side of Argentia Road and Century Avenue and northeast side of Argentia Road and Century Avenue.

All MiWay bus shelters are installed and maintained under a multi-year contract with Outfront Media from July 2000 to 2018 (By-law 613-91 amended 10-94). Under the Transit Shelter Sponsorship Agreement, BMO was fully committed for the cost with no cost to the City and not drawn from the total annual shelter complement.

In order to formalize the process and to extend this opportunity to intending businesses, it is necessary for the City to enter into an agreement with the businesses.

## Comments

MiWay staff worked with several partners to develop a Transit Shelter Sponsorship Agreement. Below are some highlights from the agreement:

- Adequate City land is available for shelter installation without compromising relevant traffic, access and user safety.
- The Sponsor pays for the cost of shelter installation, cleaning and maintenance.
- The Sponsor assumes liability for any untoward incidents.
- At the end of current contract period (mid 2018), the City rolls this shelter into the contract where the liability and maintenance of the shelter is assumed by new contractor.
- Should transit routes be cancelled or moved, the shelter must be removed at the Sponsor's cost within a stipulated time period.
- In the event of a Sponsor location change, the shelter will be assumed by the City and added to its inventory.
- Sponsorship plaque not exceeding 10"X10" inside the shelter is allowed - no other advertising on shelter.

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According to Policy No. 02-03-02 of Municipal Government, Delegation of Powers, Council may entrust certain powers and duties to committees and staff while maintaining accountability. Further that the undertaking or contract with a third party (Corporate Sponsor) shall be subject to the approval of Legal Services, unless otherwise provided in the delegation of authority.

## Strategic Plan

The Transit Shelter Sponsorship Program contributes to the strategic goal of building a reliable and convenient system.

## Financial Impact

BMO has provided a financial contribution to the City in the amount of \$58,140.81 (plus applicable taxes) for costs directly related to the supply, installation and maintenance of the two shelters at their office location until July 2018. Future transit shelter sponsorships will be at the full cost of the Sponsor.

## Conclusion

The Transit Shelter Sponsorship Program is an alternate solution to expand transit shelters to locations that do not meet the warrant process. This program will encourage more transit riders and provide a more comfortable experience for business commuters. The sponsor program with BMO has received positive feedback from employees. This sponsorship program is outlined on the MiWay website and promoted to local businesses through the business outreach program.

To extend this opportunity to intending businesses and to formalize the process, it is necessary for the City to enter into a formal agreement with the businesses.



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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Sunil Kanamala P.Eng Supervisor Transit Infrastructure, MiWay, Transportation and Works

# City of Mississauga

## Corporate Report



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng., MBA, Commissioner of  
Transportation and Works

Originator's files:  
MG.23.REP  
RT.10.Z-44E

Meeting date:  
2016/06/15

### Subject

**Parking Prohibition – Longside Drive (Ward 5)**

### Recommendation

That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to implement a parking prohibition on the north side of Longside Drive.

### Background

The Transportation and Works Department is in receipt of traffic concerns on Longside Drive identified by a local area property owner. The property owner indicated that heavy vehicles are being parked in excess of the existing three-hour limit on both sides of Longside Drive impeding mobility and sight visibility on the roadway.

### Comments

At present, three-hour parking is permitted on both sides of Longside Drive. A review by staff revealed that a number of heavy vehicles are parking on both sides of Longside Drive which creates concerns maintaining safe two-way traffic.

Therefore, the Transportation and Works Department recommends that parking be prohibited anytime on the north side of Longside Drive. The implementation of this parking prohibition should improve mobility on Longside Drive and increase the general level of safety in the area.

The Ward Councillor supports the proposal for the parking prohibition.

### Financial Impact

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

General Committee

2016/06/01

2

Originators files: MG.23.REP

RT.10.Z-44E

## Conclusion

The Transportation and Works Department recommends implementing a parking prohibition anytime on the north side of Longside Drive.

## Attachments

Appendix 1: Location Map - Parking Prohibition - Longside Drive (Ward 5)



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Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Alex Liya, C.E.T., Traffic Operations Technician

CITY OF BRAMPTON



# City of Mississauga

## Corporate Report



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng., MBA, Commissioner of  
Transportation and Works

Originator's files:  
MG.23.REP  
RT.10.Z-24

Meeting date:  
2016/06/15

### Subject

**Parking Prohibition – Ivygate Court (Ward 8)**

### Recommendation

That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to implement a parking prohibition from 9:00 a.m. to 6:00 p.m. on both sides of Ivygate Court.

### Background

The Transportation and Works Department has received a completed petition from an area resident to implement a parking prohibition from 9:00 a.m. to 6:00 p.m. on both sides of Ivygate Court due to motorists utilizing Ivygate Court for parking when attending the University of Toronto Mississauga.

Presently, parking is permitted for a maximum of three (3) hours in the subject area.

### Comments

To determine the level of support for a parking prohibition from 9:00 a.m. to 6:00 p.m. on both sides of Ivygate Court, a parking questionnaire was distributed to the residents of Ivygate Court.

Fourteen (14) questionnaires were delivered and nine (64%) were returned; nine (100%) supported the implementation of a parking prohibition and 0 (0%) was opposed. Since greater than 66% of the total respondents support parking prohibition, the Transportation and Works Department recommends implementing a parking prohibition from 9:00 a.m. to 6:00 p.m. on both sides of Ivygate Court.

The Ward Councillor supports the proposal for the parking prohibition.

General Committee

2016/06/01

2

Originators files: MG.23.REP

RT.10.Z-24

## Financial Impact

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

## Conclusion

The Transportation and Works Department supports the implementation of a parking prohibition from 9:00 a.m. to 6:00 p.m. on both sides of Ivygate Court.

## Attachments

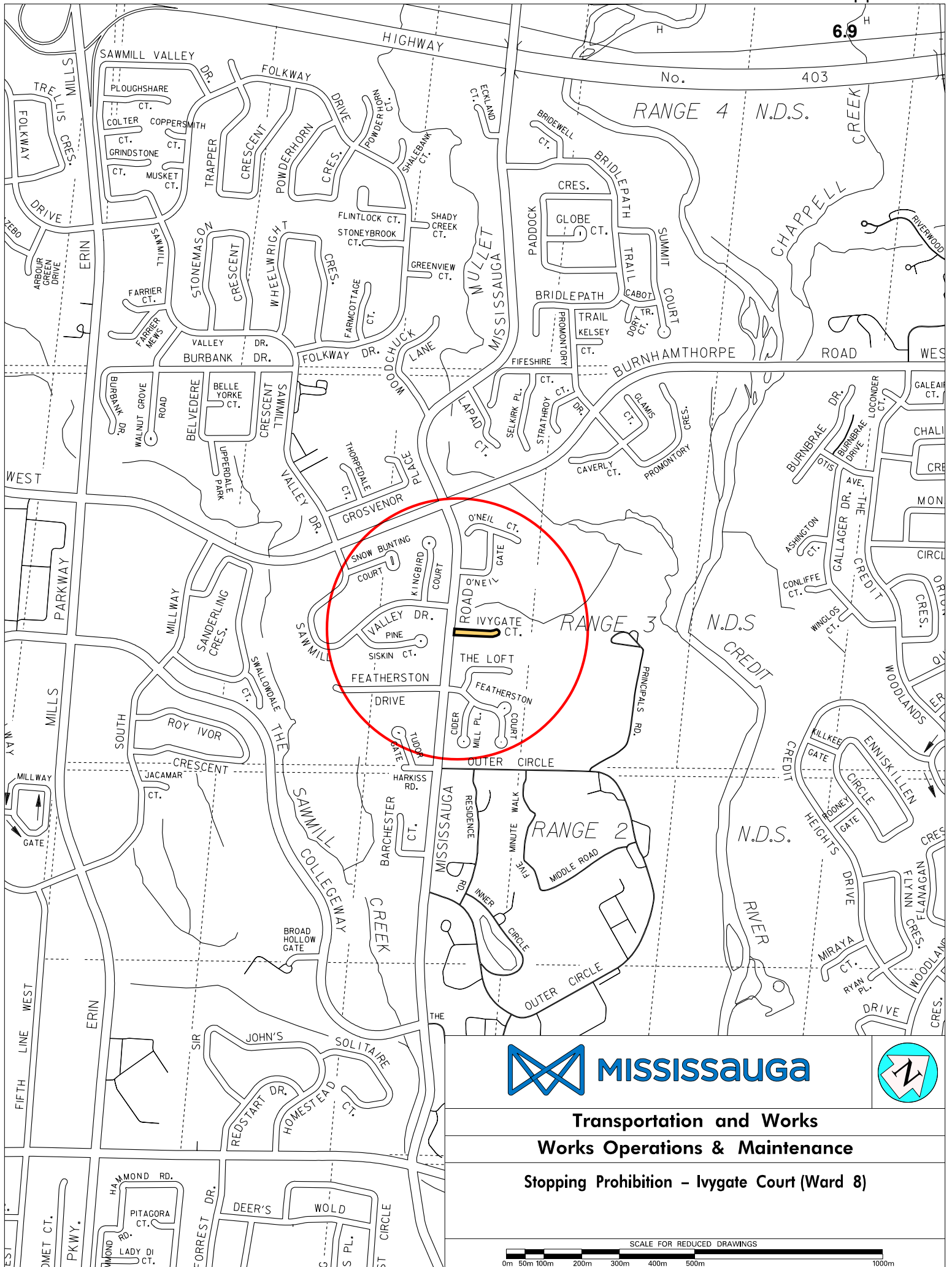
Appendix 1: Location Map - Parking Prohibition - Ivygate Court (Ward 8)



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Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Alex Liya, C.E.T., Traffic Operations Technician



**Transportation and Works  
Works Operations & Maintenance**

**Stopping Prohibition - Ivigate Court (Ward 8)**





City of Mississauga  
**Corporate Report**



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
 Transportation and Works

Originator's files:  
 MG.23.REP  
 RT.10.Z46W

Meeting date:  
 2016/06/15

## Subject

**Parking Prohibition – Glen Erin Drive between Battleford Road and Aquitaine Avenue  
 (Ward 9)**

## Recommendation

1. That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to remove a parking prohibition anytime and implement a parking prohibition from 7:00 am to 9:00 am, 4:00 pm to 6:00 pm, Monday to Friday, Holidays exempted, as follows:
  - a) On the east side of Glen Erin Drive between a point 45 metres (148 feet) north of Battleford Road and a point 92 metres (266 feet) northerly thereof;
  - b) On the east side of Glen Erin Drive between a point 188 metres (617 feet) north of Battleford Road and a point 35 metres (115 feet) northerly thereof;
  - c) On both sides of Glen Erin Drive between a point 223 metres (732 feet) south of Aquitaine Avenue and a point 57 metres (187 feet) southerly thereof; and
  - d) On the west side of Glen Erin Drive between a point 75 metres (246 feet) north of Battleford Road and a point 65 metres (213 feet) northerly thereof;
2. That a by-law be enacted to amend the Traffic By-law 555-00, as amended, to remove a parking prohibition anytime on the west side of Glen Erin Drive between a point 105 metres (344 feet) south of Aquitaine Avenue and a point 25 metres (82 feet) southerly thereof.
3. That the Transportation and Works Department explore the opportunity to implement additional on-street parking spaces through the construction of a parking lay-by extension within the municipal boulevard on the west side of Glen Erin Drive between Aquitaine Avenue and a point 90 metres southerly thereof.

## Background

The Transportation and Works Department is in receipt of a request from the Ward Councillor to implement on-street parking on Glen Erin Drive in the vicinity of the Meadowvale Community Centre on evenings and weekends to accommodate visitors of the community centre and the Lake Aquitaine Park. The Ward Councillor indicated that on-street parking is required to compensate for an on-site parking deficiency at the newly reconstructed Meadowvale Community Centre scheduled to open in September 2016.

## Comments

Based on the Zoning By-law 0225-2007, as amended, a minimum of 326 parking spaces were required for the redevelopment of the Meadowvale Community Centre. A Parking Utilization Study prepared for the redevelopment project indicated that a maximum parking demand of 216 parking spaces was estimated for the site and that the zoning by-law parking rates provided an oversupply of parking spaces. Upon completion of the construction, a total of 223 parking spaces will be provided within the community centre's parking lot which would accommodate the estimated maximum parking demand. The Committee of Adjustment approved a minor variance for a parking reduction on April 10, 2014 based on the concurrence from the Planning and Building Department and from the Transportation and Works Department that the Parking Utilization Study satisfactorily justifies the reduction in parking.

In addition to the on-site parking supply, the Transportation and Works Department was requested to implement on-street parking on Glen Erin Drive in the vicinity of the Meadowvale Community Centre.

Glen Erin Drive between Battleford Road and Aquitaine Avenue is a four-lane divided major collector roadway. Presently, parking is prohibited anytime on both sides of this section of Glen Erin Drive. In order to satisfy the demand for additional on-street parking, the Transportation and Works Department identified roadway sections that are suitable for on-street parking without contradicting the parking regulations under the Traffic By-law 555-00.

### East side of Glen Erin Drive between Battleford Road and Aquitaine Avenue:

1. Between a point 45 metres (148 feet) north of Battleford Road and a point 92 metres (266 feet) northerly thereof.
2. Between a point 188 metres (617 feet) north of Battleford Road and a point 35 metres (115 feet) northerly thereof.
3. Between a point 223 metres (732 feet) south of Aquitaine Avenue and a point 57 metres (187 feet) southerly thereof.

West side of Glen Erin Drive between Battleford Road and Aquitaine Avenue:

4. Between a point 223 metres (732 feet) south of Aquitaine Avenue and a point 57 metres (187 feet) southerly thereof.
5. Between a point 75 metres (246 feet) north of Battleford Road and a point 65 metres (213 feet) northerly thereof.

The implementation of on-street parking within these roadway sections would reduce the number of travelled lanes from two to one lane per direction when on-street parking is utilized. The review revealed that traffic volumes outside of morning and afternoon traffic peak periods are insignificant and acceptable traffic flow could be maintained with one travelled lane per direction. Therefore, the Transportation and Works Department supports the implementation of on-street parking outside of morning and afternoon traffic peak periods on Glen Erin Drive between Battleford Road and the Meadowvale Community Centre access point. This would provide approximately fifty (50) on-street parking spaces.

In order to provide additional on-street parking within the immediate proximity of the community centre, it has been recommended to convert the existing southbound designated right-turn-lane along Glen Erin Drive between Aquitaine Avenue and the private road leading to the Meadowvale Town Centre to a parking lay-by. The Transportation and Works Department supports the removal of the designated right-turn-lane since the turning traffic volume is insignificant and also supports the implementation of statutory three-hour parking within the lay-by. The parking lay-by could be implemented through the application of pavement markings and signage between a point 105 metres (344 feet) south of Aquitaine Avenue and a point 25 metres (82 feet) southerly thereof. Due to a by-law discrepancy the removal of the designated right-turn-lane is not required.

Furthermore, the Transportation and Works Department will explore the opportunity to implement additional on-street parking spaces through the construction of a parking lay-by extension within the municipal boulevard on the west side of Glen Erin Drive between Aquitaine Avenue and a point 90 metres southerly thereof.

The remaining sections of Glen Erin Drive between Battleford Road and Aquitaine Avenue will maintain the existing no parking anytime regulation.

## Financial Impact

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

## Conclusion

The Transportation and Works Department recommends implementing a parking prohibition from 7:00 am to 9:00 am, 4:00 pm to 6:00 pm, Monday to Friday, Holidays exempted, along Glen Erin Drive between Battleford Road and the Meadowvale Community Centre access point identified above, and implementing the three-hour parking within the newly utilized parking lay-

by (formally designated right-turn-lane) on the west side of Glen Erin Drive between Aquitaine Avenue and the Meadowvale Town Centre access point. The Transportation and Works Department recommends maintaining the existing no parking anytime regulation within the remaining sections of Glen Erin Drive.

## Attachments

Appendix 1: Location Map - Parking Prohibition - Glen Erin Drive between Battleford Road and Aquitaine Avenue (Ward 9).



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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Ouliana Drobychevskaia, Traffic Operations Technologist



# City of Mississauga

## Corporate Report



Date: 2016/05/30

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng., MBA, Commissioner of  
Transportation and Works

Originator's files:  
MG.23.REP

Meeting date:  
2016/06/15

### Subject

**"Please Slow Down" Lawn Signs**

### Recommendation

1. That the "Please Slow Down" Lawn Sign design attached as Appendix 1 to the report dated May 30, 2016 from the Commissioner of Transportation and Works entitled, "Please Slow Down" Lawn Signs be approved for use in the City of Mississauga.
2. That the Transportation and Works Department proceed with the procurement of the "Please Slow Down" Lawn Signs and provide such signs to all Ward Councillors for equal distribution in 2016.

### Background

A number of requests have been received by Ward Councillors and Transportation and Works staff requesting roadside signage targeting speeding and aggressive driving. The City of Toronto recently launched the "Please Slow Down" Fall Safety Awareness Campaign consisting of lawn signs displaying children at play similar to a typical warning sign with the message "Please Slow Down".

These signs are procured by the City of Toronto Transportation Services Division for City of Toronto Councillors to distribute to constituents, upon request.

### Comments

Residents displaying signs with messages advocating safe driving habits are common occurrence across North America and in the Greater Toronto Area. A number of smaller or localized lawn sign campaigns in Toronto and neighbouring municipalities prompted the City of Toronto to introduce the "Please Slow Down" Fall Safety Awareness Campaign as a City wide initiative.

Ward Councillors and residents have expressed a desire to adopt a similar program in the City of Mississauga. In an effort to provide consistent safety messaging, City staff obtained permission from the City of Toronto to modify their lawn sign design for use in the City of Mississauga (Appendix 1).

There are a number of conditions that would govern the placement of these signs to ensure they do not create a sightline obstruction and they do not create a hazard for any roadway users. Specifically, the signs must:

- only be placed on the boulevard with the consent of the abutting property owner;
- be set-back a minimum of 0.6 metres (2 feet) from curb or edge of the roadway; and
- not obstruct the travelled portion of the roadway, median, traffic island, sidewalk, bicycle path, or multi-use trail.

Typical lawn signs consist of a metal wire frame inside of a recyclable plastic material and are approximately 61 centimetres (24 inches) wide by 51 centimetres (20 inches) tall.

Any lawn signs which become unsafe or require relocation for any reason may be removed or relocated to a more suitable location at any time.

In accordance with City of Mississauga By-Law 54-02 'The Sign By-Law', a sign such as the "Please Slow Down" lawn signs can be approved by City Council which would allow them to be placed on City road allowances. In addition, signs of this type and which pertain exclusively to public safety are not subject to permit requirements.

There are a number of local sign suppliers who are able to produce the sign design at an estimated cost of \$2.00 to \$3.00 per sign. There are sufficient funds within the Transportation and Works Operating budget to procure approximately 300 to 400 signs per Ward Councillor.

Following the procurement and distribution of the "Please Slow Down" lawn signs in 2016, Transportation and Works staff will evaluate the program and report back to General Committee with a proposal for 2017.

## Financial Impact

The budget for procuring the signs is approximately \$10,000 and can be accommodated within the Transportation and Works 2016 Operating Budget.

## Conclusion

There is sufficient interest from both Ward Councillors and residents for the development of a Road Safety Campaign to further encourage safe driving habits and promote lower operating speeds within local neighbourhoods.

Successful long standing programs such as Road Watch, Neighbourhood Speed Watch, and various other Speed Awareness programs have been very effective in dealing with aggressive driving behaviour on City roadways. Community involvement has been shown to be a strong deterrent for speeding and aggressive driving within a local neighbourhood. The addition of the "Please Slow Down" Lawn Signs is a natural extension of these existing programs.

## Attachments

Appendix 1: "Please Slow Down Sign"



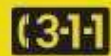
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Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Colin Patterson C.E.T., Supervisor, Road Safety



**PLEASE  
SLOW DOWN**



Call 3-1-1 or if outside city  
limits, call 905-615-4311



# City of Mississauga

## Corporate Report



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
Transportation and Works

Originator's files:  
MG.23.REP

Meeting date:  
2016/06/15

### Subject

**Retrofit of the Collegeway Stormwater Management Facility #5903 – Request for Additional Funding - PN 10-142 (Ward 8)**

### Recommendation

1. That the report dated June 1, 2016, from the Commissioner of Transportation and Works entitled, Retrofit of the Collegeway Stormwater Management Facility #5903 - Request for Additional Funding – PN 10-142, be received.
2. That the net budget for the construction project for the Retrofit of the Collegeway Stormwater Management Facility #5903 (PN-10-142) be increased by \$1.1M.
3. That the additional funding of \$1.1M for the Retrofit of the Collegeway Stormwater management Facility #5903 (PN-10-142) be transferred from the DCA-Stormwater Management Reserve Fund (Account 31350) to the Retrofit of the Collegeway Stormwater Management Facility #5903 construction project (PN-10-142).
4. That all necessary by-laws be enacted.

### Report Highlights

- A budget of \$2.05 million was approved by Council in 2010 for the construction of the Collegeway Stormwater Management Facility #5903 Retrofit.
- The City's Request for Tender closed with the lowest priced bid at \$2.15 million, exceeds the approved budget, excluding costs for HST, contingency and allowances for the City's expenses such as Contract Administration, Survey, Inspection & Testing, etc.
- An additional \$1.1M in funding is required for PN 10-142 to award the contract to the lowest bidder. This brings the total budget for PN-10-142 to \$3.15 million.

## Background

The existing stormwater management facility (SWMF #5903) was constructed in 1985 as a 'dry' pond that only provides water quantity control for less than a 50-year design storm. Appendix 1 shows the facility location. As part of the *Mississauga Stormwater Quality Control Strategy (1996)* and the subsequent *Strategy Update (in progress)*, the SWMF #5903, serving a drainage area of approximately 168 hectares, is identified as a candidate with high potential for retrofit to improve water quality treatment and quantity control (100-year design storm), and to provide erosion control for downstream Loyalist Creek.

Valdor Engineering Inc. (Valdor) was retained by the City to complete the retrofit design study for a 'wet' pond at SWMF #5903. The details regarding the investigations and recommendations completed during the Environmental Assessment process are provided in the report titled *Collegeway Stormwater Management Facility (#5903) Retrofit Study (Valdor, 2011)*.

A budget of \$2.05 million (PN 10-142) was approved by Council in 2010 for the construction of the SWMF #5903 retrofit.

Valdor was retained to carry forward the recommendations and preferred retrofit option with a detailed design, as documented in the *Collegeway Stormwater Management Facility (#5903) Retrofit Design Brief (Valdor, 2013)*.

## Comments

Valdor estimated a cost of \$1.7 million to complete the retrofit works. The City's Request for Tender closed on May 3, 2016. Five bids were received ranging from \$2.15 million to \$3 million. The lowest bid exceeds the approved budget of \$2.05 million, excluding costs for applicable HST, contingency and allowances for the City's expenses such as Contract Administration, Survey, Inspection & Testing, etc.

A complete bid analysis of all submissions was conducted, and higher than estimated costs were received for the following reasons:

- **The high groundwater table** - The groundwater table in the project area is high, which could potentially affect the stability of adjacent properties while dewatering the SWMF #5903 site. The City identified the issue and had Valdor complete additional investigation and revise the design accordingly in 2015. However, bidders were conservative in pricing the dewatering, water bypassing, and excavation items because of the high groundwater table.
- **Limited market competition** - There are only a limited number of construction companies in the market that can successfully complete the retrofit.

- **A Pre-bid site meeting with contractors** – During the pre-bid meeting, water levels at the site were elevated due to an ongoing storm event and may have contributed to bidders assuming more challenging site conditions as compared to low flow conditions the facility would normally exhibit.

## Strategic Plan

The construction of this stormwater management facility falls within the Connect Strategic Pillar under its strategic goal to Build and Maintain Infrastructure.

As part of the Mississauga Stormwater Quality Control Strategy (1996) and the subsequent Strategy Update (in progress), the SWMF #5903, serving a drainage area of approximately 168 hectares, is identified as a candidate with high potential for retrofit to improve water quality treatment and quantity control (100-year design storm), and to provide erosion control for downstream Loyalist Creek.

## Financial Impact

The project budget needs to be increased from \$2.05 million to \$3.15 million. The increase of \$1.1 million will be funded from the DCA-Stormwater Management Reserve Fund account 31350.

## Conclusion

In order to award the contract to the lowest bid for the Retrofit of the SWMF #5903 Retrofit, an additional \$1.1 million in funding is required for PN 10-142. This brings the total project budget to \$3.15 million.

## Attachments

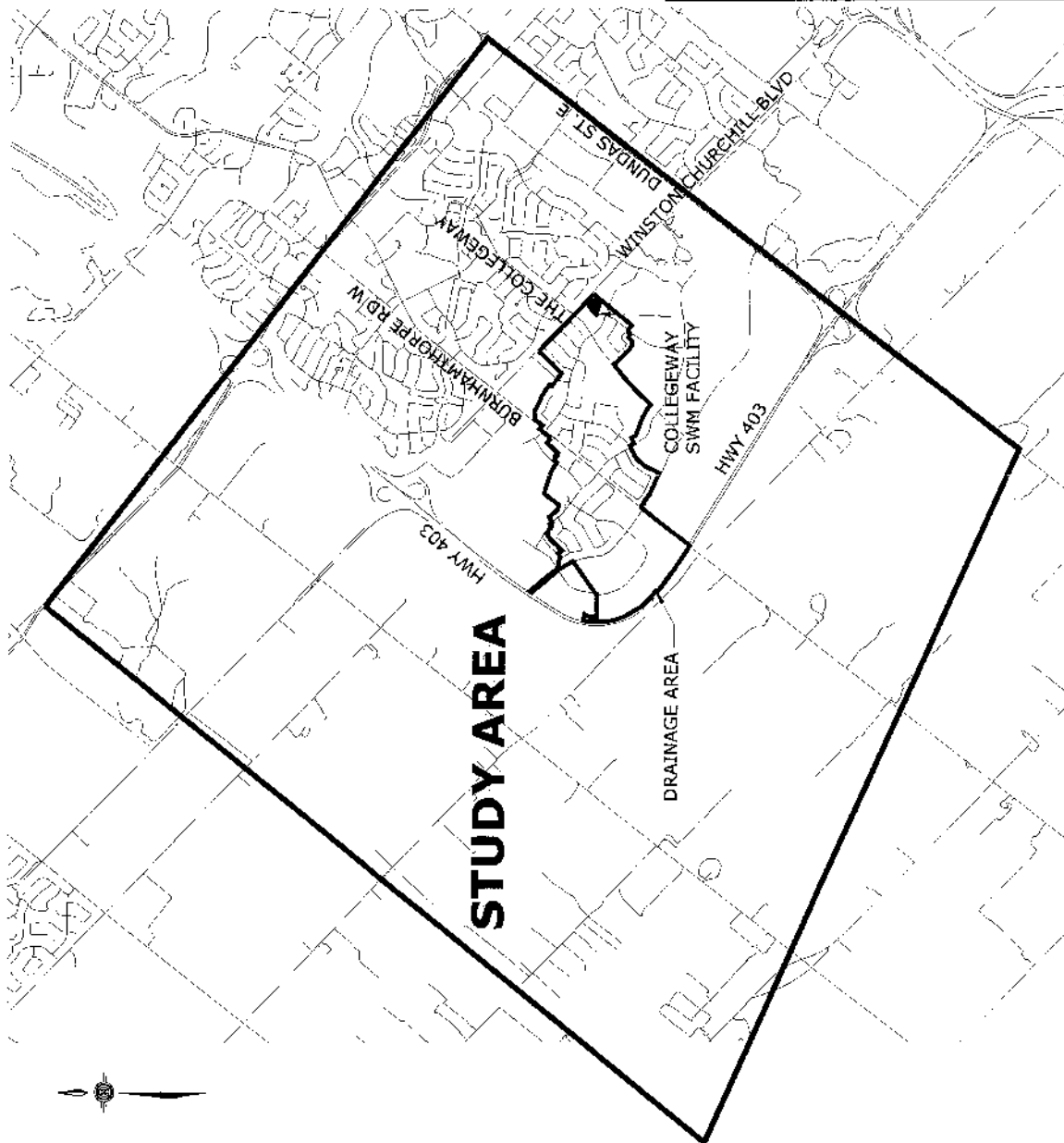
Appendix 1: Facility Location Map



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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Wayne Song, P.Eng., Project Manager



PROJECT  
**COLLEGEWAY SWM FACILITY  
RETROFIT, CITY OF MISSISSAUGA**

TITLE  
**STUDY AREA LOCATION PLAN**

**VALDOR ENGINEERING INC.**  
Consulting Engineers - Project Managers  
741 ROWNTREE DAIRY ROAD, SUITE 2, WOODBRIDGE, ONTARIO, L4L 5Y9  
TEL (905) 254-0054, FAX (905) 254-0069  
E-MAIL: info@valdor-engineering.com  
www.valdor-engineering.com

PREPARED BY	P.A.	CHKD BY	E.C.
SCALE	N.T.S.	DATE	JUNE 2012
FIGURE	60106	FIGURE	1

City of Mississauga  
**Corporate Report**



Date: 2016/06/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
 Transportation and Works

Originator's files:  
 MG.23.REP

Meeting date:  
 2016/06/15

## Subject

**Agreements with the Ontario Ministry of Transportation for the construction of the Second Line West Pedestrian/Cyclist Bridge (Ward 11)**

## Recommendation

1. That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to enter into an agreement with the Ontario Ministry of Transportation (MTO) for the construction of the Second Line West Pedestrian/Cyclist Bridge over Highway 401 including associated multi-use trail connections to Sombrero Way and Donway Drive, in a form satisfactory to the City Solicitor.
2. That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to enter into an agreement with the MTO for the retrofit of two City stormwater management ponds (Pond #'s 4401 and 4405) and landscaping / compensation planting along Second Line West and within the City's Park 505, in a form satisfactory to the City Solicitor.

## Report Highlights

- In 2015, the City completed and received approval for a Municipal Class Environmental Assessment Study for a pedestrian/cyclist bridge on Second Line West across Highway 401 connecting to a future multi-use trail from Sombrero Way to Donway Drive.
- The City has requested and the Ontario Ministry of Transportation (MTO) has agreed to construct the Second Line West Pedestrian/Cyclist Bridge over Highway 401 including associated multi-use trail connections to Sombrero Way and Donway Drive, at the City's expense, as part of the MTO Highway 401 improvements construction contract (the "MTO Project").
- The capital budget for the Second Line West Pedestrian/Cyclist Bridge was approved as part of the 2015 Budget process.

- The MTO Project requires the re-vegetation of the right-of-way that will be available upon the removal of the existing Second Line West vehicle bridge (“Vehicle Bridge”), to enhance the sensitive natural features within the Meadowvale Station Woods property.
- The MTO Project also requires the retrofitting of two existing City stormwater management ponds upstream of the Highway 401 project area (Pond #'s 4401 and 4405) to provide a net benefit to the redbreasted sunfish habitat within the Fletcher’s Creek.
- All construction costs associated with the re-vegetation plan and retrofit of ponds will be borne by the MTO.

## Background

In August 2005, the Ontario Ministry of Transportation (MTO) completed a Preliminary Design and Class Environmental Assessment (EA) Study for Highway 401 from the Highway 410/403 Interchange westerly to east of the Credit River to review and update previous work, and look for opportunities to integrate High Occupancy Vehicle (HOV) facilities within the corridor. Amongst many items associated with the expansion works for Highway 401, the permanent removal of the Vehicle Bridge was identified to accommodate the highway improvement works. The EA study was approved in 2007 with conditions that included the re-vegetation of the existing right-of-way available upon the removal of the Vehicle Bridge, to enhance the sensitive natural features within the Meadowvale Station Woods property.

In 2015, the City completed and received approval for a Class EA study for a pedestrian/cyclist bridge on Second Line West across Highway 401 connecting to a future multi-use trail from Sombrero Way to Donway Drive, within the existing Second Line West right-of-way. This initiative supports City objectives included in the City’s Cycling Master Plan and Official Plan. The pedestrian/cyclist bridge is a key network connection to the area’s integrated active transportation system, connecting neighbourhoods north and south of Highway 401 to the existing and future cycling network. It will connect with existing and proposed Secondary Cycling Routes along Sombrero Way, Donway Drive, Bancroft Drive and Old Derry Road, as well as the existing Off-Road Multi-Use Trail north of Highway 401 (Fletcher’s Creek Trail). The bridge will also provide an important opportunity to connect the proposed natural trail networks along the Credit River and Fletcher’s Creek. The associated capital budget for the new pedestrian/cyclist bridge was approved as part of the 2015 Budget process.

## Comments

The City has requested and the MTO has agreed to construct the Second Line West Pedestrian/Cyclist Bridge over Highway 401 including associated multi-use trail connections to Sombrero Way and Donway Drive, at the City’s sole expense and cost, as part of the MTO Project. All costs associated with removing the existing Vehicle Bridge will be borne by the MTO as its removal is required to accommodate the highway improvements work.

The MTO Project requires the re-vegetation of the existing right-of-way made available upon the removal of the Vehicle Bridge, to enhance the sensitive natural features within the Meadowvale Station Woods property. In consultation with the Ministry of Natural Resources and Forestry (MNRF), Credit Valley Conservation Authority (CVC) and the Ministry of the Environment and Climate Change (MOECC), a restoration plan will be implemented in the areas of Second Line West and the City's Park 505 to mitigate vegetation removals associated with the highway improvements works. All construction costs associated with the restoration plan will be borne by the MTO.

In addition, part of the MTO Project includes the replacement of a culvert structure at Fletcher's Creek with a proposed bridge. Fletcher's Creek is considered to be a redbreasted dace fish habitat. The MNRF has indicated that lowering two existing City stormwater management ponds upstream of the Highway 401 project area (Pond #'s 4401 and 4405) to create a deepened permanent pool and lower bottom draw outlet will be viewed as a 'net benefit' to redbreasted dace in association with the Highway 401 improvements. As a result, MNRF has requested MTO to alter these stormwater management ponds to accommodate a deepened bottom draw outlet. All construction costs associated with the retrofit of the two stormwater management ponds will be borne by the MTO.

In order for MTO to undertake the construction of the pedestrian/cyclist bridge as well as the above noted works including retrofitting the two City stormwater management ponds and the landscaping / compensation planting along Second Line West and within Park 505, the City is required to enter into agreements with the MTO.

Construction of the MTO Project commenced in April 2016 with anticipated removal of the Vehicle Bridge to occur in October 2016. Construction of the new pedestrian/cyclist bridge is expected to start in fall of 2016 and be completed by spring 2019. The retrofitting of two City stormwater management ponds (Pond #'s 4401 and 4405) is expected to be completed in the spring of 2017. The landscaping / compensation planting is expected to occur throughout the MTO Project.

## Financial Impact

There is no financial impact associated with the enactment of the by-laws.

The associated capital budget for the new pedestrian/cyclist bridge was approved as part of the 2015 Budget process (PN 15-106) for \$3.7 million (cash flow).

## Conclusion

The City has requested and the MTO has agreed to construct the Second Line West Pedestrian/Cyclist Bridge over Highway 401 including associated multi-use trail connections to Sombrero Way and Donway Drive, at the City's expense, as part of the MTO Project. The MTO Project requires landscaping/compensation planting and the retrofitting of two existing City



General Committee

2016/06/01

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stormwater management ponds. As a result, the City is required to enter into agreements with the MTO for the construction of the City's pedestrian/cyclist bridge, the retrofiting of two City stormwater management ponds (Pond #'s 4401 and 4405) and the landscaping / compensation planting along Second Line West and within the City's Park 505.

The capital budget for the pedestrian/cyclist bridge was approved as part of the 2015 Budget process. All construction costs associated with the landscaping and retrofit of the two stormwater management ponds will be borne by the MTO.



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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Leslie Green, P.Eng., Manager, Transportation Projects

# City of Mississauga

## Corporate Report



Date: 2016/05/30

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
Transportation and Works

Originator's files:

Meeting date:  
2016/06/15

### Subject

**Supply of Transit Shelter Media Space for Targeted Advertising - Sole Source Contract Award to Outfront Media, - FA. 49.0082-16**

### Recommendation

That the Purchasing Agent be authorized to execute a contract with Outfront Media on a sole source basis in the estimated amount of \$370,000 for the supply of transit shelter media space for targeted advertising, for a two year period ending July 2, 2018, subject to annual budget approval as outlined in the corporate report dated May 30, 2016 from the Commissioner of Transportation and Works entitled, "Supply of Transit Shelter Media Space for Targeted Advertising – Sole Source Contract Award to Outfront Media".

### Report Highlights

- Pursuant to Procurement No. FA. 49.007-07 Outfront Media (originally Mediacom Inc.) was granted the exclusive right by the City to supply, maintain and sell transit shelter advertising space at MiWay bus stops in Mississauga as part of the 18-year contract that ends July 2, 2018 (ref. GC-0394-2000).
- The City receives more than \$3 million in guaranteed revenue per year from Outfront Media through this contract.
- Although MiWay has access to some transit shelter advertising spaces each month (52 ad spaces) through this contract, additional space is needed to implement targeted advertising campaigns at relevant times to support ridership growth efforts.
- MiWay purchases media space from Outfront Media at favourable rates.
- Outfront Media is deemed a sole source vendor in accordance with the Purchasing By-law 374-2006, Schedule item (a) (iii) which states that the sole source procurement method may be applied in, "*the existence of exclusive rights such as patent, copyright or licence*".

## Background

Outfront Media (originally Mediacom Inc.) was awarded the exclusive right to supply, maintain and sell transit shelter advertising space at MiWay bus stops in Mississauga. As part of that contract, Outfront Media installs and maintains MiWay bus shelters in Mississauga for an 18-year term that began in July 2000 and ends July 2, 2018.

The City currently receives more than \$3 million in guaranteed revenue per year from Outfront Media through this contract:

Year	Guaranteed Revenue to the City
2012	\$4.6 million
2013	\$4.85 million
2014	\$3.125 million
2015	\$3.4 million
2016	\$3.775 million
2017	\$4.25 million
2018 (January to July)	\$2.25 million

This revenue-generating contract also provides MiWay with access to five per cent of eligible advertising caissons each month (52 currently); however, this space is sometimes allocated to other City communications (e.g. “Be a Good Neighbour, Clear Your Walk” winter maintenance campaign), and MiWay cannot always choose targeted locations at relevant times because, under the contract terms, the spaces provided are to be distributed evenly throughout the city.

MiWay currently has 990 shelters in the transit system and 524 of those transit shelters can display ads in the advertising caissons (inside and outside the shelter).

## Comments

The transit system has added 189,336 hours in service since the new MiWay brand was introduced in 2010. These services have addressed overcrowding, improved frequency, expanded the MiExpress network, improved connections and prepared services for the introduction of the first phase of the Mississauga Transitway in 2014.

In late 2015, Council approved the new MiWay 5 Service Plan (2016-2020). The plan is shifting Mississauga’s transit system from a design that radiates from the City Centre to a grid network that will allow for more frequent buses along main corridors, optimize the use of the Mississauga

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Transitway and set the stage for more transit expansion. MiWay is now in the process of rolling out major service improvements in various parts of Mississauga throughout the year.

To help make the most of the City's substantial investment in additional service hours per year, and to support the City's significant capital and operating investment in the Mississauga Transitway, additional resources were approved in the 2016 transit budget to support customer communication efforts and to help educate potential new riders – over and above existing customers – about MiWay 5 network and frequency improvements (Ref: BR#1914 and BR#2263).

#### Sole Source Contract Award

Additional advertising was required previously and obtained in accordance with the Medium Value Acquisition provision of the Purchasing By-law. The recommended contract for current and estimated future requirements exceeds \$100,000 and requires Council approval.

It is recommended that a contract be issued to Outfront Media on a sole source basis to enable MiWay to obtain the additional transit shelter media space for targeted advertising to support MiWay's customer communication and promotional efforts until July 2018. The recommendation in this report is made in accordance with Schedule A of the Purchasing By-law 374-2006, as amended, item (a) (iii) which states that the sole source procurement method may be applied when, "*the existence of exclusive rights such as patent, copyright or licence*".

## **Strategic Plan**

Educating potential new riders and existing MiWay customers about MiWay 5 network improvements, new transitway services and other transit initiatives supports the following strategic goals:

### **Developing a Transit-Oriented City**

- Build a Reliable and Convenient System
- Connect Our City

### **Ensuring Youth, Older Adults and New Immigrants Thrive**

- Ensure Affordability and Accessibility

### **Completing Our Neighbourhoods**

- Provide Mobility Choices

## Financial Impact

Period	Estimated Amount Required
July 2016 to July 2017	\$170,000.00
July 2017 to July 2018	\$200,000.00
<b>Total Estimated Contract Value:</b>	<b>\$370,000.00</b>

Funds to purchase transit shelter media space for targeted advertising are available in MiWay's marketing budget.

## Conclusion

Outfront Media (originally Mediacom Inc.) has the exclusive right to supply, maintain and sell transit shelter advertising space at MiWay bus stops in Mississauga as part of an 18-year contract that ends July 2, 2018. The City currently receives more than \$3 million in guaranteed revenue per year from Outfront Media through this contract.

The contract provides for some advertising to be provided to the City; however it is insufficient for the current and estimated future needs for targeted advertising campaigns at relevant times to support MiWay's customer communication and promotional efforts until July 2018. Outfront Media is being recommended for the sole source award to provide additional advertising space.

## Attachments

Appendix 1: Scope of Work




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Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Ryan Cureatz, Marketing Manager

### **Appendix 1 – Scope of Work**

MiWay requires additional transit shelter media space to implement targeted advertising campaigns at relevant times to support ridership growth efforts from July 2016 to July 2018.

<b>Planned Campaigns (July 2016 to July 2017)</b>	<b>Budget</b>	<b>Schedule</b>
MiWay 5 – Route 109; more frequent transitway service (effective Sept. 5, 2016)	\$15,000	August/September 2016
MiWay 5 - Route 46; serving Erin Mills Transitway Station (effective Oct. 24, 2016)	\$15,000	September / October 2016
Become a MiWay Student Ambassador	\$6,000	September / October 2016
MiWay 5 - Route 9; integration with the Mississauga Transitway	\$15,000	February 2017
Operator Safety campaign	\$24,000	March 2017
MiWay 5 – Routes 109, 35, 41, 45; Integration with the Mississauga Transitway	\$15,000	May 2017
MiWay 5 – Routes 107; new Sunday service	\$15,000	May 2017
MiWay 5 – Route 102; new route	\$15,000	May 2017
MiWay 5 – Route 39; integration with the Mississauga Transitway	\$15,000	July 2017
MiWay 5 – Route 54; new route	\$15,000	July 2017
Contingency	\$20,000	Contingency to support transit operational requirements as needed
<b>Total Estimated Amount (July 2016 to July 2017):</b>	<b>\$170,000</b>	

<b>Planned Campaigns (July 2017 to July 2018)</b>	<b>Budget</b>	<b>Schedule</b>
MiWay 5 – Route 101; improved service	\$15,000	September 2017
Operator Safety campaign	\$24,000	September 2017
Become a MiWay Student Ambassador	\$6,000	September / October 2017
MiWay 5 Benefits Campaign	\$15,000	August/September 2017
PRESTO Promotion – More Places to Load	\$21,000	October/November 2017
MiWay 5 - Route 36; integration with the Mississauga Transitway	\$15,000	February 2018
Operator Safety campaign	\$24,000	March 2018
MiWay 5 – Routes 100 and 110; new express route and improved service	\$15,000	May 2018
MiWay 5 – Route 74; new route	\$15,000	May 2018
MiWay 5 - Route 7; integration with the Mississauga Transitway	\$15,000	May 2018
MiWay 5 - Route 35; integration with the Mississauga Transitway	\$15,000	July 2018
Contingency	\$20,000	Contingency to support transit operational requirements as needed
<b>Total Estimated Amount (July 2017 to July 2018):</b>	<b>\$200,000</b>	

City of Mississauga  
**Corporate Report**



Date: 2016/05/23

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:  
 2016/06/15

## Subject

**Single Source Contract Negotiations and Award to Active Network, LTD. for a Recreation Enterprise System Solution**

**File Ref: FA49.107-16**

## Recommendation

1. That the report from the Commissioner of Corporate Services and Chief Financial Officer dated May 23, 2016 entitled Single Source Contract Negotiations and Award to Active Network, LTD. for a Recreation Enterprise System Solution be received.
2. That the Purchasing Agent be authorized to initiate contract negotiations with Active Network, LTD. for the Fully Hosted Recreation Management Software Solution, "ActiveNet"
3. That the Purchasing Agent be authorized to execute the contract and all related ancillary documents with Active Network, LTD., on a single source basis for products, professional services, software licensing and maintenance & support of a Fully Hosted Recreation Management Software Solution, subject to successful negotiations, the City Solicitor's approval and annual budget approval.
4. That the ActiveNet solution offered by Active Network, LTD. be designated a "City Standard" for the ten year period January 1, 2018 to December 31, 2027 with an option to extend for an additional five year period ending December 31, 2032.
5. That the Purchasing Agent be authorized to increase the value of the contract where necessary to accommodate growth where the amount is approved in the budget and to issue contract amendments to add any future Recreation Management Software Solution features, functionalities, modules and systems from Active Network, LTD as required, where the amounts are approved in the budget.



## Report Highlights

- Active Network, LTD. Computerized Leisure Activity Software System (CLASS) system is the City's current vendor for Recreation and will end system support by December 31, 2017. To avoid service disruptions, the City is required to acquire and implement a replacement system by December 31, 2017 when the current contract will expire.
- In December 2014, the City issued a Request for Prequalification and Expression of Interest. Three vendors were pre-qualified:
  1. Active Network, LTD.
  2. Legend Club Management Systems (UK) Limited
  3. Leisure Management Services America, Inc.
- In March 2015, the City issued a Request for Negotiated Proposal FA.49.070-15 to which Legend Club Management Systems (UK) Limited and Leisure Management Services America, Inc. submitted responses. The submission from Active Network, LTD was received late resulting in a major irregularity that required the rejection of their bid.
- The project evaluation team concluded that the Legend Club Management (UK) Limited and Leisure Management Services America, Inc. systems did not sufficiently meet the City's key functional requirements, resulting in the conclusion of the procurement process without a successful vendor.
- The City then conducted an exploratory phase with Active Network, LTD. to evaluate the capability of their new recreation system "ActiveNet" Fully Hosted Solution and found it to be the closest fit to meet the City's functional requirements with minimal customization compared with other recreation software solutions currently available.
- This report recommends that a Single Source contract be awarded, subject to successful negotiation with Active Network, LTD. to guarantee that the system will meet all of the City's functional, technical and business assurance requirements and that the ActiveNet solution be deemed a "City Standard" for an initial period of ten years, with the option to renew for a further five year period.

## Background

In 1999, the City purchased the CLASS application suite consisting of Internet Registration (Connect2Rec), IVR Registration (TTR), Program Registration, Facility Booking and Membership & Pass Management for its Community Services Recreation operations.

In May 2007 (as per GC-03952007), Council approved the expansion of the Class POS (Point of Sale) within Recreation to include Community Centre Front Desks and Concession Operations. The CLASS system has since expanded to other City services and businesses (Fire & Emergency Services, Culture, Parks & Forestry) for bookings, registrations and payments.

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In 2014, Active Network, LTD announced the “End of Life” for CLASS system support by the end of December, 2017. The City executed a Single Source contract renewal to Active Network, LTD. for the Master Maintenance & Support (M&S) Agreement for the period of 2015 through 2017.

The City is using the contract extension period to acquire and implement a CLASS Replacement system that meets the City’s strategic and operational objectives for its Recreation operations by the end of 2017. The system must be a best-fit IT System Solution that is Payment Card Industry (PCI) compliant.

In 2015, the CLASS system processed: 164,739 Program Registrations, 20,200 Facility Booking contracts consisting of 155,549 individual events and 45,587 fitness memberships sold for total revenue of \$46,019,228.00.

## Comments

In December 2014, the City issued a Request for Prequalification and Expression of Interest (RFPQ&E) in which three vendors were prequalified:

- Active Network, LTD.
- Legend Club Management Systems (UK) Limited
- Leisure Management Services America, Inc.

In July 2015, the City issued a Request for Negotiated Proposal (RFNP) by invitation to the three Prequalified Vendors. Submissions were received from two Vendors; Legend Club Management Systems (UK) Limited and Leisure Management Services America, Inc. The late submission from Active Network, LTD. was a major irregularity requiring the rejection of their bid.

The project evaluation team reviewed and evaluated the submissions and system demonstrations in accordance with the City's needs and requirements and concluded that Legend Club Management Systems (UK) Limited and Leisure Management Services America, Inc. systems overall did not sufficiently meet the City's key functional requirements. As a result Procurement FA.49.070-15 was closed with no contract awarded.

Following the closure of Procurement FA.49.070-15, under the guidance of Materiel Management and Legal Services, the City conducted an exploratory phase with Active Network, LTD. to evaluate the capability of their recreation system, “ActiveNet”. Active Network, LTD. was requested to provide a response to the City’s requirements and to provide a system demonstration.

After the system demonstration, evaluation and review of the Active Network, LTD. response, the City’s project team concluded that the ActiveNet Solution will:

- Sufficiently meet the City's essential business requirements consisting of Program Registration, Facility Booking, Membership, Subsidy Programs, and Integrated POS that will improve and modernize the customer experience while automating current manual processes and maximizing staff efficiencies.
- Provide a complete and secured fully hosted solution that is Payment Card Industry (PCI) compliant and sufficiently meets the financial and audit controls of the City's business assurance requirements. Secured financial transactions are processed in the United States of America.
- Store all data in Canada, therefore meeting the privacy protection for Personal Health Information Act (PHIPA)

The City's current CLASS solution is an on premise solution requiring ongoing annual operational expenses for Software Maintenance and Support, Data Storage, Payment Processing (credit card & debit processing fees) and Capital expenses for Additional Licenses, Software Upgrades and maintaining a PCI Compliant Infrastructure that requires a Hardware Replacement every fourth year.

The ActiveNet Fully Hosted solution is a transactional based cost model that will include all the current PCI Infrastructure, Software Upgrades, Support & Licensing, Data Storage and Payment Processing services that are in the current CLASS system. The move to the CLOUD solution will eliminate recurring costs for the Infrastructure Hardware Replacement. This cost will be transferred to the system's annual operational cost.

In April 2016, the City issued a Single Source Request for Negotiated Proposal (SS RFNP) to Active Network, LTD. that included the Legal Master Agreement in addition to the Statement of Work (functional, technical, business assurance requirements).

The City has identified potential cost and functionality gaps between the due to be non-supported and discontinued CLASS system (after December, 2017) and the new ActiveNet solution. These will need to be addressed, negotiated and agreed upon before contract award.

#### Purchasing By-law Authorization

The recommendation in this report is made in accordance with Schedule A of the Purchasing By-law #374-06, items 1(b) (xi) which states that a single source procurement method may be applied when, "An attempt to acquire the required Goods and/or Services by soliciting competitive Bids has been made in good faith, but has failed to identify a willing, capable and compliant supplier".

Information Technology, Legal Services and Materiel Management staff are collaborating to establish the detailed requirements, negotiate the final arrangements and prepare the contract.

## Financial Impact

The Capital budget was approved in 2015 with \$1.58 million allocated in PN15507 to replace the CLASS system.

The total yearly average ongoing Operational and Capital life cycle cost for the current CLASS system is \$1.2 million over ten years.

The ActiveNet Fully Hosted Solution is forecasted to cost \$1.3 million annually based on a ten year average which will be offset by the existing operating budget of \$750,000 for the current CLASS system and will eliminate lifecycle hardware replacement cost of \$4 million over the ten year period.

## Conclusion

The City has conducted and completed in-depth procurement and research processes with financial impact analysis for all vendors who have submitted proposals. The ActiveNet fully hosted solution was found to be the closest fit currently available to meet the City's functionalities with minimal customization compared with other recreation software solutions on the market.

This report recommends that the City negotiates a Single Source contract in which Active Network, LTD. will guarantee the completion of the functional gaps and to execute the contract and all related ancillary documents with Active Network, LTD., for products, professional services, software licensing and maintenance and support of a fully hosted PCI compliant infrastructure (servers, network, and payment processor), subject to successful negotiation of the contract, the City Solicitor approval and annual budget approval. The contract value is estimated and budgeted at \$1.3 million annually based on a ten year forecasted growth and any additional growth stipulated in the annual planning budget review.

## Attachments

Appendix 1: Statement of Work – Active Network, LTD.



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Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Andy Nguyen, Project Manager, IT Culture & Recreation Services,  
Information Technology Division

### **Statement of Work – Active Network, LTD.**

Single Source Recommendation with Active Network, LTD. Procurement FA.49.107-16

The following outlines the solutions and services that will be negotiated with Active Network, LTD. and City's Materiel Management, Legal Services and Information Technology as part of establishing the contract and pricing model for the next ten year period with an option to extend for additional five year period.

#### **1. Functional Requirements**

- a. Program Registration (including on-line self-registration)
- b. Facility Booking (on-line and in-person)
- c. Point-of-Sale (POS) with inventory
- d. User Account Setup (including on-line self-registration)
- e. Membership/Pass sales (on-line and in-person)
- f. On-line payments
- g. Subsidy Programs
- h. Financial Accounting
- i. Reporting and Dashboards
- j. Security Privileges setup and maintenance
- k. All on-line functionalities (as listed above) have mobile capabilities and are mobile-friendly
- l. Provide a full Training/Test environment available with our own data
- m. To customize system functional gaps to meet the City's business requirements

#### **2. Business Assurance**

- a) Payment processing should meet all financial and audit controls. Should provide a third party audit certificate for Controls at a Service Organization (CSAE 3416) SOC1 & SOC 2, Type1 and Type 2

#### **3. Technical Requirements**

- a. Provide warranty, maintenance, ongoing support and professional services as required on a continuous basis under a life-cycle contract.
- b. Solution(s) shall be a fully hosted IT infrastructure that is Payment Card Industry (PCI) compliant and includes unlimited staff and customer access.
- c. For a cloud-based system Solution(s), database storage shall reside in Canada with real-time access to City's data

**4. Project Implementation/Professional Services**

- a. Initiate Project and prepare detailed Plan
- b. Manage and administer the Project and provide quality assurance throughout
- c. Design and engineer the System
- d. Integrate, test, transition and commission
- e. Convert and migrate data
- f. Supply required software and documentation
- g. Replace the existing CLASS Recreation Enterprise System
- h. Manage the transition to the new Solution
- i. Provide training and documentation

# City of Mississauga

## Corporate Report



Date: 2016/05/26

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:  
2016/06/15

### Subject

**Single Source Contract with Bell Canada Inc. for Bell Canada Voice Telecommunication Services File Ref: FA49.663-10 , Contract Renewals**

### Recommendation

1. That the report from the Commissioner of Corporate Services and Chief Financial Officer dated May 26, 2016 entitled Single Source Contract for Bell Canada Voice Telecommunication Services be received.
2. That the Purchasing Agent be authorized to negotiate new contracts with Bell Canada Inc. to continue a long term partnership for established City Voice Telecommunication Services (Business Lines, Centrex Lines, Long Distance, Trunk Lines, Direct Inward Dial - DID) for the next ten year period.
3. That the Purchasing Agent be authorized to execute contracts and all related ancillary documents with Bell Canada Inc., on a single source basis for the established City's Telecommunication Services (Business Lines, Centrex lines, Long Distance, Trunk Lines, DID) subject to annual budget approval. This includes renewal of the existing contracts agreements ending June 30, 2016 (as per recommendation GC-0174-2011) for the first five years in the estimated amount of \$1,655,019.60, exclusive of taxes, of the ten year period.
4. That the Purchasing Agent be authorized to increase the value of the contract and execute contract amendments where necessary to accommodate City's growth for the established City's Telecommunication Services (Business Lines, Centrex lines, Long Distance, Trunk Lines, DID); and to extend the second five year of the ten year period, subject to negotiations and Legal approval of contracts including all related ancillary documents and where the amounts are provided and approved in the budget .
5. That Bell Canada Inc. be designated a "City Standard" for the next ten year period, July 01, 2016 to June 30, 2026.

## Report Highlights

- Since 2001, Bell Canada Inc. has been the sole provider for the City's Voice Telecommunication Services (Business Lines, Centrex lines, Long Distance and Trunk lines).
- The existing contract with Bell Canada Inc. was renewed for five years in 2011 and expires June 30<sup>th</sup>, 2016 (as per GC-0174-2011)
- As per GC-0174-2011, Bell Canada Inc. is declared a "City Standard" for the provision of Telecommunication Services.
- It is recommended to renew the existing contract for the services for another five years (2016-2021) to provide the required business needs that support City services and operations.

## Background

In December of 2001 (as per Recommendation GC-0735-2001), the contract for the annual supply of Telecommunication Services (Business Lines, Centrex lines, Long Distance and Trunk lines) was awarded to Bell Canada Inc. for a period of five years in the amount of approximately \$501,404 plus taxes per annum. Between 2003 and 2007 Bell Canada Inc. services have been contracted in varying contract terms with services contracts expiring between 2008 and 2010.

In April of 2011 (as per recommendation GC-0174-2011), the contract for the annual supply of Telecommunication Services was renewed with Bell Canada Inc. for a period of five years in the amount of \$372,000 plus taxes per annum. As per recommendation GC-0174-2011, Bell Canada Inc. was also declared a "City Standard" for the provision of Voice Telecommunication Services for the City.

### Voice Telecommunication Services

Business Line & Centrex service provides the City with access to backup 911 Emergency lines in all City facilities as well as provides access to Intrusion systems for Security Systems, Point of Sale Terminals and other monitoring systems.

Voice Trunk Lines are used to provide inbound and outbound phone access for all City Services and Facilities. This service is integrated with the City's voice communications systems, for example, Voice over Internet Protocol (VoIP) and Voice Mail.

Direct Inward Dialing (DID) service is used throughout the city facilities providing direct inward dialling access to City staff where required.

Bell services are critical for the City's voice communication systems providing seamless services, for example:



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1. Public Switched Telephone Network (PSTN) inbound/outbound calling to City Services.
2. Call center access (311, Recreation & Parks 905-615-4100, Transit 905-615-4636, Living Arts Box Office 905-306-6000, Mississauga Court 905-615-4500).
3. Applications like City Link 905-615-4BUS (DID), Main Facility Telephone and Fax Numbers.
4. Enhanced 911, includes location information provided to 911.
5. Long distance.
6. EOC (Emergency Operation Command).
7. Code Blue Telephone Lines (Used in BRT stations).

The existing Bell Canada Inc. contract was renewed in 2011 (as per recommendation GC-0174-2011) for five years, and is now up for renewal July 2016.

## Comments

Bell Services have also been utilized over the years by various City departments to serve the communication needs of various systems like Rain Gauges, Intrusion prevention system, Point of sale systems, traffic controllers.

The Bell Services are complimentary to the City's Data Networks which run over the PSN fibre network and the City Outdoor WIFI Network. It is expected that as new technologies and applications are introduced in the future the City Network will be the primary means of connectivity with minimal growth of the Bell Canada Analog Services.

The services in the newly negotiated contract encompass the City's enterprise voice communication network which includes support and purchase of Business Line Services, Centrex Services, Long Distance, Trunk Lines, DID's and redundant Bell copper lines in each City Facility providing emergency backup and 911 capabilities. Maintaining the Bell Canada Services will ensure optimal business continuity of voice services.

The 311 Call Centre and staff have worked closely with Bell Canada Inc. to ensure the proper handling of calls within the Bell Canada Inc. geographical boundaries to ensure that Mississauga calls come to Mississauga, Brampton calls go to Brampton and similarly to Halton and Toronto. Maintaining the T1/PRI services from Bell will ensure continued and enhanced routing of calls for the 311 Call Centre.

These Bell Canada Inc. services are necessary to sustain services and operations. There are essential services that need to be maintained and cannot be compromised such as 911 services and Voice Communications for all City Facilities enabling successful business continuity.

### **Purchasing By-law Authorization**

The recommendation in this report is made in accordance with Schedule A of the Purchasing By-law #374-06, items 1(a)(i) a statutory or market based monopoly and 1(b)(iv) the solicitation of competitive bids would not be economical to the city; and (a) (iii), wherein it states that “the Goods and/or Services are only available from one supplier by reason of; the existence of exclusive rights such as patent, copyright or license”; and (b)(xi) which states that a single source procurement method may be applied when, “a need exists for compatibility with, or for the maintenance and support of a “City Standard” and there are no reasonable alternatives, substitutes, or accommodations”.

Information Technology, Legal Services and Materiel Management staffs are collaborating to establish the detailed requirements, negotiate the final arrangements and prepare the requisite forms including the contract agreements.

### **Financial Impact**

The City's expenditure for Voice Telecommunication Services under the new negotiated contract from July 2016 to July 2021 is estimated to be \$1,655,019.60 excluding taxes, and will be dependent upon growth on a year to year basis. The ongoing annual costs are included in the Information Technology operating budget.

### **Conclusion**

The City has a robust Voice Telecommunication Network supported by Bell Canada Inc. and a state of the art Public Sector Network and establishes Bell Canada Inc. as a “City Standard” for telecommunication services will ensure that city services that rely on voice communications continue to operate at an optimal level.

The negotiated contract for five years ending July 2021 provides the city the best value for Voice Telecommunication Services.

### **Attachments**

Appendix 1: Summary of Bell Canada Voices Services.



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Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Prabhjot Dhami, Program Manager (IT, Network Services)

## Summary of Bell Canada Voice Services

City of Mississauga-Bell Services	Schedule Name	Schedule Number	Number of Lines at contract date	Unit Rate as per contracts	5 year Contracted rate/ month	Total Contract Value for 5 years	Monthly Charges for Non-contractible Services at Contract signing	Total Value Non Contractible Services Over 5 years
MCANT	Master Communications Agreement-Non-Tariff(Retail)		n/a	n/a	n/a	n/a		
LD/Toll(Based on estimate 500k min)-Non Tariff	Bell Canada Long Distance and Toll Services Schedule(per minute) To Master Communications Agreement- Non-Tariffed		n/a	\$0.016	\$133.00	\$7,980.00		
Business Lines-Non-Tariff	Bell Canada Individual Business Line Service Schedule("Service Schedule") To Master Communications Agreement-Non Tariffed		165	\$25.00	\$4,125.00	\$247,500.00		
Centrex -Non-Tariff	Centrex Service Schedule("Service Schedule") To Master Communications Agreement-Non Tariffed		2	\$24.95	\$49.90	\$2,994.00		
DIDs	Direct Inward Dial Service Addendum to Associated Agreement for Local Access Service		755	\$1.20	\$906.00	\$54,360.00		
MCAT	Master Cummunications Agreement-Tariffed(Retails)		n/a	n/a	n/a	n/a		
Business Lines- Tariff	Bell Individual Business Line Service Schedule To Master Communications Agreement-Tariffed		54	\$25.00	\$1,350.00	\$81,000.00		
Megalink- Tariff	Bell Digital Network Access Service-Schedule To Master Communications Agreement-Tariffed		13	n/a	\$10,400.00	\$624,000.00		
Centrex - Tariff	Composite Signature Agreement For Schedule 1 of the Centrex III Service Agreement Number(see attached) between CoM; Bell Canada Centrex III Service Agreements (Single Wire-Centre Service)		149	\$24.95	\$3,717.55	\$223,053.00		
<b>Subtotal-Contractible Services</b>						<b>\$1,240,887.00</b>		
Business Line-Other Non Contractible Charges		<b>n/a</b>					\$1,561.75	\$93,705.00
Centrex- Other Non Contractible Charges		<b>n/a</b>					\$1,483.10	\$88,986.00
Megalink- Other Non contractible Charges		<b>n/a</b>					\$3,857.36	\$231,441.60
<b>Subtotal- Non Contractible Services</b>								<b>\$414,132.60</b>
							<b>Grand Total</b>	<b>\$1,655,019.60</b>

**Note: this pricing table provides a summary of the total cost at contract signing and may change due to moves, adds and changes that will occur over the term of the 5 year contract.**

City of Mississauga  
**Corporate Report**



Date: 2016/05/27

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:  
 2016/06/15

## Subject

**Single Source Recommendation with Avolve Software Corporation,  
 File Ref: FA.49.266-13, Contract Amendment**

## Recommendation

1. That the report from the Commissioner of Corporate Services and Chief Financial Officer dated May 27, 2016 entitled Single Source Recommendation for Avolve Software Corporation, File Ref: FA.49.266.13, Contract Amendment be received.
2. That the Purchasing Agent be authorized to negotiate and execute contract amendments and all related ancillary documents with Avolve Software Corporation on a single source basis to incorporate the PlansAnywhere mobile solution for the Building Permit Field inspections project to the original ePlans scope, conducted competitively, subject to a successful implementation of a Proof of Concept using the PlansAnywhere mobile solution.
3. That the Purchasing Agent be authorized to issue contract amendments to increase the value of the contract with Avolve Software Corporation from the original amount of \$790,762.45 to the amount of \$1,500,000 for additional professional services and licenses related to PlansAnywhere mobile solution for Building Permit Field Inspections and future initiatives.
4. That the Purchasing Agent be authorized to increase the value of the contract where necessary and to execute contract amendments to add any future initiatives including scope changes, features, functionalities, modules and systems from Avolve Software Corporation to accommodate the City's requirements and future use of the ePlans solution for the continued modernization and mobility of Land Development Services where the amounts are approved in the budget for the next five year period; and to extend the contract for additional five year period, subject to negotiations and Legal approval of the contract including all related ancillary documents.

5. That Avolve Software Corporation be designated a “City Standard” for the ten year period, February 2014 to February 2024.

## Report Highlights

- In 2014, Avolve Software Corporation was selected as the vendor for the implementation of ePlans through a competitive procurement process.
- ePlans provides a service allowing applicants the ability to make online application requests, pay application fees, upload digital drawings and documents, monitor application status, respond to deficiencies, and receive building permit and development application approvals anytime and anywhere.
- As of January 1, 2016, ePlans (phase one) allows the applicants to make application for building permits, sign permits, zoning certificates, pre-application meetings (for development applications) and site plan applications.
- ePlans is the first end-to-end service for online application submissions and plan review approvals for building permits and development applications in Canada.
- ePlans provides the infrastructure to support field inspections (phase two) by taking it beyond plan reviews and extending it to the field for inspections.
- Building Permit Field Inspections uses the PlansAnywhere mobile solution that is offered by Avolve Software Corporation and is the only mobile solution that is integrated with ePlans.
- Additional future initiatives planned for the next three years include expanding ePlans to include other Development Application types such as Zoning Bylaw Amendment (Rezoning Applications), Official Plan Amendment, Plan of Subdivisions Applications, Condominium Registration, Exemption from Part Lot Control, Removal of the H (Holding) Symbol and Payment – In Lieu of Parking; including solutions for the inspections component for the Development Applications.
- It is recommended to authorize the Purchasing Agent to initiate contract negotiations and execute contract amendments with Avolve Software Corporation, on a single source basis, for Building Permit Field Inspections and future initiatives to modernize Land Development Services, subject to Legal and annual budget approval.

## Background

In 2012, the Planning and Building Department in conjunction with the Information Technology Division secured funding to proceed to procure an application fully integrated with MAX to allow applicants to make applications for building permits and development applications online through a new web channel. In addition to the online application and payment process, the application was to provide capability to complete electronic submission, circulation and review of digitally sourced documents, thereby replacing the paper review process. Avolve Software Corporation was selected as the successful vendor through a competitive procurement process for the implementation of the ePlans application.

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ePlans – Phase 1 includes online application and payment process including electronic submission, circulation and review of digitally sourced documents for Building Permits, Sign Permits, Zoning Certificates, Pre-Application Meeting Requests for Development Applications and Site Plan Approvals.

Avolve Software Corporation has over 150 ePlans implementations across North America for electronic plan review process. However, Avolve Software designed and developed the online application process in close consultation with the City of Mississauga. Avolve Software has since started marketing this as a new product – “Made in Mississauga”.

In 2015, the Building Division (Planning and Building Department) in conjunction with the Information Technology Division secured funding to go beyond the electronic plan review process for building permits and equip inspectors in the field with a mobile application and technology to view the electronic plans and complete the inspection process for building permits in the field.

Avolve Software Corporation has introduced PlansAnywhere as a “Software as a Service” cloud based solution. PlansAnywhere takes ePlans beyond the plan review process and enables field access to view all key site/application information, drawings and documents related to a building or structure by a geographic location. It can be integrated with MAX and is the only mobile application that works in conjunction with ePlans solution in that once the plans and documents are approved in ePlans, these would become available in PlansAnywhere for the inspectors. Inspectors would be able to work in off-line mode when internet connectivity is not available and synchronize the data back once internet connectivity is restored. PlansAnywhere has been successfully implemented in Salt Lake City, Utah.

## **Present Status**

ePlans – Phase 1 has been fully implemented as of January 1, 2016. To date the City has received and processed more than 2,500 applications (building permits, sign permits, zoning certificates, pre-application meetings and site plan applications); collected over \$1,500,000 in online revenue. Investing time in the early stages of the request through the pre-screening process has helped to improve the quality of submissions, thereby reducing the plan review times significantly; concurrent review of building permits has also helped to reduce plan review times. By providing this online service, it has allowed the applicants to complete 25% of assigned tasks outside traditional business hours.

The electronic approval of plans requires the inspectors to rely on the applicant to print the set of approved plans in colour and have it on-site for building permit inspections. Inspectors are unable to proceed with the inspection if the approved permit documents are missing, resulting in rescheduling inspections. A growing concern at the City, which is also shared with other municipalities, is the existence of “open permits” where the work may have commenced prior to the building permit being issued and in some cases, work may have been completed prior to the inspections being completed. Presently, the inspectors do not have a mechanism to recognize

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these “open permits” when they are in the field as they only have information related to the inspections scheduled for the day.

In the Development Applications stream, only Pre-Application Meeting Requests and Site Plan Approvals are processed electronically through ePlans. All other development application types are still dependant on paper-based plan reviews. Having two different processing streams, paper-based and electronic, for the different development application types makes it very challenging for the staff and applicants to coordinate the approval process.

Other municipalities in the Greater Toronto Area (GTA) have expressed interest in an ePlans implementation similar to ours and are consulting with Avolve Software Corporation. The Cities of Markham and Hamilton have signed contracts with Avolve Software Corporation for their respective implementation of ePlans.

## Comments

The ePlans solution is well aligned with the LEAN initiative undertaken in the Planning & Building Department for Site Plan Infill applications to receive quality submissions, thereby reducing the number of review cycles and overall processing times as part of the continuous improvement and modernization of services.

In a span of five months, ePlans has helped to build efficiencies in the plan approval process for the applications that are being processed electronically. In an effort to maximize the investment in ePlans and goal of building staff capacity, the plan is to equip inspectors with mobile solution and technology that will enable them to complete the inspection process in the field in real-time.

Different inspection disciplines conduct inspections for building permit and site plan applications. Currently, funding approval has been received only for building permit inspections that includes 68 inspectors from the Building and Fire Divisions. ePlans – Phase 2 will consist of the implementation of the Building Permit Field Inspections solution.

The Building Permit Field Inspections solution will include access to the PlansAnywhere App integrated with MAX, ePlans and Google maps and will entail annual subscription costs for 100 licenses including 10 Terabytes of file storage with regular system backups. PlansAnywhere App is currently only supported on the Apple iOS platform.

Inspection staff from Building and Fire Divisions will be equipped with tablets (Apple iPads) with cellular/wireless capability and the PlansAnywhere App to enable them to complete the building permit inspections in the field effectively. The solution will be integrated with ePlans to enable the inspectors to access digital building permit documents created through ePlans and to mark-up the plans electronically in the field. The integration with MAX will enable the inspectors to view inspection history, record inspections results, have on-demand access to “open permits” based on the proximity of their geographical location and to access applicable regulations and standards online.

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By equipping inspectors with a comprehensive field solution and technology, the City will realize the full potential of going digital.

It is recommended that a Proof of Concept be conducted for Building Permit Field Inspections with limited scope using the PlansAnywhere solution developed by Avolve Software Corporation as an extension to ePlans to test the technology and the efficacy of the field solution. The outcome of the Proof of Concept will determine if the PlansAnywhere App can be used to cover the full scope for building permit field inspections.

Staff and applicants have recognized the efficiencies and cost benefits in the electronic process for applications that are being processed through ePlans. Another future initiative planned within the next three years is to expand ePlans to include the other development application types, which will help to streamline the process for the applicants and staff. It would also provide an opportunity to review the existing processes and find efficiencies in the overall application submission, review and approval process.

#### Purchasing By-law Authorization

The recommendation in this report is made in accordance with Schedule A of the Purchasing By-law #374-06, items 1(a) (iii), wherein it states that “the Goods and/or Services are only available from one supplier by reason of; the existence of exclusive rights such as patent, copyright or license”; and (b)(xi) which states that a single source procurement method may be applied when, “a need exists for compatibility with, or for the maintenance and support of a City Standard and there are no reasonable alternatives, substitutes, or accommodations”; and Section 18 (2) (d), wherein it states that “For amendments to High Value Acquisition Commitments, Council approval is required if the amendment is of a value that, on its own or if added together with any and all previous amendments made to the Original Commitment, the cumulative value of all amendments are greater than 20% of the Original Commitment and greater than \$100,000”.

Information Technology, Legal Services and Materiel Management staff will collaborate to establish the detailed requirements, negotiate the final arrangements and prepare the requisite forms including contract agreements.

## **Financial Impact**

In 2015, capital funding was approved for Building Permit Field Inspections through the Business Planning and Budget process. A portion of that budget amount will be spent on the Proof of Concept including the purchase of tablets for inspection staff in Building and Fire Divisions.

PlansAnywhere is a cloud-based solution and licensing is based on a subscription model. Planning and Building Department has requested funding in the operating budget for the



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subscription costs starting in 2018 for 100 annual licenses. Subscription costs for the first year will be paid from the project capital budget.

Staff from Materiel Management, Legal Services and Information Technology will initiate discussions including financial and contract negotiations with Avolve Software Corporation for a single source procurement proposal for the Proof of Concept for Building Permit Field Inspections based on the framework established in the Statement of Work as provided in Appendix 1 and ePlans – future initiatives as provided in Appendix 2.

Pricing for the Proof of Concept will include maintenance and support for at least two years after the implementation of the solution developed as Proof of Concept. This will allow staff to assess how effective the technology and processes are in the field before implementing the full scope of Building Permit Field Inspections using the PlansAnywhere mobile solution.

No additional infrastructure costs will be incurred for the Building Permit Field Inspections. However, additional infrastructure costs may be incurred during the implementation of ePlans – future initiatives to support the additional volume of applications being processed through ePlans.

## Conclusion

The City of Mississauga is leading the way in the Greater Toronto Area when it comes to online request process including electronic plan review and submission for Land Development applications.

The full implementation of ePlans was completed in January 2016. In a span of five months, ePlans has helped to build efficiencies in the plan approval process for the applications that are being processed electronically.

We can further leverage our investment in digital technology for plan review by equipping our inspectors with a comprehensive field solution and technology.

This report proposes to authorize the Purchasing Agent to initiate contract negotiations and execute the contract with Avolve Software Corporation, on a single source basis, for adding future features and functionalities to ePlans to accommodate the City's requirements and future use of the ePlans solution for the continued modernization and mobility of Land Development Services, subject to Legal and annual budget approval.

General Committee

2016/05/27

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**Attachments**

Appendix 1: Statement of Work - Proof of Concept for Building Permit Field Inspections

Appendix 2: ePlans – Future Initiatives



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Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Farzana Dumasia, Project Manager, Information Technology Division

## **Statement of Work - Proof of Concept for Building Permit Field Inspections**

The following outlines the solution and services at a high level that will be negotiated with Avolve Software Corporation and staff from Materiel Management, Legal Services and Information Technology as part of establishing the contract and pricing model for the Building Permit Field Inspections for a five-year term including the Proof of Concept.

### Subscription based services:

1. PlansAnywhere App supported on the Apple iOS platform and a browser based application integrated with MAX, ePlans and Google Maps for satellite and street level map display
2. Annual licensing to allow for up to 100 users
3. In-scope applications will include field inspections for Building Permits where plan review was completed through ePlans
4. Ability for the inspectors to work in online / off-line mode depending on the availability / non-availability of cellular / wireless network
5. Location aware services for route planning and open permits
6. File storage allocation of 10 Terabytes
7. Regular system backups

### Solution Features to be included in the Proof of Concept:

1. Access to daily inspection schedule including revisions due to re-assignments
2. Ability for the inspectors to plan their daily inspection route based on scheduled inspections through location aware services
3. Access to the full-set of approved building permit documents, related inspection history and property related information
4. Advanced search features via address, location, application number and other variables
5. Ability to capture inspection results in the form of textual comments, site photos and videos
6. Ability to upload inspection documentation like field revisions and general review reports in ePlans
7. Ability to add overlay markup comments on plans and documents (to be introduced in Q3-2016)
8. On-demand access to “open permits” within a geographic area and capture inspection results
9. Ability for inspectors to schedule / re-schedule inspections as needed
10. Ability for the supervisors to track the location of inspectors in the field for re-assigning inspections based on proximity and from a safety perspective

Solution Features to be included after successful implementation of the Proof of Concept:

1. Applicant interface to schedule Building permit inspections and view inspection results
2. Workflow set-up to enable inspectors to prepare, authorize (by Chief Building Official, Manager, Supervisor as applicable), issue and print building permit enforcement orders in the field

To enable inspectors to be effective in the field, all inspectors in the Building and Fire Divisions will be equipped with the following field technology:

1. Apple iPads with cellular/wireless capability
2. Full access to Corporate email
3. Access to Corporate Intranet site and SharePoint sites
4. Content Locker to access files stored on City network drives
5. Access to applicable regulations and standards online

### **ePlans – Future Initiatives**

To build on the successful implementation of ePlans – Phase 1, additional capital funds have been requested through the Business Planning cycle for 2017 to expand ePlans to include the following Development Applications –

- Zoning Bylaw Amendment (Rezoning Applications)
- Official Plan Amendment
- Plan of Subdivision
- Removal of the (H) Holding Symbol
- Exemption from Part-Lot Control
- Condominium Registration
- Payment – In-Lieu of Parking

#### Objectives:

- To eliminate challenges that applicants and staff face with two different processing streams – i.e. paper-based and electronic
- To develop workflows to support effective and efficient review of submissions
- Reduce the number of resubmission iterations (review cycles) per application
- Improve customer service by making it seamless for developers and consultants to do business with the City

#### Benefits:

- ePlans promotes transparency in the application review process
- Provides convenient 24/7 online service, accessible from anywhere at anytime
- Adding the additional development applications in ePlans will help in streamlining and improving process consistency for all Development Applications based on defined workflows and electronic processing stream
- ePlans helps to improve the quality of submission through the upfront pre-screening process which helps to reduce the number of review cycles, thereby reducing overall processing times
- Significantly reduces costs in terms of printing, storage and mileage and saves environmental resources – adopting an environmentally responsible approach by utilizing technology and tactics to conserve our resources and protect our natural environment
- Applicants and staff are already familiar with the ePlans process so minimal training would be required from a solution perspective

# City of Mississauga

## Corporate Report



Date: 2016/05/24

To: Chair and Members of General Committee

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

Originator's files:

Meeting date:  
2016/06/15

## Subject

**Corporate Policy - Use of City Facilities Draft Policy**

## Recommendation

1. That the draft Corporate Policy and Procedure – Use of City Facilities, attached as Appendix 1 to the Corporate Report dated May 9, 2016 from the Commissioner of Community Services be approved.
2. That Corporate Policy and Procedure – Booking Facilities in the Civic Centre 05-03-02, attached as Appendix 2, be rescinded.

## Report Highlights

- With the exception of the policies that govern the Civic Centre facilities, the City does not have a policy that provides conditions of use for all bookable City spaces.
- A broader Use of City Facilities Policy is recommended to govern all bookable spaces in the City, ensuring a consistent and streamlined approach to how we manage facility booking requests.
- The procedural information contained in the Booking Facilities in the Civic Centre policy will be moved to a Business Process document contained in the Customer Service Centre.

## Background

Based on recent events and direct experience with managing facility booking requests, staff was directed to review our policies to ensure we had the necessary mechanisms in place to decline or cancel a booking should it be determined that an organization/individual did not meet City standards.

After some preliminary review staff identified a gap where the City did not have conditions of use for City facilities in place, with the exception of the Civic Centre facilities, to govern all

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bookable spaces in the City. As a result, an internal task team was initiated, which included Culture, Recreation, Library, Legal, Business Improvement and Facilities and Property Management to review our policies and determine the most appropriate way for the City to manage requests from organizations/individuals to rent facility space.

The task team benchmarked 14 municipalities, with the following nine responding: Oakville, Brampton, Toronto, Burlington, Ottawa, Kingston, London, Guelph and Oshawa. The benchmarking indicated that each municipality was challenged, given the volume and variety of requests and the increasing demand for use of city facilities, to ensure that city facilities are not provided to inappropriate groups/individuals and/or for purposes unacceptable to the City. Further, the findings concluded that there are a number of ways to manage bookings and resulting issues; however there is no clear best practice or approach.

## Comments

Based on the research and the review of City policies that speak to the use of City facilities (i.e. Outdoor Events in the Civic District and Booking Facilities in the Civic Centre) it is recommended that a broader Use of City Facilities Policy be approved to manage facility requests for all bookable City spaces.

The Use of City Facilities Policy provides the following:

- Conditions of use that all customers must meet should they wish to book space with the City
- Outlines the booking process
- Conditions for cancellation that give the City the ability to cancel a booking if the conditions of use are not met or a group fails to acknowledge the Terms & Conditions of the rental contract
- An appeals process that provides an opportunity for an individual/group to appeal a declined booking should they disagree with the decision
- Use of public space statement that outlines how we manage vigils, protests and rallies.

The task team tested the policy against some case studies and past booking requests. The team determined that overall staff has managed booking requests in a prudent manner and believe that the new policy will better position staff to handle all booking requests in a consistent, fair and equitable manner based upon sound conditions of use and criteria.

Once the policy is approved all business processes, contract terms and conditions and other related City policies will be updated and aligned with the new policy. All staff that has responsibility and accountability for booking City space will be trained on the new policy to ensure there is a solid understanding of the conditions of use and the decision making process. The Booking Facilities in the Civic Centre policy will be rescinded, as it is considered redundant with the adoption of the Use of City Facilities policy. The operational components contained

within the Booking Facilities in the Civic Centre policy have been added to the business processes housed in the Customer Service Centre to ensure those processes are maintained.

## Financial Impact

There is no financial impact.

## Conclusion

Establishing a broader Use of City Facilities policy ensures that there is a consistent approach to booking all City spaces and that staff have the tools and resources necessary to make sound booking decisions.

## Attachments

Appendix 1: Draft Use of City Facilities Policy

Appendix 2: Booking Facilities in the Civic Centre



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

Prepared by: Jason Klomp, Manager, Client Services



# Corporate Policy and Procedure



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TAB: PROPERTY AND FACILITIES  
SECTION: USE OF PUBLIC PROPERTY  
SUBJECT: USE OF CITY FACILITIES

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**POLICY STATEMENT** Facilities in the City are available for use by members of the public, including not-for-profit and commercial groups, elected officials and City of Mississauga staff, primarily for meetings or events that are cultural, civic, recreational or educational in nature.

**PURPOSE** This policy identifies the use of Facilities and the booking process, including conditions for approval and any subsequent requirements.

Providing access to its Facilities in a fair and equitable manner supports the City's commitment to fostering a climate of understanding and mutual respect for the dignity and worth of each individual. Procedures are required so that a uniform approach can be taken to ensure respect for both patrons and Facilities.

**SCOPE** This policy applies to all bookable City facilities, with the exception of staff meeting/boardrooms and the following exclusions.

**Exclusions** This policy does not apply to the following outdoor facilities

- the Civic District – Mississauga Celebration Square and surrounding area – refer to Corporate Policy and Procedure – Outdoor Events in the Civic District

**Use of Public Space** Citizens may gather informally in public spaces; however, such gatherings are outside of the scope of this policy. Gatherings such

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as protests, vigils, demonstrations or rallies, while they may occur in public spaces, are not intended as formal events and are not booked through the Customer Service Centre.

Citizens are instead requested to contact the City's Security Services Operations Centre at 905-896-5040 or [security@mississauga.ca](mailto:security@mississauga.ca) in advance to ensure that appropriate measures are taken to ensure

- facilities remain open and accessible to members of the public
- participants and patrons of the facility are adequately safeguarded
- the security and protection of the facility are adequately safeguarded
- activities which are contrary to City policies or by-laws or provincial or federal laws are not conducted or promoted
- activities are not conducted or promoted that have the potential to incite violence and/or hatred

Security Services will request general information, such as the nature of the gathering, the expected number of participants and date, time and duration of the gathering. Security Services will also provide an overview of activities that require a permit from the City (e.g. road closures, parks permit) or that may be in violation of a City by-law or other legislation. Access to City services, such as audio visual equipment or use of stages, will not be permitted, as a contract for their use has not been entered into.

## RELATED POLICIES

### Arena Ice Allocation

The City of Mississauga is committed to meeting the recreational needs of the City and its residents through a comprehensive arena ice allocation policy for all users. For more information refer to Corporate Policy and Procedure – Recreation – Arena Ice Allocation. In the event of a conflict in the booking process

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between this policy and the Arena Ice Allocation policy, the Arena Ice Allocation policy takes precedence.

## Outdoor Sports Field Allocation

The City of Mississauga is committed to meeting the community's recreational needs in a fiscally responsible manner through a comprehensive outdoor sports field management policy. For more information refer to Corporate Policy and Procedure – Recreation – Outdoor Sports Field Management. In the event of a conflict in the booking process between this policy and the Outdoor Sports Field Management policy, the Outdoor Sports Field Management policy takes precedence.

## Payment of Fees

For information on Facility rental payment terms refer to Corporate Policy and Procedure – Finance and Accounting – Fees and Other Revenue – Payment and Refund of Facility Rental Fees.

## Community Group Support Program

For additional information on facility rentals for eligible community groups refer to Corporate Policy and Procedure – Community Groups – Community Group Support Program. In the event of a conflict in the booking process between this policy and the Community Group Support Program policy, the Community Group Support Program policy takes precedence.

## Serving Alcohol at City Facilities

For information on the conditions under which alcohol may be permitted in City facilities refer to Corporate Policy and Procedure – Use of Public Property – Serving Alcohol in City Facilities.

## FEES AND CHARGES

Rental fees for City Facilities and other applicable charges that are established annually by by-law are mandatory. Fees and charges are not included in this policy but current rates can be provided by the Customer Service Centre.

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## DEFINITIONS

For the purposes of this policy

### Customer Service Centre

“Customer Service Centre (CSC)” means the Community Services Department, Recreation Division, Client Services section facilities booking office.

### Facility

“Facility” means meeting rooms, libraries, lobbies, auditoriums, theatres, display areas (e.g. cases, walls), banquet spaces, gymnasiums, sports fields, golf courses, pools, arenas, museums and marinas owned or operated by the City of Mississauga, including the Civic Centre. It does not include properties which are leased or under a management and operation agreement for long-term use.

## ACCOUNTABILITY

### Departmental Directors

All departmental directors are accountable to ensure all applicable managers/supervisors are aware of this policy and of any subsequent revisions.

### Managers/Supervisors

Managers/supervisors with staff who are responsible for Facility bookings and operations are accountable for

- ensuring staff in their respective work units are aware of this policy and of any subsequent revisions
- ensuring applicable staff are trained on this policy with respect to their specific job function and
- ensuring applicable staff comply with this policy

## CONDITIONS OF USE

The City of Mississauga will not knowingly permit any individual or group to use its Facilities in contravention of the conditions of use outlined in this policy.

All use of Facilities will be considered in light of the City’s need to ensure that

- an individual or group does not endorse views and ideas

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which are likely to promote discrimination, contempt or hatred for any person on the basis of political affiliation, economic status, level of literacy or the protected grounds defined in the Ontario *Human Rights Code*, as amended (race, national or ethnic origin, citizenship, religion, age, sex, marital status, family status, sexual orientation, disability)

- in light of generally acceptable, prevailing community standards, the event is not likely to cause deep or widespread offence
- activities are not conducted or promoted that have the potential to incite bullying (behaviour by a person or group which intimidates or demeans another person), the use or intended use of violence (physical force) and/or hatred (refer to Corporate Policies Respectful Workplace and Workplace Violence)
- there is no conflict with the City's core values or vision and the booking does not adversely impact the City's identity
- activities are not conducted or promoted that are contrary to municipal, provincial or federal law or City by-laws, policies or an official code of conduct
- all regulatory approvals are obtained (e.g. alcohol, lottery licence, etc.)
- there has been no previous known noncompliance with the Conditions of Use outlined in this policy
- the individual or group is in good financial standing with the City (e.g. there are no monies owing for Facility rental contracts)
- participants and patrons of the complex are adequately safeguarded
- the security and protection of the complex is adequately safeguarded, and
- any additional terms and conditions of use, guidelines or operating procedures of the specific Facility are complied with

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## REQUIREMENTS ONCE APPROVED

Once a request to book a Facility has been approved, the user, where applicable, will be required to

- provide all requested information and documentation prior to the rental, including proof of insurance in accordance with By-Law 0264-2007 as amended, if applicable
- obey all federal and provincial laws and City by-laws and policies
- accept financial responsibility for any damages to property or furnishings, or personal injury claims resulting from the activity (damage/security deposits may be required)
- ensure that security services (police, first aid, City Security Services and/or third party security services) are available on-site if required as a condition of approval and
- ensure that alcoholic beverages are served only with specific approval to do so and under permit from the AGCO (Alcohol and Gaming Commission of Ontario) and in accordance with Corporate Policy and Procedure – Serving Alcohol at City Facilities

## BOOKING PROCESS

All bookings can be made

- by calling the CSC's main number – 905-615-4100, Monday to Friday 8:30 to 4:30
- by visiting the CSC's counter, located at the Central Library, Monday to Friday 8:30 to 4:30
- online, where applicable
- for Meadowvale Theatre - by contacting the facility directly
- for Streetsville Village Square – by contacting the Streetsville Business Association (BIA) directly
- for golf tournaments – by calling 905-615-GOLF (4653)
- for marinas – by contacting the marina directly
- for sports groups – in accordance with the Arena Ice Allocation policy and the Outdoor Sports Field Allocation policy, where applicable

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The CSC will obtain the necessary booking information and provide the customer with all relevant instructions and facility information (e.g. room capacity, accessibility features and hours of operation).

A Facility rental contract will be sent to the customer. The contract will include all details pertaining to specific requirements and/or applicable fees for costs incurred for the City to provide services which are over and above the standard level of service (e.g. additional security, maintenance, technical support, furniture, signage, etc.).

All rental customers are required to acknowledge the booking terms and conditions of the rental contract, which must be returned to the CSC prior to the rental taking place. The CSC will retain all contracts for audit purposes in compliance with the Records Retention By-Law, as amended.

Note: For Civic Centre Hearing Room, Great Hall and Council Chamber bookings, the City reserves the right to move groups from these areas to an alternate location and/or cancel bookings in favour of the following groups

- First Priority
  - Council or Committees of Council
  - Emergency Management Program Committee (meetings only)
- Second Priority
  - groups for which the City has a statutory obligation to provide meeting/hearing space (such as the Ontario Municipal Board; the Consolidated Hearing Board; the Conservation Review Board)
- Third Priority
  - other federal or provincial boards (such as the Assessment Review Board; the Environmental Hearing

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Board)

- Fourth Priority
  - other City meetings
  - outside groups

Booking Timelines –  
Recreation Allocation  
Process

City programs and bookings that are made as part of an allocation process will comply with the booking timelines set out annually by the Recreation Division.

Booking Timelines – Other  
Bookings

Other bookings can be made in advance according to the following timelines

- groups that are affiliated in accordance with Corporate Policy and Procedure – Community Services – Community Group Support Program – 12 months in advance
- residents and commercial groups – 10 months in advance (exception: photography permits may be booked 12 months in advance)

Bookings are based on a first come, first serve basis. Annual events should be booked as early as permitted for the following year in order for the date to be reserved, as dates are not automatically held for repeat events if not formally requested and approved.

## CONDITIONS FOR CANCELLATION

The City reserves the right to

- seek clarification of the purpose of an individual or group's booking request
- suspend or defer a booking as the City investigates allegations of noncompliance with this policy
- decline a booking or cancel a contract if any of the conditions for approval are not met
- cancel a booking if the applicant fails to acknowledge and agree to the terms and conditions of the rental contract prior to the rental



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- decline or cancel a booking if the organization is on the list created by the Government of Canada in accordance with the [Anti-Terrorism Act](#). Entities on the list
  - have knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity
  - knowingly acted on behalf of, at the direction of or in association with an entity that has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity

Bookings may be cancelled by the customer in compliance with Corporate Policy and Procedure – Payment and Refund of Facility Rental Fees.

## Decision Making Process

Applicable staff will conduct an objective and impartial analysis of any booking that

- appears at the time of the request to conflict with any of the Conditions of Use outlined in this policy or
- has already occurred and non-compliance with the Conditions of Use has been reported to or noted by the City

The booking will be analysed in relation to the Conditions of Use. Consideration may also be given to the nature, purpose and content of the Facility use.

Staff involved in the analysis will make a recommendation, in writing, to the director responsible for the Facility to

- decline the booking request
- approve the booking request or
- in the case of a booking that has already occurred, direct staff to decline further booking requests from the individual or organization

The director will make the final decision, based on the Conditions

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of Use, and advise the customer of the decision. Cancellation of existing bookings by the City will result in a full refund to the customer of any amounts paid.

## APPEAL PROCESS

Organizations whose Facility booking request has been declined or cancelled by the City may request a review of the decision. Requests may be made in writing to the Commissioner, Community Services or, for the Civic Centre building, the Commissioner, Corporate Services.

The Commissioners will jointly review the director's decision in a timely manner. Additional information may be requested from staff and/or the customer. The conclusion agreed to by the Commissioners will be final and binding.

## REFERENCE:

## LAST REVIEW DATE:

## CONTACT:

For additional information contact the Customer Service Centre, Recreation Division, Community Services Department.

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TAB: PROPERTY AND FACILITIES  
SECTION: CIVIC CENTRE  
SUBJECT: BOOKING FACILITIES IN THE CIVIC CENTRE

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**POLICY STATEMENT** Facilities in the Civic Centre are available for use by City of Mississauga staff, elected officials and members of the public, including non-profit and commercial groups, as outlined in this policy.

**PURPOSE** This policy identifies the facilities available in the Civic Centre, including the hours of operation and any restrictions on the use of the facilities, the booking process and roles and responsibilities.

The Civic Centre is regarded as a “people place”, open and accessible to all members of the community; however, steps must be taken to ensure that both the facility and its patrons are protected. Procedures are required so that a uniform approach to permitting the use of the Civic Centre facilities can be taken.

**SCOPE** This policy applies to all indoor Civic Centre facilities, with the exception of staff meeting/boardrooms. Staff meeting/boardrooms are available to staff only, and are booked through the Calendar section of the electronic mail system. Staff should always check the availability of these meeting rooms, and use other facilities only if necessary.

For information on booking outdoor facilities at the Civic Centre, such as the Square and Amphitheatre, refer to Corporate Policy and Procedure – Civic Centre – Outdoor Events in the Civic District.

City staff are responsible to book Audio Visual equipment if it is required in conjunction with indoor facility bookings. Refer to

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Corporate Policy and Procedure – Corporate Administration – Technology – Provision of Audio-Visual Equipment and AV Technical Services for information on booking Audio-Visual (AV) equipment.

## DEFINITIONS

For the purpose of this policy:

The “Civic Centre” includes all indoor facilities at the Civic Centre and the Central Library.

“Customer Service Centre (CSC)” means the Community Services Department, Recreation Division, Operational Planning section facilities booking office.

The “Event Coordinator”, Corporate Services Department, Facilities and Property Management, means the staff person responsible for managing specific indoor facility bookings as noted in the policy.

“External Booking” means all requests to book any part of the Civic Centre for an event that is not being organized by the City. This includes bookings by City employees for non-work related events.

“Facility Manager” means the Manager, Facilities Maintenance or designate in writing, Facilities and Property Management, Corporate Services Department.

“Internal Booking” means any request by City staff to book any part of the Civic Centre for a City function, such as but not limited to, an event or meeting.

“Normal business hours at the Civic Centre building” are 8:30 a.m. to 4:30 p.m., Monday to Friday. All other times, including weekends and holidays, are considered to be after business hours. (The Civic Centre building is open to the public between 6:30

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a.m. and 10:00 p.m. Monday to Friday; and 7:30 a.m. to 6:00 p.m. Saturday and Sunday.)

“Normal business hours at the Central Library” are 9:00 a.m. to 9:00 p.m. Monday to Friday; 9:00 a.m. to 5:00 p.m. Saturdays; 1:00 p.m. to 5:00 p.m. Sundays; and as posted for holidays and the summer months.

## ACCOUNTABILITY

All Departmental Directors are accountable to:

- ensure all Managers/Supervisors are aware of this policy and of any subsequent revisions.

Managers/Supervisors with staff who are identified in the Roles and Responsibilities section of this policy are accountable to:

- ensure staff in their respective work units are aware of this policy and of any subsequent revisions;
- ensure applicable staff are trained on this policy with respect to their specific job function; and
- ensure applicable staff comply with this policy.

## PRIORITY GROUPS

While every attempt will be made to accommodate all requests, the City reserves the right to move groups to an alternate location and/or cancel bookings in favour of the following groups:

- First Priority:
  - Council or Committees of Council
  - Emergency Management Program Committee (meetings only)
- Second Priority:
  - groups for which the City has a statutory obligation to provide meeting/hearing space (such as the Ontario Municipal Board; the Consolidated Hearing Board; the Conservation Review Board)
- Third Priority:
  - other federal or provincial boards (such as the Assessment Review Board; the Environmental Hearing

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Board)

- Fourth Priority:
  - other City meetings
  - outside groups

## BOOKING PROCESS

All bookings are made by calling the CSC's main number or by visiting the CSC's counter, located at the Central Library. The CSC will obtain the necessary booking details and provide the customer with all relevant instructions or, where applicable, advise the customer that the request is being forwarded to the Event Coordinator for follow up. A facility rental contract will be sent to the customer that includes all details pertaining to specific requirements and/or applicable fees for costs incurred for the City to provide services which are over and above the standard level of service (i.e. additional security, maintenance, technical support, furniture, signage, etc.). The contract must be signed and a copy returned to the City prior to the event taking place.

Groups that have an affiliated status with the City may book facilities, subject to final approval requirements, 12 months in advance. All others may book facilities no more than 10 months in advance. For information regarding affiliated group status refer to Corporate Policy and Procedure – Community Services – Community Group Support Program.

All bookings are based on a first come, first serve basis. Annual events should be booked as early as permitted for the following year in order for the date to be reserved, as dates are not automatically held for repeat events if not formally requested and approved.

## Council Chamber Bookings

Requests for use of the Council Chamber for special events must be submitted in writing to the Event Coordinator and should be made as far in advance as permissible. The Event Coordinator will review the request in consultation with the Facility Manager.

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Only requests that meet the Conditions For Approval as outlined in this policy, are significant to the City or the community as a whole and suitable for the Council Chamber will be forwarded to the Director, Facility and Property Management (the Director), with a recommendation for approval.

Prior to approval, the Director will circulate the request to the Mayor and councillors, advising them that approval will be granted unless concerns with the proposed use of the Council Chamber are expressed. The Mayor and councillors will be asked to respond to the Director within ten business days of receipt of the request. The Director will advise the Mayor and councillors of the resulting decision, which will be based on the majority of Councillors either supporting or opposing the request. If use of the Council Chamber is approved, the client will be notified by the Event Coordinator and the event/ booking will proceed. If the request is not approved, the client will be advised by the Director.

The Event Coordinator, in consultation with the Facilities Manager, may approve access to the Council Chamber for incidental requests such as, but not limited to, tours for official City visitors and familiarizing volunteers or speakers with the Chamber layout and facilities.

Use of the Council Chamber for the following activities, booked through the CSC, does not require approval by the Director:

- City Council meetings;
- City run, Council approved public meetings;
- Regional Council meetings;
- Full Authority meetings of the Credit Valley Conservation Authority, the Toronto and Region Conservation Authority, and the Halton Regional Conservation Authority;
- joint meetings of City Council and other boards or commissions, such as the Dufferin Peel Roman Catholic Separate School Board, Peel Board of Education, the Library

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Board;

- meetings of Standing Committees of Council;
- meetings of other Committees of Council, as required; and
- City departments conducting City business (e.g. public meetings).

## ROLES AND RESPONSIBILITIES

### CUSTOMER SERVICE CENTRE

The Customer Service Centre is responsible to book all indoor facilities at the Civic Centre. CSC staff will:

- check availability, tentatively book the space and assign a facility rental contract number in the CLASS calendar, the City's electronic booking system;
- send the rental contract to the client to complete, sign and return to the CSC

OR

- if the request is for the Great Hall or a special event in the Council Chamber, forward the booking to the Event Coordinator.

Note: The CSC will be responsible to facilitate Council Chamber bookings for the following groups:

- Mayor and Council, the Clerks Office (e.g. approved meetings, training of election workers), the City Manager and the City's Mississauga Film and Television Office (MFTO). For additional information on filming refer to Corporate Policy and Procedure – Public Relations – Filming and Photography in the City of Mississauga.
- Facilities Maintenance, IT and Audio-visual staff when access is required to conduct maintenance only;
- advise appropriate City staff of all bookings and of all subsequent changes; and
- ensure that the time and place of all public meetings, hearings and events are posted on the first and second floors in the area adjacent to the Council elevators.



# Corporate Policy and Procedure



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## EVENT COORDINATOR

The Event Coordinator is responsible for all bookings in the Great Hall and special requests for the Council Chamber and/or use of the Council Chamber Foyer. When an initial request is received by the CSC the normal booking process is followed and the Event Coordinator is then advised of the booking via e-mail. At this point the Event Coordinator will:

- liaise with the client to ensure that all conditions for approval and requirements have been met;
- forward a Civic Centre Indoor Event application/package to External clients or a request form to Internal clients;
- review each request on its own merits, in consultation with the Facility Manager, if applicable;
- determine if additional City or regulatory approvals are required;
- forward the facility rental contract to the client, instructing them to return a signed copy to the Event Coordinator or, in the case of the MFTO, to forward the completed contract directly to the CSC;
- maintain a copy of the signed contract on file, and
- advise appropriate City staff of all bookings and of all subsequent changes.

## CONDITIONS FOR APPROVAL

All requests to book facilities will be considered in light of the City's need to ensure that:

- an individual or group does not endorse views and ideas which are likely to promote discrimination, contempt or hatred for any person on the basis of race, national or ethnic origin, citizenship, religion, age, sex, marital status, family status, sexual orientation, disability, political affiliation, economic status or level of literacy;
- the complex remains open and accessible to members of the public;
- event participants and patrons of the complex are adequately safeguarded;

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- the security and protection of the complex is adequately safeguarded;
- activities which are contrary to City policies or by-laws, or provincial or federal laws are not conducted or promoted; and
- all regulatory approvals are obtained (i.e. alcohol, lottery licence, etc.).

In addition to the conditions outlined above, External Bookings are required to secure third party liability insurance as a condition of approval.

## Requirements Once Approved

Once a request to book an indoor Civic Centre facility has been approved, the user, where applicable, will be required to:

- obey all federal and provincial laws and municipal by-laws and policies;
- accept financial responsibility for any damages to property or furnishings, or personal injury claims resulting from the activity (damage/security deposits may be required);
- ensure that security services (police and/or security services) are available on-site, if required as a condition of approval;
- ensure that alcoholic beverages are served only with specific approval to do so, and under permit from the LLBO (refer to Corporate Policy and Procedure - Property and Facilities - Serving Alcohol at City Facilities);
- ensure that food services for all bookings adhere to existing City policies and/or agreements; and
- ensure that participants do not smoke in any indoor facility (smoking is permitted in outdoor areas of the complex, unless otherwise posted).

## FACILITIES AVAILABLE

### Chapel

The Chapel was designed and built primarily for wedding ceremonies and other functions appropriate for a chapel, such as baptisms, meditation or quiet periods. The Chapel may be booked directly through the CSC for any of these purposes. Use

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of the Chapel for other functions is subject to the approval of the Facility Manager.

City of Mississauga staff members are permitted to book the Chapel at no charge for meditation or quiet periods of up to a half hour, if it is not in use.

The chapel is available from 9:00 a.m. - 8:00 p.m. Monday to Friday and from 9:00 a.m. - 6:00 p.m. on Saturday, in half-hour bookings.

## Committee Rooms A –E

These rooms are available on a first-come first-served basis. The Office of the City Clerk, Corporate Services Department may require the rooms for Council purposes and will be given priority. Committee rooms may be booked directly through the CSC, with no additional approval. Committee Rooms may be set aside for City purposes and removed from the booking system at the direction of the Facility Manager.

When arranged theatre style, Committee Room A seats 60; Committee Room B seats 30; Committee Rooms C and D seat 35; Committee Room E seats 25.

Committee rooms are available from 8:00 a.m. - 10:00 p.m. Monday through Friday and 9:00 a.m. - 6:00 p.m. Saturday. They are not available on Sundays or holidays, unless special arrangements are made with the CSC.

## Council Chamber

The Council Chamber was designed specifically for the conduct of formal City business. The Council Chamber has full audio visual capability and a seating capacity of 300. Special events may be arranged with the Event Coordinator.

## Council Chamber Foyer

This area, located on the ground floor, is considered part of the Council Chamber and is unavailable when Council is not in session. An exception may be granted by the Event Coordinator,

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in consultation with the Facility Manager, if considered appropriate (e.g. requests for revenue generating film opportunities).

## Great Hall

The Great Hall is suitable for special events, receptions, displays and public gatherings/meetings and is available from 8:30 a.m. - 10:00 p.m. daily. Functions may remain in the Great Hall until 1:00 a.m., when approved by the Facility Manager.

The Great Hall can accommodate 392 persons for events with seating arranged in aisles, theatre style; 314 persons for events with non-fixed seats and tables; and 769 persons for “standing room only” events or events with minimal seating facilities (such as receptions). Special security and safety measures, if necessary, will be specified by the Event Coordinator.

The Great Hall must remain open to the public and will only be considered for rental for events that are deemed suitable and of benefit to the community as a whole. Events must not interfere with the normal business operations of the City. The City requires written confirmation that a portion of the event proceeds from saleable items, if applicable, is donated to a non-profit group or registered Mississauga charity.

## Hearing Room

The Hearing Room was designed to accommodate hearings, and priority is given to groups requesting the room for that purpose. However, it can be used as a meeting room, if available. It may be booked directly through the CSC, with no additional approval. The minimum rental period is three hours.

The Hearing Room has a seating capacity of 120 and is available from 8:00 a.m. - 10:00 p.m. Monday - Friday and 9:00 a.m. - 6:00 p.m. Saturday. It is not available on Sundays or holidays, unless special arrangements are made with the CSC.

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## Library Atrium

The Library Atrium is an open, public space located by the west entrance to the Central Library and may be booked during regular Library hours. The Library Atrium must remain open to the public and will only be considered for rentals that are deemed compatible with the Library and of benefit to the community as a whole.

## Library Board Room

The Library Board Room is a fully furnished meeting room used primarily by staff for City and Library business, but is available to the public from 8:30 a.m. to 5:00 p.m. Monday to Friday.

The Library Board Room has a seating capacity of 25 and is available during normal business hours.

## Library Meeting Rooms CL-1 to CL-5

The Library offers meeting room space for rent by community groups. On occasion, the Library may require rooms for special purposes and will be given priority over outside groups. The minimum rental period is three hours, and the seating capacity is:

- Meeting Room CL-1 - 12
- Meeting Room CL-2 - 20
- Meeting Room CL-3 - 38
- Meeting Room CL-4 - 20
- Meeting Room CL-5 - 12

Library meeting rooms are located on the second floor and available from 8:00 a.m. - 10:00 p.m. Monday to Friday; 9:00 a.m. - 6:00 p.m. Saturday; and 1:00 p.m. - 5:00 p.m. Sunday. The minimum rental period is three hours. Library meeting rooms are not available on statutory holidays.

## Noel Ryan Auditorium

The Noel Ryan Auditorium is a special presentation room located on the ground floor of the Central Library, and is used primarily for presentations and theatrical functions held by the Central Library as part of its public education programs. The Library is given priority over outside users.

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This auditorium seats 244 people and is equipped with a piano and in-house sound system, an accessible stage and accessible seating in the rear. If use of the City's audio-visual equipment is required, a qualified City audio-visual technician must be in attendance to operate the equipment. External groups are responsible for charges related to the audio-visual technician and the rental of equipment.

The minimum booking period is three hours. The auditorium is available from 8:00 a.m. - 10:00 p.m. Monday to Friday; 9:00 a.m. - 6:00 p.m. Saturday; and 1:00 p.m. - 5:00 p.m. Sunday.

## FEES/RENTAL RATES

Fees to rent City facilities are established annually by by-law. The CSC can provide the current rental rate schedule. For additional information on facility rental fees refer to Corporate Policy and Procedure – Finance and Accounting - Fees and Other Revenue - Payment of Facility Rental Fees.

## REFERENCE:

GC-703-96 - 1996 12 11(amended 2001 - adjusted booking times for Committee/Hearing Rooms, Chapel/Library Meeting Rooms)  
2008 04 23 - Housekeeping - capacity of Council Chamber.  
2009 01 06 – Housekeeping - remove ref to Civic Centre tours  
GC-0633-2010 - 2010-11-24 - separate policy for indoor facilities  
2011 10 12 – Housekeeping – Volunteer policy renamed Community Group Support Program  
2012 10 15 – Removed Conservatory – renovated to become a Café.

## LAST REVIEW DATE:

September, 2010

## CONTACT:

For more information contact the CSC bookings office, Recreation Division, Community Services Department.

# City of Mississauga

## Corporate Report



Date: 2016/06/07

To: Chair and Members of General Committee

From: Mary Ellen Bench, BA, JD, CS, CIC.C

Originator's files:

Meeting date:

2016/06/15

## Subject

**Environmental Impairment Liability Insurance Coverage**

## Recommendation

That the City Solicitor or her designate be authorized to enter into necessary agreements, and provide property and environmental information in respect of City properties and take any other necessary action to obtain environmental impairment liability insurance coverage from Chubb insurance at a cost of \$252,814 for a three year period, funds to be taken from the insurance defence reserve.

## Background

The *Environmental Protection Act* provides the Ministry of the Environment and Climate Change with authority to require any person who owns, manages or controls an undertaking or property to clean up any contamination that may be flow through the undertaking or property, regardless of who is responsible for the contamination. In our urban environment, contamination concerns may arise from the use of road salt, gasoline or hydrocarbon spills flowing under roads to adjacent properties, illegal dumping of industrial chemicals or PCBs, landfill and even naturally occurring contaminants at a level that exceed Ministry standards. In the case of *Kawartha Lakes (City) v. Ontario (Environment)*, the Ontario Court of Appeal said:

“I agree with the Tribunal and the Divisional Court that evidence that others were at fault for the spill is irrelevant to whether the order against the Appellant should be revoked. That order is a no fault order. It is not premised on a finding of fault on the part of the Appellant, but on the need to serve the environmental protection objective of the legislation.”

That case involved an order against the City of Kawartha Lakes to clean up fuel oil that spilled into the basement of a home and migrated into the storm sewers and ultimately into a nearby lake. The cleanup costs to the City were approximately \$470,000. While the City was required to clean up the spill, it was able to take steps to recover its costs from the home owners, their

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insurers and others related to this matter. Environmental impairment liability coverage would benefit the City in all of the situations referenced above.

## Comments

The City, through its insurance broker, has sought quotes on obtaining insurance to protect the City against lawsuits or damages related to bodily injury and property damage caused by the spread of contamination from City property. Ten firms were approached, of which four provided quotes. Chubb provided the most cost-effective and comprehensive coverage, providing blanket coverage with a deductible of \$1 million for all City properties. A three-year term is most cost effective.

It is therefore recommended that the City enter into an agreement with Chubb to provide environmental impairment liability coverage for a three-year term with a deductible of \$1 million at a cost of \$252,814.

## Financial Impact

The cost of obtaining this insurance coverage, being \$252,814, can be covered through the City's insurance defence reserve.

## Conclusion

It is recommended that the City obtain environmental impairment liability insurance coverage from Chubb at a cost of \$252,814 for a period of three years, with a deductible of \$1 million.



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Mary Ellen Bench, BA, JD, CS, CIC.C

Prepared by: Mary Ellen Bench, City Solicitor



**REPORT 3 - 2016**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

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

TIAC-0007-2016

That the Towing Industry Advisory Committee supports removing vehicle tint on tow trucks and that drivers are to comply with the tint removal by their next mandatory vehicle inspection.  
(TIAC-0007-2016)

TIAC-0008-2016

That the Towing Industry Advisory Committee provide comments to staff, for inclusion in a future report to General Committee, on the report from the Acting Commissioner of Transportation and Works dated May 3, 2016 and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, to address Tow Truck Vehicle Tinting".  
(TIAC-0008-2016)

TIAC-0009-2016

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 May 3, 2016 and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, for Requirements to Accept All Forms of Payment for Towing Services".  
(TIAC-0009-2016)

TIAC-0010-2016

That the 2016 Towing Industry Advisory Committee Action List be received for information.  
(TIAC-0010-2016)

## **REPORT 3-2016**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Accessibility Advisory Committee presents its third report for 2016 and recommends:

### AAC-0017-2016

That the deputation and associated PowerPoint presentation by Robert MacKay, Stigma Superheroes with respect to the NIMBY Stigma Man's upcoming campaign, be received.  
(AAC-0017-2016)

### AAC-0018-2016

That the deputation by Kendall Wayow, Manager, Building Services and Operations and Andy Harrypersad, Health and Safety Specialist with respect to Civic Centre emergency procedures, be received.  
(AAC-0018-2016)

### AAC-0019-2016

1. That the deputation by Sally Wall, Stakeholder Member, Diana Simpson, Supervisor, Accessibility Planning, and Wendy McClymont, Manager, 311 Citizen Contact Centre with respect to Textnet, be received;
  2. That the Accessibility Advisory Committee is in full support of staff initiating the implementation of Textnet at the City of Mississauga.
- (AAC-0019-2016)

### AAC-0020-2016

1. That the verbal update by Naz Husain, Mississauga Accessibility Advisory Committee Citizen Member and Chair, Region of Peel Accessibility Advisory Committee, be received;
  2. That the Accessibility Advisory Committee send a letter to Peel Regional Council to express concern with the possible termination of the Transhelp Passenger Assist Program and express support for continued funding and operation of the Program.
- (AAC-0020-2016)

### AAC-0021-2016

1. That the PowerPoint presentation regarding the Ogden Pedestrian Bridge Project to the Facility Accessibility Design Subcommittee on April 25, 2016, be received;
2. That subject to the comments on the presentation, the Facility Accessibility Design Subcommittee is satisfied with the design of the

- Ogden Pedestrian Bridge Project, as presented;
3. That staff be requested to bring the Ogden Pedestrian Bridge Project back to the Facility Accessibility Design Subcommittee for further review, when the project is at a more detailed stage of development.  
(AAC-0021-2016)

AAC-0022-2016

That the AAC Pending Work Plan Items chart updated for the June 6, 2016 meeting of the Accessibility Advisory Committee, be received.  
(AAC-0022-2016)

AAC-0023-2016

That Council Resolution 0094-2016 with respect to the preservation of IBI Therapy in Ontario, be received.  
(AAC-0023-2016)

AAC-0024-2016

That the invitation to the AGM for Coalition of Persons With Disabilities, be received.  
(AAC-0024-2016)

AAC-0025-2016

That the Festival of Recognition information sheet from March of Dimes Canada, be received.  
(AAC-0025-2016)

AAC-0026-2016

That the new publication entitled, "Planning Accessible Events", be received.  
(AAC-0026-2016)