## City of Mississauga

# **Agenda**



## **General Committee**

#### Date

2017/06/28

#### Time

9:00 AM

#### 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 lannicca
Ward 7

Councillor Matt Mahoney Ward 8 (Chair)

Councillor Pat Saito Ward 9
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

#### **Find it Online**

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



#### INDEX – GENERAL COMMITTEE- JUNE 28, 2017

- 1. CALL TO ORDER
- 2. **APPROVAL OF AGENDA**
- 3. **DECLARATION OF CONFLICT OF INTEREST**
- 4. **PRESENTATIONS**
- 4.1. Gary Kent, Commissioner, Corporate Services and Chief Financial Officer to acknowledge that the City of Mississauga was awarded the Canadian Armed Forces 2017 Employer Support Award.
- 5. **DEPUTATIONS**
- 5.1. Aleem Kanji, Vice President, Sutherland Corporation Ltd., Blair Murdoch President and Christopher Bentler, Vice President, Van Horne Outdoor with respect to Mississauga Digital Gateway Signage, Community Partnership Program.
- 5.2. Jeffrey Martinovic, resident and youth author to speak to the books he has written.
- 5.3. Items 8.1 & 8.2 Michael Cleland, Acting Director, Environment and Julius Lindsay, Climate Change Specialist
- 5.4. Item 8.3 Joe Perrotta, Director, Hurontario LRT Project Office
- 5.5. Item 8.4 Andrew Whittemore, Director, City Planning Strategies
- 5.6. Item 8.5 LeeAnn Lloyd, Strategic Leader
- 6. **PUBLIC QUESTION PERIOD 15 Minute Limit**

(Persons who wish to address the General Committee about a matter on the Agenda. Persons addressing the General Committee with a question should limit preamble to a maximum of two (2) statements sufficient to establish the context for the question. Leave must be granted by the Committee to deal with any matter not on the Agenda.)

#### 7. CONSENT AGENDA

# INDEX – GENERAL COMMITTEE- JUNE 28, 2017 CONTINUED

8.	MATTERS TO BE CONSIDERED
8.1.	Climate Change Plan
8.2.	Cap and Trade
8.3.	Hurontario Light Rail Transit Project Update: Metrolinx Project Procurement
8.4.	Our Future Mississauga - 2016 Report on the Strategic Plan
8.5.	Draft Community Engagement Strategy
8.6.	Lower Driveway Boulevard Parking – Willowood Drive (Ward 5)
8.7.	Lower Driveway Boulevard Parking – Cantelon Crescent (Ward 9)
8.8.	Left Turn Prohibition – Perennial Drive at Tenth Line West (Ward 10)
8.9.	Speed Limit Review – Haig Boulevard (Ward 1)
8.10.	Traffic Calming - Westbridge Way (Ward 11)
8.11.	2017 Traffic Signal Installation and Modernization Programs
8.12.	202-204 Burnhamthorpe Road East Traffic Signal Installation - Contribution Agreement with Kaneff Homes Compass Creek Inc.
8.13.	Streetsville - Paid Parking Implementation (Ward 11)
8.14.	Pilot Volunteer Parking Validation Program (Ward 1)
8.15.	Program Update: "Please Slow Down" Lawn Signs
8.16.	Nuisance Weeds and Tall Grass By-Law Repeal and Replacement: Boulevard Maintenance
8.17.	Updating of Schedule 3 Exemption Activities Under Noise Control By-law 360-79

# INDEX – GENERAL COMMITTEE- JUNE 28, 2017 CONTINUED

8.18.	Notice Floodplain Agreement between the City of Mississauga and Joseph Abichedid and Gloria Farhat, 1897 Balsam Avenue Site Plan Application SPI-16-008 (Ward 2)	
8.19.	City Sponsorship of Special Olympics Ontario Provincial Summer Games (July 13-16, 2017)	
8.20.	Donation of Art to City of Mississauga Public Art Collection - Cleeve Horne Sculpture	
8.21.	2017 Waterfront Parks Damage Funding	
8.22.	Community Recognition Pilot Program Results	
8.23.	Surplus Land Declaration - City Owned Land abutting the Cooksville GO Station and along the rear of residential properties located on Surbray Grove (Ward 7)	
8.24.	Contract Extension to MarTech Group Inc. for Soil remediation at Fire Station 120 site	
8.25.	Revision to Previously approved Single Source Contract Award to Replace Moffet & Duncan Architects Inc. with Dialog Ontario Inc. to Provide Consulting Services for Public Transit Infrastructure Fund Recommended Projects at City Centre Transit Terminal and Edward J. Dowling Transit Facility	
8.26.	Single Source Recommendation for Oracle Corporation Canada Inc.	
8.27.	Single Source Recommendation with Avolve Software Corporation, File Ref: FA.49.266-13 and GC-0441-2016, Contract Amendment	
8.28.	TXM Tax Manager (Property Tax Management Software) for Town of Newmarket	
8.29.	Corporate Policy and Procedure - Acquisition and Disposal of Interests in Real Property Policy Revisions (All Wards)	
8.30.	Tax Exemption of Municipal Capital Facility, 377 Burnhamthorpe Road East, Suite 116, Tax Roll #05-04-0-094-0000	
8.31.	Annual Report on Electricity and Natural Gas Procurement for 2016	
8.32.	Delegation of Authority Respecting Collection Matters Proceeding in Superior Court in the Amount of \$25,000.00 and Above.	

# INDEX – GENERAL COMMITTEE- JUNE 28, 2017 CONTINUED

9.	ADVISORY COMMITTEE REPORTS
9.1.	Council Subcommittee of Towing Report 2 -2017 - June 13, 2017
9.2.	Heritage Advisory Committee Report 6-2017 - June 13, 2017
9.3.	Mississauga Cycling Advisory Committee Report 6-2017 - June 13, 2017
9.4.	Arts, Culture & Heritage Ad Hoc Committee Report 2-2017 - June 20, 2017
9.5.	Museums of Mississauga Advisory Committee Report 1-2017 - June 20, 2017
9.6.	Traffic Safety Council Report 6 - 2017 - June 21, 2017
10.	MATTERS PERTAINING TO REGION OF PEEL COUNCIL
11.	COUNCILLORS' ENQUIRIES
11. 12.	COUNCILLORS' ENQUIRIES OTHER BUSINESS/ANNOUNCEMENTS
12.	OTHER BUSINESS/ANNOUNCEMENTS  CLOSED SESSION

The security of the property of the municipality or local board - Former Russell

Cadet Community Centre, Kendellhurst Academy Inc. (Ward 11)

Langmaid School – 170 Church Street – Proposed Property Agreements – Streestville

#### 14. **ADJOURNMENT**

13.3.

# City of Mississauga

# **Corporate Report**



Date: 2017/04/27

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Climate Change Plan

#### Recommendation

- 1. That the formation of a Climate Change Stakeholder Panel be endorsed as outlined in the report dated April 27, 2017 from the Commissioner of Community Services.
- 2. That a member of Council be appointed to the Climate Change Stakeholder Panel in addition to the Chair of the Environmental Action Committee, who will chair the Panel, and the Mayor.

# **Report Highlights**

- The Environment Division, Community Services Department, will lead the development of a comprehensive Climate Change Action Plan for both the Corporation and community including both mitigation and adaptation actions. City actions will position the Corporation as a leader for climate change action in the city and among municipalities. Incorporating community actions in the Plan is essential and will form a significant part of the Plan. The City will be engaging partners through the development of the Plan.
- The Plan will be developed over a two year period, being completed in the first half of 2019.
- Staff will establish a Stakeholder Panel to provide guidance throughout development of the Plan, and participate in the creation of actions for the community. Approximately 20 organizations will be invited to participate in the Panel. It will include organizations that: the City already partners with for climate action, have a major stake in climate change action in the city, are located in Mississauga, have major operations in Mississauga, have a significant opportunity to participate in climate action in the city (i.e. located in the downtown, already undertaking major sustainable action in the city), will participate in studies in the project, and/or are a recognized leader in climate action and sustainability.

# **Background**

Climate change is a pressing issue for cities today.

- The last three years were the hottest years on record.
- 70% of global emissions come from cities; therefore actions to reduce greenhouse gases (GHGs) should be largely targeted there.
- In Canada, cities own two thirds of public infrastructure but collect only 10% of tax dollars.
   Climate change will exacerbate the already large infrastructure deficit.
- There have been three major climate events in Mississauga in the past nine years.

Action on climate change is timely now for a number of reasons:

Driver	Conclusion
2014, 2015, and 2016 the hottest years on	Projected impacts are happening to
record	Mississauga
Three major climate events in past 10 years	Impacts are affecting Mississauga
(2009 and 2013 floods, 2013 ice storm)	
United Nations, Federal, Provincial, and	City needs to align with other levels of
Regional alignment on a focus on climate	government
change	
Funding available from the Federal and	Need plan/strategy/priorities to access funding
Provincial Governments for municipalities	
conditional on climate change considerations	
and to address climate change	
Policy implications for the City (e.g. Proposed	Need to understand and fulfill requirements
Growth Plan)	
Climate change data available (GHG	Have climate change information to create
Footprints, Climate Projections, Risk	actions
Assessment)	

Over 385 municipalities in Canada have a climate change plan or are in the process of developing a plan. These municipalities have gained various benefits from completing climate change plans:

 Guelph: Recognized Canada-wide as a leading green municipality. Achieved economic growth with reduction in per capita emissions.

 Toronto: Recognized as global leader, participation in C40 Cities Climate Leadership Group, acceptance to 100 Resilient Cities program which includes \$1 million dollar grant to address adaptation and resiliency.

The City has undertaken a number of actions in the past that address climate change including:

- City's 5 Year Energy Conservation Plan (2014 2019)
- Street Light LED Conversion Program
- Greening Our Fleet Program
- Stormwater Charge
- Corporate Climate Change Risk Assessment
- One Million Trees Program

Many of these actions were motivated by other factors and thus have not had their climate change impact assessed. As well, the City does not have an official position on climate change, nor does it have a coordinated response. Both of these will be created through the development of a climate change plan.

## **Comments**

#### **Project Goal**

The Environment Division, Community Services Department, will lead the development of a comprehensive Climate Change Action Plan for both the Corporation and community including both mitigation and adaptation actions. City actions will position the Corporation as a leader for climate change action in the city and among municipalities. Incorporating community actions in the Plan is essential and will form a significant part of the Plan because the City does not have responsibility for all actions that effect climate change in the city. The City will be engaging partners through the development of the Plan to aid in the development of actions for the community.

The Plan will create a shared understanding and an agreed upon set of actions and initiatives that the City can use to access provincial and federal funding. This includes:

- Understanding climate change impacts on our infrastructure will allow the City to access funding targeted towards mitigating those risks.
- Understanding our sources of emissions and actions the City could take to reduce them could position the City to apply for and sell carbon credits in the cap and trade market.

The Plan will have two high level goals:

 Reduce greenhouse gas emissions and position the city competitively in emerging lowcarbon economy (Mitigation)

 Increase city resilience and the capacity to deal with and respond to future climate events (Adaptation)

#### **Project Timing**

Procurement of consultants to aid in the development of the Plan will be completed by the end of July. Technical work related to the Plan will be completed for the rest of the year. Consultations and engagement with stakeholders and the public will begin in early 2018. This will continue through the first half of 2018, and the Plan will be drafted in the second half. A completed Plan is anticipated to be brought to Council for final approval in the first half of 2019.

#### **Project Structure**

The project is being managed by the Environment Division, Community Services Department, with participation from many other divisions. Steering teams and working teams have been formed in accordance with the City's normal project management practices. Climate change is the responsibility of the Environment Division, Community Services Department; however it intersects with almost all areas of the city, both internal and external. The City is uniquely positioned to provide leadership on climate change because of its connection to so many parts of the city.

The Environmental Action Committee (EAC) has been engaged as an External Steering Team. They will guide and oversee the work from a community perspective. They will also participate in and chair any community stakeholder groups.

#### Climate Change Stakeholder Panel

Staff will establish a Stakeholder Panel to provide guidance throughout development of the Plan, and participate in the creation of actions for the community. Approximately 20 organizations will be invited to participate in the Panel. It will include organizations that: the City already partners with for climate action, have a major stake in climate change action in the city, are located in Mississauga, have major operations in Mississauga, have a significant opportunity to participate in climate action in the city (i.e. located in the downtown, already undertaking major sustainable action in the city), will participate in studies in the project, and/or are a recognized leader in climate action and sustainability.

Staff recommends that the Mayor, the Chair of EAC and one additional Council member be confirmed Panel members. In addition, one citizen member from EAC will be requested to participate in the Panel. Staff recommends that the Panel be chaired by the Chair of EAC. The Commissioner of Community Services and the Director, Environment Division, Community Services Department, will finalize the list of Panel participant invitees.

The Region of Peel, Credit Valley Conservation, and Toronto and Region Conservation will be invited to participate in the Panel. Climate change work in the region with these partners will be coordinated through their participation on the Panel. A report with an update on climate change action by all partners (including the City of Brampton and the Town of Caledon) will go to Regional Council in the fall.

#### **Project Deliverables**

The following table shows potential structure and content of the Plan. All actions are strictly examples and the actual content of the Plan will be determined through the development of the Plan.

Action Plan Section	Sub-Section	Possible Actions
Introduction	Executive Summary	
	Vision	
	Targets	
	Metrics	
Corporate Mitigation	Corporate Buildings	Enhanced Energy Efficiency, Net-Zero Buildings
	Fleet	Enhanced Right-Sizing, Electrification
	Street Lighting	None
Community Mitigation	Land-Use Planning	Enhanced Green Development Strategy
	Community Energy	Targeted Energy Efficiency Programs
	Community	Electric Vehicle Charging Station Strategy
	Transportation	
	Green Economy	Green Jobs Strategy
Adaptation	Land-Use Planning	Climate Projections Informing Policy &
		Development
	Infrastructure	Incorporating Future Climate Data into Asset
		Management
	Climate Risk	Risk Mitigation Actions
	Emergency	Extreme Climate Event Response
	Management	

## **Strategic Plan**

Climate change action supports the Green Pillar of the Strategic Plan. The Green Pillar has a visionary goal of Mississauga becoming a "net-zero" carbon city. This supports the strategic goal "Lead and Encourage Environmentally Responsible Approaches".

# **Financial Impact**

Costs for this project are already incorporated in the 2017 budget. No further costs are anticipated.

## Conclusion

Action on climate change is timely. Global, federal, provincial, and regional governments are making commitments to address climate change.

The development of a comprehensive climate change plan for both the Corporation of the City of Mississauga and community will create a shared understanding and an agreed upon set of actions and initiatives for the City and the community.



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

Prepared by: Julius Lindsay, Climate Change Specialist

# City of Mississauga

# **Corporate Report**



Date: 2017/04/27

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Cap and Trade

#### Recommendation

That the Corporate Report dated April 27, 2017, from the Commissioner of Community Services, entitled "Cap and Trade" be received for information.

# **Report Highlights**

- The Province of Ontario's cap and trade program began on January 1, 2017. While municipalities are not participants in the program, the City could create credits based on Corporate greenhouse gas reduction activities and sell them. For example, if 7,500 of the 40,000 trees planted by the City each year were eligible, that would translate to a possible \$1,350 worth of credits at 2017 prices, minus administrative and verification costs, that the City could sell in the market. The protocols outlining the requirements to qualify and apply for credits for the various activity classes will be released over the next year. The details of the protocols will determine if it will be financially and operationally viable for the City to develop credits.
- The impact of the cap and trade program on the City will be primarily on the price of any fossil fuel based products that the City purchases.
- The increased fuel cost is approximately \$1.25 million. This budget pressure was already accounted for in this year's budget.

## **Background**

The Province of Ontario's cap and trade program began on January 1, 2017.

Cap and trade is a market-based approach to reducing greenhouse gas (GHG) emissions.

#### Ontario's System

A cap is put on the total amount of emissions allowed for all participants. This total is converted into the total amount of allowances available. Participants include organizations that undertake any of the following activities:

- Emit over 25,000 metric tonnes of carbon dioxide per year at a single facility and thus are required to report under regulation;
- Electricity importation;
- Natural gas distribution; and/or,
- Petroleum (gas, diesel, etc.) product supplying.

Each participant may be allocated a portion of the total allowances. Allowances are also sold and auctioned by the government at various points throughout the year. At the end of each period, participants must have enough allowances to cover their total emissions for that period. If participants have excess allowances, they can sell them on the carbon market to other participants. If participants have a shortfall, they must buy allowances from others in the market or from the government. Ontario's system will be linked to the Quebec and California systems, so participants can buy allowances from those systems and their participants as well.

Emission reductions are driven in a few ways:

- The desire to reduce/avoid costs of buying credits;
- Adding a new revenue stream by selling credits;
- Setting the total number of credits to a level lower than total actual emissions, so that for most large emitters, buying credits does not work as the sole solution, some reduction of emissions is still required; and
- Reducing the total number of credits and the number of free credits given out over time, driving further reductions.

A draft regulation has been released for Ontario's offset credit program. Programs related to participant activities would not be eligible for credits. Entities not participating in the market (like the City of Mississauga) can create offset credits from their activities and sell those credits to market participants. The full list of eligible activities for credits that the City could be eligible for includes:

Forestry Management

 Afforestation (establishment of a forest or stand of trees in an area where there was no previous tree cover)

- Refrigeration Systems Management
- Grasslands Management
- Organic Waste Management
- Urban Forestry Management

Protocols that describe the details for generating offsets will be released by the Province over the next year.

Ontario had its first GHG allowance auction on March 22, 2017 which pegged the market price at \$18.08. This raised \$472 million for the Province. This funding must be used on actions to reduce GHGs in Ontario. The Federal Government has mandated that this price must rise to \$50 by 2022.

#### Comments

Municipalities are not a part of the cap and trade program. The impact of the cap and trade program on the City will be primarily on the price of any fossil fuel based products that the City purchases. Based on the price of carbon dioxide in the recent auction:

- The price of a litre of gasoline would increase by 4.2 cents;
- The price of a cubic metre of natural gas would increase by 3.4 cents;
- The price of a litre of diesel would increase 4.8 cents; and,
- Other products may also see increases as a result of the upstream use of fossil fuels.

The increase in fuel prices is anticipated to result in an increased fuel cost of approximately \$1.25 million. This increase was already accounted for in the 2017 budget. Staff continues to monitor the price of fuel and City consumption and will report any significant variances through quarterly variance reports, and any impact on future years' budget through the budget process.

The City could create credits based on Corporate greenhouse gas reduction activities and sell them. However participation in this program means:

The City could not accept any financial incentives for greenhouse gas reduction activities
planned for the sale of credits. By accepting incentives the City typically gives up its right to
sell credits to the party giving the incentive.

- Third-party verification of the greenhouse gas reductions achieved in the activity is needed, likely at the City's expense. This may require additional resources to monitor activities year over year.
- City activities would need to meet the principle of additionality. Managing established natural
  areas, or not doing anything different or additional to what is already done would not be
  eligible for credits.

For example, if 7,500 of the 40,000 trees planted by the City each year were eligible for credits, that would translate to a possible \$1,350 worth of credits at 2017 prices, minus administrative and verification costs, that the City could sell in the market.

The protocols outlining the requirements to qualify and apply for credits for the various activity classes will be released over the next year. The details of the protocols will determine if it will be financially and operationally viable for the City to develop credits.

# Strategic Plan

Climate change action supports the Green Pillar of the Strategic Plan. The Green Pillar has a visionary goal of Mississauga becoming a "net-zero" carbon city.

# **Financial Impact**

The Province's cap and trade program will have an impact on the cost of fossil fuels the City buys as outlined in the Comments section above. The increase in fuel costs is anticipated to result in an approximate \$1.25 million cost pressure. This anticipated pressure was already accounted for in the 2017 budget. Staff continues to monitor the price of fuel and City consumption and will report any significant variances through quarterly variance reports, and any impact on future years' budget through the budget process.

There may be other financial implications as additional details become available (e.g. there may be an opportunity to sell credits in the carbon market from City greenhouse gas initiatives). The protocols outlining the requirements to qualify and apply for credits for the various activity classes will be released over the next year.

### Conclusion

The Province's cap and trade program will have an impact on the cost of fossil fuels the City buys.

There may be an opportunity to sell credits in the carbon market from City greenhouse gas reduction initiatives in the future.



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

Prepared by: Julius Lindsay, Climate Change Specialist

# City of Mississauga

# **Corporate Report**



Date: 2017/06/19

To: Chair and Members of General Committee

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

Originator's files: MG.11.REP

Meeting date: 2017/06/28

# **Subject**

Hurontario Light Rail Transit Project Update: Metrolinx Project Procurement

#### Recommendation

- 1. That the report "Hurontario Light Rail Transit Project Update: Metrolinx Project Procurement" dated June 19, 2017 from the Commissioner of Transportation and Works be received.
- That the list of project enhancements identified in the report dated June 19, 2017 from the Commissioner of Transportation and Works with a total projected value of \$37,207,400 be endorsed.
- 3. That the inclusion of \$26,607,400 in the 2018-2027 Capital Budget and Forecast be endorsed.

#### **Report Highlights**

- The City of Mississauga has been working with Metrolinx on the development of the procurement documents for the Hurontario Light Rail Transit Project (HuLRT) and a Request for Proposals will be released this summer to three pre-selected qualified consortiums.
- A list of project enhancements above and beyond the base project scope has been identified for inclusion with the delivery of the projected works. Council is being requested to endorse the list of corridor enhancements identified and the final funding total as negotiated with Metrolinx of \$37,207,400. It is proposed that the \$10,600,000 Public Realm Amount provided by Metrolinx through the HuLRT Project be used to partially fund these priorities, with the remaining \$26,607,400 to be funded through the City's Capital program; \$25,000,000 has been previously identified in the 2017-2026 Capital Budget and Forecast for the HuLRT Project, and Council is being requested to endorse the inclusion of the additional \$1,607,400 in the 2018-2027 Capital Budget and Forecast.
- Additional Municipal Infrastructure that would benefit through the coordinated

reconstruction of the Hurontario Street Corridor and Downtown Loop can be integrated within the overall procurement process. This report summarizes Additional Municipal Infrastructure and, therefore, budget approvals that will be required by the respective service areas through the 2018-2027 Capital Budget and Forecast.

Prior to Metrolinx reaching financial closure with the successful consortium, an agreement
will need to be in place with the City of Mississauga to address the detailed aspects of
project delivery and long-term operations. Development of this agreement is commencing
with the City Manager negotiating on behalf of the City of Mississauga.

#### **Background**

On April 21, 2015, Steven Del Duca, Minister of Transportation, announced the Ontario government's funding commitment for the Hurontario-Main Light Rail Transit Project. After the City of Brampton Council decision to review the alignment options north of Shoppers World, Metrolinx re-scoped the project so as to terminate at the Brampton Gateway Terminal as per the decision and the project has now become the Hurontario Light Rail Transit (HuLRT) Project.

The previous General Committee update was provided on July 6, 2016 through the report entitled, "Hurontario Light Rail Transit Project Update: Authorization to enter into Agreements and Request for Delegated Authority", dated June15, 2016, from the Commissioner of Transportation and Works. In addition, the corporate report, dated August 31, 2016, from the Commissioner of Transportation and Works, entitled, "Hurontario Light Rail Transit Project Update: LRT Stop Hierarchy", presented a focussed discussion on Stop Hierarchy for the HuLRT Project as part of an overall design strategy for signature stops. The 2017-2026 Capital Budget and Forecast included \$25,000,000 for the HuLRT Project related to implementation and associated construction. This identified amount was an interim allocation pending further review and analysis with Metrolinx.

A commitment was made to report back to Council at key project milestones. As Metrolinx prepares to initiate the next phase of the procurement process and Council endorsement of Corridor Enhancement priorities was required, it was determined that an update should be provided at this time.

#### Comments

Metrolinx is taking the lead on the procurement (with Infrastructure Ontario) and implementation of the HuLRT Project. The HuLRT will impact municipal infrastructure and planning along the corridor in addition to the community at large.

#### Metrolinx and Procurement Milestone Dates

Since the previous update, Metrolinx initiated the HuLRT procurement process with the release of a Request for Qualifications in October 2016. That process has closed and Metrolinx has completed its review of the submissions and reported back to their Board on a recommended

short-list of consortiums that would be allowed to proceed through the subsequent Request for Proposals stage of the procurement process. The three short-listed consortiums have been identified by the Province through a media release on June 6, 2017.

Metrolinx also announced on May 12, 2017 that they entered into a supply agreement with Alstom for the acquisition of light rail transit (LRT) vehicles. Metrolinx has confirmed that the vehicle order includes provisions for the HuLRT Project and the procurement package will be modified to address this recent development. The Alstom vehicles are widely used in dozens of cities around the world and are currently being built for the new Confederation Line in Ottawa. The Alstom Citadis Spirit vehicle has four sections totalling approximately 48m (160ft) in length; has a low-floor design and will be assembled in Canada to Ontario's regulated domestic content requirements. Alstom has made a commitment to develop an assembly facility for the light rail vehicles within the Greater Toronto Area.

Metrolinx revised the HuLRT Project Schedule and anticipates the release of the Request for Proposals (RFP) in the summer of 2017. The RFP will include various elements such as: a Project Agreement; Project Specific Output Specifications (PSOS); and a Reference Concept Design (RCD). In addition, a data room is being established to provide various supporting documentation for the procurement process. The procurement package will reflect the requirements for the design, build, finance, operation, and maintenance of this project, along with reflecting the recent Alstom light rail vehicle supply agreement.

Mississauga staff expects to participate in relevant design briefings and commercially confidential vendor meetings as part of the procurement process but will not be directly represented on the final evaluation and selection panel. The HuLRT Project procurement process is anticipated to be completed in summer 2018 with the financial close and contract award to the successful proponent team to follow, allowing construction to begin later in 2018. The successful proponent team is expected to complete construction and testing by the end of 2022 and will then be responsible for the operations and maintenance of the system for 30 years.

Metrolinx and Infrastructure Ontario (IO) will be procuring the HuLRT Project through the Provincial Alternative Financing and Procurement (AFP) process. It is important to understand that the bidder requirements are outlined in the Project Agreement and the PSOS. The RCD is developed as a proof of concept to ensure the PSOS can be physically implemented, but the bidders are only responsible for meeting the requirements outlined in the PSOS and it is possible that the final as-built project could differ from the proof of concept developed through the RCD.

The procurement process will also provide information and clarity on staging and construction options proposed by the various competing teams. PSOS identifies a minimum of two lanes in each direction to be maintained during construction along the corridor with some exceptions where there would be further limits. For example, the reconstruction of the Canadian Pacific

Railway (CPR) structure and roadway segments south of the QEW will require prolonged periods with one lane of traffic operations per direction. There will also be some road closures for brief time periods during the removal of structures and installation of girders for the bridges being replaced. Contractors will be required to secure appropriate approvals for road closures and noise by-law exemptions.

#### **Design Refinements**

Mississauga staff, along with supporting Technical/Strategic Advisors, have been working with Metrolinx in various working groups responsible for developing the RCD and PSOS documents. This process started with the initial HuLRT Project design as identified in the approved Environmental Project Report (EPR), and has since been refined with improved design expectations. As such, work has progressed on refining the overall boulevard plan including developing new details for the cycle track and the integration of these details with MiWay stops/shelters. The work has also included addressing localized design concerns, such as:

- Reviewing the design concepts at the Port Credit GO Station stop to understand the integration with the adjacent Port Credit GO land development initiatives. Current refinements in the concept design have maintained the nearby rail structure over Hurontario Street but have resulted in the LRT stop being reconfigured as an underground station with a public square and access facilities at grade. The access facilities would provide stairway and elevator access to the below grade terminal station. A separate portal on the west side of Hurontario Street is also proposed to accommodate pedestrian and cycling activities. This stop configuration protects for future direct extension of the HuLRT south under Park Street.
- Reviewing the design concepts for the Cooksville GO Station stop and integration with the Cooksville GO Transit rail station and rail corridor improvements that includes the reconstruction and expansion of the rail structure over Hurontario Street. The HuLRT stop proposal would be widened and configured further north under the rail structure extending south to John Street in order to improve transit integration between these facilities. The stop would enable appropriate accessibility through elevators and stairs to a new overhead pedestrian bridge connected to the adjacent GO Rail Station platforms. In addition, the revised stop design would allow for the future John Street intersection to remain signalized. These changes are being undertaken along with the complete reconstruction of the rail bridge and coordination will be required with the proposed GO Transit works at the Cooksville GO Station.
- Ensuring the design incorporates City-owned paid parking through on-street layby areas
  on the east-side of Hurontario Street, considers opportunities identified north of
  Burnhamthorpe Road to Absolute Drive and along both sides of Burnhamthorpe Road,
  along with the provision for MiWay bus bay and stop facilities. The design would also
  consider future new street intersections planned for this area.
- Working to promote an enhanced corridor design for Duke of York Boulevard. The proposed alignment has been shifted from an east-side running configuration to a centre

roadway configuration with the same unique parallel stop. This alignment shift is supported by Oxford Properties, who expressed concerns with the potential traffic impacts of the originally approved alignment. Mississauga staff has initiated a separate stream of work and has been consulting with major land owners in order to develop an enhanced corridor design for this area that can be incorporated into the overall project.

- Working with Metrolinx to address outstanding operational concerns on how the HuLRT crosses the Highway 403 corridor and integrates with the roadway on Hurontario Street and also with Rathburn Road. The recommended concept design now proposes a separate rail-only structure across the Highway 403 corridor instead of using the existing bridge structure. The Rathburn Road LRT linkage could remain elevated under this proposal until it has crossed Centre View Drive to ensure maximum flexibility for developing the future Mississauga Transitway project in this area. The City has expressed concerns with how this new proposed structure would appear and function and is continuing to work with Metrolinx to finalize this emerging design element. In addition, understanding how the HuLRT will impact plans for the Downtown Mississauga Mobility Hub area with the GO Bus, MiWay Bus and future Transitway connections has been the focus of a separate but related working group managed by Metrolinx.
- Adapting the approved preliminary design to maintain additional MiWay bus bay facilities on the south side of Rathburn Road west of the existing terminal.
- Understanding the interim boulevard treatment to be provided by the HuLRT Project along the Britannia Farm Lands and how it can be expanded when additional road widening lands are acquired in this vicinity through the development process as per the Official Plan.
- Ensuring the ultimate design protects for the constrained areas immediately surrounding Britannia Church.

The City has submitted comments on the required Traction Powered Substations (TPSS) and continues to work with Metrolinx to encourage that they are located and installed in a manner that ensures their integration with the future urban form anticipated for portions of this intensification corridor.

In addition, the design aspects for the procurement documents have had to reflect coordination with the Region of Peel's water and waste-water infrastructure plans for the Downtown Mississauga area. The City of Brampton has also been working with Metrolinx on respective design changes, most notably around the terminal stop at Gateway/Shoppers World.

#### Project Enhancements

The original scope of the project as defined by the approved EPR contained a number of public realm improvements such as a better connected network of cycling tracks and sidewalks along the corridor and some improved lighting. The main focus of the project scope is to deliver a highly functional LRT system while maintaining a quality public realm. Any additional enhancements to the project scope, over and above the original EPR design, in the form of

design elements, boulevard treatments and/or the replacement or upgrading of municipal infrastructure would be subject to Metrolinx approval and at the municipalities' expense. Metrolinx and Infrastructure Ontario have indicated that there is a limit to the extent or value of project enhancements and additional municipal infrastructure that can be added to the HuLRT procurement.

As part of Metrolinx's HuLRT process, a portion of the capital construction costs for the project is dedicated back to the municipality in the form of a Public Realm Amount (PRA), in exchange for the impact on the municipal right-of-way that will result from the planning, design and construction of the HuLRT. The PRA is to be used exclusively by the municipality for corridor enhancements and in the case of the HuLRT represents \$10,600,000 worth of funding for the City of Mississauga. As identified previously, the 2017-2026 Capital Budget and Forecast identified an interim amount of \$25,000,000 for the HuLRT Project related to implementation and associated construction between 2018 and 2022.

The City's Project Office, in collaboration with City-wide departmental staff, working through the Metrolinx design process which is focussed on accommodating municipal standards, have used this opportunity to identify and evaluate potential project enhancements and upgrades. Criteria have been developed to assess and prioritize the enhancements based on their ability to add aesthetic and functional value to the corridor. Project enhancements are in addition to the core aspects of the project delivery and general maintenance of municipal standards that are covered by the Metrolinx project budget. These project enhancements include:

- Stop Hierarchy platform-related enhancements for Boosted and Boosted Plus stops and stations. The corporate report dated August 31, 2016, from the Commissioner of Transportation and Works, entitled "Hurontario Light Rail Transit Project Update: LRT Stop Hierarchy", presented a focussed discussion on Stop Hierarch for the HuLRT Project. The project enhancements include a negotiated municipal funding allocation calculated in addition to the provision for base stops already accommodated through the Metrolinx HuLRT Project budget. Platform-related enhancements include increased platform canopy cover, wider platform widths, larger shelters, class treatments, etc.
- Design refinements to accommodate wider boulevard widths and associated property requirements. Some additional property impacts have been identified to accommodate design revisions since the approval of the EPR. The City will be sharing the cost with Metrolinx to facilitate City requirements including wider cycle tracks, wider sidewalks, introduction of pole zones and maintenance strips and the change from the originally proposed east-side running to a centre running LRT on Duke of York Boulevard.
- Duke of York Boulevard streetscape upgrades to represent the civic nature of the district and the classification of the roadway as a Ceremonial Boulevard, including:
  - New curb profile, road surface, east/west boulevard paving upgrades, furnishings, pedestrian lighting and planters.
- Main/The Exchange intersection for boulevard and bus bay treatments along Burnhamthorpe Road:

 Upgrades to north/south boulevard paving between Main/The Exchange intersection and the proposed new street to the east, bus layby paving upgrade and upgraded crosswalks.

- Public art that is integrated along selected newly erected noise walls and retaining walls.
- Enhancements at stop blocks with Boosted or Boosted Plus HuLRT stops:
  - Sidewalk surface treatment upgrades for the defined length of the stop block within both boulevard and enhanced crosswalks at 3 Level 3 (Boosted Plus) stop locations.
  - Sidewalk surface treatment upgrades for the defined length of the stop block within both boulevard and enhanced crosswalks at 6 Level 2 (Boosted) stop locations.
- Relocating overhead utilities to underground locations on the south side of Burnhamthorpe Road between Living Arts Drive and Hurontario Street to facilitate the creation of a vibrant and interesting streetscape in the Downtown.
- Upgrading MiWay shelters for bus bays adjacent to the Main/The Exchange stop to form a MiWay Terminal coordinated with the Main Stop.
- Inclusion of free standing pedestrian scale lighting in the Downtown HuLRT loop and at Stop Blocks:
  - 1 additional free standing pedestrian scale light between street lights.
- Inclusion of bike signal heads for multi-use trail cross-ride locations.
  - 8 locations with crossings with Hurontario Street.

The total budget for the identified project enhancements is valued at \$37,207,400. It is proposed that the \$10,600,000 PRA amount provided by Metrolinx through the HuLRT project be used to partially fund these priorities. It is further proposed that the remaining \$26,607,400 be approved through the 2018-2027 Capital Budget and Forecast. This amount is \$1,607,400 more than the \$25,000,000 previously identified in the approved 2017-2026 Capital Budget and Forecast for the HuLRT Project.

Council endorsement of these priorities and funding commitment is required for inclusion of these items in the Metrolinx procurement process. The funding would be directed to the Metrolinx procurement process with the exception of a portion of the Integrated Art element, which would be addressed directly through the City's Culture Division. Establishing a pre-set funding commitment with Metrolinx is required due to the nature of the procurement process and will mean the City will not be held responsible in case of project overruns and will not get benefits in case of project savings. All project enhancements will need to be agreed upon by Metrolinx to ensure they do not impact the overall HuLRT Project delivery schedule.

#### Additional Municipal Infrastructure

In addition to the project enhancements, a list of Additional Municipal Infrastructure (AMI) projects has been identified. This list represents infrastructure projects that would have normally been scheduled through individual Service Area budgets that would, however, benefit

through the opportunities associated with the consolidated reconstruction of the Hurontario Street Corridor and should be integrated with the overall HuLRT Project procurement. These items include: incorporating replacement and upgrades to municipal storm sewers along the corridor to accommodate both planned growth and infrastructure asset management; protecting for Variable Message Sign systems within stop platforms to communicate MiWay information; incorporating Uninterrupted Power Supply or backup systems at all signalized intersections; and installing Noise Walls that are not a requirement of the HuLRT Project but still meet the criteria established through existing municipal policy.

At this time, the City of Mississauga is awaiting additional information from Metrolinx to determine the extent of these AMI items in order to allocate funding requirements accordingly. After assessing the information to be provided by Metrolinx and AMI requirements, specific upgrades and funding allocations will be requested by respective Service Areas through the 2018 Budget cycle.

AMI items will need to be approved by Metrolinx to ensure they do not adversely impact the overall HuLRT Project delivery schedule. On mutual agreement to the AMI list of items, Metrolinx would need to ensure that the agreed upon items are included in the procurement process.

#### Other Municipal Costs

During the construction of HuLRT project, there will be lane impacts that lead to traffic disruption and impacts on MiWay service and additional costs associated with maintaining operations of MiWay transit service to accommodate existing ridership along the corridor. MiWay will be allocating appropriate budget for these additional costs as and when the details on construction staging are finalized.

The City, along with other Public Sector Network (PSN) partners, will be undertaking early works to safe-guard uninterrupted PSN service during HuLRT construction. This involves creating a parallel PSN network around high risk areas. The intention is to share the cost of undertaking this work proportionally amongst the PSN partners.

#### Property Acquisition

At this time, 225 properties have been identified for the HuLRT Project in both Mississauga and Brampton. Of 225 property requests, approximately 195 are located in Mississauga. Approximately half of these are government-owned (municipal/provincial/federal) with the remainder consisting of strips of land or partial acquisitions from privately-owned properties.

Metrolinx has initiated the property acquisition process to buy land needed to build the HuLRT Project. Through the efforts of the City's HuLRT Project Office, we are reaching out to the affected property owners with a view of achieving amicable agreements for land over the next

several months. There is a commitment to ensure that all property owners understand the process and their rights.

Expropriation proceedings have not commenced for the HuLRT. Metrolinx has commenced an expropriation process for eight properties involving strips of land from rear yards abutting the existing Canadian Pacific Railway tracks in Cooksville as part of the Cooksville GO Station redevelopment. Metrolinx will continue to work with these affected property owners in an effort to reach mutually agreeable settlements. This acquisition is required for both the Cooksville GO Redevelopment and the HuLRT to facilitate the construction of a new Cooksville rail bridge over Hurontario Street.

#### Community Engagement

In fall 2016, five open houses were held with 310 attendees, 300 businesses were visited on the corridor and more than 1,200 people visited a light rail display vehicle in Celebration Square.

In 2017, key goals and objectives include:

- Continuing to build awareness of the Hurontario LRT project among City residents and businesses as Metrolinx-led, funded and moving forward.
- Educating residents on how a project like the Hurontario LRT is planned and constructed.

Project milestones will be highlighted along with participation in community events and promotions. Best practices from Eglinton Crosstown and Hanlan Water Project, and other large transit and infrastructure projects will be followed.

A highlight of the tactics used to date, include:

- Research Metrolinx will be commissioning public opinion research
- Digital and social media
- Stakeholder outreach and engagement briefings and presentations
- Community outreach and engagement
  - Corridor Committees (first meeting held in May)
  - Teletownhalls (held May 16-17)
  - Open Houses (held June 5-7)
  - Community Connector (Fall 2017)
  - Community events and key locations mobile kiosk (ongoing)
  - o Paid advertising, print, digital, social media ads (ongoing)

Corridor Committees have been established for Mississauga South, Mississauga Cooksville, Mississauga Downtown and Mississauga North to ensure residents, businesses and stakeholders in proximity to the Mississauga Hurontario corridor are informed. The first quarterly meetings were held in May 2017. The committees are to provide information and context to

Metrolinx and the City of Mississauga in a clear, accessible and timely manner. It is not within the scope of the Committees to approve or refuse project design plans or to make policy decisions.

Metrolinx-led teletownhalls called into approximately 48,000 homes adjacent to the Mississauga portion of the LRT corridor. Participants had the opportunity to ask questions about the project of Metrolinx and City of Mississauga experts.

In June 2017, three open houses were held to provide an update to the public, including information regarding the project schedule, Alstom light rail vehicles and new renderings. Approximately 260 people attended the open houses.

The Community Connector program will include door-to-door visits to businesses and residents directly on Hurontario Street by a team of trained individuals who will provide information on the HuLRT Project, including contact information for questions and/or concerns. At the same time, they will be gathering information for a data base for further communications from the City and Metrolinx to these individuals and businesses. The program will start in the fall of 2017 and the team will make their visits twice per year.

Metrolinx will have a kiosk to participate in Community Events occurring along the corridor and will distribute information about the HuLRT Project and let residents know how to follow the project on social media.

Metrolinx will bring a smaller version of the kiosk into the lobbies of office towers and larger residential businesses to inform those who live and work in the corridor about the project, the upcoming construction and that they will eventually have a great way to travel.

The City of Mississauga and Metrolinx will continue to look at various ways to communicate as effectively as possible to residents leading up to and throughout construction.

Social media is currently being used to inform residents about geotechnical research work in various locations and the potential impact on traffic, as well as an overview of the project. These efforts will increase leading up to and throughout construction.

#### City-Metrolinx Master Agreement

The previous report entitled, "Hurontario Light Rail Transit Project Update: Authorization to enter into Agreements and Request for Delegated Authority", dated June15, 2016, from the Commissioner of Transportation and Works established a Memorandum of Understanding between The City of Mississauga and Metrolinx for undertaking the procurement process. Prior to the commercial close and award of the contract to the successful proponent (anticipated in the summer of 2018), Metrolinx and the City of Mississauga will need to establish a more comprehensive agreement.

As has been the focus of the procurement process to date, the City of Mississauga will continue to be looking for the reconstruction of the roadway and boulevard to municipal standards, associated lands and specific corridor enhancements. Metrolinx will be looking to confirm the construction and approvals processes, acquire specific municipal lands, and the perpetual easement to the HuLRT guideway and associated facilities. In addition, long-term operations and maintenance funding commitments for the HuLRT system will need to be established and agreed upon for the commercial close of the procurement process.

The City of Mississauga continues to negotiate for the repayment of the expenses incurred relating to the original Environmental Assessment Study. These expenses are eligible for reimbursement according to the Criteria Cost Eligibility Criteria for Metrolinx-Owned Rapid Transit Projects (2010) which formed part of the Memorandum of Understanding prepared for this project. Metrolinx has agreed to consider our request as part of the overall Operating and Maintenance discussions, but to date has not committed to a repayment.

Metrolinx has indicated that negotiations on a comprehensive Master Agreement are to be initiated shortly. Staff will commence negotiations with Metrolinx on a Master Agreement and report back to Council but to date has not committed to a repayment.

#### **Financial Impact**

The total budget for the identified project enhancements is valued at \$37,207,400. It is proposed that the \$10,600,000 PRA amount provided by Metrolinx through the HuLRT Project be used to partially fund these priorities. It is further proposed that the remaining \$26,607,400 be approved through the 2018-2027 Capital Budget and Forecast. This amount is \$1,607,400 higher than the \$25,000,000 previously identified in the 2017-2026 Capital Budget and Forecast for the HuLRT Project.

The funding would be directed to the Metrolinx procurement process with the exception of a portion of the Integrated Art element, which would be addressed directly through the City's Culture Division. Establishing a pre-set funding commitment with Metrolinx is required due to the nature of the procurement process and will mean the City will not be held responsible in case of project overruns nor will gain any benefit in case of project savings.

After assessing information, to be provided by Metrolinx regarding AMI requirements, specific upgrades and funding allocations will be requested by respective Service Areas through the 2018 Budget cycle.

#### Conclusion

Metrolinx is about to commence the next stage of the procurement process on the HuLRT Project. Mississauga staff will participate in design briefings and commercially confidential vendor meetings as part of the procurement process but will not be directly represented on the final evaluation and selection panel. The HuLRT Project procurement process is anticipated to be completed in mid-2018 with a contract award to the successful consortium, and construction

to begin later in 2018. The successful consortium is expected to complete construction and testing by the end of 2022 and will then be responsible for the operations and maintenance of the system for 30 years.

A list of project enhancements above and beyond the base project scope has been identified for inclusion with the delivery of the projected works. Additional Municipal Infrastructure that would benefit through the coordinated reconstruction of the Hurontario Street Corridor and Downtown Loop can be integrated with the overall procurement process will also be identified and separate budget approvals will be requested by the respective service areas through the 2018 Budget. The City's HuLRT Project Team has negotiated the project enhancements in good faith with Metrolinx and they represent value for money and a unique opportunity for the City to take a significant step forward in its City-building objective.

Prior to Metrolinx reaching financial closure with a successful bid team, an agreement will need to be in place with the City of Mississauga to address the detailed aspects of project delivery and long-term operations. Development of this agreement is commencing and the City Manager should be provided with delegated authority to negotiate on behalf of the City of Mississauga.

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

YXWmght

Prepared by: Matthew Williams, Project Manager, LRT Project Office

# City of Mississauga

# **Corporate Report**



Date: 2017/05/31

To: Chair and Members of General Committee

From: Janice Baker, FCPA, FCA, City Manager and Chief Administrative Officer

Originator's files:
CD.21.STR

Meeting date:
2017/06/28

# **Subject**

Our Future Mississauga - 2016 Report on the Strategic Plan

#### Recommendation

That the report titled "Our Future Mississauga – 2016 Report on the Strategic Plan", dated May 31, 2017 from the City Manager and Chief Administrative Officer, be received for information.

# **Report Highlights**

- The Strategic Plan, and its associated actions, guides Council and staff in building a great global city.
- In 2016, progress was made on 118 actions from the Plan, with 16 now completed.
- The annual Report on the Strategic Plan lists 30 key projects from 2016. The Report will be available on the City's website following the General Committee meeting on June 28, 2017.

## **Background**

In April 2009, Council endorsed the Strategic Plan titled "Our Future Mississauga". The Plan plays a key role for Council and staff in shaping decision making, priority setting and building a great global city. It contains a number of Strategic Goals accompanied by action items. The goals and actions are categorized into five Strategic Pillars: Move; Belong; Connect; Prosper; and Green. To demonstrate the City's commitment to the Plan, an annual report is issued outlining the actions taken the previous year to advance it.

# Comments 2016 Update

Each of the Strategic Pillars has a number of actions associated with it. Together these total 118, of which 16 are complete and the remainder are in progress. In some cases, the actions

Originators files: CD.21.STR

are long term and will take many years to accomplish. For example, the action to "attract five new post-secondary institutions" continues to be explored, but this work may take significant time to complete. However, Council and staff's continued efforts to address all actions in the Plan demonstrate the City's commitment to achieving its goals.

Below is a list of key projects from 2016 that further the actions outlined in the Strategic Plan. These are described in the 2016 Report on the Strategic Plan attached as Appendix 1.

Pillar	Initiatives
Move	<ul> <li>HuLRT Stop Design Will Enhance Travel Experience</li> <li>Mississauga Transitway Keeps Moving Forward</li> <li>High Five to MiWay Five</li> <li>Real Time Bus Arrival Comes to MiWay</li> <li>Final Transitway Stations near Completion</li> <li>Bringing Light Rail Transit to Mississauga</li> <li>The Future of Traffic Management is Here with ATMS</li> </ul>
Belong	<ul> <li>Mississauga Brings it Home with Ontario Summer Games</li> <li>City Lights It Up with Community Recognition</li> <li>Igniting the Passion (Camp Ignite – female firefighters in training)</li> <li>Mississauga Artists Take it to the Streets (Busker Program)</li> <li>Making Room for the Middle (Housing Strategy)</li> <li>Moving and Welcoming All (Older Adult Centre)</li> </ul>
Connect	<ul> <li>New Multi-Sport Court Connects         Community Kids</li> <li>Hub of Activity (Meadowvale Community         Centre reopening)</li> <li>One-Stop Shop for Data</li> <li>Experience Winter at Celebration Square</li> <li>Creating Great Community Spaces</li> </ul>
Prosper	<ul> <li>Expanding Downtown Community         Boundaries (Downtown Community         Improvement Plan)</li> <li>Economic Development Office Gets Gold</li> <li>Setting a Vision for Lakeview (Innovation Corridor)</li> <li>Imagining the Future of Downtown Cooksville</li> </ul>

Originators files: CD.21.STR

	<ul> <li>Mississauga Gets Connected as a Smart City</li> <li>Small Arms Inspection Building – A New Community Cultural Space</li> <li>Library's Maker Mississauga Program</li> </ul>
	Inspires Residents to get Creative
Green	<ul> <li>Taking Green Action through People Power Challenge</li> </ul>
	<ul> <li>Partnering to Go Green</li> </ul>
	Taste, Learn, Shop and Love at Local
	Earth Markets
	<ul> <li>Time to Talk Climate Change</li> </ul>
	We're Growing Green

As in previous years, details of all actions taken in 2016 will be contained on an interactive and dynamic website. A downloadable, text only, version will also be available to print. The updated website will go live following the General Committee meeting on June 28, 2017. The site also provides a section called "Actions to Look For" that outlines how the Plan will continue to be implemented in 2017.

In previous years, printed copies of the annual report were also produced. However, in keeping with the decision made last year to forgo printing hard copies, the option to download coloured copies is available for those who wish to do so from the website.

# Strategic Plan

The Strategic Plan makes a promise to monitor implementation by producing an annual progress report. This report meets this commitment and demonstrates the many positive changes resulting from the Strategic Plan.

## **Financial Impact**

There is no financial impact to this report.

## Conclusion

The 2016 Report on the Strategic Plan outlines last year's top achievements. At the same time, it fulfills the commitment made to the community to report back annually on the Plan's progress. The Strategic Plan will continue to guide the municipality in its efforts to become a great global city.

Originators files: CD.21.STR

## **Attachments**

Appendix 1: 2016 Report on the Strategic Plan

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

Prepared by: Melissa Slupik, Researcher

JameneBaher



# **Moving from Vision to Action**

What does it mean for a city to move? To see its people belong and connect? To prosper? To become green? These are the pillars that are helping Mississauga grow and succeed as a 21st century city.

The City of Mississauga's Strategic Plan remains our largest community engagement project to date. In 2009, we heard thoughts and ideas about how we can make Mississauga a great place to be from more than 100,000 residents. This feedback formed our Strategic Plan.

The plan guides us on our journey to make Mississauga a world-class city. Along this journey, we share our achievements with you in an annual progress report. The report is intended to highlight our successes and showcase the great things we are doing to make Mississauga a place where people choose to be.

As we move forward, we are focussed on achieving the goals set out in our Action Plan. To date, we have completed 16 of more than 100 actions, with many more underway.

Read about the accomplishments we made in 2016 and our plans for continued success in 2017.



# **Our Vision for the Future**

Mississauga will inspire the world as a dynamic and beautiful global city for creativity and innovation, with vibrant, safe and connected communities; where we celebrate the rich diversity of our cultures, our historic villages, Lake Ontario and the Credit River valley. A place where people choose to be.

# **Strategic Pillars for Change**



**move** developing a transit-oriented city



belong ensuring youth, older adults and new immigrants thrive



**connect** completing our neighbourhoods



**prosper** cultivating creative and innovative businesses



green living green

Each of these Strategic Pillars for Change has its own unique direction statement and principle, along with specific strategic goals to ensure that this Vision is achieved. The Plan provides a sound framework for action and vision to move our city forward for the next 40 years.

# **Achieving the Plan**

Within the Strategic Plan, each Strategic Pillar for Change is connected to specific action items which will drive the Plan forward. These items are outlined in the Action Plan – a complementary document that includes key indicators, targets, actions and funding options for each Strategic Pillar for Change. The Strategic Plan comes alive through the work that is created through these key actions.

# **Measuring Success**

The success of the Strategic Plan will be measured by the level of transformation and energy that we will be able to see, feel and hear all around our city.

Our annual Report on the Strategic Plan is delivered to Council and the community to help monitor progress and to keep the Plan on track. Reports are an important part of our pledge to continue working closely with our community partners to ensure that their voices are heard and that we stay grounded in the key actions that support our goals.

As we progress, we continue to see change all around us, as Mississauga becomes a world class city that attracts people, jobs and opportunities. It will be a location of destinations; a city with a variety of events and festivals supported by a vibrant downtown and a spectacular waterfront. It will be a location of choice for people who want to live, learn, work, play and visit. It will be a city where people choose to be.

Read on to see highlights of the progress we made in 2016 and how our Strategic Pillars for Change are making a real difference in our city.

# How we moved the Strategic Plan forward in 2016



#### **Design Enhancing Travel Experience**

In 2016, the City partnered with Metrolinx to identify key stop locations and began developing their design for the Hurontario Light Rail Transit (HuLRT) Project. These stops will help travelers experience and enjoy our diverse neighbourhoods as they travel between destinations in Mississauga.

#### Mississauga Transitway Keeps Moving Forward

In 2016, MiWay provided additional transit options in the city, with the openings of Tahoe and Etobicoke Creek Transitway Stations. The transitway is an example of a preferred, affordable and accessible transit choice for the City and residents.

#### **High Five to MiWay Five**

The MiWay Five Transit Service Plan (2016-2020) is moving Mississauga's current transit system to a grid network allowing for more frequent buses along main corridors. In 2016, MiWay added 31,000 service hours, provided 1.48 million service hours and maintained a 93 per cent system-wide, on-time performance.

#### Real Time Bus Arrival Comes to MiWay

In 2016, MiWay introduced the "Plan A Trip" responsive website, offering real-time bus information. Riders can now access route and network information in real time.



#### **Final Transitway Stations near Completion**

Construction for the final four Mississauga Transitway stations began in 2016. Winston Churchill, Spectrum, Orbitor and Renforth will open in 2017. When complete, the 18-kilometre transitway will have 12 stations between Winston Churchill Boulevard and Renforth Drive.

#### **Bringing Light Rail Transit to Mississauga**

In 2016, Metrolinx and Infrastructure Ontario sought out qualified vendors to design, build, finance, operate and maintain the HuLRT. The new system will connect communities and accommodate future growth by doubling the corridor's capacity to move people, improve transit travel times and link the region's existing transit lines.

#### The Future of Traffic Management is Here with ATMS

The Advanced Transportation Management System (ATMS) helps City staff manage travel conditions, better control traffic signals, share information and interact with other transportation networks.



#### Mississauga Brings it Home with Ontario Summer Games

Mississauga welcomed 4,000 athletes and officials to the largest Ontario Summer Games ever hosted. The Games contributed an outstanding \$6 million to the local economy. As a legacy to the Games, a new four-court beach volleyball facility was constructed and is now utilized for community and recreational programming.

#### **City Lights It Up with Community Recognition**

The Community Recognition Program was launched as a one-year pilot in 2016. Organizations can request recognition in the form of either a flag raising or lighting of the Civic Centre clock tower. The program fosters a spirit of community, celebrates Mississauga's diverse culture and contributes to enriching the quality of life in our city.

#### **Igniting the Passion**

The City's first Camp Ignite allowed teen girls aged 15-19 to recognize firefighting as a viable career option. The camp gave them the tools needed to be excellent candidates for a future in Fire and Emergency Services.





#### **Moving and Welcoming All**

Council has approved a plan to proceed with a lease agreement and capital improvements for a new 8,600-square-foot Older Adult Centre at the Central Parkway Mall. The new location is in central Mississauga; home to over a quarter of the City's 55+ population, which is estimated to grow to 79,000 people by 2031.

#### Mississauga Artists Take it to the Streets

Through the Busking and Street Performance Project, artists can perform on designated streets and parks in Mississauga and legally collect donations from the public. Busking increases the vibrancy of Mississauga and encourages local artists to share and develop their talents.

#### **Making Room for the Middle**

Mississauga's draft Housing Strategy will help the City achieve market and rental housing for middle income households. Mississauga is working to remove barriers and develop more housing options.



#### **New Court Connects Community Kids**

Youth in the Colonial/Ridgeway area welcomed a new multi-sport court in 2016. In partnership with the Region of Peel, the court provides over 150 youth and children with free sports programming. Partners included the Maple Leafs Sports and Entertainment (MLSE) Foundation, Canadian Tire Jumpstart Charities and the Rotary Club of Mississauga West.

#### **Hub of Activity**

The newly renovated Meadowvale Community Centre and Library reopened in 2016. The redevelopment project included improvements to the facility's aging infrastructure, services and amenities. The centre was quickly established as a key community hub, attracting more than 9,000 visitors in its opening weeks.





#### **One-Stop Shop for Data**

The Planning Information Hub is an innovative online tool that allows Mississauga residents to easily search through planning-related data. Users have full access to planning and building data from across the city in one spot.

#### **Experience Winter at Celebration Square**

In response to visitor feedback, Mississauga Celebration Square adopted a strategic plan for year-round programming and activities. Improved amenities will include warming facilities, upgraded rental facility and storage options for skaters and enhanced lighting and signage.

#### **Creating Great Community Spaces**

In 2016, the first phase of the design process kicked off to develop a community centre and park in Churchill Meadows that will create a space for residents to connect with the environment and get active.



#### **Expanding Downtown Community Boundaries**

In 2016, Council adopted a by-law to expand the downtown community improvement project area to include all lands within the downtown core. The expanded boundary will create more opportunities to attract office development and balance growth in the downtown core.

#### **Economic Development Office Gets Gold**

In 2016, the City's Economic Development Office created a targeted value propositions tool to profile industry sectors and promote the advantages of locating a business in the city. The project won an award for Gold Excellence in Economic Development from the International Economic Development Council.



#### **Setting a Vision for Lakeview**

A proposed Innovation Corridor along the Lakeview lands will feature a high-tech green campus, attract state-of-the-art employers and promote sustainable, forward-thinking economic growth. In 2016, the City applied for a government grant to conduct a market analysis and economic feasibility study of the site.

#### **Imagining the Future of Downtown Cooksville**

Vision Cooksville is a long-term plan that sets a vision for how this area will look and feel over the next 20 to 30 years. In 2016, community consultation with more than 550 residents resulted in the creation of a vision and multi-year action plan, approved by Council.

#### Mississauga Gets Connected as a Smart City

In 2016, the Public Sector Network (PSN) made high-speed fibre connectivity available at all City facilities. Residents can now enjoy free public Wi-Fi in City facilities as well as key public spaces such as Mississauga Celebration Square. Additional work is being done to make Mississauga a Smart City.

### Small Arms Inspection Building - A New Community Cultural Space

With financial support through the Canada 150 Community Infrastructure Program, the Region of Peel and the Toronto and Region Conservation Authority (TRCA), the City plans to preserve and rehabilitate the Small Arms Inspection Building. In 2016, Council committed to preserving and rehabilitating the building into a community cultural hub.

#### Maker Mississauga Inspires Residents to get Creative

The Library's Maker Mississauga program inspires the community to make, do and learn. Maker Mississauga continues to grow with 837 programs offered across Mississauga libraries in 2016 to over 12,750 attendees.



#### Taking Green Action through People Power Challenge

City staff participated in the 2016 People Power Challenge (PPC). As the only municipality to participate in the PPC in 2016, the challenge was an opportunity for Mississauga staff to be recognized for outstanding sustainability efforts and environmental excellence.

#### Partnering to Go Green

In 2016, solar PV (photovoltaic) systems were installed at Huron Park and Burnhamthorpe Community Centres. This initiative will help the City achieve its environmental goals and generate enough electricity to offset greenhouse gas (GHG) emissions each year.

#### Taste, Learn, Shop and Love at Local Earth Markets

The City's free Earth Markets offer a one-stop shop, market-style event that gives residents the opportunity to learn about the environment in a vibrant and fun atmosphere. In 2016, more than 1.300 residents attended three Earth Markets that included over 40 environmental exhibitors and vendors and over 10 workshops.

#### **Time to Talk Climate Change**

City staff is working to identify the impact of climate change and prioritize impacts to the organization. The Environment Division is leading a corporate-wide risk assessment, including recommendations to lower risk to the City.

#### We're Growing Green

Green Leaders are staff volunteers who promote environmental awareness in the workplace. In 2016, the Green Leaders program rolled out to administrative facilities, arenas, museums and Animal Services. In 2017, the program will expand to include Fire and Emergency Services, marinas, golf courses, Meadowvale Theatre and pool facilities.



#### For more information:

#### City of Mississauga

300 City Centre Drive Mississauga, ON L5B 3C1

**Inquiries: (3:1-1)** or 905-615-4311

outside City limits 7 a.m. to 7 p.m., Monday to Friday

Email: public.info@mississauga.ca







☐ 🍟 🏚 🏶 ourfuturemississauga.ca



#### City of Mississauga

### **Corporate Report**



Date: 2017/06/12

To: Chair and Members of General Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Meeting date: 2017/06/28

#### **Subject**

**Draft Community Engagement Strategy** 

#### Recommendation

- 1. That the report titled Draft Community Engagement Strategy dated June 12, 2017 from the Commissioner of Planning and Building, be received, and
- 2. That the Draft Community Engagement Strategy, attached as Appendix 1, as the overarching approach for all public engagement at the City, be approved.

#### **Report Highlights**

- The City consults with thousands of residents each year to inform master plans, visions, program planning and to meet legislative requirements
- Consultation with our community provides valuable information to the City to make informed and responsive decisions and build relationships
- City Planning Strategies worked with a cross departmental team to develop a corporate wide Community Engagement Strategy
- This Strategy will standardize our practices, make it easier for residents to participate, ensure participation reflects the broad diversity of our City and build staff capacity to lead community engagement processes
- This Strategy brings together the City's best practices, public engagement research and feedback from our residents and staff

Originators file: CD.21-COM

#### **Background**

City Planning Strategies has developed the Draft Community Engagement Strategy in collaboration with a project team of staff representing nine divisions. (See Appendix 2 for list of members). The Strategy is recommended as a guide for staff for future engagement with the public and is comprised of the following:

- A vision, definition and five guiding principles
- Four goals and objectives
- A framework to define the level of engagement
- Building blocks for conducting community engagement processes
- Performance measures

The project team carried out a review of other municipalities' public engagement strategies, researched best practices and conducted consultation with the public and City staff.

#### **Other Municipal Strategies**

- The research showed over 40 municipalities across Canada have existing public engagement strategies. Most include a framework that helps define the level of influence the public can have on a decision. The framework used most is the International Association for Public Participation (IAP2), Spectrum of Participation.
- Most of the municipalities support their strategy with a corporate policy, staff toolkit, formal training and dedicated engagement staff.
- Many have a centralized engagement website/hub for all engagement projects. Examples include: City of Toronto - Growing Conversations, City of Calgary - Engage.Calgary, City of Vancouver - Talk Vancouver, City of Halifax - Shape Your City.

#### **Public and Staff Consultation**

A consultation process, led by Lura Consulting, was held in January and February, 2017. The purpose of the consultation was to find out what the City does well and how we can improve engagement in the future. Participants were also asked to define "meaningful engagement". Three hundred and eighty (380) residents contributed feedback through various consultation activities. Meetings were held with the City's, Accessibility Advisory Committee, Diversity and Inclusion Committee, the Older Adult Panel and representatives from youth organizations.

Two hundred and forty staff (240) provided input through an online survey or participated in a targeted focus group. Council members were provided with information at project initiation and prior to community consultation. Three council members met with project staff, some participated at the advisory committee meetings, or attended a community workshop.

Originators file: CD.21-COM

#### Comments

The City is strong in public engagement and has illustrated some real success, including the Strategic Plan engagement process. Research found staff are committed to getting public input and value the community's perspective. The City is using a range of innovative engagement techniques and communication tactics to advertise engagement events and opportunities. It has strong social media presence, informative and highly viewed project websites.

Suggestions for improvement by the community:

- More awareness about engagement opportunities
- Always be clear on the purpose of the engagement and how input will be used
- More consistently close the loop, report on the feedback collected and the final outcome
- Continue to provide objective project information that is in plain language, accessible and easy to understand for the public to learn and have meaningful dialogue
- Hold more targeted consultations with those most impacted and go to where residents are
- Work more closely with community groups to assist in broadening the diversity of participation

Suggestions for improvement by staff:

- Need for a step by step engagement process and common framework
- Better coordination of engagement efforts across departments
- Need for specific engagement training and internal engagement coaching
- Need for a comprehensive toolkit/guidebook that is scalable and based on the purpose and level of engagement required

The feedback received from the question on meaningful engagement was directly used to build the Strategy's five guiding principles.

#### **Next Steps**

It is proposed that City Planning Strategies will continue responsibility for the Community Engagement Strategy and complete the following in the first year, in collaboration with other City departments:

- 1. Complete the companion toolkit
- 2. Launch the Strategy and toolkit to all staff
- 3. Communicate the Strategy to the public
- 4. Develop a corporate engagement policy
- 5. Develop engagement training
- 6. Develop the process for collecting performance measures
- 7. Assist with defining detailed requirements for a central engagement website and technology tools

Originators file: CD.21-COM

It is also proposed City Planning Strategies report back to Council on the progress of the Strategy and initial evaluation results in 2018.

#### Strategic Plan

This corporate wide Community Engagement Strategy supports the Connect Pillar, which includes an action to create a program for community engagement to set clear parameters of how the community can be heard and get involved.

#### **Financial Impact**

There is a cost to community engagement currently. Often capital programs include this cost for major planning exercises, as well as many City operating budgets directly fund aspects of community engagement. While there is no anticipated increased financial impact associated with the actions for this year, any funding for implementation, including engagement technology requirements, will be identified through future business plans and budgeting processes.

#### Conclusion

The City consults with thousands of residents each year to inform master plans, visioning, programs and services and where required by legislation. The recommended Draft Community Engagement Strategy will provide a framework, principles and a common approach for all City staff when leading consultation with the public on important City matters.

#### **Attachments**

Appendix 1: Draft Community Engagement Strategy

Appendix 2: Project Team Members

El-Sile.

Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: LeeAnn Lloyd, Strategic Leader, Community Engagement

DRAFT

June 2017







### City Manager's Message

Here at the City of Mississauga, we are committed to ensuring everyone belongs. Community engagement is an important way we connect with residents and make sure their voices are heard.

As a leading municipality, we consult with thousands of community members each year to gather feedback on what the future of Mississauga can look like. Our Strategic Plan is our largest community engagement project to date. It was created through consultation with more than 100,000 residents, helping us shape a future vision for our city. As part of our Strategic Plan, we are building a world-class city where people choose to live, work and play. We are committed to continuous improvement.

Our 2017 Citizen Satisfaction Survey told us that 55 per cent of residents who participated in a City-led engagement initiative felt it was a meaningful experience. This feedback is valuable to ensuring we continue to provide the high quality of life our residents enjoy. While this result is satisfactory, we recognize there is room to improve.

Our Community Engagement Strategy is an opportunity to build on our existing success and provide a consistent approach to delivering meaningful engagement opportunities to the community. In the development of this strategy, we reflected on our current engagement practices and invited residents to share their thoughts on what we are doing well and how we can improve.

As we build Mississauga into a world-class city where people choose to be, we encourage residents to get involved. Look for opportunities to share your thoughts and opinions on the future of Mississauga.

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

### How we got Here

Communications Master
Plan committed to more
engaged citizenship through
supporting the delivery
and access to two-way
communication between the
City and our residents

City project initiated to develop a corporate-wide community engagement strategy

Senior leadership engaged to look at the City's past and current engagement and a vision for the future

A cross-departmental working team established

Best practices research and scan of other municipalities' engagement strategies completed

2012

2015

2016

2017

IT Master Plan Strategy: Foster Open and Accessible Government set out to establish an online engagement tool set that will improve interaction with the public and key stakeholders

Provincial Smart Growth for Our Communities Act, 2015 (Bill 73) required municipal planning to "give residents a more meaningful say in how their communities grow" Public consultation for the strategy completed with 380 community members

Internal consultation completed for the strategy with 250 City staff

Draft strategy presented to Leadership Team for endorsement

Strategy presented to Council for endorsement

### What we Heard

A consultation process, led by Lura Consulting, was held with the broad community and City staff from January to March, 2017, to help build our strategy.

We asked ... What do we do well? How can we do better? What can future consultation with the City look like?

Provide multiple engagement opportunities using a variety of tools to ensure people of all ages, backgrounds, and abilities can participate.

> Take time to genuinely listen to the community's range of input and be open to new ideas.

Always close the loop. Inform participants how their input was used, the status of the project or initiative, results, and outcomes or decisions.

Go to where people are to tap into existing social networks and

leverage relationships.

Provide clear communication, advance notice and broaden communication methods to improve awareness and outreach.

Use targeted engagement tactics to ensure that fully accessible and inclusive consultation is provided.

> Meaningful engagement is a chance for residents to communicate their concerns and recommendations with the City of Mississauga staff to ensure a better community for all those living here.

Rethink consulting when there are pre-determined outcomes or the decision has been already made.

Be clear and transparent about tthe purpose of the consultation.

Understand and get

to know Mississauga's

diverse communities, opinions and experiences.

Target the engagement.



# Some of Our SUCCESSES

In 2016, we conducted....



**56**Engagements



**25,000**Participants



**99,000**Followers



**77,000** Likes

These numbers only tell part of the story. Tremendous effort and time from staff and the public are behind these numbers, resulting in exciting, transformational plans and strategies, some of which included:

MyMalton

Dundas Connects Stormwater Program Imagining Ward 3

Vision Cooksville

Lakeshore Connecting Communities

Making Room for the Middle -A Housing Strategy for Mississauga

2017 Budget Allocator MiWay 5 - Service Plan North West Community Centre & Sports Park P-459

Inspiration Port Credit
Inspiration Lakeview



# Engagement Strategy important?

This strategy brings together the best of our current practices, research from other municipalities and public participation experts. It was further shaped by what we heard through a consultation with the community and staff.

It is intended for staff who are responsible to guide consulting with the public as part of a project, program or planning process.

While engagement is not a new focus for the City, we now have new tools, research, expertise that allow us to address it in different ways and to respond to changing needs of our residents.

Engagement helps build cooperative and trusting relationships between the City and the community. It can provide us with early warning signs for a project or decision. It can serve as a sounding board for our proposed programs/initiatives, it provides the opportunity for communication between decision makers and the public, and it creates a credible channel through which accurate and timely information from the City can be disseminated. It helps increase the public's understanding and support for the City's goals and city building.

#### **Benefits Of This Strategy:**

- · A corporate vision for community engagement
- A set of principles to guide our engagement
- A common framework to help decide the level of engagement required
- A standard way to plan engagement, examine key factors and think through issues to ensure the engagement is successful
- A common focus on making it easier for residents to participate
- Consistently ensuring participants are informed of the outcome
- Standardizing measurement to improve for the next time and see the City's overall success in engagement

# Strategy

# Engagement is...

Any process that seeks the community's input to ensure that the City's decision-making is well informed.

Meaningful community engagement is about having representation from the whole community, not just a small voice, but hearing from all people. It is about an open, two-way dialogue. It gives opportunities for the community to propose ideas and come up with collective solutions. It is about offering an effective, inclusive approach to seek diverse opinions. And, it is an ongoing conversation that allows the community to help define and shape the City's future.



# Our Community Engagement VISION

Meaningful Engagement Every Time





#### Accessible & Inclusive

We will always strive to understand the needs of Mississauga's diverse communities and use a range of engagement techniques and approaches to make it easier for everyone to participate fully.

#### **Transparent**

We will be clear as to why we are seeking input, the extent to which the community can influence a process, how input will be used to inform decision-making and report back on the feedback collected.

#### **Trust**

We will establish trust with community members through meaningful engagement processes that support relationship building. When community members trust the engagement process and City staff, they are more likely to participate and provide input proactively.

#### **Understand the Community**

We will always strive to understand the community members and stakeholders. Our engagement will be well planned and use targeted approaches to ensure that those most impacted are involved and "at the table".

#### Informed

We will ensure that information and education is a key component of every engagement process. The more informed community members are, the better the conversation and input.

These principles were developed in collaboration with City staff and the community. They were narrowed down and prioritized at community workshops and by the project working team.











# Achieve?

Enhance our engagement practices

### GOAL 1

#### Objectives

- Start all engagement with an engagement plan
- 2. Use the IAP2 spectrum of participation as the standard approach to define the level of engagement
- 3. Provide an engagement toolkit with checklists and templates
- 4. Conduct evaluation for all engagement processes and report regularly
- 5. Develop a corporate policy for engagement

Make it easy for the community to participate

### GOAL 2

#### Objectives

- 1. Engage with residents where they are
- 2. Use multiple engagement techniques
- 3. Identify digital tools
- 4. Develop a centralized engagement website

Ensure participation reflects the broad diversity of our City

### GOAL 3

#### Objectives

- 1. Collect standard demographic information to understand who we engage
- 2. Work in partnership with community organizations and groups

Build staff capacity to lead community engagement processes

### GOAL 4

#### **Objectives**

- 1. Provide staff training on engagement and the framework
- 2. Increase the use of internal resources to lead engagement processes

# Measuring Our Engagement

To standardize our measurement and monitor the overall progress of the Community Engagement Strategy's goals and objectives, we will enhance our evaluation and data collection. We will place more emphasis on qualitative data and expand our collection of demographic information to ensure we are reaching the most impacted groups. We will continue to collect the essentials, the number of engagement processes and number of people who participated.

#### We will measure:



- 1. Participants' perceived value of participating
- 2. Participants' understanding of the purpose of the engagement
- 3. Participants' overall satisfaction with the engagement process
- 4. Number of engagement processes held for each level on the spectrum



- Number of engagement techniques used per process
- 2. Number of social media followers or users
- 3. Number of visits to the engagement project website
- 4. Participants' ranking of ease of participation



1. Participation levels by demographics



- 1. Percentage of staff trained in community engagement
- 2. Percentage of internal staff led engagement processes
- 3. Cost of engagement per resident









Prior to undertaking any engagement process, good planning is important. A well-developed engagement plan will ensure that our engagement is meaningful and successful.

Planning involves answering the following:

- What decision needs to be made or issue to be examined by the City?
- What is the rationale for this project or decision?
- What level of community input is needed for the decision or this project?
- What can the public influence and what is not negotiable?
- Who are the most impacted community members and stakeholders?
- What is the history or context of the issue or project?
- What is the timeline and required resources?
- What is the level of engagement?

This helps to confirm the level of influence the public will have on the decision, the time needed for an effective process and the required budget and resources.

During this stage, it may become clear that engagement with the community is not necessary or that a decision is already made. In these cases, a promotional marketing campaign may be best.





Once an engagement plan is developed and approved, it is time to design the engagement process. This involves developing a comprehensive stakeholder list, looking at who is most affected and who is interested.

This is where techniques are selected, meetings organized, surveys built, digital channels identified, facilitators arranged and, if required, consultants hired. This is also where we develop a communications plan to support the engagement process.

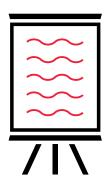
- Select the techniques that are suitable for the level of engagement on the spectrum
- Use a combination of digital engagement tools and face to face techniques
- Consider doing pre-consultation with some of your stakeholders to find out how they would like to be engaged and receive communications
- Pre-test materials, i.e. surveys, presentations, small group questions and communications
- Check the multi-faith calendar for potential conflict with significant religious dates
- Ensure your space and event locations are accessible
- Avoid other engagement activities or events happening at the same time
- Connect with relevant community groups to assist with outreach
- Develop fun, innovative and interactive techniques

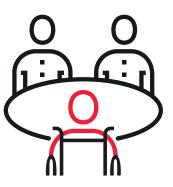




Here we roll out the engagement activities and follow through on the process that was designed. It is most important to provide a fair and objective process that is clear to all on the purpose and how to get involved.

- Go into the community where people are already meeting or gathering
- Listen openly and genuinely
- Record accurately
- Use outside or objective facilitators
- Provide clear and up-to-date project information
- Promote two-way dialogue









The final step of any community engagement process is getting back to the community on what we heard and how their input was used.

Reporting to the community in a timely manner is a critical step in achieving meaningful engagement. Even when there is not full agreement by participants on a City decision, reporting is important to demonstrate to all those who participated to how public feedback and input was used, why or why not and project next steps.

For lengthy or complex projects that extend over multiple years, regular progress updates to the community will convey transparency, build trust and help ready the community for more engagement and ultimately for a final outcome.



### **Our Roles**

#### **ENGAGEMENT LEAD**

is any staff responsible for leading the engagement

- Develops the engagement plan
- Oversees the engagement process
- Maintains ongoing and up-to-date communication or presence with community
- Manages the contract with external consultants or resources
- · Completes evaluation

#### **ENGAGEMENT TEAM**

- Usually a cross-departmental team that may be part of the project charter or that comes together to work with the engagement lead on the engagement process
- Assists with the development of the engagement plan
- Assists with delivery of engagement techniques and process
- Assists with evaluation

#### **EXTENDED ENGAGEMENT TEAM**

 City staff including Information Technology, Communications, Materiel Management and others, as required

#### MANAGER/SUPERVISOR

- Reviews the engagement plan and gives approval to proceed
- Provides direction throughout engagement process, as required

#### PROJECT CONTROLLER

- Where there is an existing project charter and engagement is part of the scope, the controller reviews and signs off on the engagement plan and gives approval to proceed
- Provides strategic direction throughout the engagement process, as required

## IAP2

#### Spectrum of Public Participation

Not all engagement is the same. How much the community can influence the final decision is based on many factors and the decision-making process for the projects and plans. The IAP2 (International Association for Public Participation) Spectrum of Public Participation is a guide to identify which form of engagement is the most appropriate to use and is the basis for our Community Engagement Strategy.

Moving through the spectrum from left to right, there is an increase in expectations from the public for their participation and impact on the decisions.

#### IAP2'S PUBLIC PARTICIPATION SPECTRUM



The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.

NCREASING IMPACT ON THE DECISION					
INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER	
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.	
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.	



source: www.iap2.org

# Framework Our Engagement

#### Level of Engagement - Increasing Level of Community Input



Inform



Consult



Involve



Collaborate



**Empower** 

**Engagement Purpose** 

To share information to build awareness and understanding

To listen and learn and have a dialogue with the community

To test ideas, concepts and develop solutions To work directly with the community to develop alternatives, solutions and/or recommendations and to ensure the community's concerns and aspirations are understood and considered

To partner with the public to develop recommendations or solutions

To turn it over to the community to recommend actions

City's Action

To provide the public with balanced and objective information in order to assist public in understanding a project, change or issue and potential solutions, any decisions that have been made or next steps To obtain community input about options or decisions

To ensure the community's concerns are understood and considered

To work directly with the community throughout the process, including developing options and identifying the preferred direction To partner with the community in each aspect of the decisionmaking including development of alternatives and options, as well as, identification of the preferred options To place final decision-making in the hands of the community

					8.5
	Inform	Consult	Involve	Collaborate	Empower
City's Promise To The Community	We will educate, clarify and keep the public informed	We will keep the public informed, listen and acknowledge the public's concerns and the impact to the public We will work to ensure that public concerns are reflected in the options we develop We will provide feedback on how input influenced the decision	We will work with the public to ensure input is understood, reflected in the options that are developed and will look to the public for advice We will include the public input and advice into the final outcome to the maximum extent possible	We will look to the public for advice in developing and forming solutions and work with the public to incorporate their advice and recommendation into the decision	We will implement what the public decides
Communication Style	City to community One-way	City to community community to City Two-way	City to community, back to City and then to community  Two-way and interactive	City to community, community to City and back and forth multiple times	Community tells City
City's Responsibility	Provide information  Make the final decision	Provide opportunities for the expression of views and concerns Work to incorporate solutions to concerns or mitigate concerns Make final decision Report back on final decision	Provide opportunities to influence decision-making, sharing views and setting priorities together Consider the recommendations Make final decision Report back to the community on the final decision	Provide opportunities to influence decision-making sharing views and setting priorities together In partnership with the community, make the final decision Report back on final decision	Facilitate a process for the community to decide and then adopt what community decides Announce final decision

Community's	Responsibility
	Most Appropriate When

	Inform	Consult	Involve	Collaborate	Empower
Community's Responsibility	Learn	Participate	Partner	Partner	Direct
Most Appropriate When	A decision has been made and needs to be shared;  Where input is not going to change the decision but information needs to be shared with community to prepare for involvement in a coming project  To generate interest and later involvement  When a new policy or program needs to be described the community needs to know the results of a process	When a new policy or project is still being shaped or under development and input and feedback is required  When the community's ideas and concerns are needed and will be considered and reflected in final outcome  When feedback is required or when looking to build consensus  Project parameters and options are still being set and advise is needed on issues that impact the public  When looking for expert advice from specific targeted groups	When a program is being designed and implemented that requires multiple sector buy in and participation  Stakeholder expertise and actions form an integral part of the solution  There is a need for early assurance that the final product has local relevance  Long-term commitment and sustainability are key considerations	A program is being designed and implemented that requires multiple sector buy in and participation  Stakeholder expertise is required to find solutions  The solution requires changes at the system level across various institutions and organizations	Council has directed to empower the community to make recommendations and decision on an issue  Community or key stakeholder expertise is higher than staff expertise  Issues where you are able to place the final decisionmaking power with the community

# Techniques



# Communication



Provide lots of notice before consultation and very clear information about its purpose and potential outcomes.

- Community Member

Meaningful engagement planning includes a well thought-out communication plan to raise awareness about our engagement. create interest and ultimately achieve strong community participation. Recruiting large, diverse numbers of people is often the most challenging and time-consuming task. Promoting and advertising the engagement process should be targeted to those who need to be "at the table" and those who have interest in the outcome. The purpose of the engagement and level of engagement should be clear in all communications to set clear expectations right up front.

#### Ways to Communicate

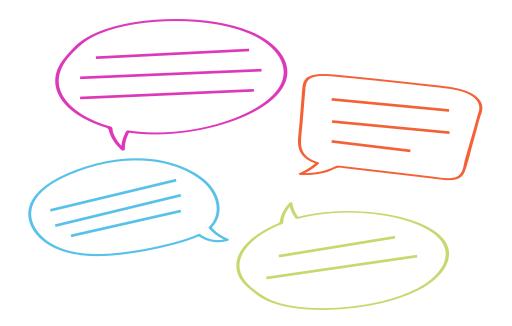
- Email invitations from staff and/or ward councillors
- City's social media channels: Twitter, Facebook and YouTube
- City's website
- Poster, flyer or electronic message display at City facilities and public places
- Mobile road signs
- Direct mail letter or post card

#### **Helpful Tips**

- Find community champions and leaders
- Youth are more likely to participate if invited by their peers
- Use the word "we" to convey how we are going to solve an issue together
- Reach out to established community groups to help bridge language barriers
- Let people know if the decision maker will be there
- Send information and materials in advance for pre-event reading and understanding
- Eliminate jargon, acronyms and use plain language
- Use concept drawings, illustrations and short videos where possible
- Always ensure materials are available in alternative formats

# Conversation

Engagement can be more than a specific event or activity. It is an opportunity for an ongoing dialogue with the community about their insights on current issues that are important to them, their families and the City as a whole.

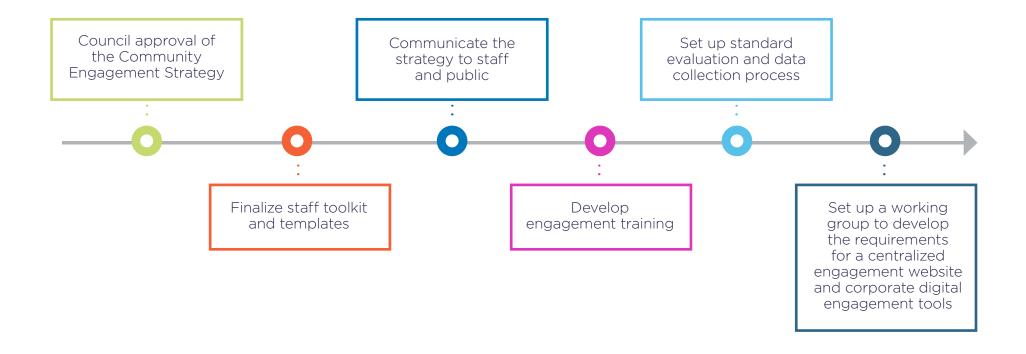


#### Case Example

The City of Vancouver uses an online space for civic participation. TALK VANCOUVER invites the public to be a member of the City's online community of trusted, local advisors through a safe, online space. To date, 56,000 people have signed up and provided information about who they are, where they live and what interests they have. This allows the City of Vancouver to ensure they are hearing from people with the widest possible range of ages, experiences, incomes and backgrounds.

As new initiatives unfold, Talk Vancouver allows the City to reach out to community members, share plans early on, hear ideas and talk about the community's needs. Talk Vancouver is a direct, personal connection to City Hall.

# Next Steps for 2017



# Glossary

# **COMMUNITY**

The entire City of Mississauga or anything that brings groups of people together, whether they are connected by geography, shared interests and values, cultures, languages, abilities, affiliations or identify together to address issues.

# **DIVERSITY**

Diversity is about the individual. It is about the variety of unique dimensions, qualities and characteristics we all possess. These dimensions can include but are not limited to ethnicity, nationality, culture, ability, birth sex, gender identity, sexual orientation, religion, age, immigration status, socioeconomic status, geographic region in which you live and many other qualities.

# **INCLUSION**

Inclusion is about the collective. It is about creating a culture that strives for equity and embraces, respects, accepts and values difference.

# RESIDENTS

All people who live in Mississauga.

# SPECTRUM OF ENGAGEMENT

A spectrum created by the International Association for Public Participation, referred to as IAP2, which helps define the purpose of the engagement and the level of involvement needed from participants. The spectrum defines five levels of engagement: inform, consult, involve, collaborate and empower.

# **STAKEHOLDER**

Any organization, private or public, community groups and more formal associations that have a stake in the decision or a related interested.

# Thanks

To all of the community members, the City's Advisory Committees and City staff who participated in the consultation and provided their valuable time and insights to help create this Community Engagement Strategy.

Andrew Whittemore, Project Controller and Director, City Planning Strategies, Planning and Building LeeAnn Lloyd, Project Lead and Strategic Leader, City Planning Strategies, Planning and Building

#### PROJECT STEERING COMMITTEE

Ivana Di Millo, Director, Communications, Corporate Services Rob Cummins, Manager, Corporate Marketing, Communications, Corporate Services Shari Lichterman, Director, Recreation, Community Services Shawn Slack, Director, Information Technology, Corporate Services

#### **PROJECT TEAM**

Andrea Oliver, Manager, Information Technology, Corporate Services

Anna Melikian, Researcher, City Planning Strategies, Planning and Building

Anthea Foyer, Digital Strategy and Community Engagement Specialist, Culture, Community Services

Beata Jones, Planner, Parks and Forestry, Community Services

David Ferreira, Brand Manager, Communications, Corporate Services

Diane Hector, Supervisor, Business Planning, Corporate Services

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Joanne Foote, Youth Plan Coordinator, Recreation, Community Services

Katie Ashbourne, Researcher, City Planning Strategies, Planning and Building

Lindsay Francini, Acting Supervisor, Public Relations, Communications, Corporate Services

Mary Bracken, Environmental Specialist, Environment, Community Services

Steve Czajka, Manager of Information Planning, City Planning Strategies, Planning and Building

**LURA Consulting**, for leading the community and staff consultation, Halton Region, City of Guelph, City of Toronto and other Canadian municipalities for generously sharing their materials, strategies and advice.

To the **IAP2** International Association of Public Participation for providing their permission to use and adopt the Spectrum of Public Participation as the anchor framework for our strategy.





Cities have the capability of providing something for everybody, only because, and only when, they are created by everybody.

Jane Jacobs

# For further information, please contact

City Planning Strategies Division Planning and Building Department

City of Mississauga

905-615-5511 eplanbuild.info@mississauga.ca







#### **Community Engagement Strategy Project**

#### **Project Steering Committee**

Andrew Whittemore, Project Controller and Director, City Planning Strategies, Planning and Building

Ivana Di Millo, Director, Communications, Corporate Services
Rob Cummins, Manager, Corporate Marketing, Communications, Corporate Services
Shari Lichterman, Director, Recreation, Community Services
Shawn Slack, Director, Information Technology, Corporate Services

#### **Project Lead**

LeeAnn Lloyd, Strategic Leader, City Planning Strategies, Planning and Building

#### **Project Team**

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# **Corporate Report**



Date: 2017/06/12

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-37E

Meeting date: 2017/06/28

## **Subject**

Lower Driveway Boulevard Parking - Willowood Drive (Ward 5)

#### Recommendation

That a by-law be enacted to amend the Traffic By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at any time, on Willowood Drive as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "Lower Driveway Boulevard Parking - Willowood Drive (Ward 5)".

# **Background**

The Transportation and Works Department received a completed petition from an area resident to implement lower driveway boulevard parking on Willowood Drive. Currently, three-hour parking is permitted on Willowood Drive and lower driveway boulevard parking is prohibited. A location map is attached as Appendix 1.

#### **Comments**

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

Questionnaires were delivered and nine (36%) were returned; nine (100%) supported the implementation of lower driveway boulevard parking; and zero (0%) were opposed. Since greater than 66% of the total respondents support lower driveway boulevard parking, the Transportation and Works Department recommends implementing lower driveway boulevard parking between the curb and sidewalk, at any time, on Willowood Drive.

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

# **Financial Impact**

Costs for the sign installation can be accommodated in the 2017 operating budget.

Originators files: MG.23.REP

RT.10.Z-37E

### Conclusion

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

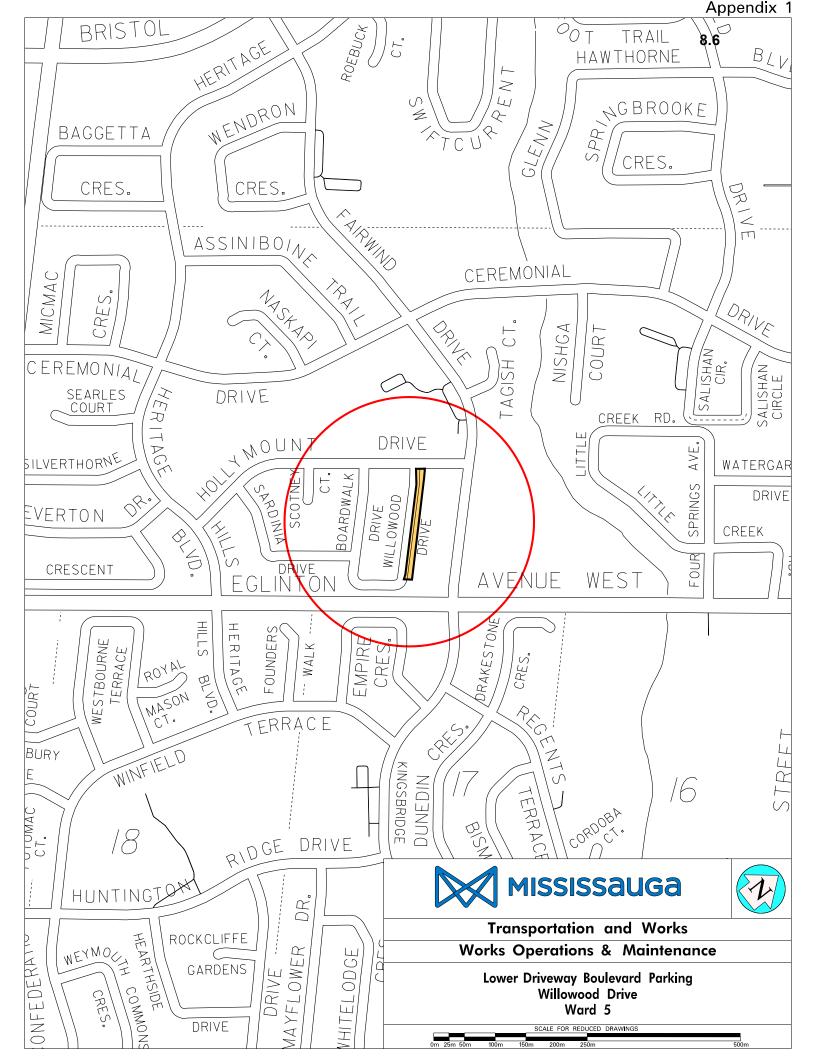
### **Attachments**

42 Wright

Appendix 1: Location Map: Lower Driveway Boulevard Parking - Willowood Drive (Ward 5)

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

Prepared by: Haydn Kocznur, Traffic Operations Technician



# **Corporate Report**



Date: 2017/06/12

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-56

Meeting date: 2017/06/28

# **Subject**

Lower Driveway Boulevard Parking - Cantelon Crescent (Ward 9)

#### Recommendation

That a by-law be enacted to amend the Traffic By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at any time, on Cantelon Crescent as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "Lower Driveway Boulevard Parking - Cantelon Crescent (Ward 9)".

# **Background**

The Transportation and Works Department received a completed petition from an area resident to implement lower driveway boulevard parking on Cantelon Crescent. Currently, three-hour parking is permitted on Cantelon Crescent and lower driveway boulevard parking is prohibited. A location map is attached as Appendix 1.

### Comments

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

Forty-four (44) questionnaires were delivered and 13 (30%) were returned; 10 (77%) supported the implementation of lower driveway boulevard parking and three (23%) were opposed. Since greater than 66% of the total respondents support lower driveway boulevard parking, the Transportation and Works Department recommends implementing lower driveway boulevard parking between the curb and sidewalk, at any time, on Cantelon Crescent.

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

Originators files: MG.23.REP

RT.10.Z-56

# **Financial Impact**

Costs for the sign installation can be accommodated in the 2017 operating budget.

#### Conclusion

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

#### **Attachments**

42 Wright

Appendix 1: Location Map: Lower Driveway Boulevard Parking - Cantelon Crescent (Ward 9)

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

Prepared by: Haydn Kocznur, Traffic Operations Technician



# **Corporate Report**



Date: 2017/06/13

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-57

Meeting date: 2017/06/28

## **Subject**

Left-Turn Prohibition - Perennial Drive at Tenth Line West (Ward 10)

#### Recommendation

That a left-turn prohibition not be implemented at the intersection of Perennial Drive at Tenth Line West as outlined in the report from the Commissioner of Transportation and Works, dated June 13, 2017 and entitled "Left-Turn Prohibition - Perennial Drive at Tenth Line West (Ward 10)".

# **Background**

Councillor McFadden's office is in receipt of traffic concerns identified by the Traffic Safety Council, the Peel District School Board and the principal of Peterson Public School related to congestion on Perennial Drive. Traffic is observed backing up to the school during the morning and afternoon peak hours on Perennial Drive as a result of parents dropping-off and picking-up their children. To address this concern, Councillor McFadden requested Transportation and Works Department staff to report to General Committee regarding the implementation of a left-turn prohibition on Perennial Drive at Tenth Line West from 8:00 a.m. to 9:00 a.m. and from 3:00 p.m. to 4:00 p.m., Monday to Friday, for the period from September 1 to June 30. A location map is attached as Appendix 1.

#### **Comments**

The primary purpose of turning restrictions at an intersection is to address potential vehicular conflicts that are exacerbated by current geometric design or prevailing traffic conditions.

Limiting access into or out of a neighbourhood through turning prohibitions is not a recommended method of alleviating traffic operational concerns of this nature. It significantly impacts the local residents by limiting access into or out of the neighbourhood. It is a restrictive measure that would require strict and constant police enforcement to be effective. Historically, these types of turning restrictions have been problematic in regards to compliance, enforcement and resident satisfaction based on ongoing negative feedback. Specific to Perennial Drive, this

Originators files: MG.23.REP

RT.10.Z-57

measure will force motorists to use either the Flagstone Drive at Tenth Line West or Perennial Drive at Eglinton Avenue West during peak times, putting further capacity stresses on those intersections and potentially causing further congestion concerns.

The local Ward Councillor is aware of the Transportation and Works Department's recommendation to not implement a left-turn prohibition at the intersection of Perennial Drive at Tenth Line West.

# **Financial Impact**

Costs for the left-turn prohibition sign installation can be accommodated in the 2017 operating budget, should the left-turn prohibition be implemented.

#### Conclusion

Given the impact turning prohibitions have on local residents and the reliance on enforcement for compliance, the Transportation and Works Department does not recommend a left-turn prohibition be implemented at the intersection of Perennial Drive at Tenth Line West.

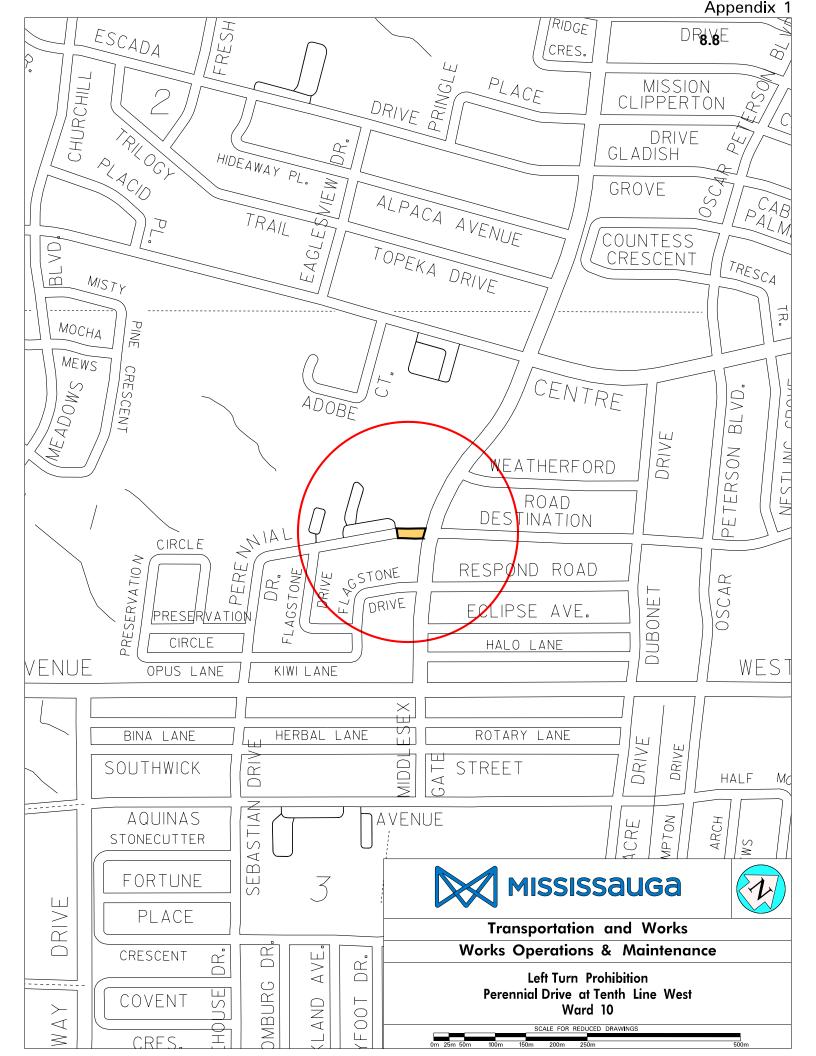
#### **Attachments**

48 Wright

Appendix 1: Location Map: Left-Turn Prohibition - Perennial Drive at Tenth Line West (Ward 10)

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

Prepared by: Haydn Kocznur, Traffic Operations Technician



# **Corporate Report**



Date: 2017/06/12

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.Z06

Meeting date: 2017/06/28

## **Subject**

Speed Limit Review - Haig Boulevard (Ward 1)

#### Recommendation

That the statutory speed limit of 50 km/h be maintained on Haig Boulevard as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "Speed Limit Review - Haig Boulevard (Ward 1)".

# **Background**

The residents of Haig Boulevard submitted a petition to City Council on May 24, 2017 requesting a reduction in the speed limit from 50 km/h to 40 km/h. Subsequently, Councillor Tovey requested Transportation and Works Department staff to report to General Committee regarding this matter.

#### **Comments**

The current City of Mississauga Corporate Policy 10-03-01 Traffic Safety in School Zones limits the use of 40 km/h to school zones on local and collector roadways or on roadways with less than acceptable geometrics based on engineering standards.

Haig Boulevard is a linear two-lane undivided minor collector roadway with direct residential frontage on both sides of the roadway with a statutory speed limit of 50 km/h. There is a sidewalk present on the west side of Haig Boulevard between the South Service Road and the railway crossing; and, on the east side between Atwater Avenue and Lakeshore Road East. In addition, there are no schools, parklands or playgrounds fronting and/or abutting Haig Boulevard.

The current statutory 50 km/h speed limit on Haig Boulevard is appropriate based on existing roadway characteristics and abutting land use. The geometrics on this roadway are also similar to many other roadways in the City of Mississauga with a statutory 50 km/h speed limit.

General Committee 2017/06/12 2

Originators files: MG.23.REP RT.10.Z06

Transportation and Works Department staff conducted 24-hour speed studies in 2016 as a result of a speeding concern raised by residents to review the feasibility of implementing traffic calming on Haig Boulevard. The results of the study revealed that motorists were travelling at appropriate speeds based on existing roadway characteristics and at speeds consistent with similar roadways of this nature. As a result, Haig Boulevard did not meet the criteria outlined in the Traffic Calming Policy for physical traffic calming measures.

In 2017 additional studies were conducted to determine if traffic patterns have changed. Staff completed speed studies (for a period of five days) to determine vehicle operating speeds and the results were similar to the results from 2016, which were appropriate for a 50 km/h speed limit zone. Any speeding that did occur was isolated and sporadic, as well consistent with other similar roadways throughout the municipality. Details of these studies are as follows:

#### Haig Boulevard between South Service Road and Brooks Drive

Date	Posted Speed	Average Speed	85 <sup>th</sup> Percentile Speed
August 2016	50 km/h	49 km/h	59 km/h
May 2017	50 km/h	45 km/h	54 km/h

#### Haig Boulevard between Lakeshore Road East and Railway Crossing

Date	Posted Speed	Average Speed	85 <sup>th</sup> Percentile Speed
August 2016	50 km/h	44 km/h	55 km/h
May 2017	50 km/h	45 km/h	57 km/h

Lowering the existing speed limit of 50 km/h on Haig Boulevard to 40 km/h can have negative consequences especially when applied without concurrent changes to the physical characteristics of the road. There are many misconceptions pertaining to speed limits and the manner in which they are applied. The most common is that simply reducing the posted speed limit will change motorist driving habits resulting in a corresponding reduction in vehicle operating speeds.

Speed limits that are inconsistent with driver expectations can lead to driver frustration. Some drivers will obey the lower speed limit while others will feel it is unreasonable and therefore ignore it. Most drivers tend to drive at a speed deemed to be comfortable and except in special circumstances, such as school zones, it is unreasonable to expect motorists to travel at a speed significantly less than the design speed of the roadway. This creates a disruption in vehicular traffic and increases the potential for collisions due to significant speed variances.

In addition, ensuring that motorists are in compliance with a reduced speed limit of 40km/h on Haig Boulevard may require increased police enforcement. Police enforcement typically only reduces operating speeds while officers are present.

Originators files: MG.23.REP RT.10.Z06

A reduction of the statutory speed limit to 40 km/h on Haig Boulevard is therefore not recommended by staff and could negatively impact the traffic operation of this roadway. The technical review of Haig Boulevard along with the data analysis support maintaining the current 50 km/h speed limit.

The local Ward Councillor is aware of the Transportation and Works Department's recommendation to maintain the existing posted speed limit on Haig Boulevard.

# **Financial Impact**

Not Applicable.

#### Conclusion

It is of the utmost importance that 40 km/h speed limits be applied appropriately so that these lower posted speed limits maintain a level of credibility. 40 km/h posted speed limits should continue to be applied in a consistent manner and utilized where lower speed limits are warranted and the majority of motorists would be in compliance with the posted speed limit.

Based on the technical review and the current Corporate Policy 10-03-01 Traffic Safety in School Zones, the Transportation and Works Department does not recommend lowering the existing statutory speed limit from 50 km/h to 40 km/h on Haig Boulevard.

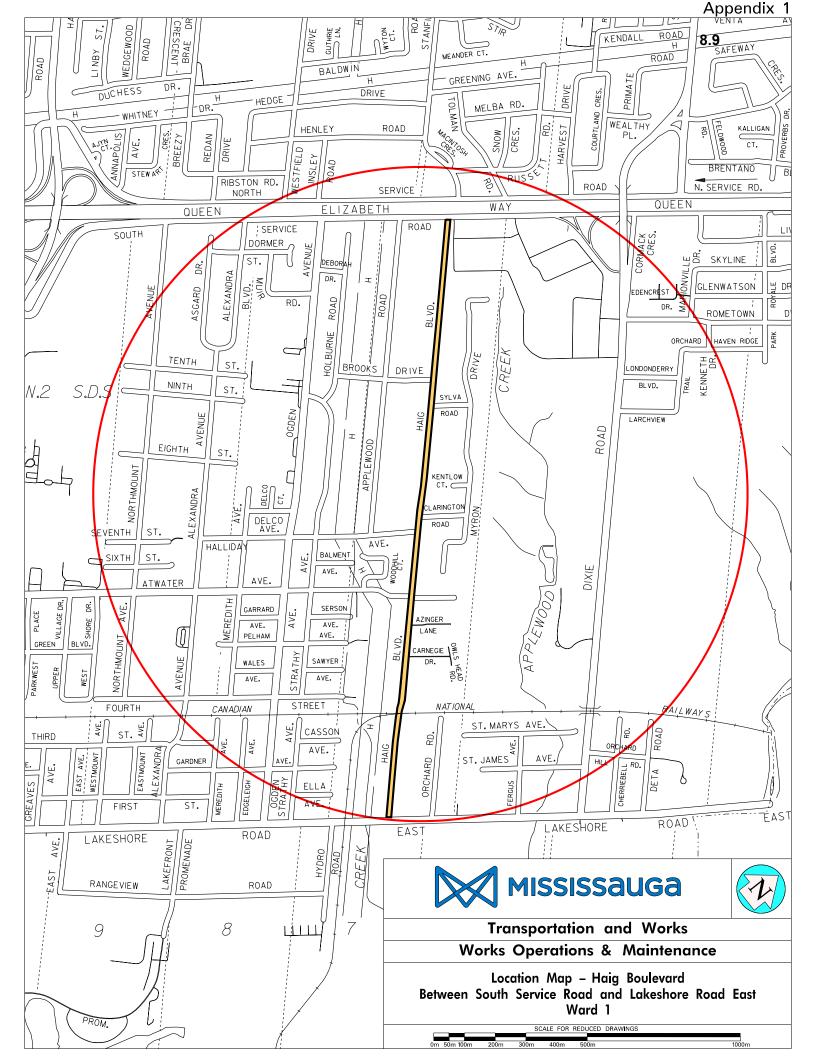
#### **Attachments**

4xwmght

Appendix 1: Location Map - Speed Limit Review - Haig Boulevard (Ward 1)

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

Prepared by: Magda Kolat, Road Safety Technician



# **Corporate Report**



Date: 2017/06/12

To: Chair and Members of General Committee

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

Originator's files: RT.10-Z54

Meeting date: 2017/06/28

## **Subject**

Traffic Calming - Westbridge Way (Ward 11)

#### Recommendation

That the use of physical traffic calming measures be approved on Westbridge Way to address ongoing operational issues related to speeding and aggressive driving as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "Traffic Calming - Westbridge Way (Ward 11)".

# **Background**

As part of the Traffic Calming Pilot Program in 2014, painted edge-lines were provided along Westbridge Way from Bellshire Gate to Tottington Drive to determine the effectiveness of "soft/passive" traffic calming measures. White edge-lines were painted on the roadway 1.5 metres (five feet) from the curb on each side of the roadway. The purpose of the edge-lines is to visually reduce the travelled portion of the roadway for motorists without the use of physical calming devices. By doing so, the roadway appears and feels narrower, thus making it less comfortable for motorists to increase their operating speeds.

Prior to and following installation, staff collected 24-hour speed data on Westbridge Way to determine operating speeds and the results are as follows:

Westbridge Way (50 km/h) - Speed Review

Date	Operating Speed	
March 2013 (Before)	62 km/h	
September 2014 (After)	55 km/h	
May 2016 (After)	62 km/h	

RT.10-Z54

While not as effective as physical traffic calming measures, the above results indicate that painted edge-lines had a moderate impact on operating speeds initially; however, the long-term results of the painted edge-lines revealed additional traffic calming measures are necessary.

#### **Comments**

Following the Traffic Calming Pilot Program, a full time Traffic Calming Program was approved by City Council in 2016. As part of the ongoing review and evaluation of potential locations, Westbridge Way was identified as a location where the implementation of permanent traffic calming devices would be beneficial.

Once Westbridge Way was identified as a candidate for the installation of physical traffic calming devices, a number of consultations with affected stakeholders were held. Staff met with the local Ward Councillor to discuss the preliminary plans for Westbridge Way and arrangements were made to meet directly with the affected residents in an open house public information centre. Staff presented preliminary plans and provided residents with the opportunity to discuss issues directly with staff and/or leave written comments and feedback.

Resident feedback received was minimal and of those that did comment, the overwhelming majority were supportive of the proposed measures on Westbridge Way. In consultation with the local Ward Councillor, who supports the additional proposed traffic calming measures outlined in this report, the recommendation was made to pursue the installation of physical traffic calming measures on Westbridge Way.

# **Financial Impact**

The estimated cost in the amount of \$60,000 associated with the implementation of physical traffic calming measures on Westbridge Way can be accommodated within the 2016 Traffic Calming Capital Budget.

#### Conclusion

There is sufficient interest from local area residents, as well as support from the Local Ward Councillor, for the implementation of physical traffic calming measures on Westbridge Way.

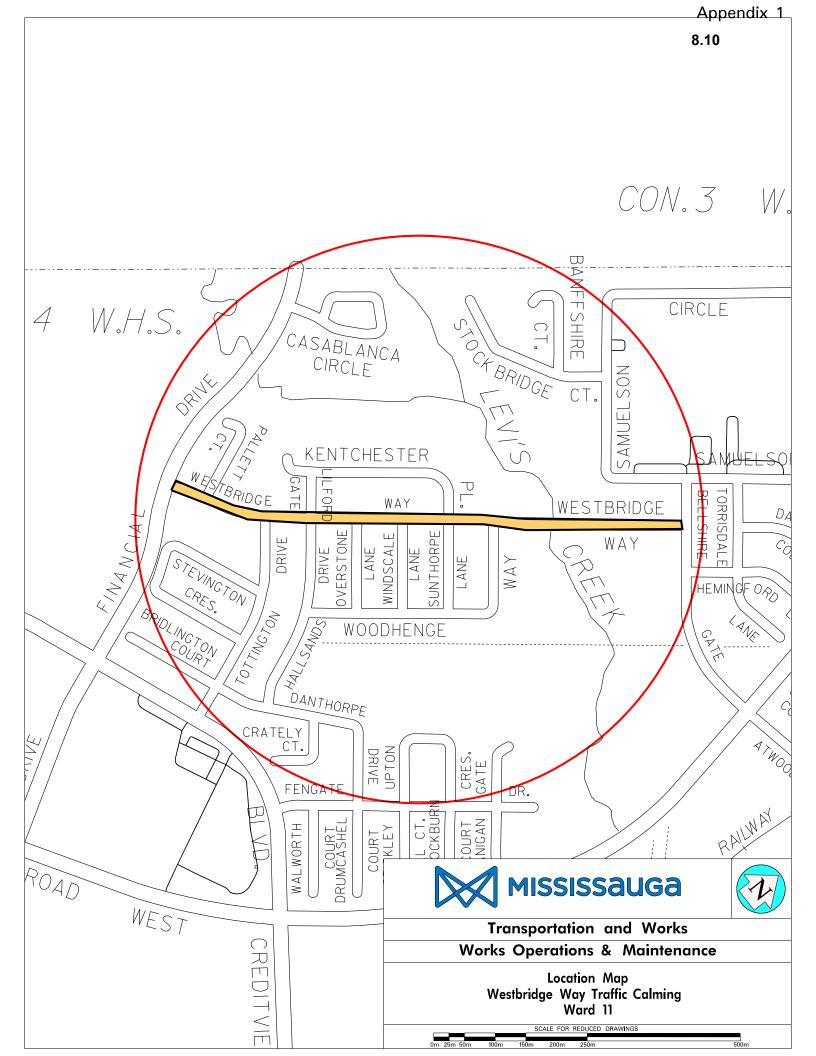
## **Attachments**

Younght

Appendix 1: Location Map - Traffic Calming - Westbridge Way (Ward 11)

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

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



# **Corporate Report**



Date: 2017/06/12

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: 2017/06/28

# **Subject**

2017 Traffic Signal Installation and Modernization Program

#### Recommendation

That the 2017 Traffic Signal Installation and Modernization Program as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "2017 Traffic Signal Installation and Modernization Program", be approved.

# **Background**

The 2017 capital budget provides for the installation and modernization of traffic control signals throughout the City. Typically, intersections are signalized upon realization of technical warrants or in response to anticipated development. Existing traffic control signals are modernized when the age of the equipment and infrastructure, as well as anticipated increased maintenance costs, indicates that upgrades and/or replacements are required.

### Comments

The need for the installation of a new traffic control signal is indicated when the signal warrant criteria are satisfied, when traffic conditions have changed significantly rendering the existing form of traffic control inefficient and/or when imminent adjacent development indicates that signalization will be required.

The recommended new traffic control signal installation locations for 2017 under these criteria are listed below and identified in the location maps provided in the attached appendices:

- Argentia Road at Plaza Access Wal-Mart/Toys'R'Us Ward 9 (refer to Appendix 1)
- Confederation Parkway at Agnes Street/Plaza Access Ward 7 (refer to Appendix 2)
- Matheson Boulevard West at Venice Street Ward 5 (refer to Appendix 3)
- Queen Street South at Ontario Street Ward 11 (refer to Appendix 4)

The recommended traffic control signal modernization locations for 2017 are listed below and identified in the location maps provided in the attached appendices:

- Kingsbridge Garden Circle at Tucana Court/Condo Access Ward 4 (refer to Appendix
   5)
- Lakeshore Road East at Shaw Drive/Plaza Access Ward 1 (refer to Appendix 6)

# **Financial Impact**

The estimated installation cost for the four new traffic control signals is \$710,000, including the cost of any required phasing updates or modifications to existing traffic signals. The estimated cost for the rebuild of the two existing traffic control signals is \$390,000. Funding for the 2017 Traffic Signal Installation and Modernization Program has been approved in the 2017 Transportation and Works Department capital budget. Further, there are sufficient approved capital budget funds to proceed with the 2017 program.

#### Conclusion

As part of the 2017 Traffic Signal Installation and Modernization Program, staff recommend the installation of four new traffic control signals and the modernization of two existing traffic control signals as outlined in this report.

#### **Attachments**

42 Wright

Appendix 1: Location Map - Argentia Road at Plaza Access - Wal-Mart/Toys'R'Us (Ward 9)

Appendix 2: Location Map - Confederation Parkway at Agnes Street/Plaza Access (Ward 7)

Appendix 3: Location Map - Matheson Boulevard West at Venice Street (Ward 5)

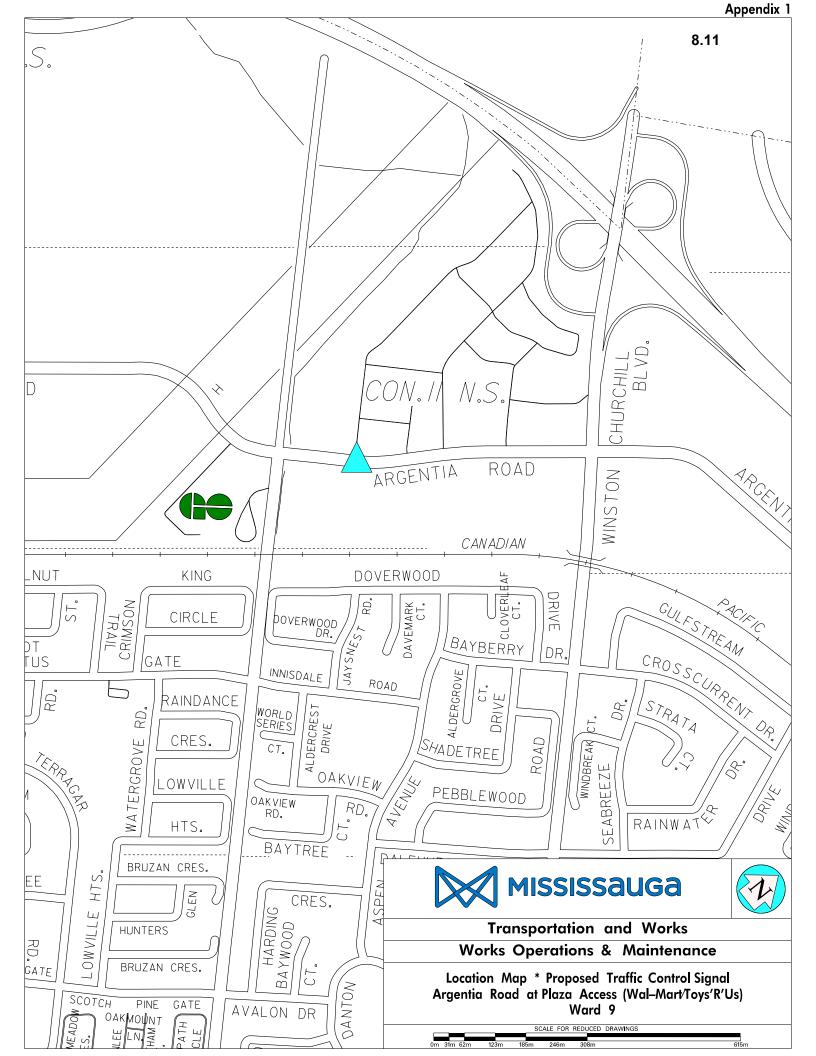
Appendix 4: Location Map - Queen Street South at Ontario Street (Ward 11)

Appendix 5: Location Map - Kingsbridge Garden Circle at Tucana Court/Condo Access (Ward 4)

Appendix 6: Location Map - Lakeshore Road East at Shaw Drive/Plaza Access (Ward 1)

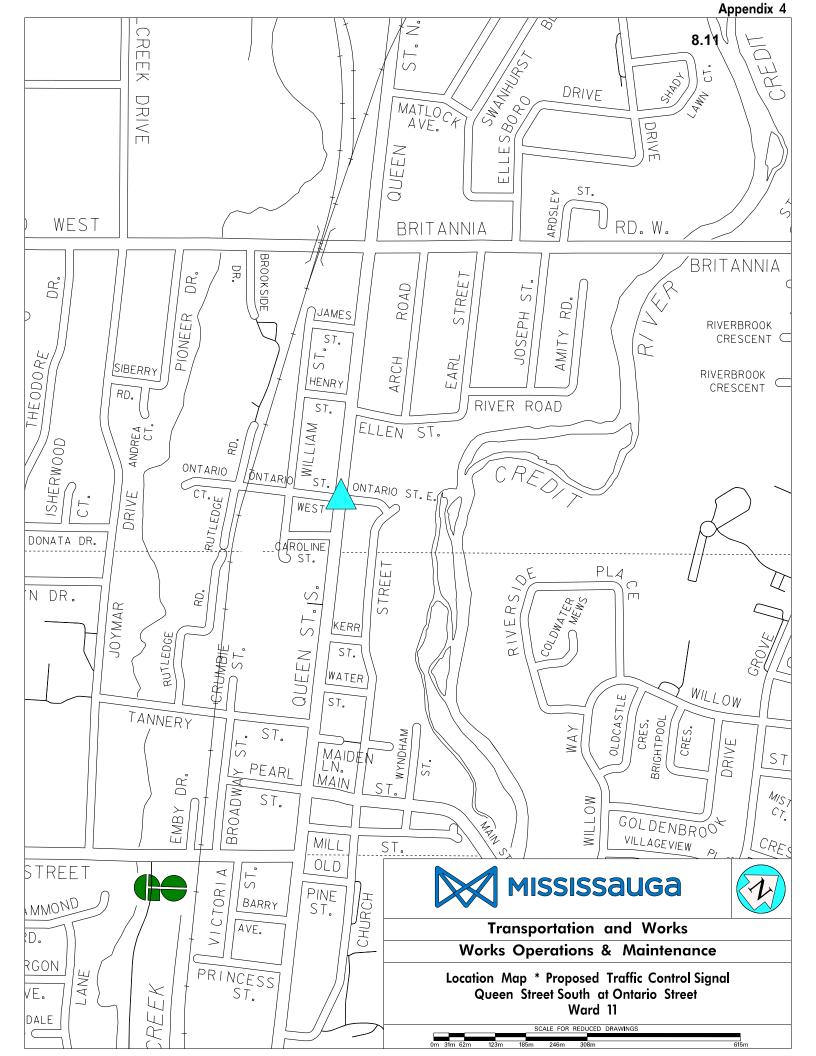
Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

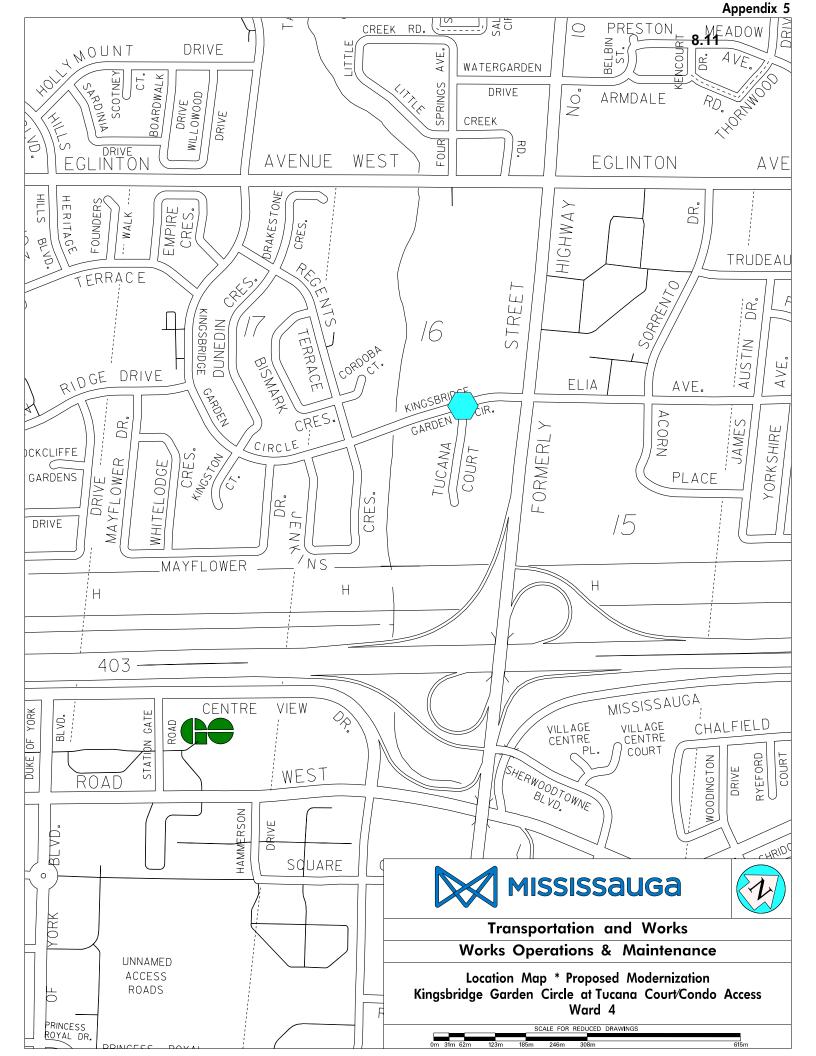
Prepared by: John Magno, Traffic Signal Technologist













# **Corporate Report**



Date:	2017/06/05	Originator's files:
To:	Chair and Members of General Committee	
From:	Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works	Meeting date: 2017/06/28

# **Subject**

202-204 Burnhamthorpe Road East Traffic Signals Installation - Section 45(9.1) Agreement with Kaneff Homes Compass Creek Inc.

#### Recommendation

That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute a Section 45(9.1) agreement and any ancillary documents, between Kaneff Homes Compass Creek Inc. and The Corporation of the City of Mississauga, that secures from Kaneff Homes Compass Creek Inc., an obligation to fund all costs associated with the design and installation of a new intersection, including traffic signals, at 202-204 Burnhamthorpe Road East, in a form acceptable to the City Solicitor.

# Report Highlights

- Kaneff Homes Compass Creek Inc. made an application to the City of Mississauga Committee of Adjustment (A303/15) for minor variances to permit the development of its property located at 202-204 Burnhamthorpe Road East. The Committee of Adjustment refused the variances. Kaneff Homes Compass Creek Inc. appealed that decision to the Ontario Municipal Board.
- In advance of the Ontario Municipal Board hearing, Kaneff Homes Compass Creek Inc. and the City of Mississauga reached a settlement which introduced agreed to conditions of approval for the requested variances, including a requirement to secure from Kaneff Homes Compass Creek Inc., the cost of intersection improvements, including traffic signals, for 202-204 Burnhamthorpe Road East.
- Kaneff Homes Compass Creek Inc. has requested that the City of Mississauga construct the new intersection, including traffic signals, at 202-204 Burnhamthorpe Road East, prior to site plan approval.
- This new signalized intersection will facilitate access to the future sales centre and the future development at 202-204 Burnhamthorpe Road East.

General Committee 2017/06/05 2

 Kaneff Homes Compass Creek Inc. is responsible for the cost of design and construction of the new intersection and installation of the traffic signals, to a maximum payment of \$500,000.

## **Background**

Kaneff Homes Compass Creek Inc. ("Kaneff") made an application to the City of Mississauga Committee of Adjustment (A303/15) for minor variances to permit the development of its property located at 202 and 204 Burnhamthorpe Road East, east of Robert Speck Parkway.

The subject property is shown in Appendix 1.

The subject property, which has an area of 0.95 hectares (2.35 acres), is the eastern portion of a larger 1.55 hectare (3.83 acre) parcel of land that has been planned as a phased development site.

The western portion of the phased development site, municipally known as 200 Burnhamthorpe Road East (the "Phase One Lands"), has an area of 0.6 hectares (1.49 acres). It was developed in 1999 as a 17-storey condominium building with 149 units. This condominium building is known as Peel Condominium Corporation No. 613 ("PCC 613").

The eastern portion of the phased development site at 202-204 Burnhamthorpe Road East (the "Phase Two Lands" or subject lands), is currently vacant.

An easement for vehicular traffic (Part 15 of Plan 43R23935), has been established on the driveway of the Phase One Lands to protect for an interconnection between the Phase One Lands and the Phase Two Lands. The signalized access at the driveway of the Phase One Lands was designed to support the full development of the Phase One Lands and the Phase Two Lands.

The City's Planning and Building Department supported the variance as requested by Kaneff.

A number of concerns were raised before the Committee of Adjustment by the local community, including concerns from PCC 613. The primary concern from PCC 613 related to the easement for vehicular traffic and whether the increase in traffic from a development on the Phase Two Lands was appropriate for the Phase One Lands to accept.

The Committee of Adjustment refused the variances. Kaneff appealed that decision to the Ontario Municipal Board (OMB).

In advance of the OMB hearing, Kaneff and the City reached a settlement which introduced agreed to conditions of approval for the requested variances, including a requirement to secure from Kaneff the cost of constructing a new signalized intersection for the Phase Two Lands.

The new signalized intersection was in part a response to the concerns raised by PCC 613, with respect to the interconnection between the Phase One Lands and the Phase Two Lands. The proposed new traffic signals eliminate the need for the interconnection between the Phase One Lands and the Phase Two Lands and are acceptable to the City's Transportation and Works Department. Kaneff has demonstrated that the timing of the proposed new traffic signals on Burnhamthorpe Road East can be coordinated to minimize delays along Burnhamthorpe Road East.

As part of the settlement, the City agreed to construct the new signalized intersection at the driveway access to the Phase Two Lands. Kaneff has agreed to be responsible for all costs associated with the design and construction of the new intersection improvements and the installation of the traffic signals, all to a maximum of \$500,000.

The OMB ordered that the appeal be allowed and the variances requested, be authorized.

#### Comments

At the time that the settlement between Kaneff and the City was reached, it was anticipated that the intersection improvements would be secured through a site plan agreement. This was proposed to occur as a matter of legal convenience.

Kaneff has now requested that the City construct the intersection improvements and install the traffic signals on the Phase Two Lands prior to site plan approval - to facilitate access to the future sales centre and for construction of the development on the Phase Two Lands.

Kaneff anticipates opening the sales centre in Fall 2017. In order to accommodate the request, the proposed new signalized intersection must be included in an upcoming City tender, which is to be released in July 2017. This will occur before a site plan agreement can be entered into.

Accordingly, Kaneff seeks to enter into a Section 45(9.1) agreement with the City, to permit the City to secure for the new signalized intersection and proceed with the works.

The following is a summary of the significant terms to be included in the Section 45(9.1) agreement:

- Kaneff is responsible for the cost of design and construction of the new intersection and installation of the traffic signals to a maximum payment of \$500,000;
- Kaneff is to provide the City with an irrevocable Letter of Credit for \$500,000, upon execution of the agreement;

General Committee 2017/06/05 4

Kaneff is to provide the City with an irrevocable Letter of Credit for \$100,000, upon execution
of the agreement to cover any repairs due to potential damage to the intersection and traffic
signals, during the construction of the development on the Phase Two Lands;

- The City is responsible for the detailed design of the new intersection and traffic signals, the tender and award of the construction project, overall project management and construction inspection;
- Kaneff is responsible for preparing the detailed design for the site driveway at the Phase Two Lands. The City will incorporate the design into the tender package and;
- The City will reduce and/or release the Letter of Credit upon receipt of payment for the proposed intersection and traffic signals from Kaneff.

## **Financial Impact**

There is no financial impact arising from the adoption of this report.

#### Conclusion

The Commissioner of Transportation and Works seeks authority to enter into a Section 45(9.1) agreement and any ancillary documents, between Kaneff and the City, to secure for Kaneff's obligation to fund all costs associated with the design and construction of a new intersection and the installation of new traffic signals at 202-204 Burnhamthorpe Road East, in a form acceptable to the City Solicitor.

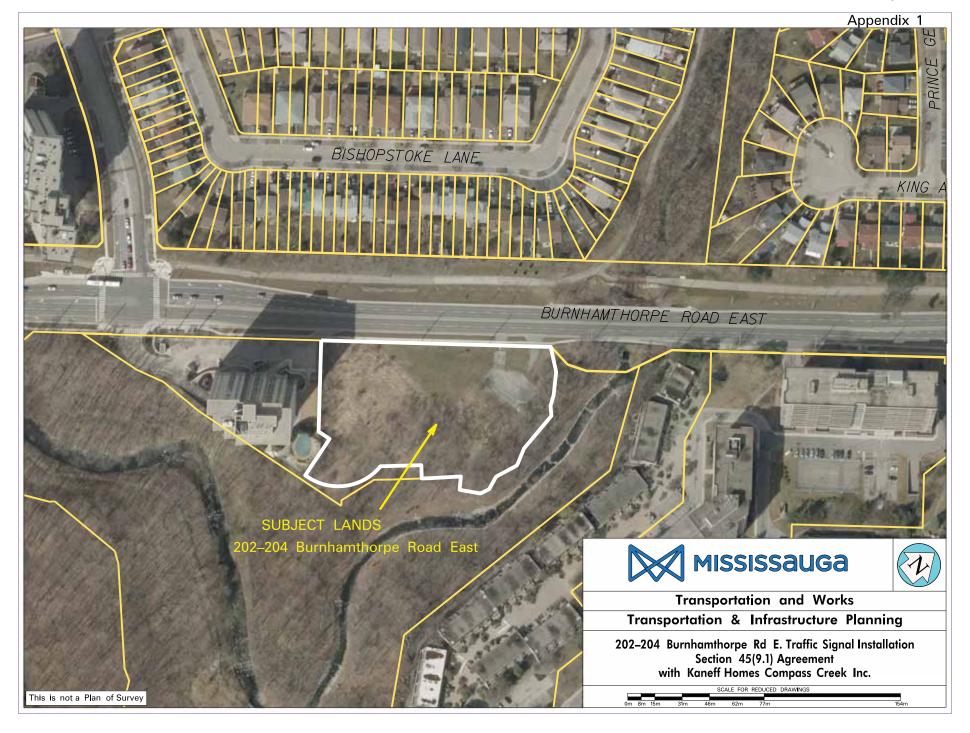
#### **Attachments**

9XWmght

Appendix 1: Key Plan of 202-204 Burnhamthorpe Road East

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

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



# **Corporate Report**



Date: 2017/06/12

To: Chair and Members of General Committee

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

Originator's files:

Meeting date: 2017/06/28

# **Subject**

Streetsville - Paid Parking Implementation (Ward 11)

#### Recommendation

- 1. That a by-law be enacted to amend By-law 555-2000, as amended, to implement paid parking on Queen Street South between Barry Avenue and Kerr Street as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017, entitled "Streetsville Paid Parking Implementation (Ward 11)".
- 2. That a by-law be enacted to amend By-law 555-2000, as amended, to implement paid parking in Municipal Parking Lot #9 as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017, entitled "Streetsville Paid Parking Implementation (Ward 11)".

# **Report Highlights**

- At peak utilization parking occupancy on Queen Street is 90%.
- At peak utilization parking occupancy in Municipal Parking Lot #9 is 91%.
- Transportation and Works proposes that the existing high density free on-street parking on Queen Street between Barry Avenue and Kerr Street be converted to paid parking.
- An on-street parking fee structure of \$1.50 per hour for the first two hours of parking and \$2.00 for the third hour of parking from Monday to Saturday, between 10:00 a.m. to 9:00 p.m., and Sunday between 10:00 a.m. to 6:00 p.m. will allow for a consistent level of parking availability by stimulating parking turnover.
- Transportation and Works proposes that the highly utilized Municipal Parking Lot #9, located at the centre of Streetsville, be converted to paid parking.
- A parking fee structure of \$1.50 per hour for the first two hours of parking and \$2.00 for the third hour of parking from Monday to Saturday, between 6:00 a.m. to 9:00 p.m., and Sunday between 10:00 a.m. to 6:00 p.m. will allow for a consistent level of parking availability by stimulating parking turnover.

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 As a result of the proposed implementation of paid parking, the total gross revenue from Streetsville on-street and off-street paid parking operations is estimated to be \$140,000 for the first full year of operations in 2018, which will off-set the cost of implementation and operation of the paid parking infrastructure.

## **Background**

Municipal on-street and off-street parking is currently free in Streetsville. On-street parking in prime locations along Queen Street is operated as free two-hour parking between 9:00 a.m. and 5:00 p.m., and free three-hour parking after 5:00 p.m. Free off-street parking is available at six Municipally Operated parking lots in Streetsville, with time stay restrictions ranging from two hours to four hours during the day.

Continued intensification, minimal vehicle turnover and limited availability of convenient parking in the core of Streetsville are growing concerns for the Streetsville Business Improvement Association (BIA). In order to better manage these concerns, the Streetsville BIA and its board members are requesting the implementation of paid parking in Streetsville.

#### Comments

Charging for parking is a tool to help manage parking demand and encourage parking space turnover, which is beneficial for local businesses. Paid parking also creates additional streams of revenue to offset costs related to parking infrastructure maintenance and new parking facility developments. Developing new parking facilities and maintaining existing parking is costly, particularly the purchase of land and the construction of new parking structures. Parking charges have been an effective management tool for parking in the Downtown, Clarkson, Cooksville and Port Credit for many years.

Parking occupancy surveys were completed in Streetsville in order to confirm parking demand and occupancy rates. The study area included on-street parking on Queen Street between Barry Avenue and Kerr Street, and five municipal parking lots located closest to the centre of Streetsville. A location map is attached as Appendix 1.

On-street parking occupancy rates of 85% or below are optimal for avoiding traffic congestion that is caused when drivers are required to circle to locate an available parking space. In Streetsville, the average on-street occupancy rate is 87% with a peak utilization of 90%, making it necessary for drivers to search for a vacant space. The average occupancy rate within the Municipal Parking Lots included in the study was 74%. However, Municipal Parking Lot #9, which is located at the centre of Streetsville had the highest average occupancy rate of 88% with a peak utilization of 91% during operating hours. Overall, the Municipal Parking lots in Streetsville are well utilized, especially in the afternoon when occupancy rates increase.

Paid parking is used to manage and control this type of congestion by causing quicker turnover of parking spaces and encouraging long-term parking to occur in off-street parking lots. Faster turnover of short-term parking spaces will make parking in the area more usable for local businesses and their customers.

Meetings were held with the BIA Executive and the BIA's extended membership to establish an implementation plan. The business owners that attended the meetings agreed that competitively-priced public parking is now necessary in Streetsville in order for the businesses to thrive. This report seeks approval to implement the changes as outlined in Phase One. The recommendations outlined in Phase Two will not be implemented at this time and staff are targeting to report to General Committee on Phase Two in the fall/winter of 2018.

#### Phase One: On-street and off-street paid parking

The Municipal Parking section worked with the Streetsville BIA and its Board Members to develop a Phase One Implementation Plan that serves the needs of the businesses, their patrons and the community. Municipal Parking recommends implementing paid parking on Queen Street between Barry Avenue and Kerr Street as follows:

#### PROPOSED: Paid Parking Hours of Operation and Fees

Timing	Fees
On-street parking	\$1.50 per hour for the first two hours of
Monday to Saturday, 10:00am to 9:00pm	parking and \$2.00 for the third hour of
Sunday, 10:00am to 6:00pm	parking.
	(three hour maximum)

Effective parking management typically requires the designation of higher rates for prime parking spaces where frequent vehicle turnover is desired. Conversion of the existing high density free on-street parking located along Queen Street between Barry Avenue and Kerr Street, as detailed in Appendix 2 to paid parking will improve the management of the parking in the area by dispersing parking demand evenly throughout the Municipal Parking network in Streetsville.

Municipal Parking recommends implementing off-street paid parking in Streetsville as follows:

#### PROPOSED: Municipal Parking Lot #9 Paid Parking Hours of Operation and Fees

Timing	Fees
Off-Street parking	\$1.50 per hour for the first two hours of
Monday to Friday, 6:00am to 9:00pm	parking and \$2.00 for the third hour of
Sunday, 10:00am to 6:00pm	parking.
	(three hour maximum)

The conversion of on-street parking along Queen Street to paid parking will cause an increase in use of the area's off-street parking lots. Implementing paid parking in Municipal Parking Lot #9, as detailed in Appendix 3, will ensure that long-term parking demand is dispersed to other Municipal Parking Lots in Streetsville where parking will continue to remain free.

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

#### Phase Two: Off-Street Paid Parking and Additional On-Street Paid Parking

Staff are targeting a report to General Committee in the fall/winter of 2018 on the second phase of parking revisions. The second phase may involve implementing paid parking in the remaining Municipal Parking lots located throughout Streetsville, as well as adjacent local roads, and will be developed and implemented in consultation with local stakeholders.

# **Financial Impact**

The cost of the new pay and display machines required to implement paid parking on Queen Street between Barry Avenue and Kerr Street, as well as Municipal Parking Lot #9, can be accommodated in the 2017 Transportation and Works Department capital budget. The costs for additional sign installations and parking infrastructure can be accommodated in the 2017 Municipal Parking operating budget.

The financial impact of implementing on-street paid parking along Queen Street between Barry Avenue and Kerr Street will result in estimated revenues of \$30,000 (\$90,000 annualized) assuming a September 5, 2017 start date. The financial impact of implementing off-street paid parking in Municipal Parking Lot #9 will result in estimated revenues of \$16,700 (\$50,000 annualized) assuming a September 5, 2017 start date.

The total gross revenue from Streetsville on-street and off-street paid parking operation is estimated to be \$140,000 for the first full year of operations in 2018 and annually thereafter. Any net revenue after operating expenses will be transferred to the Streetsville Cash in Lieu parking fund.

#### Conclusion

The Transportation and Works Department supports implementing paid parking on Queen Street, between Barry Avenue and Kerr Street, and Municipal Parking Lot #9.

Implementing paid parking in Streetsville will require amendments to Traffic By-law 555-00 as outlined in this report.

General Committee 2017/06/12 5

# **Attachments**

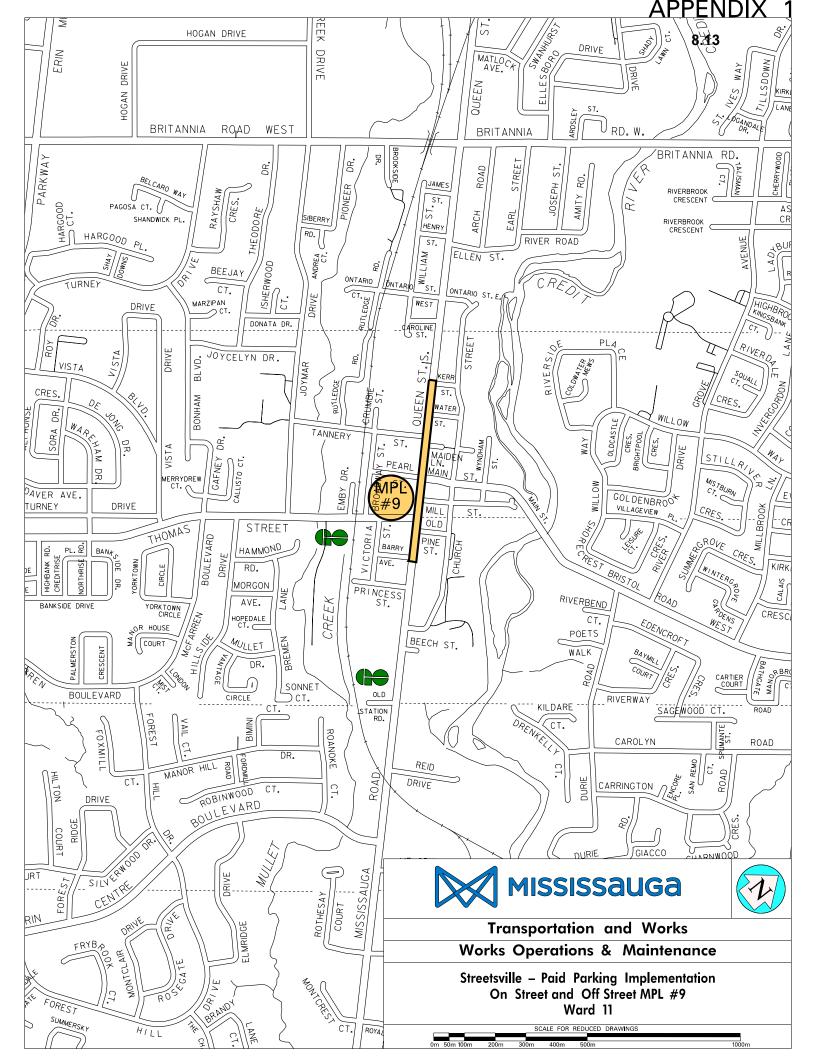
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Appendix 1: Streetsville Map

Appendix 2: Streetsville On-Street Appendix 3: Streetsville Off-Street

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

Prepared by: Tomasz Brzeziak, Parking Coordinator



Column 1	Column 2	Column 3	Column 4 Max. Park.	Column 5	Column 6
Highway	Side	Between	Period	Rate	Times
Queen Street South	East	Kerr Street and a point 25 meters northerly thereof	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted
Queen Street South	East	Kerr Street and Water Street	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted
Queen Street South	West	Water Street and Tannery Street	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted
Queen Street South	Both	Maiden Lane and Main Street	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted
Queen Street South	East	Main Street and Mill Street	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted
Queen Street South	West	Pearl Street and Thomas Street	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted

Queen Street South	West	Thomas Street and Barry Avenue	3 hours	\$1.50/hr first two hours	10am-9pm Mon-Sat 10am-6pm Sun
				\$2.00/hr third hour	Holidays excepted

# 8.13 Appendix 3

Column 1 Location	Column 2 Lot No.	Column 3 Maximum Period	Column 4 Hours/Days	Column 5 Rate
Pearl Street	9	3 hours	Monday to Friday, 6:00am to 9:00pm	\$1.50/hr first two hours
			Sunday, 10:00am to 6:00pm	\$2.00/hr third hour
			No Parking 3:00am to 6:00am	<del></del>

# **Corporate Report**



Date: 2017/06/12

To: Chair and Members of General Committee

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

Originator's files:

Meeting date: 2017/06/28

# **Subject**

Pilot Volunteer Parking Validation Program (Ward 1)

#### Recommendation

- That the implementation of the Pilot Volunteer Parking Validation Program to allow the City's Municipal Parking section to evaluate parking validation technologies and program parameters as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "Pilot Volunteer Parking Validation Program (Ward 1)", be approved.
- That the parking fees associated with the Pilot Volunteer Parking Program be waived for the pilot program as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2017 and entitled "Pilot Volunteer Parking Validation Program (Ward 1)".

# **Report Highlights**

- Paid parking was introduced in the Downtown and Clarkson and expanded in Port Credit in 2011.
- The City's paid parking program is regularly evaluated and improved. The Pilot Industrial Parking Permit Program and the Overnight Parking Permit Program, available in the Downtown, are examples of parking programs that have been implemented to meet specific needs of the community.
- Feedback from residents has indicated that a parking validation program for volunteers of community programs may be beneficial.
- Transportation and Works proposes to implement a pilot program to evaluate the feasibility of implementing a parking validation program and to test the capabilities of parking validation methods and tools.
- Stavebank Road, between Park Street and High Street, has been identified as a high

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demand parking area that would be a suitable location to test a pilot parking validation program.

- St. Andrew's Memorial Presbyterian Church and Trinity-St. Paul Anglican Church have volunteered to participate in the pilot program as test groups.
- The cost of implementing the Pilot Volunteer Parking Validation Program is minimal.

# **Background**

Parking control measures, such as paid parking, are required to manage parking demand and encourage parking space turnover in areas of high parking utilization, which is beneficial for local businesses. Parking charges have been an effective management tool for on-street parking in Port Credit for many years.

However, as reflected in the "Parking Strategy – Phase II: Port Credit and Lakeview" (Council Resolution 0135-2014, July 2, 2014) the parking needs of residents, visitors and customers of Port Credit businesses have begun to change. In the long-term, paid parking as a parking management tool will become more important as a variety of initiatives and redevelopment proposals are expected to result in parking demand increasing in Port Credit. As parking demands change and become more intricate, it is important that the City test new parking programs and fee collection models to ensure that the paid parking program is meeting the needs of the community.

Paid parking was introduced in the Downtown and Clarkson, and was expanded in Port Credit in 2011. Since its implementation the paid parking program has been regularly evaluated and enhanced. Recently, the paid parking program in Port Credit and areas of the Downtown was revised to include expanded hours of operation and an updated parking fee structure. These changes were required to better manage parking in areas where parking is in high demand.

The City's paid parking program is continuously being evaluated and enhanced to better meet the parking needs of residents, visitors and businesses that are located in the City's paid parking areas. Examples of program enhancements that have been implemented are: the Pilot Industrial Parking Permit Program, which allows businesses in industrial areas that do not have enough onsite parking to purchase permits for on-street parking; and, the Overnight Parking Permit, which is available in the Downtown for purchase by residents who do not have parking available at their condominium.

#### **Comments**

Based on feedback from residents and community groups, it has become evident that a parking validation program for volunteers of community organizations that operate in buildings that do not have dedicated parking infrastructure and are located in areas of high parking demand could be beneficial.

Typically volunteers of these types of organizations require parking in close proximity to the building in which their programs operate and require parking for durations longer than is typically allowed on-street in areas of high demand for parking.

In order to ensure the successful implementation of a parking validation program, it is important to evaluate the parameters of the program and to test the technology that will be used to help manage the program in a real world application.

The City's parking machine and parking software system vendor, Precise Parklink Inc. (Precise), offers a parking validation solution, which allows the user to self-manage their organization's parking validations.

Municipal Parking would like to implement a Pilot Volunteer Parking Validation Program to evaluate the parameters of a potential permanent parking validation program and to test the capabilities of Precise's parking validation solution. The pilot program is proposed to be implemented for two years, and is targeted to commence on October 1, 2017 and end on September 30, 2019.

The parameters of the Pilot Volunteer Parking Validation Program would be as follows:

- Participation by a community group that:
  - Operates in a building with no dedicated parking.
  - Has volunteers who are required to at times use their personal vehicles.
  - Is located within an area of high-demand parking.
  - Has programs that are scheduled daily, but have varying start times and durations.
- The parking validation test area can be clearly defined.
- The times that parking validations are required can be clearly defined.
- Municipal Parking infrastructure in the area operates at higher than 80% of capacity at peak demand.

St. Andrew's Memorial Presbyterian Church and Trinity-St. Paul Anglican Church are located beside each other on Stavebank Road, and have volunteered to participate in the pilot program.

Both churches meet the parameters of the pilot program, as noted above, as they offer daily programs, operate in buildings with no dedicated parking, are located in an area of high parking demand, and the test parking area can be clearly defined as the east and west sides of Stavebank Road between High Street and Park Street (Location Map attached as Appendix 1).

The parking validation management tool from Precise is a self-serve parking application. As a result, a heightened level of participation from the Churches' volunteers will be required for Municipal Parking staff to evaluate the parameters of the pilot program, and how easy the technological solution is to use for a group of volunteers. Further, it is recommended that the

parking fees associated with the Pilot Volunteer Parking Validation Program be waived for the pilot.

Parking validations will be limited to a pre-determined schedule of the Churches' community programs, which can be updated via a parking validation station located in each Church's lobby. The number of validations available for each event on the schedule will be limited and restricted to the Churches' volunteers that are registered in the Pilot Volunteer Parking Validation Program.

The parking validation management tool from Precise will work in conjunction with the City's parking software system. Information from the system can be updated in real time to the handheld unit's that are used by Parking Enforcement Officers, to ensure Officers have accurate and timely information to perform their regulatory functions.

The Ward Councillor is in support of implementing a Pilot Volunteer Parking Validation Program as described in this report.

# **Financial Impact**

The capital cost of the parking validation stations that are required for the implementation of the pilot program is approximately \$2,300 and can be accommodated within the 2017 Transportation and Works Department capital budget. The cost of operating the parking validation stations is marginal and can be accommodated within the 2017 Municipal Parking operating budget.

# Conclusion

The Transportation and Works Department supports implementing a Pilot Volunteer Parking Validation Program, as outlined in this report: to test the feasibility of the program; to evaluate the performance of the associated parking validation hardware and software; and, to determine the merit of the program as a long-term solution for implementing similar parking validation programs in the future.

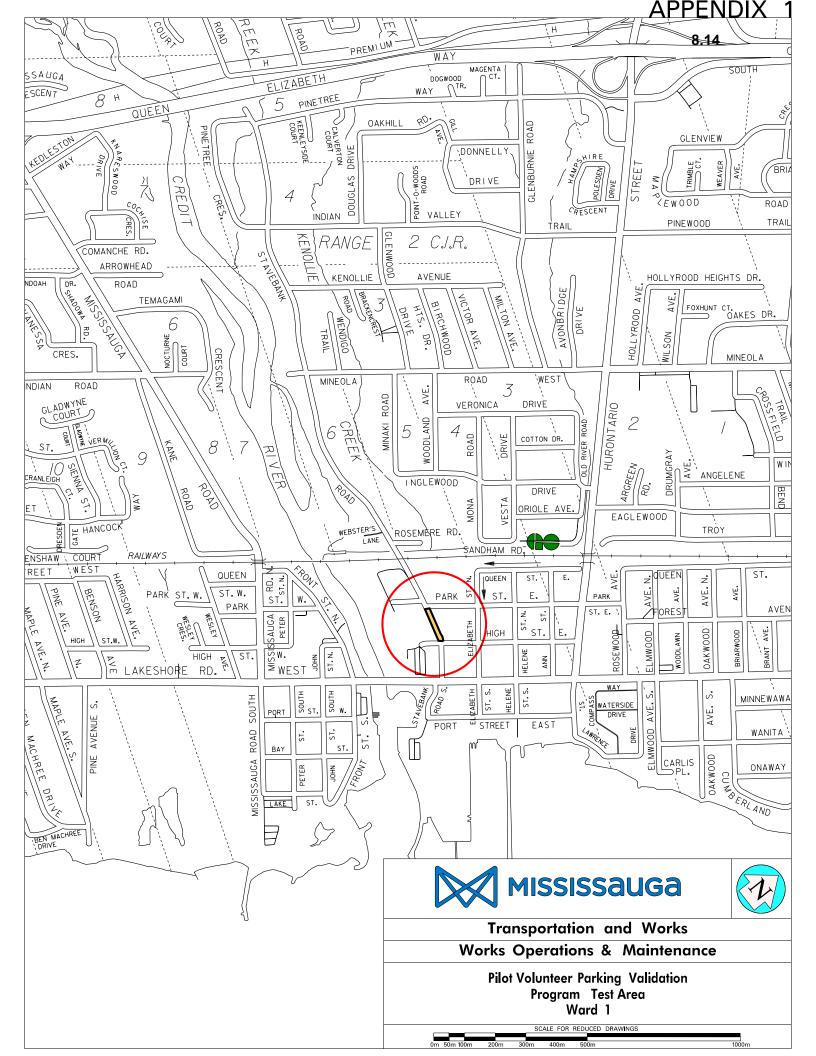
## **Attachments**

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Appendix 1: Pilot Volunteer Parking Validation Program Test Area (Ward 1)

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

Prepared by: Jamie Brown, Manager, Municipal Parking



# **Corporate Report**



Date: 2017/06/07

To: Chair and Members of General Committee

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

Originator's files:

Meeting date: 2017/06/28

# **Subject**

Program Update: "Please Slow Down" Lawn Signs

#### Recommendation

That the "Please Slow Down" lawn sign program be continued and approved for use in the City as outlined in the report from the Commissioner of Transportation and Works, dated June 13, 2017 and entitled "Program Update: Please Slow Down Lawn Signs".

# **Background**

In the report from the Commissioner of Transportation and Works, dated June 15, 2016 and entitled "Please Slow Down Lawn Signs", information regarding the implementation of the "Please Slow Down" lawn sign program was outlined and approved for use in the City to target speeding and aggressive driving within local neighbourhoods.

#### **Comments**

The successful implementation of the "Please Slow Down" lawn signs in 2016 involved the purchase and distribution of 3,500 signs at a cost of \$1.75 per sign (excluding taxes). The majority of these signs have been distributed by Ward Councillors and City staff, and have received positive feedback from the public. The initial allotment of "Please Slow Down" signs has nearly been exhausted and the purchase of additional signs is necessary to ensure the program continues uninterrupted.

As part of the distribution of the lawn signs, staff have requested that residents use discretion in the placement of the signs and have encouraged residents to limit their use to one per property.

As part of the pilot program, staff monitored the number of requests for signs and addressed a few concerns from the public regarding sign placement, sign deterioration during the winter months and sign legality under the City's Sign By-law 54-02, as amended. Overall feedback and inquiries from the public has been positive and the program is considered successful.

Originators files: File names

There are a number of conditions, which govern the placement of the lawn signs to ensure that they do not create a sightline obstruction and 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 (two feet) from the 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.

These conditions were communicated to residents through staff and Council correspondence, and were provided in the City's website for reference.

In an effort to improve the lawn sign program and limit any future issues, which may arise as the number of lawn signs within the City continues to grow, staff will update the City's website and produce an information package for distribution with each lawn sign. Information will encourage residents to ensure lawn signs are kept in good condition and to remove damaged signs. Additional information will also be provided to place the signs between April 1 and November 30 when the weather is moderate to ensure lawn signs are kept in good condition and do not deteriorate to a point where they may become a hazard.

Staff will refresh the communication plan for the "Please Slow Down" lawns signs in September to emphasize pedestrian safety and safe driving during back to school. The continued communication plan will include messaging on the City's social media accounts, website and digital platforms. Pending the reestablishment of the Road Safety Committee, staff will work with the Committee to promote and raise awareness about the "Please Slow Down" lawn sign program.

A copy of the "Please Slow Down" lawn sign design is attached to this report as Appendix 1.

# **Financial Impact**

Funding for procuring the signs can be accommodated within the 2017 Transportation and Works Department operating budget.

#### Conclusion

There is sufficient interest from Ward Councillors and residents for the continuation of the "Please Slow Down" lawn sign campaign to further encourage safe driving habits and promote lower operating speeds within local neighbourhoods.

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Originators files: File names

# **Attachments**

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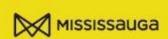
Appendix 1: "Please Slow Down" Sign

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

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

Appendix 1

# PLEASE SLOW DOWN





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



# **Corporate Report**



Date: 2017/06/13

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:
2017/06/28

# **Subject**

Nuisance Weeds and Tall Grass By-law Repeal and Replacement: Boulevard Maintenance

#### Recommendation

- That the new Nuisance Weeds and Tall Grass Control By-law be enacted to regulate nuisance weeds and tall grass and also boulevard maintenance as outlined in the report from the Commissioner of Transportation and Works, dated June 13, 2017 and entitled "Nuisance Weeds and Tall Grass By-law Repeal and Replace: Boulevard Maintenance".
- 2. That the Enforcement Action Plan outlined in the report from the Commissioner of Transportation and Works, dated June 13, 2017 and entitled "Nuisance Weeds and Tall Grass By-law Repeal and Replace: Boulevard Maintenance" be approved.
- 3. That the current Nuisance Weeds and Tall Grass Control By-law 0267-2003, as amended, be repealed.

# **Report Highlights**

- At its meeting of November 23, 2016 Council directed staff to review the options available to the City to obligate property owners to properly maintain municipal boulevards.
- Benchmarking of 25 Canadian municipalities show 18 have an existing by-law for boulevard maintenance.
- Staff have received 792 complaints in the last three years regarding boulevard maintenance.
- A replacement by-law to the Nuisance Weeds and Tall Grass Control By-law 0267-2003, as amended, is proposed to add the additional regulation of the maintenance of municipal boulevards and to perform some housekeeping updates.

# **Background**

This report is in response to the enquiry at the November 23, 2016 Council meeting regarding the options available to the City to amend the Nuisance Weeds and Tall Grass Control By-law 0267-2003, as amended, in order to obligate property owners to properly maintain municipal boulevards, in particular on corner lots where the "flankage" boulevard is often neglected.

#### Comments

#### **Current Status**

The City's current practice is to ask property owners or occupants whose property abuts the boulevard to undertake maintenance. The City currently does not have a mechanism to regulate maintenance issues on the boulevard related to long grass and weeds. The Nuisance Weeds and Tall Grass Control By-law 0267-2003, as amended, requires property owners to maintain private property but has no provisions for boulevards (municipally-owned land) abutting private property. The issue of long grass and weeds on the boulevard is not enforceable through the current by-law.

#### Municipal Scan

Staff researched 25 other Canadian municipalities to determine how they regulate boulevard maintenance. 18 of the municipalities surveyed including, Brampton, Calgary, Cambridge, Edmonton, Fort Erie, Halifax, Hamilton, Markham, Oshawa, Ottawa, Pickering, Sarnia, St. Catherines, Toronto, Vaughan, Waterloo, Whitby and Winnipeg have by-laws to enforce the maintenance of boulevards, including the ability to recover all associated costs from the owner by tax roll if the property owner contravenes the by-law.

The municipalities of Burlington, Guelph, Kitchener, Milton, Montreal, Oakville and Vancouver currently do not have a by-law to enforce the regulation of long grass and weeds on boulevards. Vancouver, like Mississauga, requests that their residents perform maintenance. Guelph actually performs boulevard maintenance related to grass cutting.

Appendix 1 attached outlines the results of the municipal scan.

#### **Complaint History**

Boulevard maintenance encompasses keeping boulevard grass at a reasonable height, maintaining permitted encroachments and keeping the boulevard free from rubbish or litter, as well as maintaining any vegetation present on the boulevard.

Mississauga receives approximately 150 complaints a year concerning overgrown grass on residential boulevards. Complaints about boulevard maintenance in general, including grass cutting but also including complaints about weeds and other boulevard maintenance issues totalled 183 in 2014, 291 in 2015, and 318 in 2016.

To put the number of annual boulevard maintenance complaints into context, the Works Operations and Maintenance Division receives approximately 10,000 complaints per year.

Further, of the Divisions in the Transportation and Works Department, the Works Operations and Maintenance Division typically processes the most complaints.

Based on discussions with our Forestry Section in Community Services, the cost to the City to respond to the 150 complaints concerning overgrown grass on residential boulevards, and actually cut the long grass, is approximately \$10,000 annually.

#### **Proposed Regulations**

In order to assist with the regulation of this issue, Legal Services; Enforcement; and, Works Operations and Maintenance Staff have developed a new Nuisance Weeds and Tall Grass Control By-law. This new by-law adds the boulevard maintenance component and updates the existing by-law. The new by-law will add the enforcement of the following provision:

#### Grass Height

The proposed repeal and replace will require property owners to maintain all vegetation planted in the boulevard and maintain grass at height not exceeding 30 centimetres.

This provision is in keeping with requirements for private property currently found in the Nuisance Weeds and Tall Grass Control By-law 0267-2003, as amended, wherein property owners are required to maintain grass on private property not exceeding 30 centimetres in height.

Other boulevard maintenance issues, such as the following, will continue to be enforced under already existing by-laws:

#### Encroachments

Property owners are required under the existing Encroachment By-law, 0057-04, as amended, to maintain any permitted encroachments. They must keep all encroachments such as fences that they or former property owners constructed on the boulevard clean and in good repair, as well as free from graffiti or posters. Any minor encroachments would still be required to be processed through the Works Operations and Maintenance Division.

#### <u>Litter</u>

Property owners are required under the existing Debris and Anti-Littering By-law, 219-85, as amended, to keep the boulevard free from litter.

#### Obstructions

Property owners are required under the Highway Obstruction By-law, 357-10, as amended, to ensure that all driver and pedestrian sightlines are not obstructed at intersections, driveways, sidewalks and walkways. Furthermore, traffic control devices

must be clearly visible and not obstructed by any modifications to the boulevard undertaken by the property owner or occupant.

#### Municipal Regulatory Authority

The City is given broad authority under sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, to pass by-laws necessary or desirable for municipal purposes;

City Council has the authority to pass by-laws:

- 1. respecting matters related to public highways under its jurisdiction under subsection 27(1) of the *Municipal Act*, 2001;
- requiring the owner of lands to clean and clear the land under subsection 127 of the Municipal Act, 2001;
- which prohibit and regulate public nuisances, including matters which in the opinion of Council are or could become or cause public nuisance under section 128 of the Municipal Act, 2001; and,
- 4. providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law or an order made pursuant to the by-law.

Finally section 446 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 but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as property taxes.

#### **Enforcement Action Plan**

It is proposed that the new Nuisance Weeds and Tall Grass By-law be enforced by the Enforcement Division on a reactive basis in response to complaints.

Property owners who are found in contravention of the by-law by a Municipal Law Enforcement Officer will be given notice with 10 days to comply. If still non-compliant, municipal staff will undertake remedial work and invoice the property owner for costs owing. If the property owner does not reimburse the City, the City may recover costs by adding them to the tax roll and collecting them as municipal taxes.

This follows the existing process of enforcement for nuisance weeds and long grass on private property.

Once Council has approved the repeal and replace for the by-law, Communications staff will assist to raise awareness and support the proposed by-law, through the City's communication channels.

# **Financial Impact**

Given the complaint history with boulevard maintenance, staff do not anticipate that enforcing the regulations for boulevard maintenance will require additional staff resources. Furthermore the cost recovery process should cover any costs incurred by complaints. As a result, no financial impact is anticipated.

## Conclusion

Legal Services; Works Operations and Maintenance; and, Enforcement staff support the proposed new Nuisance Weeds and Tall Grass Control By-law for boulevard maintenance.

## **Attachments**

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Appendix 1: Municipal Benchmarking - Boulevard Maintenance

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

Prepared by: Scott Holmes, C.E.T., Manager of Works Operations

Appendix 1: Boulevard Maintenance Municipal Scan

		<b>Boulevard Maintenance Municipal Scan</b>				
	Municipalities with Boulevard Maintenance Bylaws (Numbers 1-18)					
No.	Municipality	By-law	Property Owner Requirements			
1.	Brampton, ON	Boulevard Maintenance and Highway Obstruction By-law 163-2013 <a href="https://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/blvd-maintenance.pdf">https://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/blvd-maintenance.pdf</a>	All owners must maintain the grassy portions of boulevards and keep clean and free from debris. An order may be issued for non-compliance and costs incurred to City for undertaking any applicable work shall be expensed to the owner.			
2.	Calgary, AB	By-law no. 5M2004, Being a bylaw of the city of Calgary to regulate neighbourhood nuisance, safety and liveability issues, (January 26, 2004) s. 46.2 <a href="https://www.calgary.ca/CA/city-clerks/Documents/Legislative-services/Bylaws/5M2004-CommunityStandards.pdf?noredirect=1">https://www.calgary.ca/CA/city-clerks/Documents/Legislative-services/Bylaws/5M2004-CommunityStandards.pdf?noredirect=1</a>	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.			
3.	Cambridge, ON	By-law No. 167-08 Boulevard By-law http://www.cambridge.ca/Modules/Bylaws/Bylaw/Details/d5dfb634-eb13-430a-80b8-ff916f0b7620	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.			
4.	Edmonton, AB	By-law 14600, Community Standards By-Law, (June 28, 2016), s. 2.8 https://www.edmonton.ca/transportation/Bylaws/C14600.pdf	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.			
5.	Fort Erie, ON	By-law No. 165-08, Being a by-law to provide for maintenance of property and land (lot maintenance by-law) s. 3.3 & 4.1 <a href="http://www.forterie.ca/resource/files/6E9A7D8122FB4327852575750">http://www.forterie.ca/resource/files/6E9A7D8122FB4327852575750</a>				

Appendix 1: Boulevard Maintenance Municipal Scan

No.	Municipality	By-law	Property Owner Requirements
7.	Halifax, NS	By-Law Number S – 300, By-law respecting Streets (Part II.11)  http://www.halifax.ca/legislation/bylaws/hrm/documents/By-LawS- 300.pdf	Every owner shall maintain any grass between the sidewalk and the curb closely clipped and to a height not greater than six inches and shall keep such areas in good order including raking and renewal of the grass as necessary.
8.	Markham, ON	Maintenance By-law 2012-119 https://www.markham.ca/wps/wcm/connect/markhampublic/07387 7ef-3c1a-4aa8-bfdc-60ad70685c5c/2012- 119.pdf?MOD=AJPERES&CACHEID=073877ef-3c1a-4aa8-bfdc-60ad70685c5c	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
9.	Oshawa, ON	Boulevard By-law 136-2003 - https://www.oshawa.ca/uploads/16/BoulevardBy-law136-2006.pdf	Every owner shall keep the boulevard clean and clear of debris and litter, maintain grass and weeds on the boulevard. Penalties may apply as per POA and Administrative Penalty Process by-law 63-2013.
10.	Ottawa, ON	Use and Care of Roads By-law 2003-498 <a href="http://ottawa.ca/en/use-and-care-roads-law-no-2003-498">http://ottawa.ca/en/use-and-care-roads-law-no-2003-498</a>	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
11.	Pickering, ON	Boulevard Maintenance By-law 6831/08 - <a href="https://corporate.pickering.ca/WebLink8/DocView.aspx?id=66401">https://corporate.pickering.ca/WebLink8/DocView.aspx?id=66401</a>	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
12.	Sarnia, ON	By-law Number 6181 & Amendment 7571, a By-law with respect to boulevards <a href="https://sarnia.civicweb.net/filepro/documents/40785?preview=40787">https://sarnia.civicweb.net/filepro/documents/40785?preview=40787</a>	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.

No.	Municipality	By-law	Property Owner Requirements
13.	St. Catharines, ON	By-law No. 2014-22 A By-law to amend By-law No. 2004-122 entitled "to provide for the maintenance of grasses and weeds" <a href="https://stcatharines.civicweb.net/filepro/documents/809?preview=16">https://stcatharines.civicweb.net/filepro/documents/809?preview=16</a> 110	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
14.	Toronto, ON	Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of <a href="http://www.toronto.ca/legdocs/municode/1184_743.pdf">http://www.toronto.ca/legdocs/municode/1184_743.pdf</a>	The owner is responsible for maintaining all vegetation on boulevard and ensuring boulevard is free of litter and debris. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
15.	Vaughan, ON	Boulevards By-law 202-2006 https://www.vaughan.ca/services/boulevard_maintenance20202- 2006.pdf	Owners must cut grass on city boulevards. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
16.	Waterloo, ON	By-law No. 2014-054 By-law to regulate work on Highways and Boulevards. s. 5 <a href="http://www.waterloo.ca/uploads/94/Doc">http://www.waterloo.ca/uploads/94/Doc</a> 635581273261894372.pdf	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
17.	Whitby, ON	Property and Boulevard Maintenance By-law 6937-15 – City of Whitby - Property and Boulevard Maintenance By-law 6937-15	Every owner shall keep the boulevard clean and clear of debris and litter, and maintain grass and weeds on the boulevard. The City may conduct work where necessary and recover all expenses from the owner by tax roll.
18.	Winnipeg, MB	By-Law No. 1-2008, Neighbourhood Liveability By-Law, (January 23, 2008), s. 8 http://clkapps.winnipeg.ca/dmis/documents/docext/bl/2008/2008.1. pdf	The owner and occupant of property adjacent to a boulevard are each responsible for maintaining that portion of the boulevard that is adjacent to the property and are each guilty of an offence under this By-law for failing to do so.

Municipalities without Boulevard Maintenance Bylaws (Numbers 19-25)  No. Municipality By-law or Regulation Property Owner Requirements				
		Property Owner Requirements		
Burlington, ON	NO BY-LAW OR REGULATION	No enforceable requirements.		
Guelph, ON	NO BY-LAW <a href="http://guelph.ca/how-can-we-help-you/grass-weeds-city-park-maintenance/">http://guelph.ca/how-can-we-help-you/grass-weeds-city-park-maintenance/</a>	No enforceable requirements. The municipality cuts urban boulevards every 15 business days and rural boulevards twice annually.		
Kitchener, ON	NO BY-LAW OR REGULATION	No enforceable requirements.		
Milton, ON	NO BY-LAW OR REGULATION	No enforceable requirements.		
Montreal, QC	NO BY-LAW OR REGULATION	No enforceable requirements.		
Oakville, ON	NO BY-LAW OR REGULATION	No enforceable requirements.		
	Milton, ON  Montreal, QC	Municipality     By-law or Regulation       Burlington, ON     NO BY-LAW OR REGULATION       Guelph, ON     NO BY-LAW http://guelph.ca/how-can-we-help-you/grass-weeds-city-park-maintenance/       Kitchener, ON     NO BY-LAW OR REGULATION       Milton, ON     NO BY-LAW OR REGULATION       Montreal, QC     NO BY-LAW OR REGULATION		

## Appendix 1: Boulevard Maintenance Municipal Scan

No.	Municipality	By-law	Property Owner Requirements
25.	Vancouver, BC	NO BY-LAW OR REGULATION	While no formal regulation is in place, Vancouver
		City Policy:	still asks its residents to care for any boulevard
		http://vancouver.ca/home-property-development/gardening-on-	abutting a resident's property.
		boulevards.aspx	

# **Corporate Report**



Date: 2017/06/14

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Updating of Schedule 3 Exemption Activities Under Noise Control By-law 360-79

#### Recommendation

That a by-law (Appendix 1) be enacted to amend the Noise Control By-law 360-79, as amended, to update the list of exempted activities under Schedule 3 as outlined in the report from the Commissioner of Transportation and Works, dated June 14, 2017 and entitled, "Updating of Schedule 3 Exemption Activities Under Noise Control By-law 360-79."

# **Background**

This report will provide the rationale for amending the exempted activities under Schedule 3 of the Noise Control By-law 360-79.

#### **Present Status**

Exempted activities under Schedule 3 of the Noise Control By-law 360-79 are not current and have not been revised since 2015. On average, Compliance and Licensing Enforcement staff process 21 noise exemption applications annually.

#### **Comments**

Enforcement staff have worked with Community Services staff, who have recommended revisions that would continue to foster the City's continuous support for community festivals and events, by streamlining the approval process for groups with a history of respect for the concerns of the area residents that could be affected. The amendment to Schedule 3 would see the addition of three City operated museum locations:

- Banares Museum, 1507 Clarkson Road North
- Bradley Museum, 1620 Orr Road
- Leslie Log House, 4415 Mississauga Road

In addition, amending Schedule 3 also provides additional benefits to both the City and the event applicant, such as savings in staff processing time, volunteer time spent on

General Committee 2017/06/14 2

administration, and no requirement for the applicant to apply and pay an application fee. Recommendations for community festivals and events suitable for inclusion in Schedule 3 are based on the following criteria:

- Number of years the event has operated without incident or community concern;
- Nature of the event;
- Size (attendance) of the event;
- Location(s) associated with each event, proximity to residents; and,
- Timing (operational hours of the event).

# **Financial Impact**

The changes to the list of exempted activities will have no financial impact on the City, as the number of new exempt activities is minimal.

#### Conclusion

Compliance and Licensing Enforcement staff support amending Schedule 3 of the Noise Control By-law 360-79, as it will provide benefits to both the City as well as community festivals and events.

#### **Attachments**

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Appendix 1: Draft By-law Amendments

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

Prepared by: Ian Masini, Acting Manager, Compliance and Licensing Enforcement

# A by-law to amend By-law 360-79, as amended, being the Noise Control By-law

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS section 129 of the *Municipal Act, 2001*, as amended, empowers a local municipality to prohibit and regulate with respect to noise;

AND WHEREAS the Council of The Corporation of the City of Mississauga is desirous to make amendments to City of Mississauga By-law 360-79, as amended, being the Noise Control By-law;

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

1. That the exempted activities and locations in Schedule 3 of the Noise Control By-law 360-79, as amended, be deleted and replaced with the following list of activities and locations:

#### **SCHEDULE 3**

ACTIVITIES TO WHICH THE BY-LAW DOES	LOCATION
NOT APPLY	
Applewood Acres Homeowners Association -	West Acres Park
Annual Family Fun Day	2166 Westfield Drive
Banares Museum - Exemption applies to all	Banares Museum
approved events and activities at this location.	1507 Clarkson Road North
Bradley Museum - Exemption applies to all	Bradley Museum
approved events and activities at this location.	1620 Orr Road
Can-Sikh Festival	Paul Coffey Park
	3430 Derry Road West
Canada Day (various locations throughout the	Churchill Meadows Park
City)	3370 McDowell Drive
<ul> <li>Churchill Meadows Friends</li> </ul>	West Wood Mall
	7205 Goreway Drive
Malton BIA and Partners	
Traiter Bir Carla Fareners	Port Credit Memorial Park
De d Cood's De'el de Terre De d	32 Stavebank Rd N - (plus designated
Port Credit Paint the Town Red	locations throughout Port Credit Village)
<ul> <li>Streetsville BIA and Partners</li> </ul>	Streetville Memorial Park
	335 Church Street - (plus designated
	locations throughout the Village)
Constitution De I	De de Cardill Marca dal De d
Caroling in the Park	Port Credit Memorial Park
	32 Stavebank Road North
Cavalia	Harahay Captra
Cavalia	Hershey Centre
	5399 Rose Cherry Place
Doch Phagat	Daul Coffoy Dark
Desh Bhagat	Paul Coffey Park
	3430 Derry Road West

Filming Activities Authorized by the City's Film Unit via a Film Permit issued in accordance with Corporate Policy and Procedure No. 06-03-02 - "Filming on City of Mississauga Property"	Approved designated locations
Lakeside Park - Exemption applies to all approved events and activities at this location.	Lakeside Park 2268 Lakeshore Rd West
<b>Leslie Log House</b> - Exemption applies to all approved events and activities at this location.	Leslie Log House 4415 Mississauga Rd
Malton Festival	Paul Coffey Park 3430 Derry Road West
Mississauga Celebration Square	Civic Square 300 City Centre Drive,
Exemption applies to appropriately approved events and activities that appear on the MCS calendar of events, programs and activities	Library Square 301 Burnhamthorpe Road West
	Living Arts Centre Park 4141 Living Arts Centre Drive
Mississauga Marathon	City Centre Drive, Lakefront Promenade Park 800 Lakefront Promenade PLUS designated locations
Mississauga Waterfront Festival	Port Credit Memorial Park 32 Stavebank Road North  PLUS Port Credit Library and Port Credit Arena
Mount Zion Apostolic Church - Picnic	Paul Coffey Park 3430 Derry Road West
Movies In The Park - Rotary Series	Port Credit Memorial Park 32 Stavebank Road North
Palestine House Educational and Cultural Centre	Mississauga Valley Park 1275 Mississauga Valley Boulevard
Port Credit Art Fest	Port Credit Memorial Park, 32 Stavebank Road North
Port Credit Busker Fest	Port Credit Memorial Park 32 Stavebank Road North
	PLUS event designated sites throughout Port Credit Village
Rebel – National Youth Week	Mississauga Celebration Square PLUS approved designated locations
Safe City Mississauga - Neighbours Night Out	Approved designated locations
Sherwood Forrest - Annual Family Fun Day	Sherwood Green Park 1864 Deer's Wold
St Gabriel Lebanese Festival	Streetsville Memorial Park 335 Church Street

Southside Shuffle – Blues and Jazz Festival	Port Credit Memorial Park 32 Stavebank Road North  PLUS event designated sites throughout Port Credit Village
Streetsville Founders - Bread & Honey Festival	Streetsville Memorial Park 335 Church Street
Sunset Concert Series (Culture Division Program)	Port Credit Memorial Park 32 Stavebank Road North  Lake Aquitaine 2750 Lake Aquitaine Avenue
University of Santos Thomas Alumni - Annual Picnic	Mississauga Valley Park 1275 Mississauga Valley Boulevard

Picnic			ssissauga Valley Boulevard
ENACTED and PASSED this	day of	, 2017.	
			MAYO
			CLER

# **Corporate Report**



Date: 06/07/2017

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of

Transportation and Works

Originator's files: MG.23.REP SPI 16-8

Meeting date: 6/28/2017

# **Subject**

Notice Floodplain Agreement between the City of Mississauga and Joseph Abichedid and Gloria Farhat, 1897 Balsam Avenue - Site Plan Application SPI 16-8 (Ward 2)

#### Recommendation

That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute and affix the Corporate Seal to the Notice Floodplain Agreement between Joseph Abichedid and Gloria Farhat and The Corporation of the City of Mississauga to the satisfaction of the City Solicitor as outlined in the report dated June 7, 2017 from the Commissioner of Transportation and Works titled Notice Floodplain Agreement between the City of Mississauga and Joseph Abichedid and Gloria Farhat, 1897 Balsam Avenue, Site Plan Application SPI 16-8 (Ward 2).

# **Background**

Joseph Abichedid and Gloria Farhat are the owners of a parcel of land located at 1897 Balsam Avenue, described as PIN 13445-0053(LT), Lot 15, Plan G-13, in the City of Mississauga (the 'Development Lands'). They have submitted a Site Plan Application to construct a two-storey residential dwelling on the above noted Development Lands that is located within the floodplain of Turtle Creek.

#### Comments

As the proposed development is situated within the floodplain of Turtle Creek, a Notice Floodplain Agreement will be required to advise the current and future owners of the Development Lands of the potential for flooding, and to save the City harmless from any acts, actions, damages or costs which may arise in the future as a result of the approval of the application and location of the Development Lands within the floodplain. This Notice Floodplain Agreement will be registered on title.

Originators files: SPI 16-8

# **Financial Impact**

Not Applicable.

## Conclusion

The Notice Floodplain Agreement between the Corporation of the City of Mississauga and Joseph Abichedid and Gloria Farhat will warn the current and future owners of the Development Lands of the potential for flooding from Turtle Creek and save the City harmless.

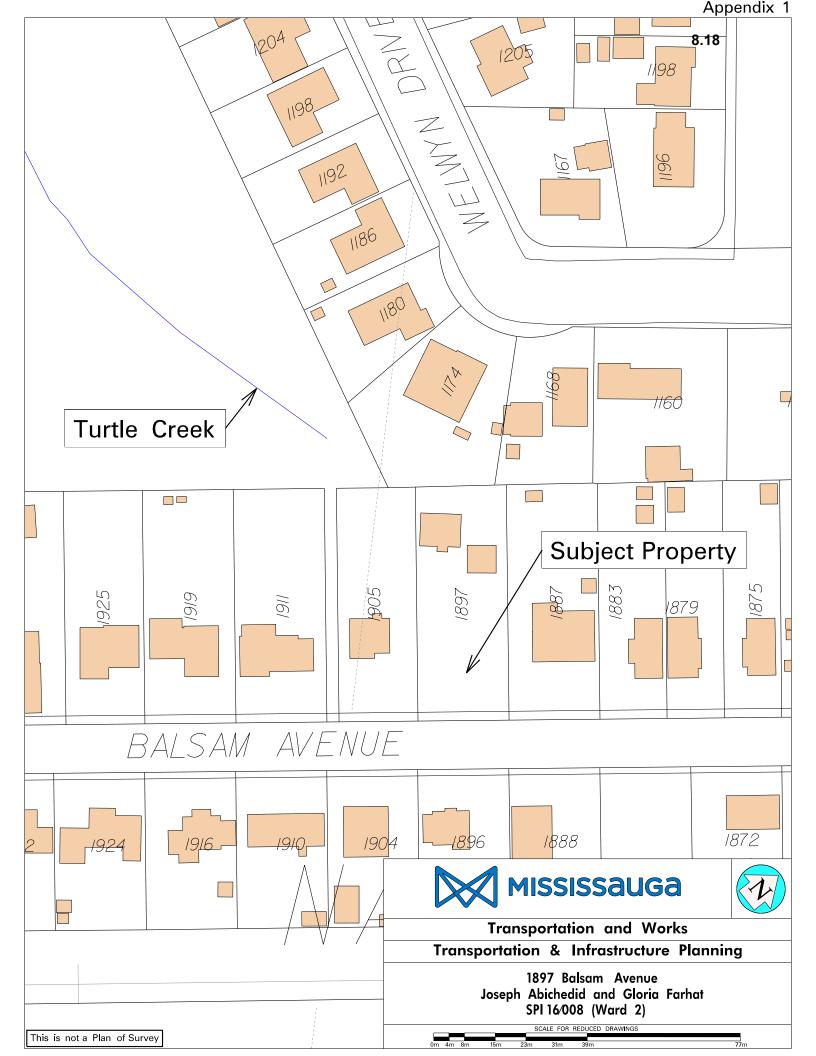
#### **Attachments**

42 Wright

Appendix 1: Location Map

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

Prepared by: David L. Martin, Supervisor, Development Engineering South



# **Corporate Report**



Date: 2017/06/09

To: Chair and Members of General Committee

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

Originator's files:

Meeting date: 2017/06/28

# **Subject**

City Sponsorship of Special Olympics Ontario Provincial Summer Games (July 13-16, 2017)

#### Recommendation

That the report entitled "City Sponsorship of Special Olympics Ontario Provincial Summer Games (July 13-16, 2017)" dated June 9, 2017 from the Commissioner of Transportation and Works be received for information.

# **Background**

At the Council meeting on April 26, 2017, Peel Regional Police Chief Jennifer Evans gave a deputation on the above subject that included a request for assistance with transportation. Council provided direction for staff to meet with Peel Regional Police staff on transportation requirements for the Games.

MiWay staff met with both Games organizers and Brampton Transit staff and developed a transit shuttle plan to satisfy Games requirements. The MiWay shuttle services for athletes, coaches, staff and volunteers from July 13 to 16 to some Games events will be provided at no cost to the Games as per Council direction.

Staff also contacted MiWay's on-bus advertising contractor, Lamar Advertising Company, about allocating, at no cost to the City, transit media space to advertise the Games, following a suggestion at Council.

# Comments

MiWay will be allocating nine articulated (60-foot) buses and 161 service hours to provide dedicated shuttle services from Thursday, July 13 to Sunday, July 16 as follows:

Originators files: File names

Transportation Requirement	Games Event
UTM to Huron Park	Soccer
Quality Suites to Dunton Athletic Fields	Softball
Accommodation sites to evening events in	At Pearson Convention Center
Brampton	At Powerade Centre

Lamar Advertising is sponsoring a bus wrap (at no cost to the City or to the Games) that is scheduled to be in market from June 19 to July 17 (see Appendix 1) to raise awareness of the Games. The value of the in-kind contribution of one articulated full bus wrap for four weeks is \$13,910.

# Strategic Plan

Supporting the 2017 Special Olympics Ontario Provincial Summer Games by sponsoring MiWay shuttle services to some Games events supports the following strategic goals:

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

Connect our City

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

· Ensure Affordability and Accessibility

# **Financial Impact**

The total cost including contingency is estimated at \$20,000. MiWay will absorb this cost as a non-budgeted expense.

## Conclusion

MiWay will provide shuttle services for athletes, coaches, staff and volunteers from July 13 to 16 to some Games events at no cost to the Games as per Council direction.

To raise awareness of the Games, one of MiWay's 60-foot articulated buses will feature a promotional bus wrap. This bus is scheduled to be in service from June 19 to July 17 and will be on site for the opening ceremony of the Games at the Powerade Centre in Brampton.

General Committee 2017/06/09 3

Originators files: File names

# **Attachments**

Appendix 1: Bus Wrap

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

Prepared by: Ryan Cureatz, Marketing Manager







# City of Mississauga

# **Corporate Report**



Date: 2017/05/30	Originator's files:
To: Chair and Members of General Committee	
From: Paul Mitcham, P. Eng, MBA, Commissioner of Community Services	Meeting date: 2017/06/28

# **Subject**

Donation of Art to City of Mississauga Public Art Collection - Cleeve Horne Sculpture

### Recommendation

- That the Commissioner, Community Services, be authorized to enter into a Donation Agreement with 675553 Ontario Limited to give effect to the donation of the Cleeve Horne sculpture from 675553 Ontario Limited., in accordance with the report dated May 30, 2017 from the Commissioner, Community Services and in a form satisfactory to Legal Services.
- That the Heritage Agreement dated February 25, 2009 between the City and 675553
   Ontario Limited be terminated upon execution of the replacement Donation Agreement.
- 3. That all necessary bylaws be enacted.

# **Background**

The owner of a significant, once public sculpture wishes to donate the artwork to the City of Mississauga Public Art Collection. The donation is of a large stone sculpture (bas-relief) by accomplished Canadian artist, Arthur Edward Cleeve Horne. It was originally installed circa 1953 and situated as part of the main entrance of the former Toronto Township Municipal building located at 100 Dundas Street West, Mississauga, Ward 7. The stone sculpture measures approximately 9 ½ feet by 7 ¾ feet (Appendices 1 & 2).

An independent heritage consultant was retained by the owner of the sculpture, 675553 Ontario Limited, in November 2007 for the purposes of drafting a Heritage Impact Statement (Appendix 3) to demonstrate the historical importance and value of the sculpture. In response to the Heritage Impact Statement, the City and 675553 Ontario Limited entered into a Heritage Agreement on February 25<sup>th</sup>, 2009 (Appendix 4). The agreement addressed the removal of the sculpture from the premises prior to the demolition of the municipal building in order to salvage an important part of the heritage of the municipality. In accordance with the terms of the

agreement the sculpture was transported, for the purposes of secure storage, to City property located at 4415 Mississauga Road, where it has remained to this day.

It is important to note that at the time, the City of Mississauga did not have a Public Art Program or a Corporate Art Collection. This donation also predates the City's current moratorium on the acceptance of donations intended for the City's Corporate Art Collection, and is thereby an exception. As such, the Cleeve Horne sculpture was to remain on City property until a suitable location on the owner's private property was developed. The Heritage Agreement defined a suitable location as one that would be clearly visible and accessible to the public in order to demonstrate the heritage significance and character of the sculpture.

In 2016, the Conservatory Group, an affiliated company of 675553 Ontario Limited, retained a qualified appraiser, and accredited member of the International Society of Appraisers, to inspect the sculpture and establish its fair market value. Based on all available data and information provided, the professional appraiser valued the sculpture at \$126,000 CAD.

### Comments

The Cleeve Horne sculpture was once an integral artistic and architectural component of the now demolished mid-century modern International Style Toronto Township Municipal Building that once stood prominently in the community of Cooksville. The sculpture and the modern style building had been designed to fit together thematically and aesthetically.

In accordance with Corporate Policy and Procedure – 05-02-07 – City Acquired Art, Mayor and Members of Council are advised of all decisions to accept or decline donations of fine art having a value of \$2,000 or more. The donation is being accepted as part of the Public Art Collection on the basis of the following criteria: artistic quality of the work, stature of the artist and artistic merit, historical importance, authenticity and provenance as well as the overall value to the City of Mississauga.

Viewmark Homes Ltd., an affiliated company of 675553 Ontario Limited, (T-15002, H-OZ15001 and SP 15/062) has proposed to redevelop the subject lands and initially indicated that the sculpture would be incorporated as part of the planned development. Culture Division has reviewed the application in detail and deemed that the suggested location is not sympathetic to the Civic significance of the sculpture, nor is the design of the proposed building compatible with the sculpture's stylistic aesthetic. In keeping with the intent of the Heritage Impact Statement to conserve and exhibit the sculpture, Culture Division has recommended that the Heritage Agreement be terminated and replaced with a newly executed Donation Agreement. 675553 Ontario Limited is amicable to the City's recommendation and willing to proceed with a formal donation agreement.

General Committee 2017/05/30

# Strategic Plan

Connect – completing our neighbourhoods.

Prosper – cultivating creative and innovative businesses.

Belong – ensuring youth, older adults and new immigrants thrive.

# **Financial Impact**

Culture Division staff will continue to work with the donor and City's Legal Services on the donation agreement which will formally detail the terms. The donor will be responsible for associated donation costs, including: future maintenance and conservation, assembly and transportation, fabrication of a plaque, engineering, site planning, preparation and installation of the sculpture at a location to be determined by the City at a future date, in consultation with the community.

### Conclusion

The City of Mississauga must ensure that art, whether corporately-owned through commission or donation is managed appropriately. The Culture Division is responsible for ensuring that the curatorial and logistical aspects of each art acquisition are handled appropriately and communicated to City Council in accordance with the corresponding policy and procedure.

The donation in question has considerable significance to the municipality as a stylized representation of the community in the early 1950s. The Cleeve Horne sculpture should be donated to the City of Mississauga Public Art Collection for future installation in a prominent public space within the Cooksville area, in consultation with the community.

Public art has the ability to boost local industry and tourism and can lead to a strengthened sense of civic pride and community. The Public Art Program enhances the quality of life for Mississauga's residents and creates memorable experiences for visitors.

# **Attachments**

Appendix 1: Image of Cleeve Horne sculpture on building

Appendix 2: Image detail of Cleeve Horne sculpture

Appendix 3: Heritage Impact Statement\_2007

Appendix 4: Heritage Agreement 2009



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

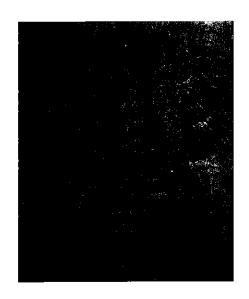
Prepared by: Yvonne Monestier, Public Art Coordinator



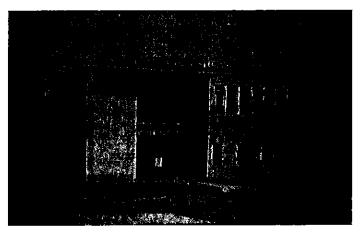


# 675553 ONTARIO LIMITED RESIDENTIAL DEVELOPMENT PROPOSAL 100 DUNDAS STREET WEST

# **CITY OF MISSISSAUGA**



Cleeve Horne sculpture, Toronto Township Municipal Building, 100 Dundas Street West, north elevation



Toronto Township Municipal Building, c1955, 100 Dundas Street West north-east elevation

# HERITAGE IMPACT STATEMENT

Wayne Morgan, Heritage Planner

CITY	OF	MISSISSAUGA
File N	lo.	

November, 2007

# 675553 ONTARIO LIMITED RESIDENTIAL DEVELOPMENT PROPOSAL 100 DUNDAS STREET WEST

# **CITY OF MISSISSAUGA**

# HERITAGE IMPACT STATEMENT

Wayne Morgan, Heritage Planner

November 2007

### Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga

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Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga November 2007

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## November 2007

# Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga

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#### 1.0 Summary

In response to the City of Mississauga Official Plan policies 3.20.2.2 and 3.20.2.3, Wayne Morgan Heritage Planner, has been retained by the Conservatory Group to provide a heritage impact statement for a proposed development by 675553 Ontario Ltd. on the lands that contain the former Toronto Township Municipal Building at 100 Dundas Street West in the Cooksville area of the City of Mississauga as shown in Attachment No. 1.

The history and architecture of the Toronto Township Municipal Building, located on the south side of Dundas Street West east of Confederation Parkway, was discussed my Heritage Documentation report, dated May 2007. The Building was constructed in 1952-53 according to the designs of Gordon S. Adamson, Architect. It was expanded to the east in 1957-58 in a design by the same architectural firm. The building was burned in 1969 following which the eastern addition was rebuilt. The Township used the building until 1972 when it was occupied by the Separate School Board. In 1986 Sheridan College leased and altered the interior of the building. Following Sheridan College's departure, the building has been vacant for a number of years. The 1953 building, together with its later addition has been described by the City as "a good example of 'International Style". This is exemplified by the flat roof, clean lines, straight edges, smooth exterior finishes, a steel frame hung with 'curtain-like' walls, a horizontal window band and the absence of applied historical ornamentation. The entrance component of the building contains a modernist sandstone sculpture of the Township by Cleeve Horne. The property also contains an Ontario Heritage Trust plaque to Sir William Pearce Howland.

City Council listed the building in its Heritage Inventory on December 17, 2003.

The applicant is proposing to redevelop the lands for residential and related land uses, including roads and open space. The applicant is not proposing to retain the building, although he is proposing to retain the Cleeve Horne sculpture and either incorporate it in the development or donate it to the municipality. The owner is also prepared to relocate the Ontario Heritage Trust plaque.

I have reviewed the provincial and municipal heritage policies and current land use policies that apply to the subject site. I have evaluated the proposed development taking into consideration those policies, the significance of the heritage resource vis a vis other heritage resources of a similar style in the municipality and other considerations that affect the site. The applicant and I have also considered the potential for adaptive reuse of the building and other options for the conservation of the significant character defining features of the building.

After reflection on those matters, I have concluded that the heritage resource, in particular the 1953 building, cannot be conserved in its entirety; rather I am recommending a

Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga

conservation strategy that requires completing photo-documentation of the Building, retention of the Cleeve Horne sculpture and relocation of the Ontario Heritage Trust plaque. The sculpture will be conserved and incorporated in this development or on other municipal lands. It is my opinion that, because of the significance of the sculpture to the municipality, the applicant should give the sculpture to the City of Mississauga and fund its installation in a location of importance to the City.

Therefore, I am recommending approval of the proposed development subject to:

- Photo-documentation of the building prior to its demolition but after removal
  of the security panels blocking all windows and doors and all vegetation from
  around the building;
- Disassembly of the Cleeve Horne sculpture under the supervision of a art conservator knowledge in stone work;
- Storage of the sculpture in a location to which the municipality shall have legal access to remove the sculpture, if necessary;
- Posting of financial security by the owner with the municipality to ensure protection and eventual installation of the sculpture in a location satisfactory to the applicant and the City; and
- Relocation of the plaque to Sir William Pearce Howland to a location satisfactory to the City of Mississauga, the Mississauga Heritage Foundation and the Ontario Heritage Trust.

#### 2.0 Background

Wayne Morgan, Heritage Planner, was retained by the Conservatory Group to provide a Heritage Impact Statement for the residential development proposal on the lands that contain the former Township of Toronto Municipal Building located on at 100 Dundas Street West. The history and architecture of the Building, including a record of its existing condition was discussed in my Heritage Documentation report, dated May 2007. This Heritage Impact Statement references the May 2007 report and provides a summary of the significant findings of that report.

### 2.1 Summary of the Heritage Documentation Report

The Toronto Township Municipal Building, constructed in 1952-53 according to the designs of the notable Toronto firm, Gordon S. Adamson, Architect, constituted a substantial northern addition to the 1873 township hall. The 1953 building was expanded with an addition to the east in 1957-58 also designed by the same architectural firm. The building was subject to a fire in 1969 following which the eastern addition was rebuilt. In 1975, the 1873 township hall was demolished following another fire.

The Township of Toronto used this building until 1972 when it moved to new premises. The Dufferin-Peel Roman Catholic Separate School Board leased the first storey between 1973 and 1976, while the Department of Health leased the second floor. In 1976, the Separate School Board leased the whole building. In 1986 Sheridan College of Applied Arts and Technology leased the entire building and undertook interior alterations to accommodate classrooms and offices. The building has been vacant for a number of years following the departure of Sheridan College. The building is boarded up in an attempt to prevent vandalism.

The 1953 building, together with its later addition has been described by the City as "a good example of modern architecture in the 'International Style". This is exemplified by the flat roof, clean lines, straight edges, smooth exterior finishes, a steel frame hung with 'curtain-like' walls, a horizontal window band and the absence of applied historical ornamentation. The entrance is distinguished by a two storey framed sandstone screen that incorporates a modernist sculpture by Cleeve Horne of a family superimposed on a map of the township and a large paned glass section with entrance doors. The 1953 building housed the council chamber on the second floor and offices for municipal employees in the balance of the building.

Figures 2.1 to 2.3 show the ground floor plan of the building as renovated by Sheridan College, a picture of the 1953 building shortly after construction and a picture of the building in its current (May 2007) condition. The pictures have been sized to correspond to the ground floor plan.

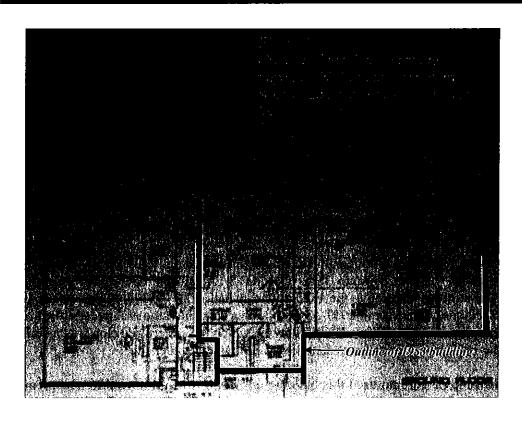


Figure 2.2
Toronto Township
Municipal Building,
1953
Source: City of
Mississauga
Community Services
Department

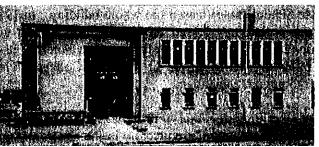




Figure 2.3

Toronto Township Municipal Building, North Elevation,
May 2007

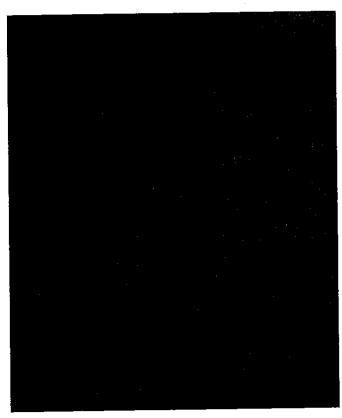


Figure 2.4
Toronto Township Municipal
Building Sculpture,
May 2007

In addition to the former Toronto Township Municipal Building, there is also an Ontario Heritage Trust plaque commemorating Sir William Pearce Howland on the property.



Figure 2.5 Heritage Plaque to Sir William Pearce Howland, May 2007

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### 2.2 Property Ownership and Legal Description

The property is owned by:

675553 Ontario Limited 80 Tiverton Court, Suite 300 Markham, Ontario L3R 0G4

The short property description as shown on the parcel register in the Land Registry Office is:

PCL A-1, Sec 43-K-23, Pt Lts 12, 13,14, & 15 Pl Tor-12; Pt Lt Lanes Pl Tor-12 closed by bylaw BL768, Pt Block A, B & C Pl K-23, Pt Rd Btn Blks B & C closed by bylaw BL306; Pt Lt 16 Con 1 South Dundas Street; being Pts 2, 3, 4, 5, & 6, 43R3479; S/T a rgit as in 163084VS; S/T LT325042, VS18366a Mississauga.

Information about the location and character of the property is contained Section 3.0 of the May 2007 report.

### 2.3 Experience of the Consultant

Wayne Morgan has over twenty-five years of experience in heritage planning matters. Between August 2000 and April 2006, he was the Senior Co-ordinator in the City of Toronto's Heritage Preservation Services Unit in the City Planning Division. In that position, he was responsible for providing advice to City Council, the City's heritage advisory committee and property owners on heritage conservation matters. Currently he is an independent heritage planning consultant. Wayne Morgan is a member of the Canadian Association of Heritage Professionals (CAHP), a registered professional planner and a director of Community Heritage Ontario. His curriculum vitae is contained in Attachment No. 1 of the May 2007 report.

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Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga

### 3.0 The Proposal

As shown in Attachment No. 2, the Proposed Site Plan, the applicant, 675553 Ontario Ltd., is proposing to develop this 2.44 hectare site for residential and related purposes, including associated roads and open space purposes.

The proposed development consists of the following distribution of land uses:

#### SITE STATISTICS

- 1. SITE AREA 24392.3441 sq.m. (2.44ha)
- 2. TOTAL NUMBER OF TOWNHOUSE UNITS: 3 STOREY TOWNHOUSE = 88 2 STOREY SEMI UNIT = 4 TOTAL = 92
- 3. 18 STOREY CONDOMINIUM BUILDING #1

APARTMENTS = 310 UNITS

- 4, DENSITY 164.75 UNITS/ha
- 6, PARKING NUMBER OF TOWNS & SEMI UNITS = 92 REQUIRE 92x1.3 = 120 PARKING SPACES UNIT PRIVATE GARAGE: 92 ON STREET SPACES REQ'D: 28 ON STREET SPACES PROVIDED: 30
- 6. CONDOMINIUM BUILDING PARKING REQ'D # OF UNITS \* 1.55 SPACES BUILDING #1: 310 UNITS \* 1.55 = 481 SPACES
- 7. URBAN PARK REQ. [(92x3)+(310x2)] - [(92+310)]x2.5 = 1235 sq.m. AREA PROVIDE 1250.27 sq.m.

CONDOMINIUM AMENITIES PROVIDED BY MEZZANINES ABOVE

Source: Proposed Site Plan Scheme N Hunt Design Associates Inc., July 5, 2007

The applicant is proposing to demolish the former Toronto Township Municipal Building, retain the sandstone bas-relief sculpture and relocate the Ontario Heritage Trust Plaque.

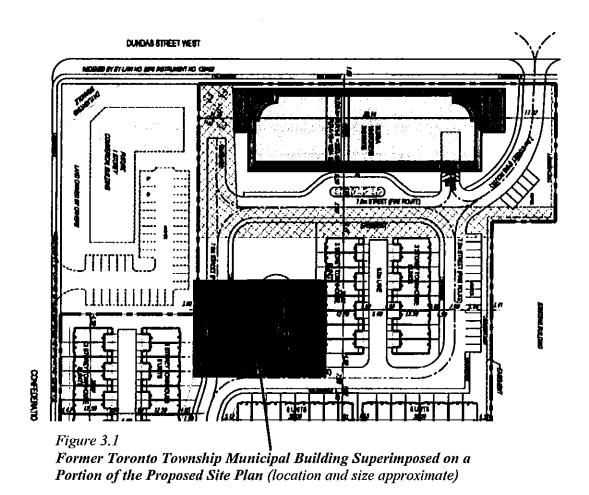


Figure 3.1 shows the approximate location of the Toronto Township Municipal Building on a portion of the proposed site plan for 100 Dundas Street West.

#### 4.0 Provincial and Municipal Policies

#### 4.1 The Planning Act and Provincial Policy Statement (2005)

Section 2 of the *Planning Act* identifies "matters of provincial interest, which includes the conservation of significant features of architectural, cultural, historical, archaeological or scientific interest." (Heritage Resources in the Land Use Planning Process).

Section 3 of the *Planning Act* enables the Province to issue Policy Statements on matters of Provincial Interest. The Provincial Policy Statement (2005) (PPS) issued under the *Act* applies to this proposal. Section 2.6 of the PPS deals with Cultural Heritage and Archaeology. Policy 2.6.1 of the PPS states:

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Each of the italicized terms has the following definition in the PPS:

Significant means in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people;

Built heritage resources means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions;

Cultural heritage landscape means a defined geographical area of heritage significance which has been modified by human activities and is valued by the community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form distinctive from that of its constituent elements or parts. Examples may included, but are not limited to, heritage conservation districts, designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value; and

Conserved means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

The Provincial Policy Statement also deals with development adjacent to a protected heritage property in policy 2.6.3. As there are no heritage properties adjacent to the 100 Dundas Street West parcel, this policy is not considered in the evaluation of this development.

### 4.2 Ontario Heritage Act and Listing

Part IV of the Ontario Heritage Act enables a municipality to list and to designate properties of cultural value or interest after consultation with its heritage advisory committee, if one is appointed.

On December 17, 2003, the Mississauga City Council listed "the former Township of Toronto Municipal Building (in Confederation Square, Cooksville)" in the City's Heritage Inventory as item number 770. The importance of the building is identified in the Inventory as follows:

The building opened in June, 1953 and served as the municipal headquarters until 1969. It was described as ".. swank new municipal hall off Dundas Street" (Port Credit Weekly, April 23, 1953) Almost 200,000 people attend the opening, referred to as the building's coronation. There was a fire in 1969 which resulted in the new headquarters being moved to City Centre. The building became the Dufferin-Peel Catholic District School Board. The building was vacant in 2003. Of particular note is a bas-relief sculpture at the front entrance (facing Dundas) of a map of Toronto Township and representative figures. Building designed by Adamson Architects. Mural by Cleeve Horne, a well known and established artist.

In listing building in the City's Heritage Inventory, the City is advising that it has a heritage interest in the property. All listed properties in the City's Inventory are included in the City's register of properties of cultural heritage value or interest as per Section 27 of the Ontario Heritage Act. Under subsections 27 (3) – (5) of the Act, owners of listed properties must give the council of the municipality at least 60 days notice of their intention to demolish or remove a building or structure on the property before a demolition permit may be issued.

#### 4.3 Mississauga Official Plan and Zoning By-law

The Mississauga Official Plan was approved by the Regional Municipality of Peel on May 5, 2003 save and except certain parts where a decision was withheld or other parts appealed to the Ontario Municipal Board. In those parts not approved, the City Plan approved by the Ministry of Municipal Affairs and Housing on July 8, 1997 are in effect.

#### 4.3.1 Heritage Policies

Heritage policies are contained in Section 3.20: Heritage Resources and are based on a goal and objectives set out in Section 2.12 of the Plan. The relevant heritage objectives and policies that apply to this application have been reviewed and are discussed below.

- Heritage Principles Policy 3.20.1.2 specifies the two main heritage principles:
  - o that heritage planning will be an integral part of the planning process, and
  - o heritage resources of significant value will be identified, protected and preserved.

These principles are, in part, an extension of the following objectives contained in section 2.12,2 of the Plan:

- o to prevent the demolition, destruction or inappropriate alteration or reuse of heritage resources.
- o To provide and maintain locations and settings for heritage resources which are compatible with and enhance the character of the heritage resource.

This proposal is being considered as part of the planning process; in this instance in conjunction with the submission of an application under the Planning Act. As part of the process, consideration is being given to the identified heritage resource – the former Toronto Township Municipal Building.

- Heritage Impact Statement Policies 3.20.2.2 and 3.20.2.3 require that any application of development; or any construction, development, or property alteration which might adversely affect a listed or designated heritage resource include a Heritage Impact Statement prepared to the satisfaction of the City. The City has prepared Terms of Reference (2007) for Heritage Impact Statement (HIS) which is "to determine the impact to known and potential heritage resources with a defined area proposed for future development... and makes recommendations toward mitigative measures that would minimize negative impacts to those resources." A HIS will include:
  - o Owner contact information,
  - o Detailed site history, including a listing of owners for the Land Registry Office,
  - o Identification and evaluation of the heritage resources, including buildings, landscapes and archaeological resources;
  - o Documentation of the heritage resource;
  - o A description of all relevant municipal or agency requirements;
  - Outline of the proposed development and an assessment of the proposal's impact on the heritage resources;
  - o Options for the conservation of the heritage resource;

- o Summary of conservation principles;
- o Alternatives for salvage in the event the property cannot be conserved;
- o Identification and justification for the preferred option; and qualifications of the person completing the HIS.

This HIS is being submitted in compliance with the requirements of the City. It should be noted that the information required in the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> bullet have been provided in the May 2007 Heritage Documentation Report and will only be referenced in summary form in this report.

Heritage conservation requirements – Policies 3.20.2.6 and 3.20.2.7 require that
the heritage resources be maintained in "a manner that prevents deterioration and
protects the heritage qualities of the resource" and "integrated with development
proposals".

This HIS will provide recommendations for conserving the heritage resource.

#### 4.3.2 Land Use Policies

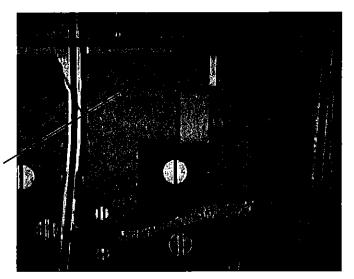
The site containing the Toronto Township Municipal Building is designated "Mainstreet Commercial" with Special Site Policies (12) as shown in Figure 4.1. The Mainstreet Commercial policies refer "to pedestrian-oriented street-related commercial areas" where compatible development and infilling, including the combination of commercial and residential uses is preferred (OP policies 3.5.1.2.1 and 3.5.1.2.2).

Figure 4.1

Land Use Designation

Source: Cooksville District Land
Use Map, City of Mississauga
Official Plan, September 2007.





The site specific policies permit:

- a maximum of 688 apartment units;
- 2,541 m2 of office and commercial uses;
- a 1,152 m2 community centre;
- an eight storey existing office building; and
- the potential to convert the community centre space to office/commercial uses if the centre is not required.

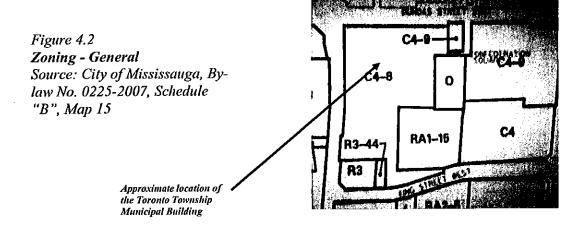
The urban design policies of the Plan require that:

Heritage resources should be conserved and incorporated into community design and new development in a manner that enhances the heritage resources and makes them focal points for the community. (policy 3.18.2.3)

subject to being "applied in a flexible manner based on the individual design merits of each development application." (policy 3.18.1.3)

### **4.3.3 Zoning**

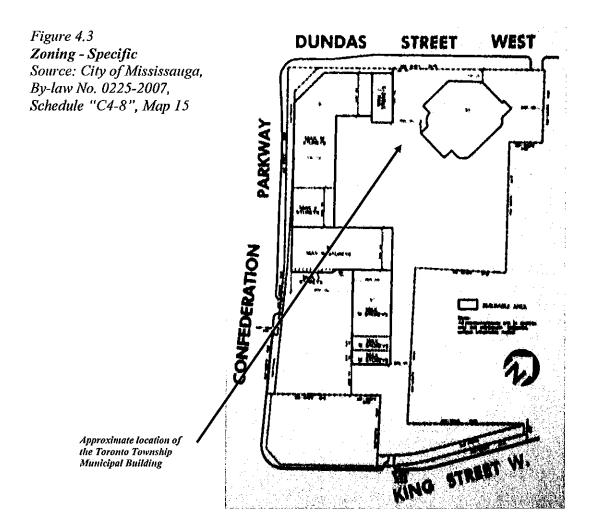
The City of Mississauga passed a City-wide Zoning B-law (By-law 0224-2007) on June 20, 2007. It was subsequently approved by the Ontario Municipal Board on September 10, 2007. The subject site is zoned C4 – Mainstreet Commercial with site specific 'exception' polices as shown in Figure 4.2. The C4 zone permits a range of retail, service, office, entertainment and apartment residential uses.



The site specific except policies are shown in Figure 4.3. In addition to establishing specific permitted uses:

- apartment dwelling,
- retail store,
- personal service establishment,
- office,
- medial office,
- and public school;

it establishes building heights and building areas. The former Toronto Township Municipal Building is not specified nor is it referenced as a buildable area or an existing structure.



#### 5.0 Heritage Evaluation

This section provides a discussion of the significance of the heritage resource and an evaluation of the impact of the proposal by 675553 Ontario Ltd. for 100 Dundas Street West on the heritage resource. The evaluation examines:

- the importance of the former Toronto Township Municipal Building in the body of work by Gordon S. Adamson;
- the importance of the sculpture by Cleeve Horne;
- the importance of the former Toronto Township Municipal Building as an example of modern architecture in the 'International Style' within the context of Mississauga;
- options for the retention of the Building within the redevelopment; and
- other extenuating circumstances affecting the conservation of the heritage resource.

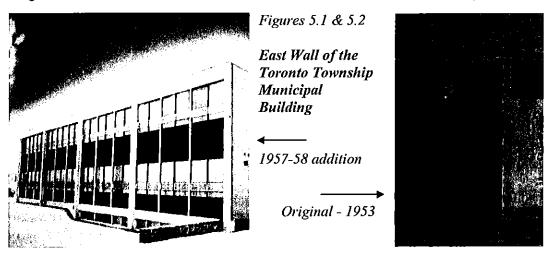
This section also makes recommendations in light of the impact of the proposed development on the heritage resource.

### 5.1 Condition and Significance of the Heritage Resource

#### 5.1.1 Alterations and Current Condition

The Building has undergone a number of alterations, several of which relate to fires that have occurred in the structure.

The first alteration was an addition to the east, constructed circa 1957-1958, also to the designs of Gordon Adamson and Associates. This addition obliterated the original east



elevation of the building, which, based on period photographs, appears to have been similar to the current west elevation, which is a recessed stucco wall with rectangular window openings. This contrasts with the window band on the north elevation. The elevation of the east wall of the 1957- 1958 addition consisted of four large window openings, further subdivided into bands of windows and opaque glass, a significant deviation from the original design of the building. The addition introduced a new vocabulary to the building, one based on the glass curtain wall which would become the hallmark of later versions of the modern architectural style. In my opinion, this new building elevation conflicts with the original style of the structure which utilizes solid curtain walls in either brick or stucco.

In 1969, the east wing was damaged by fire as was roughly 50% of the 1953 structure. The east wing was demolished and reconstructed based on Adamson's 1957-58 plans.

Another fire resulted in the demolition of the 1873 Town Hall, which was attached to the south elevation of a portion of the 1953 building. The opening to the 1873 building was altered to became a stucco wall with a chimney that appears to float in space together with other odd brick remnants (Figure 5.3).



Figure 5.3

Toronto Township Municipal Building, South Elevation, May 2007

Another exterior alteration by 1987 is the installation of wood panels in place of the glass panels on either side of the front door (Historical Section, Structure Report, Township of Toronto Municipal Offices, 1).

The interior was repartitioned by Sheridan College for its purposes. With the exception of the vault/storage area, little of the interior character from the days as the Township office remains. The most significant feature, the Council chamber with its wood paneling, is gone.

The Building appears, from a quick visual inspection, to be structurally sound but suffers from mold, the presence of hazardous substances and extensive water damage. The condition of mechanical and electrical systems was not determined. It is not habitable in its current condition.

### 5.1.2 Significance

The 1953 Building was a big step for Toronto Township, symbolizing a move into the modern era. The Building incorporates some elements of the 'International style' of modern architecture, such as the predominant lack of ornamentation, the use of a curtain walls that meet the flat roof of the structure without creating an eave, the second floor window band and the large multipaned, metal frame glass entrance element. The artistic style of the bas-relief panel to the east of the glassed entrance adds to the air modernity created by the structure, a significant departure from the traditional 1873 Town Hall.

However, the structure lacks other elements of a true 'International Style' structure. The windows on the north elevation exist within projecting sandstone framed openings with distinct sills, headers and side bars. A true 'International style' building would have no such framing; the windows would appear in punched openings in the wall. In addition, the rectangular windows on the ground floor are a further deviation as they do not form a band as above.

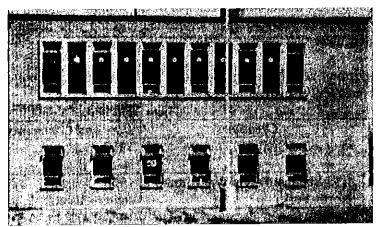


Figure 5.4
Toronto Township
Municipal Building, 1953
Source: City of
Mississauga Community
Services Department

The side walls of the building deviate from the 'International Style' as they are recessed from the edge of the roof creating a projecting eave. In a true 'International Style' building, the walls would meet the roof with little or no eave. Further, the rectangular windows on the side elevation do not form a continuous window band.

The 1953 Building does have some heritage merit, with the most striking building element being the bas-relief sculpture which portrays the Township in a modern style.

In my opinion, the 1957-58 addition has less merit as a structure worth conserving. Not only is it a reconstruction of the original, but stylistically, it is at odds with the design of the 1953 building as mentioned above. On the north elevation, the addition presents a large blank brick wall (Figure 2.3) which clashes with the more intricate wall of the 1953 building. The addition also results in a relocation of the entrance to the centre of the building rather than the asymmetrical arrangement in the original design.

In my opinion, the 1953 building, and in particular the bas-relief sculpture, has some heritage value that merits consideration for retention. The later addition does not merit retention for the reasons noted above.

#### 5.2 The Work of Gordon S. Adamson

If the 1953 building is demolished will we lose a significant work from the career of Gordon S. Adamson, architecture?

Gordon Adamson (1904 –1986) was a prominent Canadian architect who received his Bachelor of Architecture from the University of Toronto in 1928. He was registered as an architect from 1934 until his retirement in 1971. Initially he worked for a several architectural and private firms. In 1934 he became a principal of the firm of Adamson & Morgan. In 1946, the partnership with Earle Morgan terminated and the firm became Gordon Adamson and Associates, later shortened to Adamson and Associates.

During Adamson's career, his firm of architects was associated with a number of notable projects in the greater Toronto area and elsewhere in Ontario including:

Project Name	Location	Date and Comments
Redpath Sugar Refinery	95 Queens Quay E., Toronto	1957; Heritage
		status - listed
Defence Research Medical	1133 Sheppard Ave. W., Toronto	1956; Heritage
Laboratories	(North York)	status – listed
Queen's Park Complex	900 Bay Street, Toronto	1964-1971; In
		association with
		other architects
E.J. Pratt Library	Victoria University, UofT,	1960 & 1969
	Toronto	
St. Lawrence Centre for the	27 Front St. E., Toronto	1967-1970
Arts		
Apartment Building	130 Forest Hill Road, Toronto	

Leaside Public Library	Toronto (East York)	1950
Holt Renfrew Building	146 Bloor Street West, Toronto	1960
Parkdale Public Library	Toronto	1964
Arthur Schmon Tower	Brock University, St. Catharines	1968
Edward Johnson Music	University of Toronto, Toronto	1960
Building		
Watson Hall	Queen's University, Kingston	
Metro Senior Citizens	Alexandra Park, Toronto	1969
Building		
Bell Telephone Exchange	Pickering	
Building		
Co-operators Insurance	London	
Office Building		
Kipling Collegiate	Toronto (Etobicoke)	
St Clair Balfour Residence	Toronto	
York University Master	Toronto (North York)	In association with
Plan		other architects

Adamson and Associates has been described as "A 20<sup>th</sup> century firm with reputation for significant projects in styles spanning several architectural movements." (McHugh, 281)

Adamson's use of the 'International Style' of was first documented in 1945 in his remodeling and addition to the exterior of the Ingram and Bell Limited building in Toronto. The lack of historical ornamentation, window banding on each floor level and a curtain wall that meets the flat roof with only a small projecting eave are hallmarks of this Style in this building. The industrial origins of the 'International style' are appear in the steel sash windows. Although the window openings are not truly punched, the limestone framing is modest. A recess has been created for the entrance doors, a precursor for the entrance feature of the Toronto Township Building, albeit on a more modest scale. This building indicates that Adamson was working with the 'International Style' long before he did the Toronto Township building.

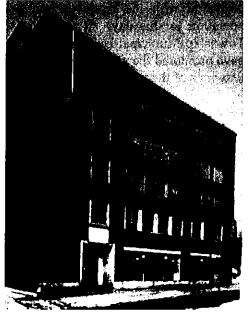


Figure 5.5 Ingram and Bell Ltd, Toronto by Gordon S. Adamson

Source: RAIC Journal, March 1945, p 51.

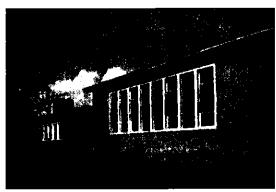


Figure 5.6 Leaside Public Library, Toronto by Gordon S. Adamson Source: RAIC Journal, Feb. 1951, p 51.

Similar evidence of the use of this Style appears in a February 1951 article on the Leaside Public Library designed by

Adamson, although in this instance, the flat roof projects beyond the brick wall. Adamson used a window band on the main block and on the smaller children's library.

Adamson was an avid promoter of his work, with many projects documented in the Journal of the Royal Architectural Institute of Canada (RAIC) the Canadian Architect, the later starting in 1955. There was no discussion of the Toronto Township Municipal Building in either of these journals between 1945 and 1965. Adamson, like some other Canadian architects, deposited his works for posterity in the Canadian Architectural Archives at the University of Calgary. In the Archives, the Gordon Adamson fonds "consists of drawings, files, and specifications from the architectural practice of Gordon Adamson & Associates, 1933-1972". No drawings of the Toronto Township Office were deposited with the Archives and none remain at the practice, which continues in operation to this day. It would appear that Adamson did not consider the Toronto Township Municipal Building to be one of his significant works – he does not appear to have promoted the work in hopes of gaining similar work nor did he bother to saving any drawings of the project.

Given the scope of Adamson's work, it is my opinion that the Toronto Township Municipal Building was not one of Adamson's significant works and its demolition will not appreciably diminish his record. It is clear from publications about his work that he embraced the 'International Style' long before he did the Toronto Township project.

In view of the limited record of this structure and the obscuring of exterior photographs in my May 2007 report by vegetation and security panels over windows and doors, I recommend that, prior to demolition, an exterior photographic record of the Building be completed following removal of all vegetation from around the Building and the removal of panels obscuring the windows and doors.

#### Recommendation 1

Prior to demolition, a photographic record of the exterior of the Building be completed following removal of all vegetation from around the Building and the removal of panels obscuring the windows and doors.

November 2007

#### 5.3 The Sculpture by Cleeve Horne

If the 1953 building is demolished will we lose the sculpture by Cleeve Horne?

Arthur Edward Cleeve Horne, the sculptor of bas-relief panel of Toronto Township, obtained his arts education in England under the direction of Dorothy Dick (1927-28) and in Toronto at the Ontario College of Art with J. W. Beatty (1931-34) and John Russell (1934-35).

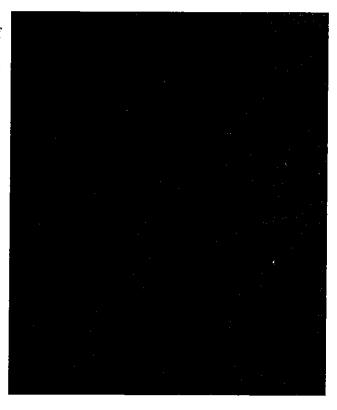


Figure 5.7
Toronto Township Municipal
Building Sculpture, May
2007

His paintings include persons prominent in law, medicine, government, education and business. His works hang in many prominent art collections including the Canadian and Ontario Parliament Buildings, Osgoode Hall, several Ontario Universities and Hospitals and the National Gallery of Canada. His sculptures range from 6' x 6' concrete plaques for the Queen Elizabeth Highway underpasses and Welland Canal bridge (1939) to granite reliefs on the Bank of Canada building in Toronto (1958). He also served as an art consultant on numerous building projects including the Imperial Oil building, Toronto (1953–58), the St. Lawrence Seaway (1957) and the Ontario parliamentary precinct, Toronto (1968-70). (Biography from the Art Gallery of Ontario)

Cleeve Horne, O.C., O.Ont., R.C.A., O.S.A., S.S.C., (1912 to 1998) was an Officer of the Order of Canada for his work as one of Canada's finest portrait painters and sculptors, a member of the Order of Ontario, a member of the Royal Canadian Academy of Arts and a member of the Ontario Society of Artists. He was awarded a number of medals for his work including the Canadian Centennial Medal, the Queen Elizabeth II Silver Jubilee

Medal, the 125<sup>th</sup> Anniversary of Canadian Confederation Medal and the Royal Architectural Institute of Canada's Allied Arts Medal (Wikipedia.org).

Gordon Adamson collaborated early with Cleeve Horne in the design of the Toronto Township Municipal Building resulting in a building that provides prominence to a modernist sculptural interpretation of the Township. The depth of the collaboration between artist and architect grew with Adamson's design of Cleeve Horne's studio on Balmoral Avenue in Toronto and his home in Pickering.

At the time this sculpture was included in this structure, there was a strong movement by the architectural profession in Canada to integrate sculpture into the design of buildings. A number of articles appeared in the RAIC Journal citing examples that had been used elsewhere especially in Toronto bank buildings – the Bank of Nova Scotia on King Street at Bay Street (Jacobine Jones, sculptor) and the Royal Bank on the north side of King Street between Bay and Yonge Streets (Emanuel Hahn, sculptor).

Immediately prior to the building's opening, the sculpture was described as follows:

Designed by Toronto artist Cleve Horne, the map has three symbolic figures superimposed on it. A man and woman represent the present and a baby in the woman's arms symbolizes the future of the township. On the map itself are planes and runways denoting the aviation industry in the northeast, oil tanks for the refineries in the southwest, sailing boats, fish, waves, agricultural equipment, sheaves of wheat and apples. (Port Credit Weekly Newspaper, April 23, 1953)

The sculpture has considerable significance to the City as a stylized representation of the community in the early 1950s. It should be retained even if the building is demolished. I recommend that the dismantling of the sculpture be done under the supervision of an art conservator familiar with stone works. The sculpture should be stored in a safe and secure location off site and the City should have access to it at all times. In fact, because of the significance of the sculpture to the municipality, I recommend that the owner should give the sculpture to the City which would display it in a prominent location that is suitable to the continued protection of the sculpture. The developer should fund the installation of the sculpture and an interpretive plaque about the sculpture.

#### Recommendation 2:

The bas-relief panel by Cleeve Horne be retained and the municipality secure a financial commitment from the owner to ensure that the panel is:

- Dismantled under the supervision of an art conservator knowledgeable in stone work;

- stored off-site in a secure and protected area to which the City should have access at all times to remove the sculpture if necessary;
- installed at the owner's expense in a prominent but protected location, preferably at a municipally owned facility; and
- accompanied by an interpretive plaque paid for by the owner to be located near the sculpture.

### 5.4 Modern Architecture and the International Style in Mississauga

Is the Toronto Township Municipal Office the only example of Modern Architecture in the International Style in the community? Are there more important examples of this Style in the Community?

The International Style, which was first identified in a 1932 exhibit at the Museum of Modern Art in New York City, has its roots in the Modernist movement of the Bauhaus School in 1920s Germany. This movement rejected imitation of past historical styles and "sought to express the intrinsic values and beauty inherent in the new materials and new technology of the twentieth century." (Blumenson, 205)

Ontario examples of the Early International style are characterized by simple Cubist compositions, with flat roof, clean lines, straight edges and smooth exterior finishes.... Besides the flat roof, the most outstanding characteristic is the absolute absence of applied historical ornament. (Blumenson, 206)

The front elevation of the 1953 Toronto Township Municipal Building exhibits many of the defining characteristics of the International Style. It is a flat roofed rectangular cube that is devoid of applied historical ornamentation. The walls, which are hung "curtain-like" on a steel frame, are flat surfaces that, for the front and rear elevations, meet the edge of the roof in a crisp, clean border devoid of eaves.

The style is also "characterized by asymmetrical composition, unrelievedly cubic general shapes, an absence of mouldings, large windows often in horizontal bands, and a predilection for white rendering." (Fleming, 168) The front of the 1953 building (Figure 2.2) is asymmetrical, with the entrance screen on the east side. Also on the front, the vertical window apertures on the second floor have been placed adjacent to one another creating continuous upper and lower mouldings that form a horizontal window band or "fake banding". This window probably illuminated the Council Chamber. In contrast, the ground floor windows do not form a continuous band (Figure 2.2).

The design of this building also deviates from the International Style's 'no moulding' principle, although the sandstone window mouldings are plain. In addition, the architect has created a projecting brick moulding around the entrance feature.

On the west and east elevations of the 1953 buildings, there is less adherence to the International Style principles. The plane of these walls is recessed resulting in a projecting eave above both walls. There is no window banding on the side and rear facades; rectangular window openings are used here. The white, rendered finish of the side elevations of the 1953 building differs from the use of red brick in Flemish bond on the front and a portion of the rear elevations. The front elevation of the 1953 building is like a Victorian building, giving the best detailing to public view, although the detailing is modern. Other elevations, perhaps for reasons of economy, were plainer and less in tune with the International Style.

In order to answer to opening questions of this section, I have used a variety of sources, including:

- the City of Mississauga heritage inventory,
- the Mississauga Public Library's historic image gallery,
- Canadian architectural journals of the period,
- architectural style books, and
- a driving tour of the older parts of the municipality

to identify existing and potential International Style heritage resources in the Mississauga. Some of the findings are including in Attachment No. 3. This survey is not comprehensive, but it has revealed that there are other International Style buildings, some of which are a decade earlier than the Toronto Township Municipal Building.

This survey indicates that, if the Toronto Township Municipal Building is demolished, it will not leave the community devoid of buildings of the International Style. Several other buildings are more important from architectural and historical perspectives. The Samit-Linke house more closely conforms to the principles of the International Style than does the Toronto Township Municipal Building – the windows are punched out of the walls

rather than being set in projecting mouldings; the windows are in horizontal and vertical bands and at least one raps around one corner. In addition, this building's use of the International Style more than a decade earlier than the Toronto Township Municipal Building and does not appear to have affected by later alterations that diminish the quality of the original design.

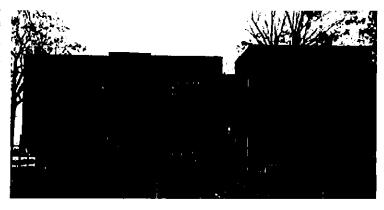
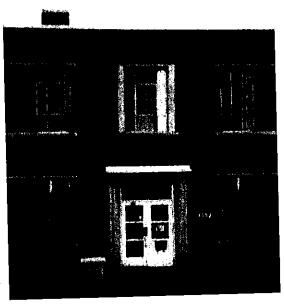


Figure 5.8
Samit-Linke House, 60 Cumberland Drive, Nov. 2007

Similarly, the Small Arms Inspection Building is a much earlier building in the International Style and, in my opinion, is historically more significant than the Toronto Township Municipal Building, being the last remnant of a major war time manufacturing operation that reinvigorated the community economy at the end of the Depression. Also it

was one of the early industrial ventures to provide many opportunities for females to participate in the work force. Like the Samit-Linke House, the original design of the Small Arms Inspection Building has not been marred by later additions or alterations that introduce a new building vocabulary to the structure. The industrial origins of the International Style are evident in the steel sash windows that appear to be original to the structure.





While there are a number of International Style buildings in the Mississauga, some of which have more architectural and historical significance than the Toronto Township Municipal Building, it is acknowledged that the later structure is the only one that could be found that incorporates a large art component into the exterior of the structure.

# 5.5 Options for the Retention of the Heritage Resource

The owner has considered the reuse and integration of the heritage resource within redevelopment of the site. The following is a discussion of the issues that arise when retention of the building is contemplated.

# 5.5.1 Conversion in situ to Commercial/Office Uses

Two issues arise with the conversion of the heritage resource for commercial or office uses – the location of the building relative to Dundas Street and compatibility with adjacent land uses.

As shown in Attachment No. 1, the Toronto Township Municipal Building is approximately 65 metres from the sidewalk. Currently it has little visibility from the

street being set back so far and shrouded by buildings on either side that are much closer to the sidewalk. The context for the Building will not improve; in fact if only the 1953 building is retained, it would have less visibility from the sidewalk that it currently does as shown in Figure 3.1. Opening up the site to reveal the building from Dundas Street would result in the loss of substantial development potential on the site and also conflict with the City's designation of the site as 'Mainstreet Commercial' The objective of this designation is to create "pedestrian-oriented street-related' uses. In my opinion, the Building does not facilitate 'pedestrian-oriented street-related' uses.

If the development proposal were altered to retain the Toronto Township Municipal Building for office/commercial uses, it would conflict with the adjacent residential uses as is apparent in Figure 3.1. In addition, parking surface parking would have to be provided to service those uses.

It is the owner's opinion that, since there is a limited market for commercial/office use of such a building, retention of the Toronto Township Municipal Building is unlikely to be financially viable. Open space areas would have to be replaced elsewhere on the site, reducing the residential unit potential of the development and the financial viability of the overall project. Further, the building massing and character is not consistent with the scale and architectural style proposed for the surrounding townhouses and will be a visual anomaly for the completed site.

## 5.5.2 Conversion in situ to Residential Use

The applicant has considered the potential to convert the Building to residential use and considers such a use is not viable. Further, a conversion will require substantial alteration of the character defining features of the building. Retention of the bas-relief panel in this option would be in a location that few in the community would see it.

If the structure were modified to accommodate a townhouse residential use, it would require alterations to windows, changes to window locations, additional entrances and modification to existing entrances to meet current Building Code requirements and to accommodate future residents. This would result in the possible disfigurement and loss of some of the character defining heritage features of this building. Similarly, the conversion of the building to apartment residential uses would require alterations and would result in an apartment building which, in the opinion of the owner, would not be viable. Incorporating the building into the base of a larger apartment building would also require alteration to character defining heritage features and, even with step backs of the new building above the existing roof line of the Toronto Township Municipal Building, would result in an unsatisfactory amalgam of an older building designed in an institutional manner with a residential tower above.

# 5.5.3 Conversion in situ to Community Use

The owner is not proposing to construct a community centre / common use element for the townhouse portion of the development. If the Building were retained and converted to such a use, in the opinion of the owner, it would be an on-going liability to the townhouse owners in terms of maintenance, security and increased assessment. It is the opinion of Viewmark Homes that such a use and continuing expenses to the townhouse owners is not justified. As with other non-residential options for the retention of the Building, it reduces the number of potential residential units in the development and reduces the amount of open space provided to the new residents in the development.

# 5.5.4 Relocation of the Building

When a heritage building it cannot be conserved in situ, another option is to move it. This is viewed as a less desirable option than retention in situ as the building looses its historic context and its original site associations. Relocation was considered as an option but rejected as not financially justifiable. The most significant heritage features are the north and west elevations of the 1953 Building. The altered interior and the Building's south elevation do not merit retention. The expense of moving the building was not considered to be justified based on the:

- desirability of retaining only two elevations and no interior features;
- limited heritage value of the building given other International Style heritage resources in the municipality;
- impact on the redevelopment of the property; and
- use to which the building would be put.

Any residential or commercial reuse of the relocated Building would require alteration of character defining heritage features further diminishing the heritage value of the resource once it is moved.

# 5.5.5 Façade Retention

The final option considered was retention of the north elevation of the 1953 Building. Given that the owner is prepared to retain the Cleeve Horne panel, I have considered the marginal benefit of retaining the rest of the north elevation. I concluded that retention of the second floor banded windows and the brick work is not worth the expense, particularly as the windows are not the best example of the International Style. Too often the result of such façade retention schemes is the appearance of a pasted on element that does not fit with the character of the rest of the development.

## City's Past Actions Affecting the Retention of the Heritage Resource 5.6

In my opinion, the City's past actions, discussed below, have diminished the justification for retaining the Toronto Township Municipal Building.

# 5.6.1 Failure to Protect the Heritage Resource when Property Sold

The Toronto Township Municipal Building was owned by the Township and its success-sor, the City of Mississauga. The City appears to have owned the property until 1986 when it transferred ownership to 675553 Ontario Limited, also referred to as Quadlib Developments Limited in the City's Historical Section Structure Report on the Building. Had the City considered the property to have heritage value, as owner of the property it could have designated it under Part IV of the *Ontario Heritage Act* prior to the sale. In addition, as owner of the property, the City had the authority under the *Ontario Heritage Act* to sell the property subject to a heritage easement agreement. Such an agreement would have protected the character defining heritage features of the building for all time. Council of the City did not secure such heritage protection when, as owner of the heritage resource, it could have done so.

# 5.6.2 Failure to Protect the Heritage Resource when Granting Planning Approvals in 1994

On July 6, 1994, the City and the owner of the property, 67553 Ontario Limited, entered into an agreement to substantially redevelop the property containing the Toronto Township Municipal Building. City Council rezoned the land as shown in Figure 4.3. The rezoning agreement between the City and the owner references the Toronto Township Building as the "School" and notes that the school building will be retained temporarily. Nothing in the agreement or the rezoning obligates the owner to retain the Toronto Township Building.

At the time the City approved this development, had Council considered the Building worth conserving, it would have been appropriate to secure conservation of the heritage resource as a condition of Council's approval. It did not despite a staff structure report on the Building citing its heritage value. This indicated to the owner that the City was not interested in conserving the Building.

# 5.6.3 Request to Demolish the Building

On October 9, 2003, the property standards officer, Barry F. Pollard, issued an order to 675553 Ontario Limited to

Carry out the repairs necessary to correct the defects as set out in Schedule 'B" attached hereto. This Order shall be complied with and the property brought into a condition of compliance with the prescribed standards or the site cleared of all buildings, structures, debris or refuse and left in a graded or leveled condition in accordance with any permits required by law.

Schedule 'B' includes the following 'necessary action': 'Arrange to Demolish the building and leave the property in a clean and clear condition.'

# 5.6.4 Summary of City Actions prior to December 17, 2003

Until City Council listed the Toronto Township Municipal Building as a heritage resource on December 17, 2003, the direction from the City had been that the Building has not been a resource worthy of conservation. The City did not secure heritage protection of the resource when it sold the property, despite having the authority to secure its protection. The City did not secure conservation of the heritage resource when it approved a substantial redevelopment of the property in 1994. In fact, in the agreement, it acknowledged that the building, which was then used as a school, was retained temporarily. Lastly, the City, in an order to the owner to secure the building, also ordered the owner to pursue demolition of the Building. Until listing, the consistent message from the City to the owner was that the Toronto Township Municipal Building was not a heritage resource to be retained.

# 5.7 The Ontario Heritage Trust Plaque

The Ontario Heritage Trust Plaque, Figure 2.5, is no longer in an appropriate location and, if the proposed development is approved, it must be relocated. It is assumed that it was placed in its current location to be near the municipal offices which, at that time, were in the Cooksville area near where Sir William Howland originally settled. Staff at the Mississauga Heritage Foundation have indicated that they would assist in facilitating the relocation of the plaque.

I recommend that the owner be required to relocate the plaque in consultation with the the City, the Ontario Heritage Trust and the Mississauga Heritage Foundation.

# Recommendation 3

The owner be required to relocate the Ontario Heritage Trust plaque to Sir William Pearse Howland in consultation with the City of Mississauga, the Ontario Heritage Trust and the Mississauga Heritage Foundation.

# 5.8 The Application of Heritage Conservation Principles to the Site

A number of heritage conservation principles were considered in the recommendation that I am making in this report.

In the Ontario Ministry of Culture's Heritage Conservation Principles for Landuse Planning, the first principle is timeliness:

It is important to identify heritage conservation issues at the beginning of the planning process and to make continuous reference to heritage conservation throughout the decision making process.

As I have shown in Section 5.6 of this report, the City has not been timely in its identification of heritage conservation issues. Planning for the redevelopment of this site had been under way for at least ten years before the City identified the retention of the Toronto Township Municipal Building as a heritage issue.

Another Principle in the Ministry's Infosheet is respect for context.

The surroundings or setting of a cultural heritage resource often contribute to its significance and vice versa. Where significance is linked to the contextual value of the resource, try to preserve the context. Try to maintain the same use for a heritage resource, or if this is not possible, find a compatible new use that does not demand too much change to the resource's physical fabric.

Much of the context of this heritage resource has been lost largely as a result of the actions of the City and its agencies. The Toronto Township Municipal Building was originally the centre of a community square that had a number of municipal functions in

other buildings — the municipal office, the library, the hydro office and a seniors residence. Gradually, as the City has grown, municipal functions have left and the context has been degraded through the addition of extensive parking lots and the introduction of incompatible buildings. The Building has lost its physical visibility and its context.

In addition, as shown in Section 5.5 of this report, it not possible for the owner to find a new uses for the Building which fit within the redevelopment context, are viable uses and do not alter the character defining heritage features of the building.

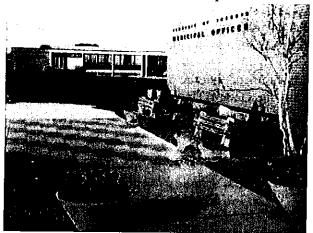


Figure 5.9

Part of the Context for the Toronto Township

Municipal Building which has been lost

Source: Mississauga Library Heritage Image

Gallery

November 2007

Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga

A final Principle in the Minsitry's Infosheet deals with retention and negative impacts.

Where negative impacts are unavoidable, effective mitigation must be applied, including reusing and making sympathetic alterations, reconstruction, moving to an appropriate setting, commemoration on site or elsewhere, or recording the resource before any negative changes are made.

It is my opinion that, given an evaluation of the resource, negative impacts are unavoidable. I have recommended completion of the recording of the resource prior to its demolition. This will provide a current record of the exterior of the building together with the floor plans contained in my Heritage Documentation report. In addition, the site will be commemorated through the relocation of the Cleeve Horne sculpture to a site that will have greater visibility of the sculpture to the residents of the municipality.

Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga November 2007

## 6.0 Conclusions and Recommendations

The owner of the property at 100 Dundas Street West is applying to rezone the property to permit residential redevelopment of the property. Approval of the application would result in the demolition of the former Toronto Township Municipal Building and the relocation of an Ontario Heritage Trust plaque. The owner has indicated his willingness to retain the bas-relief panel from the Building and to relocate the plaque.

I produced a separate heritage documentation report dated May 2007 which provided the history and architecture of the Toronto Township Municipal Building. It was constructed in 1952-53 according to the designs of the prominent Toronto architectural firm, Gordon Adamson and Associates as a substantial addition to the 1873 Municipal Hall. The design of the building follows many of the principles of the modern "International Style". The entrance screen of the building includes a bas-relief sculpture by the renowned Canadian artist, Cleeve Horne. In 1957-58, another addition was constructed east of the 1953 building, also to the designs of Gordon Adamson and Associates. In 1969, there was a fire in the building complex resulting in some damage to the 1953 building and the need to reconstruct the 1957-58 addition. In 1972, the Township left the building for new premises and eventually the Dufferin-Peel Roman Catholic Separate School Board used the building as its offices until 1986 when it was leased to Sheridan College. In 1975, a fire in the 1873 wing of the building resulted in the demolition of that portion of the building complex. The building has been vacant for a number of years since the departure of Sheridan College.

On December 17, 2003, the Mississauga City Council listed the building in the City's Heritage Inventory and on its City's Register of properties of cultural value or interest as per Section 27 of the *Ontario Heritage Act*. The property is not designated under the *Act*.

Provincial and municipal heritage policies that apply to the subject site have been examined. This Heritage Impact Statement is being provided in response to the Mississauga Official Plan policies 3.20.2.2 and 3.20.2.3.

I have examined the scope of work of Gordon S. Adamson architect and the relationship of the Toronto Township Municipal Building to that body of work. In my opinion, the Building was not one of Adamson's significant works and its demolition will not appreciably diminish his record.

I have examined the work of Cleeve Horne and the bas-relief panel on the Toronto Township Municipal Building. In my opinion, it is a significant work for the community and should be retained and displayed in a prominent municipal location.

I have examined the Toronto Township Municipal Building within the context of other buildings in the City that have been designed in the 'International Style'. There are a number of buildings in the municipality that have been designed in this 'Style', several of which, in my opinion, have more cultural value than the Toronto Township Municipal Building. However, this Building is the only one that I could find that integrated a substantial work of art into the exterior design of the building.

The applicant and I have examined a number of options for the retention of the building, particularly the 1953 structure, within the proposed development. It is our opinion that the retention of the building is not viable and could result in the loss of character defining heritage features if it were adapted to alternative uses, relocated or the façade retained.

I have also noted that, until December 17, 2003, the actions of the City did not indicate to the owner that the Toronto Township Municipal Building was worth conserving. The City did not provide heritage protection of the Building when it sold the property despite having the legal authority to impose such protection. The City did not secure conservation of the Building in 1994 when it approved a substantial redevelopment of the property. Further City officials have encouraged the owner to demolish the Building.

I have considered heritage conservation principles applicable to this site and, in light of the above, recommend a conservation strategy that includes completion of photo-documentation of the building as is, retention and reinstallation of the bas-relief panel by Cleeve Horne in a prominent municipal location and relocation of the Ontario Heritage Trust plaque.

I am recommending approval of the development, with the consequent demolition of the Toronto Township Municipal Building, subject to the following recommendations;

- 1. Prior to demolition of the Building, a photographic record of the Building be completed following removal of all vegetation from around the building and the removal of panels obscuring the windows and doors.
- 2. The bas-relief panel by Cleeve Horne be retained and the municipality secure a financial commitment from the owner to ensure that the panel is:
  - dismantled under the supervision of an art conservator knowledgeable in stone work;
  - stored off-site in a secure and protected area to which the City should have access at all times to remove the sculpture if necessary;
  - installed at the owner's expense in a prominent but protected location, preferably at a municipally owned facility; and
  - accompanied by an interpretive plaque paid for by the owner; the plaque should be located near the sculpture.
- 3. The owner relocate the Ontario Heritage Trust plaque to Sir William Pearse Howland in consultation with the City of Mississauga, the Ontario Heritage Trust and the Mississauga Heritage Foundation.

## 7.0 Sources Consulted

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City of Mississauga, Community Services Department, Mark Warrack.

Mississauga Heritage Foundation, Matthew Wilkinson.

Ontario Ministry of Government Services, Land Registry Office, Peel, 7765 Hurontario Street, Brampton.

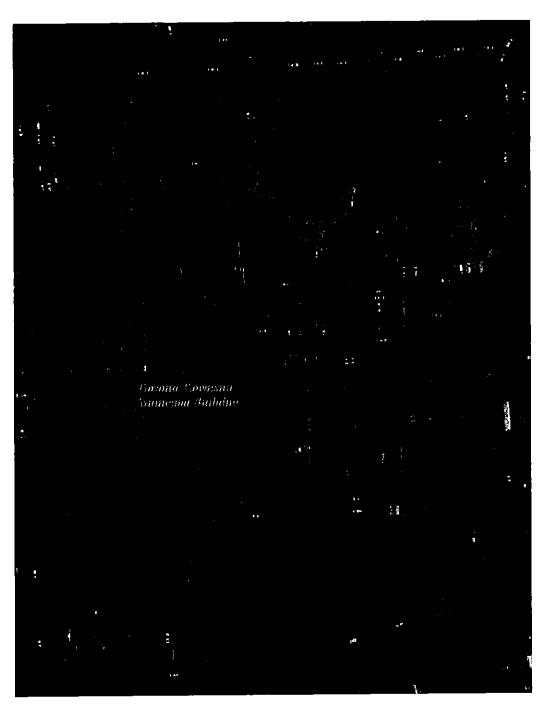
Region of Peel Archives, Brampton.

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Attachment No. 1

2006 Aerial Photograph 90 – 100 Dundas Street West, Mississauga

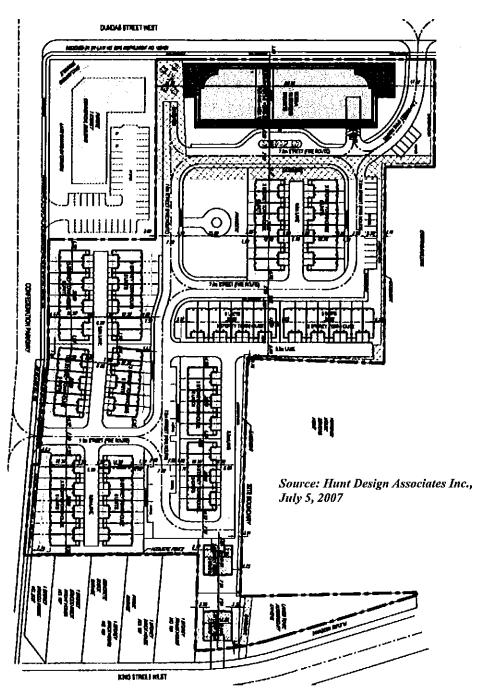


Source: Google Earth

Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga November 2007

Attachment No. 2

Proposed Site Plan Viewmark Homes – 100 Dundas Street West



Heritage Impact Statement: Toronto Township Municipal Building 100 Dundas Street West, Mississauga

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Attachment No. 3

Examples of Modern Architecture International Style – Mississauga



Address:	60 Cumberland Drive, Port Credit
Building Name:	Samit-Linke House
Construction Date:	1939
Architect:	Alfred Samit (atr)
Heritage Status:	Listed
Comments:	Referenced in Blumenson, p. only example of International style cited for Mississauga; photo Nov. 2007.



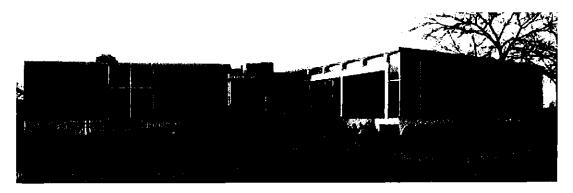
Address:	501 Lakeshore Road East
Building Name:	Canadian Admiral Corporation
Construction Date:	1951
Architect:	?
Heritage Status:	Not listed or designated
Comments:	Street elevation conforms to International style, photo Nov. 2007

Attachment No. 3 (ctd)

Examples of Modern Architecture International Style – Mississauga



Address:	1352 Lakeshore Road East
Building Name:	Small Arms Inspection Building
Construction Date:	1941
Architect:	?
Heritage Status:	Listed
Comments:	Currently used by Ontario Power Generation, photo Nov. 2007



Address:	20 Lakeshore Road East
Building Name:	Port Credit Public Library
Construction Date:	1961-1962
Architect:	Philip Brook
Heritage Status:	Not listed or designated
Comments:	Use of vertical window bands on the corners; roof structural
·	system visible in the north block, photo Nov. 2007





Address:	62 Port Street
Building Name:	Port Credit Fire Station No. 104
Construction Date:	1955
Architect:	Builder – H. Lee and Sons
Heritage Status:	Designated – Port Credit HCD, By-law 2004-0623
Comments:	Adaption of International Style for institutional use; photo - City
	of Mississauaga web site – property data base, heritage section



Address:	5 Dundas Street East
Building Name:	Bank of Commerce Building
Construction Date:	1956
Architect:	?
Heritage Status:	Not listed or designated
Comments:	Adaption of International Style for banking pavilion; photo from
	Mississauga Library, Heritage Image Gallery

Heritage Planning CITY OF MISSISSAUGA

JUL 2 2 2015

**RECEIVED** 



AND BUILDING

# HERITAGE AGREEMENT

THIS AGREEMENT made in quadruplicate this day of lower 2008

BETWEEN:

# 675553 ONTARIO LTD.

(hereafter called the "Owner")

- and -

# THE CORPORATION OF THE CITY OF MISSISSAUGA

(hereafter called the "City")

WHEREAS the Owner is the owner of certain lands and premises situated in the City of Mississauga in the Province of Ontario, and municipally known as 100 Dundas Street West (hereinafter called the "Property"), and more particularly described in the Legal Description attached hereto as Schedule "A" and on which there is a building known as the former Toronto Township Municipal Building (hereinafter called the "Building"), which has a sculpture located at the main entrance which is a sandstone Bas-relief by Cleeve Horne (hereinafter called the "Sculpture") and more particularly described in the Conservation of Sculptures, Monuments & Objects Report entitled "Stone Sculpture (Bas-Relief) by Cleeve Horne Former Toronto Township Municipal Building 100 Dundas Street West, Mississauga" (hereinafter called the "Conservation Report") attached hereto as Schedule "B" and as set out in section 5.3 of the Heritage Impact Statement for the Property dated November 2007 (herein after called the "Heritage Impact Statement") an excerpt of section 5.3 is attached hereto as Schedule "C";

AND WHEREAS the Owner and the City desire to conserve the present historical, architectural, contextual, aesthetic, scenic and heritage characteristics and condition of the Sculpture.

AND WHEREAS the Owner agrees that if a demolition of the Building is to occur, the Sculpture shall be carefully removed from the Building, stored in a safe manner and incorporated into any development on the Property.

AND WHEREAS to this end, the Owner and the City agree to enter into this Heritage Agreement (hereafter called the "Agreement");

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of TWO (\$2.00) DOLLARS of lawful money of Canada now paid by the City to the Owners (the receipt of which is hereby acknowledged), and for other valuable consideration, and in further consideration of the mutual covenants and restrictions hereinafter set forth, the Owner and the City agree to abide by the following covenants, easements and restrictions which shall run with the Property forever.

## 1.0 PURPOSE

1.1 It is the purpose of this Agreement to ensure that the Sculpture will be preserved on the Property as part of the heritage of the City. To achieve this purpose, the Owner and the City agree that the Sculpture will be removed from the Building, conserved in a safe state, installed in its entirety on any development of the Property and thereafter properly of recognized heritage conservation principles and practices and that no change shall be made to the Sculpture that will adversely affect its heritage character as set out in the Conservation Report at Schedule "B" and as set out in the Heritage Impact Statement attached as Schedule "C".

# 2.0 HERITAGE CHARACTER

Heritage Character Statement

The Owner and the City agree that the Conservation Report at Schedule "B" and Heritage Impact Statement at Schedule "C" explain the heritage significance and character of the Sculpture and that they describe the heritage features of the Sculpture that are to be conserved under this Agreement in order to preserve and protect the heritage significance and character of the Sculpture.

# 2.2 Baseline Documentation Reports

The Owner and the City agree that the photographs and text comprising the Conservation Report at Schedule "B" and the Heritage Impact Statement at Schedule "C", the originals or facsimiles of which are on file and may be examined at City Hall, accurately depict and describe the appearance, condition and construction of the Sculpture.

# 3.0 CONSERVATION PRINCIPLES, STANDARDS AND GUIDELINES

3.1 Both the Owner and the City in carrying out their respective responsibilities and duties under this Agreement shall, where applicable, be guided by and apply the conservation principles set out in the Ontario Ministry of Culture's Eight Guiding Principles in the Conservation of Historic Properties as revised from time to time, the present edition of which are attached as Schedule "D" and recognized heritage conservation best practices.

# 4.0 DUTIES OF OWNER

# 4.1 Maintenance of the Sculpture if the Building is Retained

If the Owner retains the Building on the Property, the Owner shall at all times maintain the Sculpture in as good and sound a state of repair as a prudent owner would normally do so that no deterioration in the present condition and appearance of the Sculpture, as shown in the photographs and described in the Conservation Report at Schedule "B" and as set out in the Heritage Impact Statement at Schedule "C" shall take place. The Owner's obligation to maintain the Sculpture shall require that the Owner undertakes such preventative maintenance, repair, stabilization and replacement measures whenever necessary to preserve the Sculpture and to take all reasonable measures to secure and protect the Sculpture from vandalism, fire and damage from inclement weather.

# 4.2 Dismantling and Transport of the Sculpture

If the Owner demolishes the Building on the Property, it shall ensure that the Sculpture is carefully removed/dismantled from the Building and stored at all times in the manner set out in the Conservation Report at Schedule "B". After the Sculpture is removed/dismantled it shall be transported, at the Owner's expense, for storage. The Owner's obligation to maintain the Sculpture shall require that the Owner undertakes such preventative maintenance, repair, stabilization and replacement whenever necessary to preserve the Sculpture and to take all reasonable measures to secure and protect the Sculpture from vandalism, fire and damage from inclement weather.

# 4.2.1 Storage of the Sculpture

The Owner shall ensure that the Sculpture is transported for storage to the City property located at 4415 Mississauga Road ("City Property"). The Owner shall ensure that the sculpture is left at the City Property in a manner that will ensure its safety and preservation for the period of time period that it is being stored at the City Property. The Owner shall have access to inspect the Sculpture while it is being stored at the City Property, which the City shall allow after reasonable notice is provided to the City's Heritage Coordinator, in order to ensure that the Sculpture is stored in a proper manner. If for whatever reason the City decides that the Sculpture can no longer be stored at the City Property, the Owner shall transport the Sculpture, at its own expense, to another location for storage that is agreeable to the City's Heritage Coordinator.

# 4.2.2 Liability During Storage

The Owner acknowledges that the City, or anyone for whom it is in law responsible, is not in any way responsible for any damage that may occur to the Sculpture during storage at the City Property, except in the case of gross negligence or willful misconduct on the part of the City or anyone for whom it is responsible in law.

# 4.3 Installation of the Sculpture

Following section 4.2 of this Agreement, the Owner shall ensure that the Sculpture is installed on, and form part of any development on the Property. The Sculpture shall be installed in an area of the Property which is clearly visible and accessible to the public. The Sculpture shall be in a location shown on a site plan approved by the City's Commissioner of Planning and Building in accordance with section 41 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended. The Owner shall ensure that any installation will be carried out by the appropriate professionals under the supervision of an art conservator. After the Sculpture is installed on the Property, the Owner shall at all times maintain the Sculpture in as good and sound a state of repair as a prudent owner would normally do, so that no deterioration in condition and appearance of the Sculpture, as shown in the photographs and described in the Conservation Report at Schedule "B" and the Heritage Impact Statement at Schedule "C" Shall take place. The Owner's obligation to maintain the Sculpture shall require that the Owner undertakes such preventative maintenance, repair, stabilization and replacement measures whenever necessary to preserve the Sculpture and to take all reasonable measures to secure and protect the Sculpture from vandalism, fire and damage from inclement weather.

Repair of the Sculpture subject to Section 4.2.2 above,

If the Sculpture is damaged or destroyed in any way during its removal/dismantling, transport, storage, installation or after it is installed on the Property the Owner shall repair the Sculpture to its original state as depicted in the photographs and described in the Conservation Report at Schedule "B" and the Heritage Impact Statement at Schedule "C". If the Sculpture, or portion thereof, is damaged to such an extent that it cannot be repaired, the Owner shall replace the Sculpture with an identical replica, or replace the damaged portions, with identical portions thereof. The Owner shall retain an art conservator to assess whether sculpture, or portion thereof, is a true replica of the Sculpture or portion thereof. The Owner shall assume all of the costs for any repair or replacement of the Sculpture or any part thereof.

# 4.5 Vandalism and Graffiti

The Owner shall use its best efforts to ensure that the Sculpture is protected from any acts of vandalism, including any marking with graffiti. If the Sculpture is vandalized, while within the Owner's possession, including any marking with graffiti, the Sculpture shall be repaired following section 4.4.

subject to Section 4.2.2 above,

# 4.6 Signs and Fixtures

The Owner shall not place or affix on the Sculpture any signs or other similar objects and fixtures without the prior written approval of the City. Such approval may, in the sole discretion of the City and for any reason which the City considers necessary, be refused.

# 4.7 Prohibited Activities

The Owner shall not in respect of the Sculpture, except with the prior written approval of the City, which approval is, in the sole discretion of the City and may be refused for any reason the City considers necessary:

a) grant any easement or right of way to a third party on the Property directly under the Sculpture;

b) allow the dumping of soil, rubbish, ashes, garbage, waste or other unsightly, hazardous or offensive materials of any type or description on or near the Sculpture;
c) allow any changes to the Sculpture.

allow any changes to the Sculpture, including its movement after it has been installed; and

d) allow the structure to be damaged or destroyed at any time including during the removal/dismantling, transportation, storage and installation phase.

# 5.0 LETTER OF CREDIT

# 5.1 Letter of Credit

At the time this Agreement is executed by the City, the Owner shall have deposited with the City the Letter of Credit as approved by the City Treasurer in the amount of \$30,000.00.

# 5.2 Use of Letter of Credit

- (i) If the Owner fails to remove/dismantle the Sculpture within a reasonable time after the receipt of a demolition permit for the Building, the City at its sole discretion and after providing notice to the Owner, may draw the appropriate amount from the Letter of Credit and use the funds to arrange for the removal/dismantling and storage of the Sculpture.
- and use the funds to arrange for the removal/dismantling and storage of the Sculpture.

  (ii) If the Sculpture is destroyed during its removal/dismantling, storage, installation, or during the demolition of the Building, and the Owner fails to replace the Sculpture with an identical Sculpture, the City at it sole discretion may draw on the entire amount from the Letter of Credit and use the proceeds for whatever purpose it deems necessary and such purpose need not be related to the Sculpture or the Property.
- (iii) If the Owner fails to repair or replace the Sculpture as per section 4.4 of this Agreement as requested by the City, and in the time requested, the City, may at any time authorize the use of all or part of the Letter of Credit to pay the cost of any part of the repair or replacement the City may in its absolute discretion deem necessary.
- (iv) If the Owner fails to install the Sculpture on the Property in the manner dealt with under this Agreement the City may draw the appropriate amount from the Letter of Credit and use the funds to arrange for the installation of the Sculpture on the Property or on any property the City deems appropriate.

# 5.3 Return of Letter of Credit

The Letter of Credit or remaining portions thereof, will be returned or released to the Owner: (i) as soon as reasonably possible after the Sculpture has been installed at the Property pursuant to this Agreement and done to the satisfaction of the City's Commissioner of Community Services and (ii) the Commissioner releases the Owner of all obligations under this Agreement provided no claims against such Letter of Credit are hereby being pursued by the City.

# 6.0 INDEMINITY AND INSURANCE

# 6.1 Indemnity

The Owner shall hold the City and its employees, officer, agents, contractors and representatives harmless against and from any and all liabilities, suits, actions, proceedings, claims, causes, damages, judgments or costs whatsoever (including all costs of defending such claims) arising out of, incidental to, or in connection with any injury or damage to person or property of every nature and kind (including death resulting therefrom), occasioned by any act or omission of the Owner related to this Agreement during the removal/dismantling, transport or installation of the Sculpture.

# 6.2.1 Insurance

- 1. The Owner agrees to put in effect and maintain or cause to be put in effect and maintained, at all times, fine arts insurance coverage based on the highest value of either the full value of the Sculpture assigned by a professional appraiser or the full cost to reproduce the Sculpture, Such coverage shall include coverage for loss or damage during the removal/dismantling, transportation, storage and installation of the Sculpture.
- 2. Such policies shall not be terminated, cancelled or materially altered unless written notice of such termination, cancellation or material is given by the insurers to the City at least thirty (30) clear days before the effective date thereof.
- 3. Upon execution of this Agreement and on each and every anniversary date, the Owner shall deliver a certificate of insurance to the City's Manager, Realty Services, at 300 City Center Drive, 4th Floor, Mississauga, Ontario, L5B 3C1.
- 6.2.2 If the Owner fails to obtain the insurance or if the insurance is cancelled, the City may effect such Insurance and the premium and any other amount paid in so doing shall

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forthwith be paid by the Owner to the City, or if not, shall be a debt owing to the City and recoverable from the Owner by action or application in a court of law.

6.2.3. Proceeds receivable by the Owner under the insurance shall, on the written demand and in accordance with the requirements of the City, be applied to replacement, rebuilding, restoration or repair of the Sculpture to the fullest extent possible. In the event that the insurance proceeds receivable by the Owner is insufficient to effect a partial or complete restoration of the Sculpture, the City shall have the privilege, but not the obligation, of either drawing the appropriate amount from the Letter of Credit and/or contributing additional monies towards the replacement, rebuilding, restoration, or repair costs in order to effect a partial or complete restoration of the Sculpture

# INSPECTION OF PROPERTY

subject to Section 4.2.2 above,

The City or its representatives shall be permitted at all reasonable times to enter upon and inspect the Sculpture on the Property upon prior written notice to the Owner of at least

## 8.0 PLAQUE & PUBLICATION

- 8,1 The Owner agrees to erect, at its expense, an interpretative plaque adjacent to the Sculpture in a form and with wording satisfactory to the City's Heritage Coordinator.
- 8.2 The Owner agrees to allow the City to publicize the heritage significance of the

## 9.0 SUBSEQUENT INSTRUMENTS

- Where required by the City Solicitor in the future, notice of these covenants, easements and restrictions shall be inserted by the Owner in any subsequent deed or other legal instrument by which they divest themselves either of the fee simple title to or of their possessory interest in the Property.
- The Owner shall notify the City in writing within fifteen (15) days in the event they divest themselves of the fee simple title to or of their possessory interest in the Property.

#### 10.0 REMEDIES OF THE CITY

#### 10.1 Notice of Default

If the City, in its sole discretion, is of the opinion that the Owner has neglected or refused to perform any of its duties or obligations set out in this Agreement, the City may, in addition to any of its other legal or equitable remedies, give the Owner written notice setting out particulars of the Owner's default and the actions required to remedy the default. The Owner shall have thirty (30) days from receipt of such notice to remedy the default in the manner specified by the City or to make other arrangements satisfactory to the City for remedying the default within such period of time as the City may specify.

#### 10.2 City May Rectify Default

If the Owner has not remedied the default or made other arrangements satisfactory to the City for remedying the default within the time specified in section 10.1, or if the Owner does not carry out the arrangements to remedy the default within the period of time specified by the City, the City may enter upon the Property and may carry out the Owner's obligations and the Owner shall reimburse the City for any expenses incurred thereby that may be in addition to any draw against the Letter of Credit made by the City. Such expenses incurred by the City shall, until paid to it by the Owner, be a debt owed by the Owner to the City and recoverable by the City by action or application in a Court of Law.

#### 11.0 NOTICE

Any notices, certificates or other communications and deliveries required by this Agreement or desired to be given to or made by any party shall be in writing and may be delivered personally, made by mailing the same in a sealed envelope, by registered mail, postage prepaid, return receipt requested, or by facsimile transmission, addressed to each party at the address below set forth or such other address as the parties shall designate by notice, given in accordance herewith;

To the Owner:

To the City:

The Corporation of the City of Mississauga

300 City Centre Drive

Mississauga, Ontario L5B 3C1 Attention: Heritage Coordinator Telephone: 905-615-3200 Ext. 5070

Facsimile: 905-615-3976

With a copy to its Solicitor: Legal Services Division

The Corporation of the City of Mississauga

300 City Centre Drive

Mississauga, Ontario L5B 3C1 Telephone: 905-615-3200 Ext. 5006

Facsimile: 905-896-5106

# GENERAL

#### 12.1 Headings

The headings in the body of this Agreement form no part of the Agreement but shall be deemed to be inserted for convenience of reference only.

#### 12.2 Waiver

The failure of the City at any time to require performance by the Owner of any obligation under this Agreement shall in no way affect its right thereafter to enforce such obligation, nor shall the waiver by the City of the performance of any obligation hereunder be taken or be held to be a waiver of the performance of the same or any other obligation hereunder at any later time. Any waiver must be in writing and signed by the City.

# 12.3 Severability of Covenants

All covenants, easements and restrictions contained in this Agreement shall be severable, and should any covenant, easement or restriction in this Agreement be declared invalid or unenforceable, the validity and enforceability of the remaining covenants, easements and restrictions shall not be affected.

#### 12.4 Costs

In the event that a dispute arises between the parties hereto because of this Agreement, each party shall be responsible for its own legal fees, court costs and all other similar expenses that may result from any such dispute except where costs are awarded by a court or tribunal.

#### 12.5 Entirety

This Agreement embodies the entire agreement of the parties with regard to the matters dealt with herein, and no understandings or agreements, verbal, collateral or otherwise, exist between the parties except as herein expressly set out.

# 12.6 Gender, Number and Joint and Several

Words importing the feminine include the masculine or neutral gender and words in the singular include the plural, and vice versa. Whenever the Owner comprises more than one person, the Owner's obligations in this Agreement shall be joint and several.

IN WITNESS WHEREOF the parties hereto have executed this Agreement effective as of the later date written below.

> 675553 ONTARIO LTD. Name:

Date:

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Title:

Per:		į	'	
Vame:	-		 	
Γitle:	•			

I/We have the authority to bind the corporation.

THE CORPORATION OF THE CITY OF MISSISSAUGA

Per:

Name: Paul Mitchum

Title: Commissioner, Community Services

Per: (W)
Name: Crystal Gr
Title: City Clerk

Authorized through By-law No. 1064-2009

Date: FEB 25th, 2009

# SCHEDULE "A"

# LEGAL DESCRIPTION OF PROPERTY

PIN: 13354-0002

LEGAL DESCRIPTION: Part of Lots 12, 13, 14 and 15 on Plan TOR-12, Part of Lanes on Plan TOR-12 closed by By-Law BL768, Part of Blocks A, B and C on Plan K-23, Part of Road between Blocks B and C on Plan K-23 closed by By-Law BL306 and Part of Lot 16, Concession 1, South of Dundas Street, designated as Parts 2, 3, 4, 5 and 6 on Reference Plan 43R3479, in the City of Mississauga, Regional Municipality of Peel.

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PROPERTY DESCRIPTION:

Ontario ServiceOntario

OFFICE #43 REGISTRY

13354-0002 (LT)

PCL A-1, SEC 43-K-23; PT LTS 12, 13, 14 & 15, PL TOR-12; PT LT LANES PL TOR-12 CLOSED BY BYLAW, BL768, PT BLK A, B & C, PL K-23, PT RD BTN BLKS B & C, PL K-23 CLOSED BY BYLAW BL306; PT LT 16 CON 1 SDS; BEING PTS 2, 3, 4, 5 & 6, 43R3479; S/T A RIGHT AS IN 163084VS; S/T LT325042, VS183661

ON 2016/02/10 AT 14:50:37

PREPARED FOR Martha01

PAGE 1 OF 2

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

PROPERTY REMARKS:

MISSISSAUGA

ESTATE/QUALIFIER: ABSOLUTE FEE SIMPLE

675553 ONTARIO LIMITED

OWNERS' NAMES

FIRST CONVERSION FROM BOOK RECENTLY:

1996/12/23

PIN CREATION DATE:

CAPACITY SHARE

LT564918 43R8503 LT277520 LT535298 LT325042 LT308137 LT308136 LT266620 LT192925 43R3479 VS183661 \*\* PRINTOUT \*\*WAS REPLACED WITH THE "PIN CREATION DATE" OF 1996/12/23\*\* \*\*EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1996/12/23 ON THIS PIN\*\* REG. NUM. REMARKS: RENEWAL AGREEMENT RE: LT266620 1985/06/05 1984/11/26 1981/06/19 1981/03/17 1980/11/17 1980/05/08 1978/10/19 1981/03/17 1980/08/01 1975/10/23 1971/09/13 INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) \*\* DATE NOTICE OF LEASE NOTICE OF LEASE NOTICE AGREEMENT NOTICE AGREEMENT PLAN REFERENCE NOTICE OF LEASE NOTICE OF LEASE NOTICE AGREEMENT PLAN REFERENCE TRANSFER EASEMENT TRANSFER EASEMENT INSTRUMENT TYPE AMOUNT PARTIES FROM HER MAJESTY THE QUEEN, IN RIGHT OF ONTARIO AS REPRESENETED BY THE MINISTER OF GOVERNMENT SERVICES HER MAJESTY THE QUEEN, IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF GOVERNMENT SERVICES HER MAJESTY THE QUEEN, IN RIGHT OF ONTARIO AS REPRESENTED THE MINISTER OF GOVERNMENT SERVICES THE BELL TELEPHONE COMPANY OF CANADA PRATT & WHITNEY AIRCRAFT OF CANADA LTD THE CORPORATION OF THE CITY OF MISSISSAUGA THE CORPORATION OF THE TOWN OF MISSISSAUGA PARTIES OI λB a С C a a U C С a CERT/

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY

NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

# Ontario ServiceOntario

REGISTRY
OFFICE #43

LAND

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 2 OF 2 PREPARED FOR Martha01

ON 2016/02/10 AT 14:50:37

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
LT673349	1986/08/29	TRANSFER			675553 ONTARIO LIMITED	С
LT1170487	1990/11/08	NOTICE OF LEASE			HER MAJESTY THE QUEEN, IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF GOVERNMENT SERVICES	С
LT1227848	1991/06/21	NOTICE OF LEASE			HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF GOVERNMENT SERVICES	C
LT1234422	1991/07/10	NOTICE OF LEASE			PENNSYLVANIA LIFE INSURANCE COMPANY	C
43R19068	1992/02/18	PLAN REFERENCE				C
LT1501300	1994/07/12	NOTICE			THE CORPORATION OF THE CITY OF MISSISSAUGA	С
43R21182	1995/08/29	PLAN REFERENCE				c
LT1622324	1996/03/28	CHARGE	\$3,000,000		THE TORONTO-DOMINION BANK	С
LT1622325 REI	5 1996/03/28 NO REWARKS: LT1622324	NOTICE				G
LT1622326	1996/03/28	CHARGE	\$6,354,310		SKYRISE DEVELOPMENTS LIMITED	С
LT1622327 REI	7 1996/03/28 TR REMARKS: LT1622326	TRANSFER OF CHARGE			SHELLGRAN INVESTMENTS LTD.	С

# City of Mississauga

# **Corporate Report**



Date: 2017/06/01 Originator's files:

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

2017 Waterfront Parks Damage Funding

## Recommendations

- 1. That funding in the amount of \$2.3 million be funded from Capital Reserves for Shoreline damage repair, detailed design and restoration as outlined in the Corporate Report dated June 1, 2017 from the Commissioner, Community Services, be approved.
- 2. That the Waterfront Parks and Shoreline Restoration project (PN) 17-381 be established with a gross and net budget of \$2.3 million from the Tax Capital Reserve Fund (Account #33121).
- 3. That all necessary bylaws be enacted.

# **Report Highlights**

- Waterfront parks and shoreline received significant damage as a result of multiple storm events from April 30<sup>th</sup> to May 30<sup>th</sup> 2017, and continued unprecedented high Lake Ontario water levels.
- \$2.3 million dollars of funding is required to commence procurement, damage repair, detailed design and restoration of damaged waterfront parks to reopen park areas and mitigate future shoreline damage.
- St. Lawrence Park lower promenade remains closed and requires repairs to safely open to the public.
- Portions of J.C. Saddington, J.J. Plaus and Marina Park remain inaccessible to the public.
- Repairs and hydro relocations carried out at Credit Village Marina (CVM) and Lakefront Promenade Marina (LFPM) to mitigate service disruption, operating costs and revenue impacts will not be fully known until Fall 2017.
- Marina Park boat launch, charter boat docks, and portions of gravel and asphalt parking lot remain inaccessible; some seasonal slip charter boats relocated to CVM, while others

cancelled their slip for the season.

 Incident Management Team ceased operation as of June 8, 2017; Corporate Finance is collecting costs from all service areas to determine eligibility for potential submission for Provincial Disaster Relief Funding.

# **Background**

The Director, Parks and Forestry made a deputation to Council on May 10, 2017 outlining the significant damage to waterfront parks that was to be assessed for repair costs as a result of multiple storm events and unprecedented high water levels.

From April 30, 2017 to May 30th, 2017 the City of Mississauga, as well as other municipalities along the St. Lawrence River and Lake Ontario shoreline, experienced significant weather events including unprecedented amount of precipitation leading to record high water levels resulting in property and shoreline damage.

There were two significant storm events, April 30<sup>th</sup> and May 5<sup>th</sup>, that recorded intense wind and precipitation that exceeded the 100-year design water level. Through wind data collected, it is estimated that the wave height during the April 30<sup>th</sup> storm reached three metres (approximately 10 feet). In April 2017, Lake Ontario rose by 44 centimetres (17 inches) followed by an additional 25 centimetres (10 inches) in the first nine days of May.

Credit Valley Conservation Flood Watch reports that Lake Ontario is at the highest level it has been since reliable recording began in 1918. As of June 1st, 2017 Lake Ontario was 82 centimetres (32 inches) above its long-term average level for this time of year but has remained relatively stable since mid-May despite additional rainfall. Outflow of the water from Lake Ontario downstream is governed by the Lake Ontario/St. Lawrence Board and is at maximum release ever recorded.

The multiple significant weather events, volume of precipitation, as well as continued storm and wave activity has impacted much of the City's waterfront parks and shoreline including areas of significant damage that restricts public use including St. Lawrence Park, Marina Park, J. J. Plaus Park, and J.C. Saddington Park. CVM and LFPM required hydro service relocation to mitigate damage from rising water levels. Additional impacted waterfront park shorelines include Lakefront Promenade Park, Adamson Estate, Helen Molasy Park, Tall Oaks Park, Harding Estate, Jack Darling Park, Rhododendron Gardens, Lakeside Park, Richards Memorial and Watersedge Park.

## Park Safety

Immediate storm response included inspecting all pathways and City facilities along the shoreline to ensure public safety and identify works to be completed. Park operations staff worked diligently to ensure these areas were continually cleared off throughout multiple storm

events and assessed for safety. Temporary fencing has been installed as required to ensure public safety. Sandbag structures have also been placed at various locations to prevent further damage. Charter boats operators who annually lease Marina Park seasonal dock slips and the Snug Harbour restaurant who lease parkland at J. J. Plaus Park have also been impacted by the weather and high water levels.

## Assessment of Damage and Repair Costs

In order to complete initial assessments on the integrity of the waterfront parkland and shoreline the City has engaged the services of a Shoreline Engineer to evaluate the park damage, and a Design Consultant to provide potential solutions and high-level costing to primarily ensure that the stability of the shoreline is safe and to protect it in the case of any future events through preventative design. While these assessments have been in process, City staff continues to monitor the shoreline and parks daily to ensure these areas are safe for public use and make interim repairs where feasible.

## Water Levels Remain High

It is anticipated that water levels in Lake Ontario will remain high, with gradual decline commencing in the upcoming weeks. Owing to the large surface area, large volume of water and uncertain future precipitation, water levels in Lake Ontario will take numerous weeks to significantly reduce and the timeline is difficult to predict. Lake levels within the upper level of the normal range are not anticipated until at the earliest mid-July and possibly into September, complicating the ability to completely assess the immediate and long-term damage to some waterfront assets while they are still partially submerged. The high water levels may also impact the commencement of restoration works as calm and lower water levels are required to perform some of the work to meet engineering requirements in some areas.

Corporate Services Finance is collecting and documenting operating and capital costs being submitted by all impacted service areas. If costs incurred meet funding criteria Finance will prepare the submission for any potential disaster relief funding provided by the Province.

# **Present Status**

The Incident Management Team lead by Transportation and Works has transitioned to monitoring and normal operations are underway. Parks and Forestry continues to ensure public parkland safety through inspections, monitoring, fencing, sandbags and communication to residents.

In order for damage to waterfront parks to be restored, and provide public access, funding is required to commence the procurement process for damage repair, detailed design and restoration works. Single source contract awards are required.

Currently the Parks that continue to be most significantly impacted with public access and service disruptions include:

## St. Lawrence Park:

 Public access is fully eliminated through fencing to the lower promenade until restoration works can be completed

## Marina Park:

- Charter boat docks and launch ramp are closed as they remain under water
- Trailer parking lot, and approximately half of asphalt parking lot is closed due to flooding
- Fencing has been installed to prevent public access to hazardous areas

## J.J. Plaus Park:

- Fencing has been installed to eliminate public access along the pedestrian pier adjacent to Snug Harbour due to high water levels and remaining sandbag structures
- JJ Plaus parking lot flooded and reopened
- Park tenant, Snug Harbour Restaurant, reopened June 7, 2017

## J.C. Saddington Park:

 Sections of the of the Fishermen's boardwalk asphalt pathway are fenced off due to sink holes within the pathway

Ten other waterfront parks require shoreline restoration but remain open to the public.

The following describes the impact to the City's Marinas:

## Credit Village Marina (CVM):

- Facilities and Property Management raised the dock power panels significantly above the high waterline
- Sandbags structures remain in place adjacent to the dock
- Charter boat operators are docked in the marina as regular seasonal docks remain under water, some operators elected to operate from other locations this season.

## Lakefront Promenade Marina (LFPM):

Hydro service to all boat slips on the three docks and fuel service was compromised.
 Facilities and Property Management raised all power panels and inserted temporary cabling fully restoring full Hydro services at all boat slips and docks

## **Marina Operation Impact**

Due to the high water conditions there has been an impact to the Charter Fishermen businesses that operate out of Marina Park. Revenue has also been impacted at recreational boat slips and LFPM fuel dock. Several Charter Fisherman were delayed in commencing their season and were relocated to CVM or have withdrawn from their slip for this season. Transient boater activity has been limited due to weather. These interruptions of service have had a financial

impact of over \$140,000 on the Marina's revenues as of June 7<sup>th</sup>, 2017 when compared to historical averages, equal to a 20% difference. Weather for the remaining boating season will influence marina use and revenues.

# **Comments**

## **Shoreline Engineer Structural Assessment and Recommendations**

The shoreline and infrastructure at the four significantly impacted parks were assessed by a Shoreline and Structural Engineers to determine the full impact of the wave action and high water levels, as well as to provide recommendations to redesign and repair damaged areas. Due to increased unpredictability of climate patterns, the design recommendations were to include preventative measures to mitigate the risk of reoccurrence. This initial analysis was completed prior to water levels receding, and in case of Marina Park only includes any damage that is currently visible. The structural assessments and recommendations are as follows:

## St. Lawrence Park:

- Along the shore wall, concrete caps are displaced, cracked and some sections have fallen into Lake Ontario
- In various locations along the deck there is a loss of supporting granular fill beneath the decking
- There are numerous cracks and breaks in the concrete deck
- Along the secondary walls and stairs coping stones are displaced and grout is missing under step stones, particularly where caps have been displaced
- Foundation walls on which the landscape features are founded have not been damaged or undermined
- In various locations the vegetation was washed away or damaged.
- Proposed Recommendation:
  - To remove and replace the concrete sheet pile cap and the concrete deck. The concrete cap is to be built at an increased height to compensate for the high water levels and reduce wave overtopping. The deck will be reinforced to better resist severe weather conditions.
  - Additionally, a section of armour stone seawall requires reconstruction as a result of stone displacement.
  - Replace damaged/lost vegetation

## Marina Park:

- Damage to the majority of the existing shoreline and parking area could not be observed directly due to areas remaining submerged under water.
- One location that could be assessed revealed a bank failure exposing the shoreline concrete block retaining wall. The concrete block wall is not damaged but there has been wash out of the granular material behind the wall.

 Marina park is forecasted for development in 2019/2020, however failed shoreline should be addressed now.

- Proposed Recommendation:
  - The backfill and bank condition be restored to stabilize the failed shoreline in this area

## J.J. Plaus Park:

- Behind the armoured shoreline some rip rap has been removed by wave action at the north
  end of the park, as well as damage to the cut stone curb and edging behind the rip rap where
  several pieces have been displaced
- Proposed Recommendation:
  - That a concrete cap be constructed along the outer portion of the walkway at an increased height to compensate for the high water levels and reduce wave overtopping
  - Replace the rip rap between the armour stone and the concrete cap with selected larger pieces to avoid future washout of smaller pieces

## J.C. Saddington Park:

- Granular supporting fill beneath the asphalt walkway along the edge of the timber boardwalk is washed out
- The granular washout has resulted in asphalt damage (sinkholes) along the pathway at Fishermen's Walk Boardwalk
- Proposed Recommendation:
  - Removal and replacement of existing timber deck, asphalt walkway and backfill behind the armour stone wall.
  - Repair the existing subgrade structure to retain the granular supporting fill and prevent washouts

Procurement for two vendors on a single source basis has commenced according to the Medium-value acquisition provisions of the Procurement By-law for the initial assessment and design due to their extensive previous experience at this site and multiple years of knowledge in their fields. Shoreplan Engineering was selected for the Shoreline Damage Assessment and was sole sourced as a result of the emergency which could not reasonably permit the solicitation of competitive bids. John George Associates completed the design and development of St. Lawrence Park when it was constructed. The firm has extensive knowledge of the existing infrastructure, base drawing information and related shore wall configurations. These vendors will be awarded contracts according to the MVA provisions of the Procurement By-law.

The approximate timeline for completion and ability to safely use the currently closed locations is estimated at late 2017 given the current water levels and forecasted recession from the Ministry of Natural Resources, while some shoreline and beach restoration can commence at ten parks immediately. The work required to restore the more significantly damaged areas requires the following stages to be completed:

• Shoreline and Structural Assessment – complete

- Detail Design and Approvals 6 weeks
- Construction Tender and Award 2-4 weeks
- Construction 8-10 weeks

Meeting calm and lower water levels to permit commencement of construction is critical to performing the work under proper conditions and water levels are currently forecasted to recede from mid-July to September. By enabling staff to begin detailed design and approvals, Parks and Forestry staff can ensure that once water levels permit construction can commence.

Receiving Credit Valley Conservation Authority sign off required permits will also be a key requirement before construction works can commence.

It is important to note although the preliminary assessment of the shoreline has been completed, water levels have not yet receded and additional damage that is not yet visible could be discovered impacting the timeline, works required and budget. At such time that the water level recedes, the impacted shoreline will be reassessed for any additional damage and this information will be updated.

## **Shoreline Restoration Additional Parks**

In addition to the redevelopment and repair required at the four Parks listed above, there is shoreline restoration work required at the following parks I: Lakefront Promenade, Adamson Estate, Helen Molasy, Tall Oaks, Harding Estate, Jack Darling, Rhododendron Gardens, Lakeside Park, Richards Memorial and Watersedge.

As of inspections completed on June 6<sup>th</sup>, 2017, work required at these locations includes:

- Replacement of lost or displaced beach treatments including sand and rocks
- Replacement of lost or displaced soil and or turf
- Removal and or replacement of lost/damaged trees and shrubs
- Natural bank erosion repairs (Rhododendron Gardens has the most significant loss to date)
- Replacement of lost or displaced structural retaining structures (stone or wood)

Upon a reduction in water level, staff will reassess these locations for any additional damage. Commencement of construction is dependent on the water levels receding, which is currently forecasted for mid-July to September.

## Flooding Assistance Program Potential

The Emergency Management Office advised that staff from the Ministry of Municipal Affairs are scheduled to visit the City of Mississauga on June 15, 2017 to observe and assess the extent of the damage and evaluate if any recovery program will be developed through the provincial

government. Corporate Finance continues to collect financial information from service areas to ensure all costs to date are separately tracked should any expenses be recoverable.

### Communication

The Incident Management Team for the Flood and High Water Level watch worked with the Communications Division to ensure ongoing consistent communication to residents. Key communication messages will be developed for future communications regarding parkland restoration should finding be allocated or continued closures should funding not be allocated.

#### **Incident Management**

The Incident Action Plan (IAP) was produced at the beginning of each operational period as determined by the Incident Commander, who was from the Transportation and Works, Works Operations Team for this incident. An IAP "work plan" for the upcoming operational period identified the current picture, the objectives for the operational period and the tactics for the operational period. The IAP updates and work plan for this Incident ensured all service areas within the City who are impacted receive a full update of the situation at regular intervals.

Commencing during the April 30<sup>th</sup> storm and up to Friday, June 2, 2017 there were 32 posts through Twitter with 18 retweets of messaging from the City's Corporate Twitter account and 7 posts to Facebook. It is important to recognize that most messages were posted to Twitter over other channels, as most users of social media use Twitter as a source for news. We did not post photos to our Instagram channel in an effort to not encourage people to visit the areas of concern while potential safety hazards were still present.

Key messages included urging the public to remain cautious in areas near Lake Ontario, creeks and rivers as well as kept them informed of park, trail and facility closures.

Going forward, due to the continued high water levels on Lake Ontario and other local waterways, safety and closure messaging will continue to be shared on social media as needed. Signage is installed in areas that will be closed for restoration, e.g. St. Lawrence Park, to make the public aware of the reasons behind the closure and to refer inquiries to the 3-1-1 Contact Centre.

The Incident Management Team (IMT) stood down as of June 8, 2017. The Office of Emergency Management is back to routine monitoring and will continue to support individual divisions as they work through completing damage assessments, cost tracking and other recovery efforts.

### **Financial Impact**

Funding in the amount of \$2.3 million dollars from the Tax Capital Reserve Fund is required to complete damage repair, detailed design and restoration works to reopen park areas to the

public in 2017 and mitigate further waterfront park shoreline damage. The full operating costs and revenue impacts will not be known until Fall 2017.

#### Conclusion

The waterfront parks and shoreline have been damaged by storm events and unprecedented Lake Ontario water levels. Damage has been assessed and funding must be allocated in order to proceed with damage repair, detailed design and restoration of the impacted waterfront parks to eliminate service disruption and allow public access. Completing the work before winter seasonal conditions will mitigate further damage to at risk parkland and shoreline conditions. Once funding is secured, single source procurement would proceed and repair work will commence when water levels allow in Fall 2017.



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

Prepared by: Sarah Cuddy, Forestry Analyst

# **Corporate Report**



Date: 2017/06/07

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

### **Subject**

**Community Recognition Pilot Program Results** 

#### Recommendation

That the Community Recognition Program as outlined in the report dated June 7, 2017 from the Commissioner of Corporate Services and Chief Financial Officer, be approved.

### Report Highlights

- The Communications Division has overall responsibility for the Community Recognition Program and works closely with the Culture, Facilities and Property Management (F&PM), Security Services and Legal Services divisions.
- Since the program launched in June 2016, the City has supported nine community flag raisings and 21 clock tower lightings.
- As a result of automating the process, costs for clock tower lightings have been minimized and are managed within existing budgets.
- Lighting requests will move online, rather than coming to Council, to streamline process and align with the other elements of the program.
- City requests and requests from other levels of government would be coordinated in the same manner as those originating from community groups.

### **Background**

This Corporate Report is to provide General Committee with feedback on the one-year pilot of the Community Recognition Program along with recommendations for the future of the program.

Staff met with the DIAC on November 18, 2015 and April 20, 2016 and presented information regarding a proposed one-year pilot Community Recognition Program with three areas of focus: proclamations, flag raisings and lightings.

Originators files: File names

The DIAC supported a one-year pilot program for flag raisings and lightings. The DIAC suggested that the flag raisings take place on an identified flag pole on Celebration Square and promoted through messages displayed digitally on the Celebration Square screens in rotation with scheduled programming.

On April 28, 2016, Council approved a one-year pilot Community Recognition Program to provide the City with the opportunity to recognize and celebrate special occasions and events which foster a spirit of community, celebrate Mississauga's diverse cultures and enrich the quality of life in Mississauga.

On May 17, 2017 Communications Staff reported back to the DIAC with results of the pilot program and outlined recommendations for next steps. There was discussion around providing audio equipment to allow community groups to have speeches during their flag raising events on the square. Staff and DIAC discussed the possibility of a user fee for the equipment but at this point are not recommending it.

The DIAC supported the continuation of the Community Recognition Program as outlined in the DIAC report dated May 5, 2017 and as recommended in this report.

#### **Present Status**

Since its launch in June 2016, the Community Recognition Pilot Program has provided non-profit community groups and organizations an accessible, inclusive and efficient way to request recognition from the City for special occasions and events within the community (see attached current policy).

The Communications Division has the overall responsibility for the Community Recognition Program and works closely with the Culture, Facilities and Property Management (F&PM), Security Services and Legal Services divisions.

Community groups and non-profit organizations can request recognition in the form of either a flag raising or lighting of the Civic Centre clock tower.

- Flag raising requests must be submitted at least six weeks in advance.
- Lighting requests must be submitted at least two weeks in advance.
- Organizations can select only one recognition option (flag raising or lighting) per year.
- Requests must be made annually; they will not carry over year after year.
- Recognition items are issued at the discretion of the City of Mississauga. Requests are reviewed and evaluated in the order they are received.

#### Flag Raisings

The City of Mississauga raises flags for community/non-profit groups and organizations that meet the criteria in the Community Recognition policy. The requestor is responsible for providing the flag.

Originators files: File names

Flag raisings take place on the designated community flag pole located on the Mississauga Celebration Square. They are promoted digitally on the Celebration Square screens on the day of the flag raising and in rotation with scheduled programming. Raised flags remain in place for one day (up to 24 hours).

F&PM staff provide on-site and technical support for flag raisings.

#### Lightings

Community/non-profit groups and organizations requesting a lighting of the City's Clock Tower are required to make a deputation to Council.

For community/non-profit groups who have had a lighting approved in a previous year, a deputation is welcome but not necessary. Repeat annual requests for lightings can be approved by the Commissioner of Corporate Services.

Lightings take place for one evening and on the approved date as per the direction provided by Council or the Commissioner of Corporate Services. In response to feedback from the community and Members of Council, they are now promoted digitally on the Mississauga Celebration Square screens on the day of the lighting and in rotation with scheduled programming.

Lights are programmed by Culture staff during regular hours of work and do not typically require overtime costs.

Available single colours are deep blue, light blue, turquoise, light green, green, orange, red and purple. Yellow lightings are not recommended as that colour appears as white. Multiple colours are not available at this time.

The Celebration Square Lighting Enhancement project was approved as part of the 2017 Capital Budget. The following areas will be equipped with LEDs and new lighting controls:

- Clock Tower
- Tower Building
- Parking Building Façade (facing Celebration Square)
- Upper Square (Colonnade, Amphitheatre, Ice Rink/Fountain)
- Lower Square (Main Lawn Trellis)

The new lighting system will allow for a more streamlined process with greater impact when the Clock Tower is lit. The project is being led by F&PM and is targeting completion by January 2018.

Since the program launched, the City has supported nine community flag raisings and 20 clock tower lightings. In addition, the City supported one flag raising and three clock tower lightings that fell outside of program criteria. As per policy, the requests were shared with Members of Council who gave approval. Those additional recognitions were:

Originators files: File names

- Flag raising request from Meadowvale Seniors Community Group to raise the United Nations flag for International Day of Older Adult Persons
- Lighting request from Canada150 Bureau to support the 50 day countdown to Canada150
- Lighting request from Mayor to show solidarity for Quebec shooting
- Lighting request from Mayor and Council to acknowledge Hazel McCallion Day.

The table below is a summary of the types of recognition and the overtime costs associated with each during the pilot.

Community Cause	Type of Recognition	Time of day	OT Required
Pride Week	Flag raising	Daytime	no
Colombia Independence Day	Flag raising	Evening	Yes - Comms & F&PM
International Day of Older Adult Persons	Flag raising	Daytime	no
Mississauga Food Bank Thanksgiving Campaign	Flag raising	Daytime	no
Turkish Independence Day	Flag raising	Evening	Yes - Comms & F&PM
Sikh Heritage Month	Flag raising	Evening	Yes - Comms & F&PM
Lions' 100 <sup>th</sup> anniversary	Flag raising	Daytime	no
Community Living Month	Flag raising	Daytime	no
Portugal Independence Day	Flag raising	Daytime	no
Mitochondrial Awareness Week	Lighting	Evening	no
Trigeminal Neuralgia Day	Lighting	Evening	no
World Mental Health Day	Lighting	Evening	no
Wrongful Conviction Day	Lighting	Evening	no
Giving Tuesday	Lighting	Evening	no
Mississauga Steelheads Game Opener	Lighting	Evening	no
Islamic History Month	Lighting	Evening	no
World Prematurity Day	Lighting	Evening	no
Countdown to Canada 150	Lighting	Evening	no
Alzheimer's Awareness Month	Lighting	Evening	no
Purple Day	Lighting	Evening	no
Solidarity with Quebec shooting	Lighting	Evening	no
Hazel McCallion Day	Lighting	Evening	no
Wish Month	Lighting	Evening	no
Food Allergy Month	Lighting	Evening	no
Fibromyalgia & ME/ Chronic Fatigue Awareness Day	Lighting	Evening	no
Human Values Day	Lighting	Evening	no

Originators files: File names

#### **Comments**

#### Flag Raisings

Many flag raisings include remarks such as greetings from Mayor, Councillors and other dignitaries. On these occasions, sound has been an issue as Celebration Square's policy and guidelines prohibit amplified sound unless it is part of a larger event at which there is technical staff support.

In response to this feedback from the community and Members of Council, Communications staff has been supporting community groups by booking and having a City-issued portable sound system on-site. This support requires staff to be present at the flag raising. In addition, F&PM staff is required for on-site technical support for flag raisings. During the intake process staff will determine if the groups require sound equipment and, if so, will continue to provide a portable audio system but will streamline operations so that only one person is required to be on-site. A permanent solution will also be explored.

During the pilot, three flag raisings took place after regular working hours and required on-site staff support. As the program grows and flag raisings are increasingly requested on evenings, weekends and holidays, it is expected that overtime costs will be incurred. These costs will continue to be monitored and reported back as required.

There are no guidelines that staff can refer to when evaluating which flags represent which nations. Therefore, it is recommended that the criteria for flag raisings be updated to indicate only flags representing nations recognized by Global Affairs Canada will be approved. This would provide staff with an objective standard to use when evaluating requests. The approach is similar to messaging in the lighting criteria that the City recognizes lightings that align with the Health Canada calendar of health promotion days.

#### Lightings

In the past, the F&PM Division arranged for the rental of lighting equipment, including coloured lights. The Culture Division provided the staff resources for managing the set-up of the equipment and activation of each lighting request. The initial cost for each lighting was approximately \$2,000 and later, through streamlining the process, was further reduced to approximately \$500. As a result of the costs, Council approval was required and requests were submitted through deputations from community groups or brought forward by Members of Council.

Currently, the Culture Division arranges and executes the lightings. Although the lightings take place during the evening, they are programmed in advance during regular working hours and Culture and F&PM staff are no longer required to be on site. As a result of automating the process, costs have been minimized and are managed within existing budgets. Therefore, it is now possible to begin receiving requests online instead of through a deputation to Council.

Originators files: File names

The process for Communications staff to review and evaluate lighting requests and to work with the requestor and Culture to schedule is very similar to the process for flag raisings. Currently, deputations must be booked at least eight business days prior to the Council meeting, and two weeks are required between the Council meeting and the date requested for the lighting. However, the back and forth coordination that takes place behind the scenes is not captured within this timeline. As a result, it is recommended that the lead time for processing online lighting requests be modified to six weeks to align with the process for flag raisings.

On occasion, it may be necessary for the City or other levels of government to request recognition activities and provisions are needed to address these. Requests from the City and other levels of government would be coordinated in the same manner as those originating from community groups. This would include Communications Division reviewing and approving requests and working with the staff requesting the recognition, as well as F&PM and Culture divisions to schedule.

### **Next Steps**

The Community Recognition Program would be based on the current program elements, criteria and processes, with the addition of the operational elements outlined below.

Type of Recognition: Flag	Type of Recognition: Flag Raising (approximately 7 staff hours)		
Current Process	Request is submitted online through the Community     Recognition Program web page application form at least six     weeks in advance of desired recognition date (the application     form is available in alternative formats upon request)		
	2. Communications reviews, evaluates and approves requests and works with the requestor as well as F&PM and Culture to schedule.		
	3. Once approved, Communications updates:		
	a. Community Recognition Program online calendar listing		
	<ul> <li>Mayor and Council regarding approved requests and any changes.</li> </ul>		
	4. Flag raising takes place on date approved.		
Proposed Enhancements	<ol> <li>Provide staff and portable audio system for flag raisings, if requested.</li> </ol>		
	2. Update criteria to advise that "only flags representing nations recognized by Global Affairs Canada will be approved."		
	Requests originating from the City (Council or staff) will be processed by Communications staff in the same manner as requests originating from community groups.		

Type of Recognition: Lighting (approximately 5 staff hours)		
Current Process	Request is submitted online through the Community	

Originators files: File names

	Recognition Program web page with the requestor being	
	asked to make a deputation to Council two weeks in advance of desired recognition date. (the application form is available in alternative formats upon request).  Or	
	Request is brought forward by Mayor and Members of Council during General Committee and Council meetings.  2. Clerks notifies Communications of the request and date of	
	deputation.	
	<ol><li>In advance of the deputation, Communications reviews and evaluates requests and works with Clerks as well as F&amp;PM</li></ol>	
	and Culture to confirm date, and provides Commissioner of	
	Corporate Services with information with which to advise	
	Council.	
	4. Council approves first time lighting requests. Requests for	
	lightings approved by Council in previous years are approved	
	by the Commissioner of Corporate Services. Once approved, Communications:	
	a. Updates Community Recognition Program online	
	calendar listing.	
	b. Works with requestor to coordinate logistics	
	c. Updates Mayor and Council regarding approved	
	requests and any changes.	
Drawage of Enhancements	6. Lighting takes place on date approved.	
Proposed Enhancements	Requests for lightings are submitted online at least six weeks in advance of the requested data.	
	in advance of the requested date.  2. Requests originating from the City (Council or staff) and other	
	levels of government will be processed by Communications	
	staff in the same manner as requests originating from	
	community groups.	

The Community Recognition Policy will be updated to align with the proposed enhancements outlined in this report.

### **Strategic Plan**

The establishment of a Community Recognition Program aligns with the City's Strategic Plan pillars of *Belong – Nurture Diverse Cultures* and *Connect – Celebrate our Community*. It also supports the City's new brand stories of "Welcoming World Culture" and "Inspiring Possibilities."

### **Financial Impact**

Each flag raising request takes approximately seven hours in staff time and lighting requests take approximately five hours. During the pilot, Communications staff spent approximately 276 hours managing the Community Recognition Program. This number includes promotional tactics related to the program launch. There were minimal overtime costs incurred.

Originators files: File names

### Conclusion

An ongoing Community Recommendation Program will provide the City with an opportunity to continue recognizing and celebrating special occasions and events which foster a spirit of community, celebrate Mississauga's diverse cultures and contribute to enriching the quality of life in Mississauga.

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Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Leslyn V. Johnson, Senior Communications Advisor

### **Corporate Policy & Procedure**



**Policy Title: Community Recognition Program** 

Policy Number: 06-04-04

Section:	Publi	ic Relations	Subsection:	Reco	ognition
Effective I	Date:	December 14, 2016	Last Review Date: [Last Review]		[Last Review]
Approved Council	by:		Owner Division/Contact: Corporate Communications, Corporate Services Department		-

### **Policy Statement**

The City of Mississauga's Community Recognition Program brings public awareness to special occasions and events which enhance the health, welfare, safety and cultural diversity of the community.

#### **Purpose**

The Community Recognition Program is intended to raise awareness and encourage participation in fundraising initiatives, public awareness campaigns and cultural, sport and entertainment programs and activities that foster a spirit of community and contribute to enriching the quality of life in Mississauga.

This policy outlines the types of recognition available, the criteria and application process and roles and responsibilities of staff.

### Scope

This policy applies to community/non-profit groups and organizations that meet the criteria outlined in this policy.

Special achievements and anniversaries of individuals, groups and organizations or businesses are recognized through the City of Mississauga Civic Recognition Program. Refer to Corporate Policy and Procedure – Civic Recognition Program for more information.

Council may elect to light the clock tower to recognize a significant local, regional, national or international event. Council may also elect to display a national flag that is related to the promotion of an international City-hosted or joint-partnership event. For more information refer to Corporate Policy and Procedure – Recognition – Flag Protocol at City Facilities – Exceptions.

Policy Number: 06-04-04 Effective Date: December 14, 2016

Policy Title: Community Recognition Program Last Review Date: 2 of 6

#### Legislative Requirement

Any collection, use and disclosure of information under this policy will be undertaken in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

#### **Definitions**

For the purposes of this policy:

"Commissioner" means the Corporation's Commissioner of Corporate Services, Chief Financial Officer and Deputy Treasurer and includes any person who has been authorized, in writing, to temporarily act during absence or vacancy in that office.

"Director" means the Director, Communications, Corporate Services Department or his/her designate.

#### Administration

The Community Recognition Program is administered by the Communications Division, Corporate Services Department with the support of the Facilities and Property Management Division, Corporate Services Department and the Culture Division, Community Services Department.

### City's Role

The City's relationship with community organizations, volunteer groups or other organizations under this program is one of support only. Such support does not constitute civic endorsement and will not be seen to represent or imply any partnership.

### **Accountability**

#### **Communications Division**

Communications staff are responsible for

- Reviewing all applications for compliance with the criteria outlined in this policy
- Ensuring a previous request has not been processed for that calendar year (maximum of one per year)
- Approving all applications, in consultation with other departments/divisions and the Commissioner, where necessary
- Notifying applicants of the outcome of their application
- Notifying the Mayor and Members of Council of approved recognition activities
- Scheduling and completing all approved social media messaging, and
- Advising applicable departments/divisions as required to prepare and complete approved requests

Policy Number: 06-04-04	Effective Date: December 14, 2016	
Policy Title: Community Recognition Program	Last Review Date:	3 of 6

#### Director

The Director is responsible for:

- Ensuring applicable staff is aware of and trained on this policy, and
- Approving wording of digital and social media messaging

#### Criteria

The following criteria must be met:

- 1. Groups/organizations must be Mississauga based or have an identifiable presence in the Mississauga Community
- 2. The group/organization is able to
  - a) Demonstrate that the event/occasion is either of interest or benefit to the City as a whole

Or

- b) Supports a municipal, regional, provincial or federal government program or initiative.
- 3. The group/organization is not for profit

Or

Is aligned with <u>Health Canada's Calendar of Health Promotion Days</u>

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Represents a nation whose flag is recognized by Global Affairs Canada

- 4. The group/organization's core values do not conflict with the City's core values, vision or strategic goals or do not adversely impact on the City's identity
- 5. The group/organization and event must help foster a spirit of community and a climate of understanding and contribute to and enrich the quality of life in Mississauga
- 6. The content of the requested message for the campaign, initiative, program or activity
  - a) May not be in conflict with any applicable laws, City by-laws or policies
  - b) Does not have the potential to incite violence and hatred
  - c) Does not present demeaning or derogatory portrayals of individuals or groups
  - d) Is not of questionable taste in style, substance or presentation method
  - e) Does not minimize and/or detract from the image of the City and/or its employees
  - f) Is not a matter that represents a personal conviction
  - g) In light of generally prevailing community standards, is not likely to cause deep or widespread offence

### **Types of Recognition**

Community/non-profit groups and organizations may qualify for one of the following types of recognition, as appropriate:

1. Community flag raising (on a flag pole designated by the City on Mississauga Celebration Square and digitally on the Mississauga Celebration Square screens, as available and in rotation with scheduled programming)

Policy Number: 06-04-04	Effective Date: December 14, 2016	
Policy Title: Community Recognition Program	Last Review Date:	4 of 6

#### 2. Lighting of the City Hall Clock Tower

Recognition requests will be reviewed and evaluated in the order they are received. Community/ non-profit groups and organizations will be limited to one request per year. A flag raising and lighting request may occur on the same day; but two flag raisings or two lightings will not be permitted on the same day.

Flags will remain in place for one day (up to 24 hours) and take place on the requested date, as per the application submitted. Lightings will occur for one evening and take place on the approved date.

#### 1. Flag Raising

The City of Mississauga will raise flags for community/non-profit groups and organizations that meet the criteria in this policy. The requestor will be responsible to provide the flag.

Requests will be reviewed and evaluated in the order they are received. Flag raisings will be done on a flag pole designated by the City on Mississauga Celebration Square and digitally on the Mississauga Celebration Square screens, as available and in rotation with scheduled programming.

Flags will remain in place for one day (up to 24 hours) and will occur on the requested date, as per the application submitted.

#### **Support Provided**

Depending on availability, the City's support may consist of one or more of the following.

Corporate Communications will be responsible for:

- Coordinating with the Facilities and Property Management team to advise of the date, confirm resources and provide them the flag
- Working with the Culture Division to advise of the date and confirm availability of Mississauga Celebration Square.
- Working with the requestor and the Culture Division to prepare a virtual display on
  Mississauga Celebration Square digital screens, as available and in rotation with scheduled
  programming (image to be provided by the requestor)
- Social media messaging for the designated day or first day of week/month of the designated period
- Updating the flag raising listing on the Community Recognition Program web page (as each is approved) and advising Mayor and Council (monthly) of the flag raising schedule

Facility and Property Management will be responsible for:

• Raising and lowering of flags on designated flag pole on Mississauga Celebration Square

Policy Number: 06-04-04	Effective Date: December 14, 2016	
Policy Title: Community Recognition Program	Last Review Date:	5 of 6

 Providing on-site technical support to facilitate speeches during the flag raising ceremony, when required.

Culture will be responsible for:

 Including virtual display on Mississauga Celebration Square screens, as available and in rotation with scheduled programming

#### 2. Lighting

The City of Mississauga will light the Civic Centre Clock Tower for community/non-profit groups and organizations that meet the criteria in this policy.

Requests will be reviewed and evaluated in the order they are received.

Lightings will occur for one evening and will take place on the approved date, as per the application submitted.

#### **Support Provided**

Depending on availability, the City's support may consist of one or more of the following.

Corporate Communications will be responsible for:

- Working with the Culture Division to advise of the date and confirm availability of Mississauga Celebration Square.
- Working with the requestor and the Culture Division to prepare a virtual display on
  Mississauga Celebration Square digital screens, as available and in rotation with scheduled
  programming (image to be provided by the requestor)
- Social media messaging for the designated day or first day of week/month of the designated period
- Updating the flag raising listing on the Community Recognition Program web page (as each is approved) and advising Mayor and Council (monthly) of the flag raising schedule

Culture will be responsible for:

- Managing the lighting equipment set-up and activation
- Including virtual display on Mississauga Celebration Square screens, as available and in rotation with scheduled programming

### **Application Process**

Applications for flag raisings and lightings will be available online on the Community Recognition Program web page. (The application in alternative formats is available upon request.) Staff will review each application against the established criteria.

Policy Number: 06-04-04	Effective Date: December 14, 2016	
Policy Title: Community Recognition Program	Last Review Date:	6 of 6

Requests for flag raisings and lightings must be received no later than six weeks before the requested recognition date to allow for adequate review, planning and scheduling.

Exceptions to the timelines may be approved by the Commissioner.

The applicant will be advised by email confirmation that their request has been approved, including the date that the organization will be recognized. Incomplete applications, including the absence of any required images and promotional messages, will not be finalized and will require the applicant to submit a new application.

#### **Decision Making Process**

In the event that a request appears to be in conflict with any of the criteria outlined in this policy, applicable staff will conduct an objective and impartial analysis of the request in relation to the criteria.

Staff involved in the analysis will make a recommendation, in writing, to the Commissioner to either decline or approve the request. The Commissioner's decision will be final and will be communicated to the applicant in a timely manner.

### **Revision History**

Reference	Description
GC-0373-2016 – 2016 05 25	
Resolution 0244-2016 – December 14, 2016	Subsequent annual lighting of the clock tower will be approved by the Commissioner

# **Corporate Report**



Date: 2017/06/13

To: Chair and Members of General Committee

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

Originator's files:
PO.11.SUB

Meeting date:
2017/06/28

### **Subject**

Surplus Land Declaration - City Owned Land abutting the Cooksville GO Station and along the rear of residential properties located on Surbray Grove (Ward 7)

#### Recommendation

- That the Corporate Report entitled, "Surplus Land Declaration City Owned Land abutting the Cooksville GO Station and along the rear of residential properties located on Surbray Grove" dated June 13, 2017 from the Commissioner of Corporate Services and Chief Financial Officer be received.
- That City owned land abutting the north side of the Cooksville Go Station and along the rear
  of residential properties located on Surbray Grove, containing an area of approximately 924
  square metres (9,946 square feet), be declared surplus to the City's requirements (see
  Appendix 1) with the subject land being legally described as PCL Plan 2, SEC 43M595;
  Blocks 249 and 250, PL 43M595 (Ward 7).
- That Realty Services staff be authorized to negotiate the sale of the subject surplus land to Metrolinx at market value.
- 4. That all steps necessary to comply with the requirements of Section 2. (1) of City Notice By-law 215-2008 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week prior to the execution of an agreement for the sale of the subject lands under delegated authority.

Originators files: PO.11.SUB

### **Background**

Metrolinx is undertaking enhancements to the Cooksville GO Station including the relocation of the adjacent Milton transit line. The City-owned subject lands are required to facilitate the addition of a temporary track for detour bypass purposes during construction. This temporary track detour is also necessary for the reconstruction of the rail overpass across Hurontario Street in support of the Hurontario Light Rail Transit ("HuLRT") project. The subject lands consists of two separate blocks that together total 924 square metres (9,946 square feet) in size and, once acquired by Metrolinx, will become part of the rail corridor in this area.

#### Comments

The proposed surplus declaration and sale of the subject lands has been circulated to all City departments, and no objections were received. Given the close proximity of the subject land to residential homes on Surbray Grove, the following conditions will be incorporated into the Agreement of Purchase and Sale:

- Metrolinx will be required to ensure that the existing wood noise fence will remain in place and in good condition, with the fence to be protected from any construction activity completed by Metrolinx and/or their contractors
- Any existing vegetation that is removed during construction will be restored through the construction of a new living wall
- Any land that is regraded during the construction process will be restored with new topsoil and seed mix
- In conjunction with the Ward Councillor, Metrolinx will be required to prepare a communication plan to inform local residents of the proposed work.

Prior to completion of this proposed transaction under Delegated Authority, public notice will have been given by the posting a notice of proposed sale on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week before the execution of the agreement for the sale of the said land. This notice satisfies the requirements of the City Notice By-law 0215-2008 as amended by By-law 0376-2008.

### **Financial Impact**

Not applicable

#### Conclusion

It is appropriate to declare the subject land surplus for the purpose of sale to Metrolinx to support upgrades to the Cooksville GO Station and the associated rail line improvements and reconstruction of the rail overpass across Hurontario Street in support of the HuLRT project.

Originators files: PO.11.SUB

This transaction will generate revenue for the City and supports public transit improvements within Mississauga.

### **Attachments**

Appendix 1: Location of the subject lands (Ward 7) Appendix 2: Copy of Registered Plan 43M-595

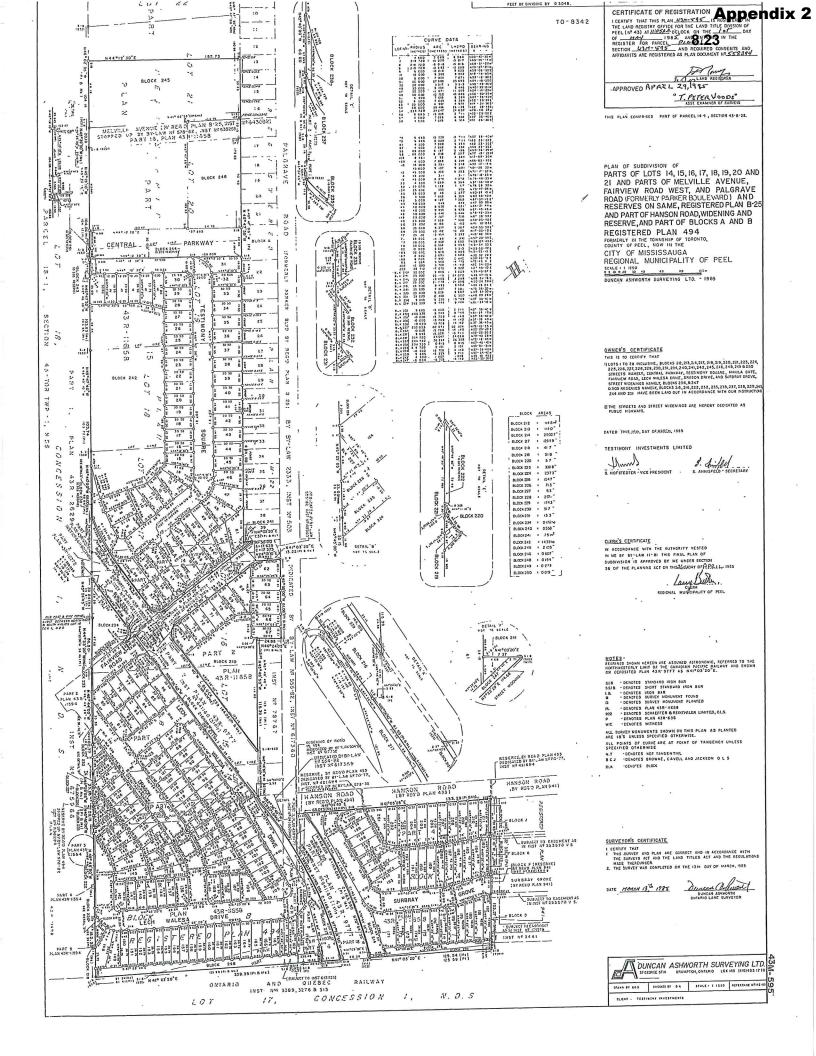
G. Ket.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Kevin Bolger, Project Leader, Realty Services, Facilities and Property Management







## **Corporate Report**



Date:	2017/06/13	Originator's files:
То:	Chair and Members of General Committee	
From:	Gary Kent, Commissioner of Corporate Services and Chief Financial Officer	Meeting date: 2017/06/28

### **Subject**

Contract Extension to MarTech Group Inc. for Soil remediation at Fire Station 120 site

#### Recommendation

- That the report titled "Contract Extension to MarTech Group Inc. for Soil Remediation at Fire Station 120 site." dated June 13, 2017 from the Commissioner, Corporate Services and Chief Financial Officer be received.
- That the Purchasing Agent be authorized to execute an amendment to the existing contract with MarTech Group Inc. in the amount of \$67,000, for the environmental soil remediation of Fire Station 120's future site.
- 3. That the Purchasing Agent be authorized to make any future changes that may be required to see the remediation through to completion.

### **Background**

The site of the proposed Fire Station 120 (FS 120) is located at 125 Eglinton Ave. W. The previous owner & developer of the property, Pinnacle International, donated the property to the City for use as future parkland. As part of the transaction, they provided the City a 2008 Environmental Site Assessment (ESA) Phase 1 & Phase 2 reports by Terraprobe Limited indicating "no soil was found with any indication of odour or staining".

Currently, the project is undergoing Site Plan Application (SPA ref# SP 17-14 W5) and the Environmental Engineering Reviewer noted that the ESA reports were prepared more than 5 years ago and needed to be updated to confirm that no change has occurred to the site that could alter soil and water quality. MarTech Group Inc. was retained by the City in March 2017 to validate findings of previous ESA reports under a Medium Value Procurement (MVA) for \$15,120. The result of their sample testing for soil & ground water quality identified exceedances of toxic substances around one borehole. The rest of the boreholes were clean and it was determined that soil contamination was localized. An amendment to MarTech's contract was made in May 2017 to increase it by approximately \$65K to include for MarTech's

engineering services at \$15K, as well as implementation of a Soil Remediation Program at \$50K (competitively priced as per lowest quoted received from 3 abatement companies) for the removal and replacement of an anticipated 500 tonnes of soil.

MarTech started soil remediation in the last week of May 2017 and had already reached the contract's 500 tonne mark for remedial works with more contaminated soil discovered. Several pipes (copper and plastic) were uncovered with some still carrying heating fuel within them. MarTech estimates an additional 650 tons of contaminated soil will require remediation.

#### Comments

It is important to note that 650 tonnes is an estimated amount and the full extent of contamination will not be known until further excavation and re-testing are completed. Due to this unforeseen event, this report seeks Council's approval to immediately increase MarTech's purchase order by another \$67,000 to allow for the required remediation works and to further provide the Purchasing Agent authority to make any additional increases that might be required to complete the work to the full extent necessary. This unforeseen scope of work will be absorbed from Fire Station 120 project budget (PN 12269) which has sufficient funds to cover these costs.

Section 18(2)(c) of the City's Purchasing By-Law states that "no amendments may be made to Medium Value Acquisition Commitments if the total amount of the Original Commitment, all prior amendments, and the requested amendment exceeds \$120,000." Therefore, this report seeks Council's approval to authorize the Purchasing Agent to make the required changes.

### **Financial Impact**

Estimated Revised Contract Value	\$151,900.00	(coming from FS#120 PN 12269)
		soil contamination discovered)
Estimated Contract Increase	\$67,000.00	(to allow for remediation of additional
		soil remediation program)
Current Contract Value	\$84,900.00	(an increase to facilitate a
Original Contract Value	\$15,120.00	
• • • • • • • • • • • • • • • • • • •		

### Conclusion

It would not be economical to the City to conduct a competitive procurement at this late stage, especially considering that the vendor has already completed part of the work. It makes good business sense for MarTech Group Inc. to continue with the scope for engineering & remediation of additional areas of contaminated soil. Furthermore, with the project currently undergoing Site Plan Application review, there is a need to act expeditiously in completing the site remediation in order to satisfy the Environmental Engineering Reviewer. Staff is recommending amending Martech Group Inc.'s contract to complete this work in a timely and economical manner.

G. Kest.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Raj Sheth, P. Eng. Director, Facilities & Property Management

# **Corporate Report**



Date: 2017/06/13

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

### **Subject**

Revision to Previously approved Single Source Contract Award to Replace Moffet & Duncan Architects Inc. with Dialog Ontario Inc. to Provide Consulting Services for Public Transit Infrastructure Fund Recommended Projects at City Centre Transit Terminal and Edward J. Dowling Transit Facility

#### Recommendation

- That the report titled "Revision to Previously approved Single Source Contract Award to Replace Moffet & Duncan Architects Inc. with Dialog Ontario Inc. to Provide Consulting Services for Public Transit Infrastructure Fund Recommended Projects at City Centre Transit Terminal and Edward J. Dowling Transit Facility" dated June 13, 2017 from the Commissioner, Corporate Services and Chief Financial Officer be received.
- 2. That the Purchasing Agent be authorized to execute a contract with Dialog Ontario Inc. for Mechanical and Electrical Consulting Services for the Public Transit Infrastructure Fund recommended projects at City Centre Transit Terminal, Edward J. Dowling Transit Facility (Building ABCD), Bus Storage Building (Building E) and Body Shop (Building F) on a single source basis in the estimated amount of \$300,000 excluding taxes. This contract references the original single source contract in the amount of \$500,000 excluding taxes for Moffet & Duncan Architects Inc.

### **Background**

The City has received grant funding approval from the Government of Canada for Public Transit Infrastructure Fund (PTIF) recommended projects. The conditions of the funding agreements require that all approved projects be completed and paid for by March 31, 2018. This deadline does not allow adequate time for competitive procurement processes.

At its meeting on March 29, 2017, Council approved, per Resolution 0042-2017, the staff recommendation to award a single source contract to Moffet & Duncan Architects Inc. in the estimated amount of \$500K to provide architectural services for PTIF recommended projects at

City Centre Transit Terminal and Edward J. Dowling Transit Facility. The scope of work has since been redefined to include mainly mechanical and electrical replacement items. Therefore, the services of Moffett Duncan Architects are no longer required as architectural services are no longer needed.

#### **Comments**

The PTIF recommended projects include lifecycle renewal/upgrades of various mechanical and electrical systems and interior and exterior renovations at two transit locations: City Centre Transit Terminal (CCTT) at 200 Rathburn Road West and Edward J. Dowling Transit Facility (Building ABCD), Bus Storage Building (Building E) and Body Shop (Building F) at 975 Central Parkway West.

In order to achieve the PTIF deadline, we have selected the replacement of primary mechanical and electrical items as these can be easily designed and constructed within the timeline. We are proposing to replace previously approved Moffet & Duncan Architects at a cost of \$500K with Dialog Ontario Inc. (mechanical and electrical consultants) as the prime consultant. Dialog has previous experience with the City and in the design of the mechanical systems for the Edward J. Dowling Transit Facility. The estimated contract value for Dialog is \$300,000 which includes fees for mechanical, electrical and specialty consulting services. This cost is reasonable and to industry standard for similar projects. The \$200K savings will be directed to complete additional mechanical and electrical scope items. The scope of work for Dialog Ontario Inc. is attached as Appendix 1.

The Purchasing By-law #374-2006 Schedule 'A' 1 (b) provides for single sourcing vendors when (xvi) Funding and project completion timelines imposed by senior government programs do not allow adequate time for a competitive bidding process. The By-law requires Council approval for single source contract awards having a value of \$100,000 or more.

### **Financial Impact**

The recommended contract award to Dialog Ontario Inc. is \$300,000 excluding taxes. The project is funded 50% by the PTIF grant program and 50% is funded by the City for which funding is approved and available in PN 17795, 17797 and 17798.

#### Conclusion

A single source contract award to Moffet & Duncan Architects was previously approved by Council to provide architectural consulting services for PTIF Transit facility projects. The requirements have since changed to expedite project completion, which is critical in order to comply with the PTIF grant funding deadline. Architectural services are no longer required. Staff recommends that Moffet & Duncan Architects be replaced with Dialog Ontario Inc. as prime consultant to provide mechanical and electrical consulting services, on a single source basis for the Transit facility projects.

### **Attachments**

Appendix 1: Scope of Work for Transit Facilities Projects

G.Kest.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Raj Sheth, P.Eng., Director, Facilities and Property Management

#### **Scope of Work for Transit Facilities Projects**

**Appendix 1** 

A description of the work to be completed for Transit Facilities Projects is included below:

The scope of services to be provided by the Engineer includes:

- Mechanical and Electrical (with specialty consultants as required) consultanting services to design and commission the work.
- Obtain all necessary approvals i.e. TSSA and ESA
- Prepare specifications and drawings for construction

#### City Centre Transit Terminal (CCTT) – Lifecycle Renewal of the Building Systems

- Replacement of existing air-cooled chiller, including controls and piping.
- · Replace existing gas-fired heating boiler.
- Replace existing chilled and hot water pumps.
- Replace existing gas-fired domestic hot water.
- Replacement of the entrance swing doors in the East and West entrances.
- Improvement of the ventilation system in the building.
- Refurbish the Air Handling Units (AHU).
- Replacement of the sanitary piping in the basement serving the public washrooms on the ground floor.
- Replacement of all interior and exterior lighting with new LED lighting system.
- Painting the interior of the facility
- Duct cleaning

# Edward J. Dowling Transit Facility (Buildings ABCD), Transit Central - New Bus Storage Building (Building E) and Body Shop (Building F) –Lifecycle Renewal of the Building Systems

- BAS Upgrades/ Replacements
  - Replace existing obsolete controllers to BACnet type
  - Connection to 4 existing Honeywell gas detection controllers to BAS
  - Install door open/closed sensors at exterior doors and connect to BAS
  - o For all MUA units implementation of new control sequences (Buildings A,C,D,E)
  - Connect to BAS all local equipment such as radiant heating, unit heaters, local thermostats, etc.
- Replacement of all lighting with new LED lights (Buildings A,B,E,F)
- Lighting Controls Upgrades (Buildings A,B,E,F)
- Ventilation Control Reconfiguration (MUAs for Buildings A,D,E)
- Building 'D' Air Compressors Room Ventilation Upgrades
- Building 'E' Replacement of overhead doors gearboxes for doors 62 and 64
- Change wet to dry sprinkler system for secure sally port
- Add new compressor for dry sprinkler system Buildings ABCD
- Maintenance trench lights upgrade, Building 'D' (explosion proof)
- Overhead Mud Flaps Building A Bus Wash
- Add 10 Electric Vehicle Charging stations for Building 'A'

# **Corporate Report**



Date: 2017/06/07	Originator's files:
To: Chair and Members of General Committee	
From: Gary Kent, Commissioner of Corporate Services and Chief Financial Officer	Meeting date: 2017/06/28

### **Subject**

Single Source Recommendation for Oracle Corporation Canada Inc. File Ref: PRC000288

#### Recommendation

- That the report of the Commissioner of Corporate Services and Chief Financial Officer dated June 7, 2017 entitled Single Source Recommendation for Oracle Corporation Canada Inc. File Ref: PRC000288 be received.
- That Oracle Canada Inc. continue to be designated as a City Standard Vendor for the supply of Oracle applications, database, development software and Oracle hardware including maintenance and support and any future system expansions and related services.
- That the Purchasing Agent be authorized to initiate contract negotiations with Oracle Canada Inc. on a single source basis for Oracle products, professional services, software licensing and maintenance and support agreements.
- 4. That the Purchasing Agent be authorized to execute the contract and all related ancillary documents with Oracle Canada Inc., on a single source basis for products, professional services, software licensing and maintenance and support of all such components and modules, subject to successful negotiations, the City Solicitor's approval and an annual budget approval for a 5-year term with an option to extend for an additional 5-year term. The 10-year term has an estimated value of seven (7) million dollars.
- 5. That notwithstanding the requirements of the purchasing bylaw section 18(2)(d), the Purchasing Agent be authorized to negotiate and issue contract amendments and increase the value of the contract, where necessary, to accommodate growth and future expansion including adoption of new technology to meet business requirements and where such amount(s) is approved in the budget.

### **Report Highlights**

In 2000, the Ontario Government established the Broader Public Sector (BPS) –
 Management Board Secretariat (MBS) agreement with Oracle based on negotiated pricing for Oracle products which the public sector could take advantage of.

- The City has been participating under this program and purchasing Oracle products under this agreement SA-2989 (original contract number 46-4564) receiving advantageous pricing. The Ontario Broader Public Sector pricing has been consistently lower than negotiating directly with Oracle for discounts and limited the yearly Maintenance and Support increase to 2%.
- The Ontario Government re-negotiated the contract with Oracle Canada in April, 2016 (as per the Ontario Master Agreement CA-OLSA-V080108\_PFO\_ORACLE) and a Corporate report dated September 15, 2016 entitled Single Source Recommendation for Oracle Corporation Canada Inc. was approved (as per GC-0594-2016) with other approvals over the years.
- The City was advised by Oracle Canada Inc. to enter into a Provincially Funded Organization (PFO) agreement to get access to the Ontario Master Agreement.
- The City was formally advised in January of 2017 by Oracle Canada Inc. that, based on the conditions of the agreement with the Ontario Government, the City cannot adopt the Oracle Volume License and Services Agreement (VLA) for Ontario Provincially Funded Organizations (PFO) due to restrictions and in the agreement structure. The City will be writing to the Province regarding this impact and that public sector pricing should be made available as it has historically.
- The Purchasing Agent cancelled the procurement process under FA.49.628-16, where authority was received from Council under GC-0594-2016.
- This report provides Council with an update to confirm that Oracle products continue to represent the City standard for Relational Database Management Systems, Development and Application software for key City developed software such as Tax Manager (TXM) and the land development system MAX.
- The City will now have to enter into a direct contract with Oracle Canada Inc., and
  negotiate the prices and terms and conditions based on the City's requirements and as
  approved in the appropriate budgets. It is likely that the pricing will be less favourable than
  what the Province was able to negotiate and as a result be more costly to the City.
- It is recommended to authorize the Purchasing Agent to initiate contract negotiations and execute the contract and all related ancillary documents with Oracle Canada Inc., on a single source basis for products, professional services, software licensing and maintenance and support of all such components and modules, subject to successful negotiations, the City Solicitor's approval and an annual budget approval.

### **Background**

In December of 1992 (as per GC-0354-92) Council approved the original award for provision of Relational Database Management Systems to Oracle Corporation Canada Inc. (Oracle) based on a RFP process. At that time, Oracle was also approved to be the City's vendor of record (VOR) for any or all future requirements.

Oracle Corporation is a leading tier one (1) provider for industry leading enterprise level database technology. Gartner has them placed in the upper right quadrant for their ability to execute and their completeness of vision.

The City has been utilizing Oracle Database Software since 1992 and the Oracle Development and Application Software since 1996.

TXM Tax Manager is software developed and owned by the City of Mississauga for the billing and collection of property taxes. The software was implemented in 1998 and is licensed to four municipalities (Brampton, Markham, Richmond Hill and Pickering). This application manages over one and a half (1.5) billion dollars in tax revenue for the City and the Region of Peel. TXM is managed by an in-house IT Support Team which provides application support to the City and the other municipalities.

MAX Mississauga Approvals Xpress is an in-house developed and supported application designed for the Planning & Building department, and used by almost all departments across the Corporation. ePlanning & Building services, hosted on the City's portal, and Electronic Plan Review and Submission (ePlans) are extensions of the MAX application and are integrated with MAX on a real-time basis. This application manages approximately fifteen (15) million dollars in revenue for the City.

TXM and MAX are web-based applications on an Oracle platform, utilizing Oracle Forms and Reports, WebLogic middleware and backend databases.

Infor Public Sector, formerly known as Hansen, is the City of Mississauga's enterprise software application for Citizen Relation Management (CRM), asset management, work management, permits and licensing. Infor is used to manage and record information pertaining to City Operations by providing comprehensive Asset databases (Parks, Roads, Sewers, Building, etc.) and managing the life to-date work performed against those assets, critical costing information for labour, equipment, materials used, etc.

Service Requests from Mississauga residents are recorded in the CRM module by the 3-1-1 Citizen Contact Centre and through Mississauga.ca portal. There are five (5), custom in-house developed, applications using Oracle development tools to specifically support Infor user needs. The Vehicle and Business Licensing Management System is used to manage all licensing related to the Taxi Industry and also the businesses within the City. Some of the other

applications currently using Oracle Databases are Traffic Data Management, Parking Control, Geomatics, Staff Directory, Notification Mailing List and Non-Sufficient Funds.

This report provides Council with an update, to confirm that Oracle products continue to represent the City standard for Relational Database Management Systems, Development and Application software.

#### Comments

To stay in a state of good repair and provide functionality that meets the needs of the business, the City has to upgrade the various Oracle components it currently has licensed or purchase new components from Oracle Canada Inc. based on the City's strategic business requirements. This will ensure the City is compliant with the minimum standards set from Oracle ensuring support is maintained.

The uses and benefits of the various initiatives that utilize Oracle over the next ten (10) years include:

- State of Good Repair and Business Continuity for currently licensed modules -Oracle Database Enterprise Edition, Oracle Developer and Designer Tools, Oracle Internet Application Server, Oracle Forms and Reports and Weblogic, Oracle WebCenter Sites
- 2. Oracle Business Intelligence Publisher (BI Publisher) for analytics, reporting and dashboards.
- Oracle ATG Web Commerce platform is the City's eCommerce platform that runs the mississauga.ca portal and online services including custom developed digital downloads and web applications (i.e. eStore, eTax, Portable Signs and Parking Tickets.)
- 4. Oracle Spatial to store and retrieve geographical or location information for business requirements and is part of the GeoSpatial Master plan that will be released in the fall of 2017.
- 5. Oracle Enterprise Manager Grid Control which provides centralized monitoring, administration and life cycle management for the complete Oracle IT infrastructure.
- 6. Oracle Database Appliance (ODA), Mobility, Private and Public Cloud Services to enable the deployment of data as services to the cloud.
- 7. And future technologies as they evolve, as required, for the City's Strategic and business needs. As technology is ever evolving we are unable to predict future modules that will become available.

The items identified above will address the Oracle technology requirements and the needs of the business to better support the City's Strategic initiatives.

Not having a viable contract with Oracle Canada Inc. puts the City applications specified in the report above at risk as it would prevent the City from receiving new releases and support to resolve any issues encountered with existing licensed components. If out of support, there is a

possibility that other City services will be affected. This will also impact the delivery and support for other cities who have licensed the TXM application from the City.

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

The recommendation in this report is being 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 , "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 (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".

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

### **Financial Impact**

For years the City of Mississauga has benefited from the Province of Ontario Vendor of Record agreement with Oracle Canada. This is no longer the case as a result of a new exclusion clause added by Oracle which prevents municipal governments from benefiting from this public sector pricing.

Information Technology establishes Capital requests on an annual basis based on business application requests, along with the operating budget that reflects yearly maintenance and new purchases of the Oracle application, database, development software and Oracle hardware to be purchased.

The operating expenditure for 2017 for license renewals is approximately \$200,000 for Oracle with an anticipated yearly increase of ten percent (10%) to account for inflationary increases and system growth.

### Conclusion

Oracle products continue to represent the City standard for Relational Database Management Systems, Development and Application software.

This report recommends that the Purchasing Agent be authorized to initiate contract negotiations and execute the contract and all related ancillary documents with Oracle Corporation Canada Inc., on a single source basis for professional services, Oracle application, database, development software and Oracle hardware including maintenance and support and any future system expansions and related services subject to successful negotiations, the City Solicitor's approval and an annual budget approval for a period of 5 years with an option to extend an additional 5 years ending 2027/2028.

### **Attachments**

G. Ket.

Appendix 1: Oracle Corporation Canada Inc. - Statement of Work

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Amir Bestawros, IT Program Manager, Architecture and Innovation Services

#### Oracle Corporation Canada Inc. - Statement of Work

The following outlines the solutions and services that will be negotiated with Oracle Corporation Canada Inc. and staff from Material Management, Legal Services and Information Technology as part of establishing the contract and pricing for the next five (5) year term and the option to renew for an additional five (5) year term.

Single Source Recommendation with Oracle Corporation Canada Inc. Procurement File Ref: PRC000288

- 1. Maintenance and support for Oracle modules that the City currently uses (Database Enterprise, Developer and Designer tools, Internet Application Server, Forms and Reports with Weblogic, and WebCenter Sites) and new modules.
- Acquire licensing for Oracle Business Intelligence Publisher for all in-house built Oracle Reports
- 3. Acquire licensing for Oracle ATG Web Commerce Platform
- 4. Acquire licensing for Oracle Spatial
- 5. Acquire licensing for Oracle Enterprise Manager Grid Control
- 6. Acquire hardware and licensing for Oracle Database Appliance (ODA), Mobility, Private and Public Cloud Services
- 7. Acquire new products or modules for future technologies, as required, for the City Strategic and business needs.

# **Corporate Report**



Date: 2017/06/07

To: Chair and Members of General Committee

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

Originator's files:

Meeting date: 2017/06/28

### **Subject**

Single Source Recommendation with Avolve Software Corporation, File Ref: FA.49.266-13 and GC-0441-2016, Contract Amendment

#### Recommendation

- That the report from the Commissioner of Corporate Services and Chief Financial Officer dated June 07, 2017 entitled Single Source Recommendation for Avolve Software Corporation, File Ref: FA.49.266.13, Contract Amendment be received.
- 2. That Avolve Software Corporation continues to be designated as a City Standard Vendor as per File Ref: GC-0441-2016 dated June 22, 2016 up to February 2024 for ePlans Solution including maintenance and support and any future system expansions and related services.
- 3. That the Purchasing Agent has authority to continue from the previous authority awarded through File Ref: GC-0441-2016 dated June 22, 2016 to initiate contract negotiations with Avolve Software Corporation on a single source basis for a long term partnership subject to the City Solicitor's approval and annual budget approval for professional services and to establish the licensing model and maintenance agreements up to February 2024.
- 4. That the Purchasing Agent be authorized to issue contract amendments and all ancillary documents to increase the value of the contract with Avolve Software Corporation from the original amount previously approved through File Ref: GC-0441-2016 dated June 22, 2016 of \$1,500,000 to the amount of \$4,000,0000 for future initiatives to accommodate the City's requirements and future use of the ePlans solution including PlansAnywhere for the continued modernization and mobility for Land Development Services' applications approval workflows where the amounts are approved in the budget.
- 5. That notwithstanding the requirements of the purchasing bylaw section 18(2)(d), the Purchasing Agent be authorized to negotiate and issue contract amendments and increase the value of the contract, where necessary, to accommodate growth and future expansion including adoption of new technology to meet business requirements to add any future

functionalities, modules and applications from Avolve Software Corporation to accommodate the continued modernization and mobility of Land Development Services' applications approval workflows where such amount(s) is approved in the budget.

# **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 allows the applicants to make application for building permits, sign permits, zoning certificates, pre-application meetings (for development applications) and site plan applications.
- With the implementation of ePlans, there has been a noticeable reduction in the time to issuance for building permits and in the time to approval for site plan approvals despite the volume of applications remaining nearly constant or a marginal increase in the volume of applications in some cases while maintaining the same staff capacity.
- A proof of concept has been launched to implement ePlans Phase Two for Building Permit Field Inspections using 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 five years include an ePlans platform upgrade to remain on a supported version; 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; full implementation of building permit inspections; transfer the functionality for Portable Sign Permits from the existing City Portal to ePlans.
- 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, future initiatives to modernize Land Development Services, subject to City Solicitor's and annual budget approval.

# **Background**

The City has successfully implemented ePlans – Phase One as of January 1, 2016. ePlans solution was developed in partnership with Avolve Software Corporation which was selected as the successful vendor through a competitive procurement process. Avolve Software Corporation has over 150 ePlans implementations across North America for electronic plan review process. The City of Markham has recently implemented a soft launch for the ePlans solution through Avolve Software Corporation. The City of Hamilton has also signed a contract with Avolve Software Corporation for their ePlans implementation.

ePlans – Phase One implementation comprised of online application and payment processing 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. ePlans is fully integrated with MAX (Mississauga Approvals Xpress) which is the in-house developed and supported Land Development Services application that is used at the City. To date the City has received and processed more than 7,500 applications (building permits, sign permits, zoning certificates, preapplication meetings and site plan applications); collected over \$ 5,800,000.00 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.

In 2015, the Building Division in conjunction with the Information Technology Division secured funding to 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. PlansAnywhere 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. PlansAnywhere has been successfully implemented in Salt Lake City, Utah.

The next phase for ePlans is to equip the inspection staff with a fully integrated mobile solution to complete the building permit inspection process in the field. The mobile solution would include the ability to view the approved plan sets from ePlans on their field device and a full integration with MAX to enable the inspectors to view all related information to enable them to complete the inspection and capture the results in the field. 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. The mobile solution will enable the inspectors to recognize these "open permits" when they are in the field based on the information that they will have access to from MAX; this will enable better decisions in the field. ePlans - Phase Two will consist of a Proof of Concept 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 City is partnering with Avolve Software Corporation to build the integration between MAX and PlansAnywhere as a part of the Proof of Concept project for Building Permit related inspections. The outcome of the Proof of Concept will determine if the PlansAnywhere solution can be used to cover the full scope for building permit field inspections. Approval to proceed with the Proof of Concept was granted through File Ref: GC-0441-2016 dated June 22, 2016.

### **Present Status**

Since ePlans has been implemented the volume of applications has remained nearly constant while the complexities of the applications is on a steady rise on account of infill developments. Despite the increased complexities, the processing times have significantly been reduced without additional staff capacity. The reduction in processing times is mainly due to the efficiencies that are being realised through the electronic process introduced through ePlans.

In 2016, a 30% reduction of walk-in traffic at the Permit Counter was noted. The intake process for applications has become even more critical with ePlans. The intake process for Building Permits is completed by the Permit Technicians and by the Planning Services Centre Planners for Site Plans and Pre-Application Meeting requests. Further reductions in walk-in traffic through process improvements would help the in-take staff to speed-up and concentrate on the pre-screening process for the ePlans applications thereby resulting in faster pre-screening and better quality submissions. In 2016 the following processing time reduction occurred from the year before:

- Building Permits 14% reduction
- Zoning Certificates 53% reduction
- Sign Permits 9% reduction
- Site Plans 24% reduction

The processing efficiencies realised through ePlans and reduced walk-in traffic at the Permit Counter is depicted in the form of charts in Appendix 2 – ePlans Statistics for Processing Efficiencies.

Significant time-savings have been realised in the form of administrative effort for preparing the packages for circulation and re-circulation of plans for Site Plan Approvals to over 20 internal review groups and external agencies. The review process for external agencies can start instantaneously and at the same time that the plans are circulated to internal review staff thereby ensuring that the external agencies also have the same number of days to complete their reviews.

Applicants have also realised the benefits of ePlans in the form of:

- Simple to upload drawings.
- No need to print multiple sets of drawings for submissions which results in overall cost and time savings for the applicant. For a 50 storey mixed-use condominium, the applicant could realise a cost saving of approximately \$25,000 for printing the multiple plan-sets, studies, reports and other documents in colour including time savings in terms of folding the plan-sets to submit to the City.
- Convenience applicants do not need to come to city offices to drop off drawings.
- Markup feature on drawings adds clarity on the changes that are being requested.

 Ability to work on their submission / resubmission anytime, anywhere, even on weekends and statutory holidays. Approximately, 25% of applicant related tasks have been completed outside the City business hours.

The applicants are not satisfied with the following aspects of ePlans:

- Technical aspects in terms of web browser requirements like pop-up blocker, compatibility mode settings, installing required components for Internet Explorer.
- Difficult for applicants to understand the overall workflow / process as the applicant is blocked out from uploading documents during the review process itself until all reviewers have completed their review for that iteration.
- Project Status Report often requires clarifications from the reviewers or generates support emails.
- The two-step process where the applicant has to upload the plans or pay fees online and then is required to complete the task before the process can move forward.

Future enhancements to ePlans are in the planning stage to address some of the concerns that have been raised with ePlans and should result in reductions in support related emails and telephone enquiries.

- ePlans Upgrade Provide better collaboration tools for the applicant and city staff; ability
  to mark-up plans on an iPad will help the landscape architects and development
  engineers to mark-up plans in the field as a part of the inspections component when
  completing the plan review process; ability to execute sub-processes during the review
  process to include ancillary groups in the review process without holding up the
  process. It is anticipated that the ePlans upgrade will be completed in Q3 2017.
- Project Status Report Revisions The Project Status Report is being re-designed to contain consolidated information for the applicant from a project status perspective.
   The report will also contain information on the department review information to indicate any outstanding reviews along with staff contact information. This should help to reduce the number of support calls related to project status.
- As part of the ongoing use of and further implementation of ePlans, staff will continued focus on customer service recognizing that the typical resident may have more difficulty given some of the complexity inherent in the requirements.

Trial licenses were obtained from Avolve Software Corporation to give the inspectors a better understanding of the solution and its features. The inspectors are finding it very beneficial to be able to access the approved plan sets in the field on their iPads through the PlansAnywhere solution. The inspectors have the ability to do their research and review the approved plan sets in the field even before going on-site.

The current trial of mobility for Inspection Staff is being expanded into a broader Proof of Concept for Building Permit field inspections is currently in the design stage based on the required functionality that was identified. On completion of the implementation of the proof of concept, the inspectors will have the ability to:

 Complete all building permit inspections in the field so long as they are scheduled in MAX.

- Access all related building permit and inspection information in the field that would help them during the inspection.
- View the approved plan sets including field revisions and mark-up the plans as needed without impacting the approved plan set.
- View open permits and open applications in the field for any address.

In the Development Applications stream, only Pre-Application Meeting Requests and Site Plan Approvals are currently 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. In 2017, the Development & Design Division in conjunction with the Information Technology Division secured funding to extend 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. Additional Development Applications being included in ePlans is scheduled to commence in September 2017.

The Planning & Building department will be undertaking a Lean review of the process in which the plans are shared with Municipal Property Assessment Centre (MPAC) for property assessments. As the plans are available electronically in ePlans and even in PlansAnywhere for the inspections component, there could be a potential for MPAC to access these drawings electronically to complete the property assessment process faster thereby enabling the City to start collecting the property taxes sooner based on the assessment increase.

### Comments

In a span of eighteen months since the full implementation, ePlans has helped to build efficiencies in the plan approval process for the applications that are being processed electronically. The future phases of ePlans will enable the City to maximize the investment in ePlans and further build staff capacity.

The ePlans solution is well aligned with the Lean initiative undertaken in the Planning & Building Department for Site Plan Infill applications and Pre-Application Meeting Requests (for Development 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. The concurrent reviews for the Building Permit process has also helped to reduce the processing time to issuance of the building permit.

In order to leverage the benefits of ePlans and to modernize the delivery of Land Development Services through technology including field mobility, the continued expansion of service delivery through ePlans is envisioned.

Major initiatives planned in the Land Development Services technology roadmap that requires solutions from Avolve Software Corporation over the next five years include:

- ePlans Phase Two Building Permits Field Inspections using the PlansAnywhere solution to enable the inspectors to complete the inspection process in the field with the ability to access the required data from MAX. This phase is currently under way in the form of the Proof of Concept.
- ePlans Phase Three Additional Development Applications included in the ePlans process. Funding for this phase has been approved in 2017 and project work is scheduled to commence in Q3 – 2017.

Minor initiatives such as ePlans Upgrade and changes to the project status report which are currently in the planning stage will further improve the process and client experience. These changes will also help to reduce walk-in traffic thereby enabling the Permit Technicians and Planning Services Centre Planners to complete the pre-screening in a timely manner while ensuring quality submissions.

#### 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; or over \$1,000,000".

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**

Currently, there is an operating budget of \$95,000 to pay for ongoing system maintenance of the ePlans solution. The cost includes premium maintenance which entails Avolve Software Corporation support on a  $24 \times 7$  basis.

The City's total estimated additional expenditure for future upgrades and change requests for the next phases of ePlans is \$700,000 for operating and \$2,300,000 for capital cumulative over a 5 year period and subject to budget approvals for new items. Annual operating budget for PlansAnywhere Licenses in the amount of \$100,000 has been approved in 2017 and is part of the base budget. It is estimated the Phase Three of ePlans will require an additional \$40,000 in operating which will be requested through Business Plan and Budget. The investment in ePlans will drive more efficiencies in the overall process, provide better customer service and require significantly less paper.

Of the \$2,300,000 capital expenditure -

- Capital funding of \$830,000 has been approved.
- Additional capital funding of \$1,470,000 will be requested through future business planning cycles.

Appendix 1 – Statement of Work for Future ePlans Initiatives outlines the details of the future ePlans phases including the estimated operating and capital costs. All future plans are subject to business plan and budget approval.

### Conclusion

The City of Mississauga continues to lead 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 eighteen months, ePlans has helped to build efficiencies in the plan approval process for the applications that are being processed electronically. A significant reduction in processing times has been noted despite the increased complexity of applications due to infill developments.

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 products, solutions, professional services and maintenance and support for future initiatives related 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 City Solicitor's and annual budget approval.

## **Attachments**

Appendix 1: Statement of Work for Future ePlans Initiatives Appendix 2: ePlans Statistics for Processing Efficiencies

G. Kent.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Farzana Dumasia, Project Manager

#### Statement of Work for future ePlans Initiatives

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 future phases of ePlans.

Initiative	Comments	Estimated Capital Cost	Estimated Operating Cost	Estimated Total Cost
Description		(one-time)	(5 years)	
ePlans – Phase 2 Field Inspections – Full Implementation – Professional Services	Licenses for Year-1 have already been purchased under the proof of concept through Bylaw authority.	\$1,000,000	\$500,000	\$1,500,000
(Partial Budget Approved. Pending additional Budget Approval – 2018)				

Field Inspections for Building Permit Inspections is currently in the design stage for the Proof of Concept phase. For the proof of concept, the functionality that has been included in the PlansAnywhere solution is limited to accessing the relevant information in the field related to the permit, inspection history, violation (enforcement) orders, open permits (where the permit has been issued but not completed) and open applications (where the application is in the review stage and the permit has not been issued). Additionally, inspectors would have complete access to the approved set of plans and documents electronically on their devices with the ability to complete the inspection by capturing the results and scheduling future inspections. The solution is integrated with MAX and ePlans on a real-time basis. The outcome of the Proof of Concept would determine if the PlansAnywhere solution could be used to cover the full scope for building permit field inspections. Approval to proceed with the Proof of Concept was granted through File Ref: GC-0441-2016 dated June 22, 2016.

Based on the known costs of the proof of concept and the currency exchange rate fluctuation, additional funding is being requested in 2018 to complete the full scope of building permit inspections.

ePlans - Phase 3	As additional	\$700,000	\$200,000	\$900,000
	development			

(Budget Approved)	application types are		
	added to ePlans, the		
	annual maintenance		
	cost is estimated to		
	increase by \$40,000		
	on an annual basis for		
	a total of \$200,000 for		
	a period of five years.		

In the Development Applications stream, only Pre-Application Meeting Requests and Site Plan Approvals are currently 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. In 2017, the Development & Design Division (Planning and Building Department) in conjunction with the Information Technology Division secured funding to extend 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. Additional Development Applications being included in ePlans would constitute Phase 3 and this phase is scheduled to commence in September 2017.

This phase was identified through File Ref: GC-0441-2016 dated June 22, 2016. However, during that time we were not seeking the financial authority to proceed. Based on the efficiencies that we are currently seeing with ePlans for Site Plan Approvals and Pre-Application Meeting Requests, it has been determined that ePlans would be the best-fit solution for the other development applications as the applicants and staff are already very familiar with the process.

			-
ePlans – Future	\$300,000	-	\$300,000
Upgrades –			
Professional			
Services			
(Pending Budget			
Approvals)			

Avolve Software Corporation is constantly providing upgrades to their products and solutions. In order to remain current and supported, additional professional services may be required to complete these upgrades in our ePlans implementation including PlansAnywhere.

Avolve Software Corporation has identified the City of Mississauga as an early adopter of the new releases and solutions which enables us to get access to these upgrades sooner than their other clients and professional services to complete these upgrades are offered at a competitive

rate.				
Information Technology will request capital funding for future upgrades through the annual				
Business Planning cycle.				
Change Requests –	\$300,000 -	\$300,000		
Legislative /				
Business Process				
changes				
(Pending Budget				
Approvals)				
As ePlans solution is a commercial off any business requirement changes that professional services from Avolve Soft in the solution.	at are required would require capital fu	unding to request		

Business Planning cycle. **Total:** \$2,300,000 \$700,000 \$3,000,000

Information Technology will request capital funding for future upgrades through the annual

The proposed initiatives focus on the critical priorities for modernizing Land Development Services through technology including field mobility. These initiatives are building on the success and improvements in the form of efficiencies and building staff capacity that have been realised through the implementation of ePlans – Phase 1.

#### ePlans - Potential Future Initiatives:

A potential exists to expand the ePlans platform to include the following –

- 1. Portable Sign Applications These applications are currently received online through the City Portal with integration to MAX. In the case of Portable Signs on Private Properties, documents related to these applications have to be received within 2 business days either via email or in-person at the Building Permit Counter. As the City Portal platform is scheduled to change, moving the Portable Sign Applications to ePlans would be a good fit as the entire workflow submission of application and documents, review and processing can be completed in ePlans with the integrations to MAX. A business case will be prepared in 2017 / 2018 to request capital funding in 2019 for this initiative.
- 2. **Property Based Inspections** MAX system also tracks information related to property based inspections. In ePlans Phase 2, we are going to be looking the field mobility

component for Building Permit Inspections. However, in the future, there is a potential that the property based inspections could also be processed through PlansAnywhere.

### ePlans Statistics for Processing Efficiencies

The following chart shows the volume of applications received in 2015 and 2016 categorized as Building Permits, Sign Permits, Zoning Certificates and Site Plan Approvals.

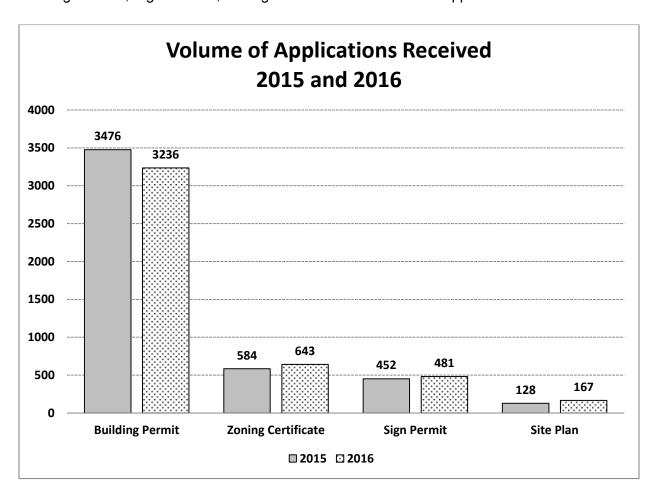


Figure 1 - Volume of Applications

The following chart shows the processing time comparison in business days for applications categorized as Building Permits, Sign Permits, Zoning Certificates and Site Plan Approvals. ePlans soft launch was implemented in 2015 whereby some applications in 2015 may have been processed through ePlans too. For the purpose of the chart below, the applications processed through ePlans in 2015 have been excluded.

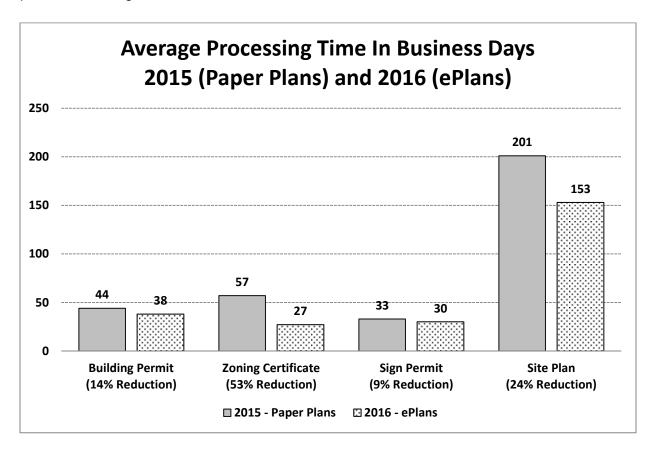


Figure 2 - Processing Time Comparison

The following chart shows the comparisons of the volume of walk-in traffic at the Permit Counter from 2014 to 2016. ePlans soft launch was implemented in July 2015.

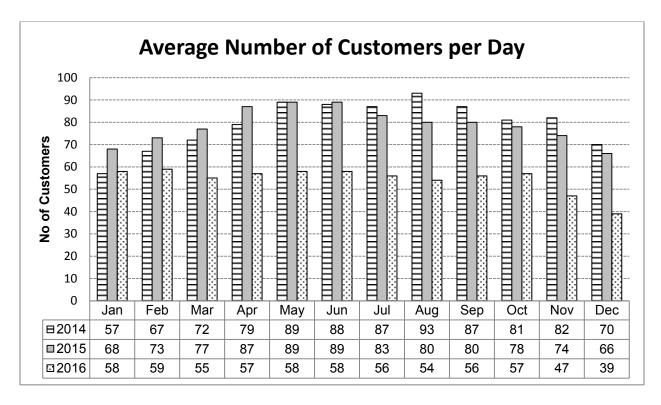


Figure 3 - Walk-In Traffic at Permit Counter

# City of Mississauga

# **Corporate Report**



Date: 2017/05/31

To: Chair and Members of General Committee

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

Originator's files:

Meeting date: 2017/06/28

# **Subject**

TXM Tax Manager (Property Tax Management Software) for Town of Newmarket

### Recommendation

- That the report of the Commissioner of Corporate Services and Chief Financial Officer dated May 31, 2017 and entitled, "TXM Tax Manager (Property Tax Management Software) for Town of Newmarket", be received.
- That the Commissioner of Corporate Services and Chief Financial Officer be authorized to execute the necessary agreements with the Town of Newmarket to license, implement and support the TXM Tax Manager, in a form satisfactory to the City Solicitor.
- 3. That the Commissioner of Corporate Services and Chief Financial Officer be delegated authority to respond to requests from other municipalities and execute the necessary agreements to conduct an assessment ("Discovery Phase") of effort and costs for a full implementation of the TXM Tax Manager solution, in a form satisfactory to the City Solicitor.

# **Report Highlights**

- The City licenses its proprietary tax software, TXM Tax Manager to other municipalities
  including City of Brampton, Town of Pickering, Town of Markham and Town of Richmond
  Hill. License and support fees from these municipalities help offset the ongoing costs of
  the TXM system and system support.
- The Town of Newmarket has expressed an interest in acquiring TXM Tax Manager and would like to conduct an assessment ("Discovery Phase") to determine effort and costs for full TXM implementation. Newmarket would pay for a 10-day Discovery Phase which is estimated to cost \$10,000 excluding HST.

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• The Discovery Phase costs include the services of DesTech Consulting Services Inc. (City Standard Vendor) as a subcontractor to the City, and City Staff costs.

- Delegation of authority to the Commissioner of Corporate Services and Chief Financial
  Officer is required for the City to respond on a timely basis to the Town of Newmarket to
  license, implement and support the TXM Tax Manager.
- Delegation of authority to the Commissioner of Corporate Services and Chief Financial Officer is required for the City to respond on a timely basis to requests from other municipalities to conduct an assessment ("Discovery Phase") of effort and costs for a full implementation of the TXM Tax Manager solution. Adding new customers to TXM generates new revenue to offset support cost of City Staff. It may be required to add additional resources in the future to support a larger TXM client base which would be offset by the additional revenues being realized now through the recent addition of Pickering and the potential to add new clients such as Newmarket.
- In 2017 staff will initiate a study and future directions report for TXM that will look at current and future clients, technology, partners as well as the resource and business model to operate, develop and support TXM into the future.

# **Background**

TXM is software developed and owned by the City of Mississauga (the "City") for the billing and collection of property taxes. The software was implemented in 1998. The City has licensed TXM to 4 municipalities – Brampton, Markham, Richmond Hill and Pickering – and received cost-recovery in 2016 of \$605,960.85 (excluding HST) for TXM maintenance and support services, from these municipalities. TXM is managed by an in-house IT Team which provides application development and support to the City and the licensed municipalities.

The City has been approached by the Town of Newmarket ("Newmarket") as they are interested in acquiring TXM to replace their existing property tax software. In order to assess the scope, effort and costs involved, the City's TXM Team needs to conducts a 10-day assessment ("Discovery Phase") that will evaluate Newmarket's existing property tax system and all associated property tax billing and collection processes. The TXM Team will work with Newmarket Staff and sub-contractor DesTech Consulting Services Inc. (City Standard Vendor) in order to assess what business and technical changes will be required to implement TXM. Upon completion of the Discovery Phase, the effort and costs required to migrate Newmarket to TXM will be identified in detail to Newmarket, who may then seek their Council's approval to proceed with the full TXM implementation. The cost of the Discovery Phase is estimated to be \$10,000 (excluding HST) and will be paid by Newmarket.

The purpose of this report is to obtain Council's approval to negotiate and enter into all necessary agreements with Newmarket for TXM Tax Manager, to respond to requests from other municipalities to conduct an assessment ("Discovery Phase") of effort and costs for a full

implementation of the TXM Tax Manager solution, and to update Council on the use of DesTech Consulting Services Inc. as a subcontractor to the City of Mississauga for these engagements.

### Comments

### TXM implementation at City of Pickering in 2014

During TXM implementation at the City of Pickering, the TXM Deployment Team used initial site visits to firm up effort and costs for the full TXM deployment. This process has now been formalized as a Discovery Phase and is a pre-requisite to the full implementation of TXM at any municipality. This phase will provide a review of all billing and collection business processes, and the impact of TXM deployment on these processes. It will also provide an assessment of data conversion requirements from the old property tax system to the new TXM system. TXM system audit features and controls will identify staff roles and an estimate on the number of staff required to operate the TXM system. A project plan for the full TXM implementation will be customized to the requirements of Newmarket and will be reviewed to ensure the appropriate Newmarket Staff roles are identified for the project.

### Role of DesTech Consulting Services Inc.

At their meeting of July 6, 2011, Council adopted the following recommendation: (GC-0463-2011). That DesTech Consulting Services Inc. be designated as a City Standard Vendor to provide advisory and implementation services, as required, as a sub-contractor to the City of Mississauga for any upgrade or implementation of TXM – Tax Manager Software being undertaken on behalf of a licensed municipality, where the costs are to be reimbursed to the City.

At their meeting of October 12, 2016, Council adopted the following recommendation: (GC-0593-2016). That DesTech Consulting Services be designated as a City Standard Vendor for a ten (10) year term extending up to October 31, 2026 for consulting and professional services and support of the Oracle platform for the TXM and MAX Applications.

In its advisory role during the Discovery Phase at Newmarket, DesTech Staff will primarily be responsible for determining the technical state of the existing tax system and will identify the effort and costs associated with data conversion and building TXM interfaces with other Newmarket systems.

During the TXM full implementation phase, DesTech will develop, test, document and deploy the programs and processes that will convert data from the old tax system to TXM. DesTech will also be responsible for building, testing, documenting and deploying the required interfaces between Newmarket's information systems and TXM Tax Manager. DesTech will further provide

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consulting expertise for Oracle's WebLogic Middleware deployment and training, and may also provide additional services directly to Newmarket outside of the subcontractor work provided through the City.

### TXM implementation at Town of Newmarket

If Newmarket proceeds with the full implementation of TXM, the preliminary estimate of the costs is \$400,000 (HST and travel expenses not included). This estimate represents costs associated with installation and configuration of TXM software, data conversion, training, building interfaces and project management, and will change depending on the findings of the Discovery Phase. The full TXM implementation Project will have duration of 8 to 10 months and beyond this initial installation/configuration phase, the project will continue to work on taxation and collection processes as they occur, for the full 1-year taxation cycle. It is estimated that 2-contract project staff – a Project Manager and a Taxation Subject Matter Expert - will be required for this project, along with staff from DesTech and Newmarket. Based on expected revenue, an additional support position will be required in 2019.

Implementing TXM Tax Manager is a complex process that requires its project to start ideally at the beginning of the annual municipal taxation and collection business cycle. This cycle commences with the receipt of the assessment roll by mid-December for the upcoming tax year. If this timing is missed, the project can encounter additional complexity arising from timing of implementation, data conversion and post-implementation support provided by the TXM Team. Council is being asked to delegate authority to the Commissioner of Corporate Services and Chief Financial Officer to negotiate and enter into necessary agreements to ensure inquiries and contract negotiations with potential client municipalities are addressed on a timely basis with due consideration for project timing and the taxation business cycle.

In 2017 staff will initiate a study and future directions report for TXM that will look at current and future clients, technology, partners as well as the resource and business model to operate, develop and support TXM into the future.

# **Financial Impact**

There is no financial impact to the City. All costs will be reimbursed by Town of Newmarket for Discovery Phase and TXM implementation. Funding for the Discovery Phase is estimated to cost \$10,000 (HST and travel expenses not included).

Upon completion of the full TXM implementation at Newmarket, annual revenue of approximately \$45,360 (currently \$1.68 per tax account) would be received from Newmarket for TXM Maintenance and Support Services beginning in 2019.

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### Conclusion

The Town of Newmarket is interested in acquiring TXM Tax Manager, the City's proprietary property tax software, to replace their existing property tax system. To assess effort and costs associated with the full TXM implementation, a 10-day Discovery Phase is required with Newmarket Staff and City sub-contractor DesTech Consulting Services Inc. Newmarket will reimburse the City for the Discovery Phase estimated to be \$10,000 (excluding HST). Upon completion of the Discovery Phase, the effort and costs required to migrate Newmarket to TXM will be identified in detail to Newmarket, who may then seek their Council's approval to proceed with the full TXM implementation.

It is proposed that Council delegate authority to the Commissioner of Corporate Services and Chief Financial Officer to negotiate and enter into necessary agreements with Newmarket for licensing, implementation and support for TXM.

For any municipality interested in acquiring the TXM Tax Manager solution, it is further proposed that Council delegate authority to the Commissioner of Corporate Services and Chief Financial Officer to enter into necessary agreements to conduct an assessment of effort and costs for a full implementation of TXM.

Implementing TXM Tax Manager is a complex process and by Council delegating authority to the Commissioner of Corporate Services and Chief Financial Officer to negotiate and enter into necessary agreements, ensures contract negotiations with potential client municipalities will occur on a timely basis with due consideration for project timing and the taxation business cycle.

G. Kest.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Nadir Ahmed, IT Business Manager, TXM/MAX/P&B

# City of Mississauga

# **Corporate Report**



Date: 2017/06/06

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Corporate Policy and Procedures - Acquisition and Disposal of Interests in Real Property Policy Revisions (All Wards)

### Recommendation

- That the Corporate Report titled, "Acquisition and Disposal of Interests in Real Property Policy Revisions", dated June 6, 2017 from the Commissioner of Corporate Services and Chief Financial Officer be received
- 2. That the revised Corporate Policy titled, "Acquisition and Disposal of Interests in Real Property", attached as Appendix 1 to this report, regarding the acquisition and disposal of real property, be approved effective immediately.

# **Background**

At its meeting of November 12, 2008, Council approved the revised Corporate Policy entitled Acquisition, Administration and Disposal of Real Property regarding the acquisition, administration and disposal of real property. This Corporate Policy and Procedure for Acquisition and Disposal of Real Property 05-04-01 was due for review as part of the Corporate Policy and Procedure program. This Corporate Policy and Procedure was last updated in 2008. The primary goal of the review was to improve and update practices, guidelines and processes and ensure compliance with all relevant legislation in dealing with the real property acquisition, disposition and property management.

### **Comments**

The revised policy, attached as Appendix 1, reflects changes that will allow the continued delivery of accountable and transparent real estate service, with improvements made to allow for increased clarity and flexibility to staff that resulted from "lessons learned" since the last review. A comparison of the current policy and the proposed policy is attached as Appendix 2. Following are the key revisions to the Policy:

 Several definitions were added to provide greater clarity on real estate terms used throughout the Corporate Policy and Procedure

- Several procedure clarifications were added to better describe/explain key roles and responsibilities and to provide Realty Services with flexibility in delivering add value services
- Includes a recommendation that Council approve leases involving City employees or elected officials. This authorization is currently with the City Manager
- In recognition that the City now has Environmental Impairment Liability Insurance, this
  updated policy now provides that environmental investigations be undertaken in such
  manner and of sufficient level, so as to meet the requirements of the City's insurer
- In support of the City's Housing Strategy, this updated policy provides that prior to
  declaring lands surplus for the purpose of disposal, clearances/approvals continue to be
  obtained from all appropriate City departments and that, in addition, where the lands are
  considered viable building sites, designated affordable housing providers, which may
  include circulation to several other outside agencies, also be undertaken. Currently,
  Realty Services may also direct a circulation to the various utilities to determine whether
  or not Easement protection is warranted prior to the sale of the property
- Recognition of evolving best practices of the various municipalities across Ontario.

# **Financial Impact**

There is no financial impact.

### Conclusion

Corporate Policy and Procedure, Acquisition and Disposal of Real Property 05-04-01 has been revised to reflect current practices, including recommendations that resulted from Realty Services' experience over the last several years, changes to clients' needs and recognition of best practices.

### **Attachments**

Appendix 1: Revised Corporate Policy and Procedures - Acquisition and Disposal of Real

Property 05-04-01

Appendix 2: Comparison Chart – Acquisition and Disposal of Real Property 05-04-01

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Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Sheryl Badin, Acting Manager, Realty Services, Facilities and Property

Management

# **Corporate Policy & Procedure**



Policy Title: Acquisition and Disposal of Real Property

Policy Number: 05-04-01

#### **Draft Only 2017 06 01**

Section:	Prop	erty and Facilities	Subsection: Real	Property Management
Effective I	Date:	September 4, 2013	Last Review Date:	April 2008
Approved Council	by:		Owner Division/Cor Facilities and Proj Corporate Service	, ,

### **Policy Statement**

In support of the City's strategic pillars for change, the City of Mississauga's Real Property is managed and assessed in accordance with the City's legislative authority, accepted business practices, the principles of fair, open, transparent and accountable government and the Real Property management principles outlined in this policy.

# **Purpose**

This policy establishes the structure, authorities and accountabilities for decision-making in the assessment, acquisition, disposal, management and administration of the City's Real Property.

# Scope

This policy applies to the Acquisition and Disposal of Interests in Real Property undertaken by the City of Mississauga.

Additional detailed procedural information is available in the Acquisition and Disposal of Interests in Real Property Procedures Manual, available from Realty Services.

# **Exceptions**

#### **Acquisitions**

This policy does not apply to the following types of Acquisitions:

 Real Property dedicated to the City either through development applications or cash in lieu/parkland dedications (refer to Corporate Policies and Procedures – Dedication of Land, or Cash in Lieu Thereof, for Public Open Space; and Applications for Development of Contaminated or Potentially Contaminated Sites) Policy Number: 05-04-01 Effective Date: September 4, 2013

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- Real Property acquired by the City through vesting by reason of tax arrears pursuant to the Municipal Act, 2001
- Real Property acquired by the City pursuant to the Funeral, Burial and Cremation Services
  Act, 2002, and
- Acquisition of Easements from the Region of Peel pursuant to the Easement Protocol Agreement By-Law 0296-2007, as amended

#### **Disposals**

This policy does not apply to the following types of Disposals:

- The sale of lands for municipal tax arrears purposes pursuant to the Municipal Act, 2001
- Encroachments on City property pursuant to the Encroachments By-Law 57-04, as amended
- The re-conveyance of lands to the owner, or successor in title, who conveyed the land gratuitously to the City by virtue of the terms of a Development and Servicing Agreement, and
- Conveyance of Easements to the Region of Peel pursuant to the Easement Protocol Agreement By-Law 0296-2007, as amended

#### **Definitions**

For the purposes of this policy:

"Acquisition" means the obtaining of interests in Real Property through purchase or other means of acquiring Real Property interests deemed appropriate by the City.

"Appraisal" means a written opinion of the current Market Value of property, the conditions and limitations at the time of the opinion or estimate of value. An individual accredited by the Appraisal Institute of Canada, either internal City staff or an outside appraiser, may prepare the Appraisal. The form and content of the report shall be at the discretion of the Manager.

"City" means the Corporation of the City of Mississauga.

"Disposal" means the sale, conveyance, exchange or grant of the City's interest in Real Property.

"Donation" means a voluntary gift of Real Property, given without compensation or consideration.

"Easement" means an interest in land transferred from one party to another, consisting of the right to use or control the land, or an area above or below it, for a specific limited purpose.

"Encroachment" means any type of vegetation, man-made object or item of personal property which exists wholly or upon, or extends from a person's premises onto, public lands and shall include any aerial, surface or subsurface Encroachments.

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"Expropriation" means the Acquisition of land pursuant to the Expropriations Act of Ontario.

"Heritage Easement" means an easement granted from a property owner to the City in order to protect the heritage aspect(s) of the property, granted pursuant to the *Heritage Act* of Ontario.

"Interests in Real Property" include, but are not limited to, fee simple; temporary or permanent easement; leasehold; licence; consent to enter; management and operations agreement; and encroachment.

"Lease" means the granting of a leasehold interest in land or a portion of a building granted by the landlord to the tenant providing the tenant with exclusive occupancy of the leased premises.

"Limited Interest Agreements" means a document relating to Real Property that establishes a contractual relationship between two parties including, but not limited to, a license, management and operating agreement, consent to enter, etc.

"Manager" means the Manager, Realty Services, Facilities and Property Management, Corporate Services Department, or his/her designate.

"Market Value" means the highest price a willing buyer would pay and a willing seller would accept, both parties being fully informed.

"Real Property" means land and all buildings and structures constructed thereon.

"Surplus Property" means municipally-owned Real Property that has been declared surplus to the City's requirements as approved by Council in accordance with applicable by-laws.

# Legislative Requirements

All Real Property Transactions are to be conducted in accordance with applicable federal and provincial legislation, including but not limited to the *Municipal Act, 2001, Planning Act*, *Expropriation Act* and *Tenant Protection Act*.

#### **ACCOUNTABILITY**

#### **Commissioner of Corporate Services and Chief Financial Officer**

The Commissioner of Corporate Services and Chief Financial Officer is responsible for:

- Rendering decisions where the interpretation of this policy by Realty Services is disputed, and
- Approving the terms and conditions of the debt instrument if Council has approved issuance to finance the Acquisition of Real Property

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#### Director, Facilities and Property Management, Corporate Services Department

The Director, Facilities and Property Management, Corporate Services Department is responsible for:

- Ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions, and
- Ensuring compliance with this policy

#### Manager

The Manager is responsible for:

- Ensuring all applicable staff are aware of this policy and of any subsequent revisions
- Ensuring that all applicable legislative requirements have been met
- Ensuring compliance with this policy and that the City acts at all times in the best interest of the general public, with a view to transparency and fairness of process, and
- Ensuring all required information that may affect value or use is obtained from appropriate staff prior to approval of Real Property transactions

#### **Environmental Services Section**

The Environmental Services Section, Transportation and Infrastructure Planning Division, Transportation and Works Department, is responsible for:

- Providing technical support and recommendations to Realty Services in determining if Real Property should be subject to an environmental investigation prior to Acquisition or Disposal
- Coordinating environmental investigations, as required, and assessing potential environmental liabilities and associated risk, and
- Ensuring compliance with PSAB 3260, in accordance with Corporate Policy and Procedure Accounting for Liability for Contaminated Sites

### **Legal Services**

Legal Services, City Manager's Department, is responsible for providing legal support to Realty Services, as required.

# **Authority to Enter into Real Property Transactions**

Unless authorized by the Real Estate Delegation of Authority By-Law 0375-2008, as amended, all Real Property transactions require the approval of the Council for the City. Where Council approval is required, the transaction may be considered at a closed session of Council if permitted under the *Municipal Act*, 2001.

#### Fiscal Accountability

The principle of fiscal accountability means that the City will:

 Endeavour to acquire, maintain, preserve, dispose of and otherwise manage Real Property assets to the maximum long term economic advantage of the City Policy Number: 05-04-01 Effective Date: September 4, 2013

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- Endeavour to retain and maintain Real Property, only when the Real Property interest:
  - has adequate returns in terms of revenue or amenity
  - is not easily replaced with a more efficient interest
  - can be operated within existing budget parameters
  - adequately fulfills the function for which it was acquired or
  - has been identified as having "strategic hold" value for future use;
- Endeavour to minimize costs while realizing revenue from the Disposal or Lease of nonessential, under-utilized properties
- Obtain the best value when acquiring Real Property, giving due consideration to Market Value and to entitlements under the *Expropriations Act*, where applicable, and
- Dispose of Real Property on the basis of Market Value, unless otherwise approved by Council

#### **Consistency with Corporate Objectives**

The principle of consistency with Corporate objectives means that the City will acquire, retain, maintain, renovate and improve properties only when those properties clearly align with the goals and objectives of the City's Strategic Pillars for Change, Official Plan, Capital Budget and departmental approved business plans related to the provision of City-mandated programs. City-mandated programs are services, products or facilities which are owned, operated or purchased in fulfillment of City objectives and delivered to the public.

#### Sustainability

The principle of sustainability means that the City will endeavour to retain Real Property only when:

- Returns in terms of revenue/amenity are cost neutral or better
- Service need is constant or growing, and
- The condition of the Real Property is such that it can be used and maintained on a lowmaintenance and low-risk basis

#### Social Responsibility

The principle of social responsibility means that the City:

- Has a duty to provide service and support, where there is no other viable service provider, and where there is a clearly articulated City desire to fill a need, or to foster and promote programs of inclusion and accessibility. The City's social responsibility may form the basis for Real Property transactions of a nature other than Market Value, provided they are ancillary to Council-approved programs
- Will endeavour to provide safe, healthy and accessible facilities for occupants, and
- Will endeavour to protect and preserve the environmental value and/or cultural heritage of the property

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#### **Transparency**

The principle of transparency means that:

- The City is committed to using consistent, transparent and equitable processes in acquiring and disposing of Real Property
- The City's Real Property is managed along clearly defined lines of delegated authorities and levels of accountability, with semi-annual reporting to Council, and
- Risk is managed responsibly and Council is informed as considered appropriate by the Manager

### Real Property Management Principles and Objectives

In making its recommendations, Realty Services shall have regard to the following principles:

- Fiscal Accountability
- Consistency with Corporate Objectives
- Sustainability
- Social Responsibility
- Transparency
- Environmental Responsibility

### **Environmental Responsibility**

The principle of environmental responsibility means that the City will consider:

- The environmental condition of Real Property and any potential remedial costs, and
- If the environmental condition of Real Property presents any potential risk to the City

# Acquisitions

#### **Responsibility for Acquisitions**

The Manager is responsible for Real Property Acquisitions. All Acquisitions of Real Property interests are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives and the Acquisition Considerations outlined in this policy.

# **Acquisition Process**

Realty Services staff will initiate an Acquisition process upon receipt of a written request from any City department. All such requests should be supported by a departmental needs assessment explaining the rationale for the Acquisition, a form of Council authority or proof of approval through the current or capital budget process.

A budget for the program or project should be identified, where applicable, inclusive of the cost to acquire the necessary property component and setting out the operational budget impacts prior to Realty Services conducting the Acquisition. Where Council has approved the issuance of a

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debt instrument to finance the Acquisition of Real Property, the terms and conditions of the debt instrument must be approved by the Commissioner of Corporate Services and Chief Financial Officer or his/her designate.

Realty Services will investigate the market to determine suitable alternatives to meet the end user's needs. The final decision on the site selection rests with the end user department.

#### **Assessment of Property**

Before acquiring any Real Property, Realty Services will consult with other City departments and may coordinate an assessment by appropriate staff or an external consultant as to the property's physical, structural and environmental condition, cultural heritage, existing restrictions, encumbrances, liabilities, tax implications or any other important characteristic which may impact on value or use.

#### **Appraisal**

All Acquisitions must be accompanied by a current Market Value Appraisal.

### Agreement of Purchase and Sale

Upon selection of a site by an end user department and successful negotiations, Realty Services shall instruct the Legal Services Division to prepare and/or review an appropriate agreement. When the agreement has been fully executed, it is transferred to the Legal Services Division for completion of the transaction.

#### Land inventory

The City will maintain a public register which lists all of the Real Property owned by the municipality. The following classes of Real Property are not listed in the public register:

- Highways and roads
- Open road allowances
- Stopped-up highways and roads
- Reserves of 0.3 metres (1 foot) or less in width, and
- Easements

# **Acquisition Considerations**

Real Property Acquisitions will be conducted with consideration of the following:

### **Acquisition Required For Municipal Purposes**

Real Property Acquisitions are restricted to Acquisition of land and interests which are required for municipal purposes or in support of Council-approved programs, projects and policies.

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#### **Acquisition at Market Value**

Realty Services staff will acquire Real Property at the lowest possible negotiated cost and greatest economic advantage to the City. When the Acquisition is part of an unsolicited purchase in support of a City-mandated program (e.g. for a road widening) land may be acquired on the basis of Market Value and entitlements, as defined by the *Expropriations Act*.

#### **Environmental Investigations**

The Manager, in consultation with Environmental Services, Transportation and Works Department, and the client department, may require that Real Property being considered for acquisition, regardless of the method of Acquisition, be subject to an environmental investigation, which must be completed prior to completion of the transaction. All such investigations are to be completed in accordance with any applicable Ministry of the Environment and Climate Change standards and undertaken in such manner and of sufficient level, so as to meet the requirements of the City's insurer.

### **Heritage Properties**

When acquiring Real Property that may have cultural heritage value, the unit/division responsible for the acquisition will consult with Heritage Planning staff, Culture Division, Community Services Department, to understand the implications of the property's heritage status.

The unit/division responsible for the property will be responsible for:

- Confirmation of the City program(s) to be implemented at the property
- Identification of the desired long-term use of the property
- Assessment of the impact on the City of the operational costs of the property, and
- Development of an asset management plan, which forecasts the capital renewal and reinvestment requirements to preserve the property, including actual or potential funding sources

# **Methods of Acquisition**

Real Property interests may be acquired through any of the following methods:

- Negotiated agreements
- Land exchanges
- Charitable Donations
- Expropriation
- Transfers from another level of government
- Competitive bid request

#### **Negotiated Agreements**

Negotiation is the preferred method of obtaining Real Property and will be completed in consultation with Legal Services.

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### **Land Exchanges**

When an Acquisition is pursued in support of Council approved programs, projects and policies and it is determined that an exchange of City owned Real Property is in the best interests of the City, negotiations shall be initiated based on the Market Value of the respective Real Properties, pursuant to this policy.

#### **Charitable Donations**

The City may accept a Donation of Real Property if an appropriate municipal purpose has been identified for the property and upon City Council's approval.

Realty Services staff will advise the Commissioner of Corporate Services and Chief Financial Officer as to the appropriateness of accepting the Donation.

### **Expropriation**

The City has the authority to expropriate land in accordance with the provisions of the *Expropriations Act*. Expropriation may be used where project requirements must be met in a timely manner or where negotiation has failed to produce an agreement.

The Mayor and applicable ward councillor shall be informed of any contemplated Expropriations prior to the report recommending approval to Give Notice of Application to Expropriate is brought to Council.

#### Transfers from another Level of Government

The City may acquire Real Property as the result of a transfer of jurisdictional authority from one level of government to another (e.g. transfer of highways, boat launches etc.).

# **Disposal of Property**

#### **Responsibility for Disposal of Properties**

The Manager is responsible for Real Property dispositions, including the selection of the appropriate Disposal method for the property. All Disposals of Real Property are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives and the Disposal Considerations outlined in this policy. Where applicable, the transaction will be approved and executed according to the Real Estate Delegation of Authority By-Law. Where the By-Law indicates Council approval is required, a Corporate report will be brought seeking authorization for the transaction.

# **Disposal Process**

Realty Services staff, in consultation with other City departments, will identify potential properties for Disposal and:

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- Ensure that the property is declared surplus
- Initiate an Appraisal to estimate the property's Market Value
- Initiate an environmental investigation, where deemed applicable, in consultation with Environmental Services, Transportation and Works Department, and the client department and undertake remediation as may be required, and
- Initiate such other investigations and commission such other reports as may be deemed appropriate by the Manager, in consultation with other City departments

#### **Declaration of Property as Surplus Property**

Real Property may not be disposed of unless it has been declared surplus to the requirements of the City and included in a Corporate report to City Council, which will include notice of the City's intention to dispose of the Surplus Property.

Note: The requirement to declare surplus prior to disposal does not apply to the following:

- Grant of Easement interests, including Easements to be transferred to the Region of Peel pursuant to the existing Easement Protocol Agreement
- Disposal of one foot reserves
- Re-conveyance to the owner, or successor in title, who conveyed the land gratuitously by virtue of the terms of a Development and Servicing Agreement, provided all costs to recover the lands are borne by the owner
- Lease of Real Property for less than 21 years, and
- Lease of a portion of a City-owned building for more than 49 years

Prior to a declaration of Surplus Property, clearances to dispose of the property are obtained from all appropriate City departments and designated affordable housing providers and may include circulation to several other outside agencies. Realty Services may also direct a circulation to the various utilities to determine whether or not Easement protection is warranted prior to the sale of the property.

### **Notice of Sale of Real Property**

Notice of the proposed sale of Surplus Property will be posted in accordance with the City's Notice By-Law 215-08, as amended.

#### Status Report on City Surplus Property

Realty Services will report to City Council identifying the status of all properties that have been previously declared surplus by City Council. Reporting will be every 18 months or as directed by City Council.

#### **Appraisals of Surplus Property**

All Disposals will be subject to an appraisal of value except:

• Subject to the discretion of the Manager, sales involving the following classes of property:

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- reserves of 0.3 metres (1 foot) or less in width
- stopped-up highways and walkways
- landlocked properties if being sold to an abutting owner
- property acquired under Section 42 of the Expropriations Act, if being sold to an owner from whom the land was taken
- · Abandoned cemeteries
- Sales to public bodies (Boards of Education, the Regional Municipality of Peel, Enersource Mississauga, Ontario Hydro, Conservation Authorities and the Provincial and Federal Government), and
- Sales to private bodies where the deemed value of the Surplus Property is less than \$50,000, as determined by the Manager

#### **Priority of Offerings**

The City shall have the right to convey the Surplus Property at market value to the party having the greatest priority. For the purpose of assigning priorities, the order shall be as follows:

- 1. Federal Government
- 2. Provincial Government
- 3. Regional Municipality
- 4. Local School Boards
- 5. Recognized Authorities

#### Agreement of Purchase and Sale

When an acceptable offer for the Surplus Property has been received, Realty Services shall instruct the Legal Services Division to prepare and/or review an agreement. When the agreement has been fully executed, it is transferred to the Legal Services Division for completion of the transaction.

#### **Cost of Disposal of Surplus Property**

All applicable fees and charges recoverable under the City's Fees and Charges By-Law shall be recovered from the purchaser on or before the closing date. All other reasonable fees, costs and expenses incurred by the City, even if the property is sold at a nominal value, shall be recovered from the purchaser on or before the closing date, unless the sale was initiated by the City and the costs have been waived by the approver of the transaction.

#### **Proceeds from Disposal of Surplus Property**

Proceeds from the Disposal of Surplus Property will be credited to one of the following accounts:

- Capital Reserve Fund
- A departmental account from where the original acquisition of the property was funded, as directed by the Commissioner of Corporate Services and Chief Financial Officer, or
- As otherwise directed by Council

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### **Disposal Considerations**

The Disposal of Real Property will be carried out with consideration for the following:

#### **Market Value**

All Disposals of Real Property must be at least at 90 per cent of Market Value unless an exception is provided in this policy and Council has approved the transaction.

Reports to Council recommending Disposals at less than 90 per cent of Market Value must:

- Clearly state the Market Value of the Surplus Property to be transferred and not realized and the reasons for such a decision
- Identify the purchaser, and
- In the event of a Lease of 21 years or more, fully disclose all important or financial terms and conditions therein

#### Transfers to Another Level of Government

Where an offer is received from another level of government, board or authority and the City disagrees with the Market Value determined by the other level of government, the City may agree to either:

- Elect to have the Market Value estimated by a third party appraisal, negotiate and amend the offers accordingly, or
- Start negotiating with the next purchaser, in priority order:
  - 1. Federal Government
  - Provincial Government
  - 3. Regional Municipality
  - 4. Local School Boards
  - 5. Recognized Authorities

#### Disposal of Land Acquired through Gratuitous Dedication or Donation

Where the City has acquired Real Property through a gratuitous dedication as a condition of a development application or through a Donation, and the Real Property becomes Surplus Property, the City may consider the following options:

- A potential transfer to another level of government, local school board or recognized authority, or
- Re-conveyance to the owner, or successor in title, who conveyed the land gratuitously, provided, at a minimum, all costs to recover the lands are borne by the owner, or
- The Disposal of the Surplus Property at Market Value

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#### **Environmental Investigations**

The Manager, in consultation with Environmental Services, Transportation and Works Department, may require an environmental site investigation prior to property disposition to assess any potential liability to the City in disposing of the property.

#### **Natural Areas**

Natural or environmentally sensitive areas identified by the City as being worthy of protection will be transferred exclusively to appropriate organizations, such as conservation authorities or other levels of government. These sensitive lands will be identified through the Planning and Building Department and the Community Services Department.

#### **Public Highways**

Any public highway that is stopped-up, closed and declared surplus shall be offered for sale pursuant to a value established by an Appraisal.

It is preferred that the entire portion of the public highway should be sold at one time so as not to leave the City owning portions of the closed public highway. Should one of the adjacent owners choose not to purchase the closed public highway, it may be offered in whole to the other adjacent owner at the same or higher price. Should neither owner wish to purchase the closed road allowance, the City may offer it to any other interested purchaser.

In the event the closed road is of sufficient size to be considered a viable property on its own, the City shall have the option, in its sole discretion, of marketing the property as a stand-alone property, with no obligation to offer it to the adjacent owners. However, notice will be provided to the adjacent owner(s) that the property is to be placed for sale on the open market.

#### Sale of Property to City Staff/Elected Officials

Surplus Property may be sold to City employees or elected officials, or to members of their families, provided the requirements of all by-laws, policies and procedures regarding the sale of Surplus Property are satisfied and provided the sale is approved by Council.

#### Sale of Heritage Property

Any agreement of sale for a heritage property must contain any necessary special conditions to preserve its heritage status including, but not limited to, a Heritage Easement. Identification, correction or change to the zoning of the property will be completed by Development and Design, Planning and Building Department.

#### **Easements**

The City may grant an Easement interest:

• If considered appropriate to the relevant City department

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- If the granting of the Easement does not render the retained City land no longer viable for the use for which the land was obtained
- If the granting of the Easement does not render the retained City land subservient to the Easement interest, and
- To utilities for existing plant and equipment at the time of Disposal

Easement interests are granted at Market Value as established in an Appraisal. However, Easements may be granted gratuitously to another level of government or to a utility for existing plant and equipment at the time of Disposal, if it is determined that the location of the Easement has limited or no impact on the future value or future City development of the lands over which the Easement is sought.

Notwithstanding the above noted policy respecting the granting of Easement interests, Easements transferred to the Region of Peel are governed by the Easement Protocol Agreement By-Law 0296-2007, as amended.

### **Methods of Disposal**

The Manager will determine the appropriate means of Disposal of Surplus Property based upon criteria such as value, competition, property type and market conditions. The method of disposal may include:

- Competitive bid process offered by public bid process in accordance with criteria established by the Manager, with the assistance of the Manager of Materiel Management
- A direct sale to a specific party, as approved by Council
- Land exchange lands to be exchanged for other lands deemed suitable or necessary for the
   City at the same or higher value, unless otherwise approved by Council, and
- Real estate multiple listing service listed with a licensed real estate broker having the appropriate expertise

# **Leases and Limited Interest Agreements**

When City property is not required for immediate use but may be required to meet the City's long term needs, the City may enter into a Lease or other Limited Interest Agreement allowing the use of the property by another party. Written clearances from all affected City departments are required to ensure that there are no municipal needs prior to the lands being used. For additional information on Lease financing agreements refer to Corporate Policy and Procedure – Corporate Administration – Leases.

The Manager is responsible for Leases or other Limited Interest Agreements. All such transactions are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives outlined in this policy.

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#### **Priority**

Available Real Property is limited and therefore priority is given to service clubs, groups affiliated Available Real Property is limited and therefore priority may be given to service clubs or groups affiliated with the City, in consultation with the appropriate departments.

In assessing which groups to recommend, consideration may be given to the following:

- Number of years in operation;
- Area in which the group provides services
- Scope, magnitude and types of services offered
- Ability of the group to operate without financial assistance from the City, both in the short and long terms
- Total costs and benefits to the City in assisting the group
- The degree to which the group participates in commercially oriented activities, or
- As otherwise recommended by the Manager

#### Method of Securing a Tenant

Realty Services staff shall determine the appropriate method of securing a tenant, which may include a public call for bids via tender or proposal, using a realtor or negotiating with a specific tenant.

#### Lease to City Employees/Elected Officials

City employees and elected officials may not Lease City property unless Council approval has been received.

#### Agreement

All tenants or licensees of City property will be required to execute an agreement prepared by Legal Services. Any additional licenses, permits or approvals which may be required for the facility's operation must be obtained by the tenant or licensee.

#### Lease and Limited Interest Agreements at Market Rent

Leases and Limited Interest Agreements are generally entered into at market rent. A nominal rent (\$2.00) or a reduced rent may be applied when:

- The agreement is with another level of government, or
- A reciprocal or shared use agreement, or
- The agreement is with a not-for-profit organization that actively provides services which supplement City services as determined by the Commissioner of Corporate Services and Chief Financial Officer or his/her designate, in consultation with the Commissioner of Community Services

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Realty Services will consider the potential impact on the heritage nature of the structure, as well as any capital costs to facilitate the occupancy by the group before entering into any agreements at nominal value. Groups which occupy space at nominal rents and which do not fully utilize the space may be required to share the space with another group.

## **Private Buildings on Public Lands**

The City may entertain proposals for public-private partnerships to erect a permanent structure on lands owned or Leased by the City of Mississauga, provided any such proposal received is reviewed and evaluated by the appropriate department with respect to design and construction details, including the provision for ongoing lifecycle maintenance, to be approved by the Director of Facilities and Property Maintenance. All proposals will require the approval of City Council.

### **Revision History**

Reference	Description
Res.98-95 – 1995 03 29	
GC-08-03 – 2008 11 12	Major revision, combined policy with Renting City Property and Private Buildings on Public Lands

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
POLICY TITLE Acquisition and Disposal of Real Property	POLICY TITLE Acquisition and Disposal of Interests in Real Property	Title expanded to include other interests such as leases, licences, easements,
POLICY STATEMENT The City of Mississauga's Real Property is managed and assessed in accordance with the City's legislative authority, effective business convention, the principles of fair, transparent, and accountable government, and the Real Property management principles outlined in this policy.	POLICY STATEMENT In support of the City's strategic pillars for change, the City of Mississauga's Real Property is managed and assessed in accordance with the City's legislative authority, accepted business practices, the principles of fair, open, transparent and accountable government and the Real Property management principles outlined in this policy.	Minor wording changes – referenced the strategic pillars for change.
PURPOSE The purpose of this policy is to establish the structure, authorities and accountabilities in creating a framework for decision making in the assessment, acquisition, disposal, management and administration of the City's Real Property.	PURPOSE This policy establishes the structure, authorities and accountabilities for decision-making in the assessment, acquisition, disposal, management and administration of the City's Real Property.	Minor revision for ease of reading.
SCOPE This policy applies to all Acquisitions and Disposals of Real Property undertaken by the City of Mississauga, and to the administration of the City's Real Property.	SCOPE This policy applies to the Acquisition and Disposal of Interests in Real Property undertaken by the City of Mississauga.	Removed "all", as there are exceptions, noted below.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
	Additional detailed procedural information is available in the Acquisition and Disposal of Real Property Procedures Manual, available from Realty Services.	Realty Services maintains a procedural manual that provides more prescriptive direction to staff (e.g. when specific environmental assessments are required).
Policy Does Not Apply	EXCEPTIONS	
<ul> <li>This policy does not apply to the following types of Acquisitions:</li> <li>Real Property dedicated to the City either through development applications or cash in lieu/parkland dedications (refer to Corporate Policy and Procedure –Dedication of Land, or Cash in Lieu Thereof, for Public Open Space);</li> </ul>	<ul> <li>Acquisition This policy does not apply to the following types of Acquisitions: <ul> <li>Real Property dedicated to the City either through development applications or cash in lieu/parkland dedications (refer to Corporate Policies and Procedures – Dedication of Land, or Cash in Lieu Thereof, for Public Open Space; and Applications for Development of Contaminated or Potentially Contaminated Sites);</li> </ul></li></ul>	Added reference to the Applications for Development of Contaminated or Potentially Contaminated Sites policy.
<ul> <li>Real Property acquired by the City through vesting by reason of tax arrears remedies available to the City;</li> <li>Real Property acquired by the City through a leasing arrangement (refer to Corporate Policy and Procedure – Leases).</li> </ul>	• Real Property acquired by the City through vesting by reason of tax arrears pursuant to the <i>Municipal Act</i> , 2001;	Added reference to the Municipal Act.  Removed reference to Lease policy, as the policy deals with the financial aspect of leasing.
and Procedure Leases).	<ul> <li>Real Property acquired by the City pursuant to the <i>Funeral</i>, <i>Burial and Cremation Services Act</i>, 2002; and</li> <li>Acquisition of Easements from the Region of</li> </ul>	Included additional property for acquisition that was not previously cited as being excluded from the policy.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
	Peel pursuant to the Easement Protocol Agreement By-Law 0296-2007, as amended.	
This policy does not apply to the following types of Disposals:  • the sale of lands for municipal tax arrears purposes, other than those lands forwarded to Realty Services for Disposal under the terms, conditions and processes outlined herein;  • encroachments on City property (refer to the Encroachments By-law).	<ul> <li>Disposals This policy does not apply to the following types of Disposals: <ul> <li>the sale of lands for municipal tax arrears purposes pursuant to the <i>Municipal Act</i>, 2001;</li> </ul> </li> <li>Encroachments on City property pursuant to the Encroachments By-Law 57-04, as amended;</li> <li>the sale of lands pursuant to re-conveyance to the owner, or successor in title, who conveyed the land gratuitously, by virtue of the terms of a Development and Servicing Agreement; and</li> <li>conveyance of Easements to the Region of Peel pursuant to the Easement Protocol Agreement By-Law 0296-2007, as amended.</li> </ul>	Included additional properties for disposal that were not previously cited as being excluded from the policy.
DEFINITIONS	DEFINITIONS	
For the purposes of this policy:  "A cavigition" moons the obtaining of Real	For the purposes of this policy:	Chariffa tymas of a garigition have been
"Acquisition" means the obtaining of Real Property through purchase, lease, transfer from a	Acquisition "Acquisition" means the obtaining of interests in	Specific types of acquisition have been removed as any list may prove to be
higher level of government, dedication, donation,	Real Property through purchase or other means	incomplete.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
expropriation, easements, and licences or any other method deemed appropriate by the City in acquiring interests in property.	of acquiring Real Property interests deemed appropriate by the City.	
	Appraisal "Appraisal" means a written opinion of the current Market Value of property, the conditions and limitations at the time of the opinion or estimate of value. An individual accredited by the Appraisal Institute of Canada, either internal City staff or an outside appraiser, may prepare the Appraisal. The form and content of the report shall be at the discretion of the Manager.	Definition added for clarity.
City "City" means the Corporation of the City of Mississauga.	City No change	
Disposal "Disposal" means the sale, exchange, lease of 21 years or more, or other disposition of the City's interest in Real Property (excluding easement rights).	Disposal "Disposal" means the sale, conveyance, exchange or grant of the City's interest in Real Property.	Revised to reflect current practices.
<b>Donation</b> "Donation" means a voluntary gift of Real	<b>Donation</b> No change	

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Property, given without compensation or consideration.		
	Easement "Easement" means an interest in land transferred from one party to another, consisting of the right to use or control the land, or an area above or below it, for a specific limited purpose.	Definition added for clarity.
	Encroachment "Encroachment" means any type of vegetation, man-made object or item of personal property which exists wholly or upon, or extends from a person's premises onto, public lands and shall include any aerial, surface or subsurface Encroachments.	Definition added for clarity.
Expropriation "Expropriation" means the Acquisition of land in accordance with the <i>Expropriations Act</i> of Ontario.	Expropriation No change	
	Heritage Easement "Heritage Easement" means an easement granted from a property owner to the City in order to protect the heritage aspect(s) of the property,	Definition added to explain the granting of a Heritage Easement.

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	granted pursuant to the <i>Heritage Act</i> of Ontario.	
	Interests in Real Property "Interests in Real Property" include, but are not limited to, fee simple; temporary or permanent easement; leasehold; licence; consent to enter; management and operations agreement; and encroachment.	Definition added for clarity.
	Lease "Lease" means the granting of a leasehold interest in land or a portion of a building granted by the landlord to the tenant providing the tenant with exclusive occupancy of the leased premises.	Definition added for clarity when the City is the Landlord or the tenant.
	Limited Interest Agreements  "Limited Interest Agreements" means a document relating to Real Property that establishes a contractual relationship between two parties including, but not limited to, a license, management and operating agreement, consent to enter, etc.	Definition added for clarity.
	Manager "Manager" means the Manager, Realty Services, Facilities and Property Management, Corporate	Definition added for ease of reading.

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	Services Department, or his/her designate.	
Market Value "Market Value" means the highest price a willing buyer would pay and a willing seller would accept, both parties being fully informed, and the property being marketed for a reasonable period of time.	Market Value "Market Value" means the highest price a willing buyer would pay and a willing seller would accept, both parties being fully informed.	The latter part of the sentence was deleted as "a reasonable period of time" may differ, depending on the property.
Real Property "Real Property" means land and all buildings and structures constructed thereon, as well as moveable buildings and structures.	Real Property "Real Property" means land and all buildings and structures constructed thereon.	Movable buildings and structures are not technically considered "Real Property".
Real Property Transactions "Real Property Transactions" are transactions including the sale, purchase, lease, license, permit, or administrative actions performed for the purposes of managing property.		The definition is not required as "transactions" is self-explanatory.
Surplus Property "Surplus Property" means municipally-owned Real Property that has been declared surplus to the City's requirements, by resolution, at an open meeting of Council.	Surplus Property "Surplus Property" means municipally-owned Real Property that has been declared surplus to the City's requirements as approved by Council in accordance with applicable by-laws.	Minor wording revisions, no change to intent.
LEGISLATIVE REQUIREMENTS All Real Property Transactions are to be conducted	LEGISLATIVE REQUIREMENTS All Real Property Transactions are to be	Included some of the applicable legislation

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
in accordance with applicable federal and provincial legislation. The Manager of Realty Services, or his/her designate, is responsible for ensuring that all applicable legislative requirements have been met.	conducted in accordance with applicable federal and provincial legislation, including but not limited to the <i>Municipal Act</i> , 2001, <i>Planning Act</i> , <i>Expropriation Act and Tenant Protection Act</i> .	for information purposes.
ADMINISTRATION This policy is administered by Realty Services, Facilities and Property Management, Corporate Services Department.		The Administration section has been replaced with an Accountabilities section and the relevant information moved to the Accountabilities section.
Interpretation of Policy In the interpretation of this policy, it is the intent of the City to act at all times in the best interest of the general public, with a view to transparency and fairness of process. Where the interpretation by Realty Services is disputed, Realty Services will be guided by a decision rendered by the City Solicitor.		The Administration section has been replaced with an Accountabilities section and the relevant information moved to the Accountabilities section.
	ACCOUNTABILITY	
	Commissioner of Corporate Services and Chief Financial Officer The Commissioner of Corporate Services and Chief Financial Officer is responsible for: • rendering decisions where the interpretation	Accountability sections have been added for consistency with other policies and to simplify the policy.

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	<ul> <li>of this policy by Realty Services is disputed; and</li> <li>approving the terms and conditions of the debt instrument if Council has approved issuance to finance the Acquisition of Real Property.</li> </ul>	
	Director, Facilities and Property Management, Corporate Services Department The Director, Facilities and Property Management, Corporate Services Department is responsible for:  • ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions; and • ensuring compliance with this policy.	
	<ul> <li>Manager</li> <li>The Manager is responsible for:</li> <li>ensuring all applicable staff are aware of this policy and of any subsequent revisions;</li> <li>ensuring that all applicable legislative requirements have been met;</li> <li>ensuring compliance with this policy and that the City acts at all times in the best interest of the general public, with a view to</li> </ul>	

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
	<ul> <li>transparency and fairness of process; and</li> <li>ensuring all required information that may affect value or use is obtained from appropriate staff prior to approval of Real Property transactions.</li> </ul>	
	<ul> <li>Environmental Services Section         The Environmental Services Section,         Transportation and Infrastructure Planning         Division, Transportation and Works Department,         is responsible for:         <ul> <li>providing technical support and</li> <li>recommendations to Realty Services in</li> <li>determining if Real Property should be</li> <li>subject to an environmental investigation</li> <li>prior to Acquisition or Disposal;</li> </ul> </li> <li>coordinating environmental investigations, as required, and assessing potential</li> <li>environmental liabilities and associated risk; and</li> <li>ensuring compliance with PSAB 3260, in accordance with Corporate Policy and Procedure – Accounting for Liability for Contaminated Sites.</li> </ul>	
	Legal Services Legal Services, City Manager's Department, is	

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	responsible for providing legal support to Realty Services, as required.	
	AUTHORITY TO ENTER INTO REAL PROPERTY TRANSACTIONS Unless authorized by the Real Estate Delegation of Authority By-Law 0375-2008, as amended, all Real Property transactions require the approval of the Council for the City. Where Council approval is required, the transaction may be considered at a closed session of Council if permitted under the <i>Municipal Act, 2001</i> .	Section added for clarity. Moved reference to the by-law from the Responsibility for Acquisitions section.
REAL PROPERTY MANAGEMENT PRINCIPLES AND OBJECTIVES The City bases its decisions with respect to Real Property on the principles of:  • Fiscal Accountability • Consistency with Corporate Objectives	REAL PROPERTY MANAGEMENT PRINCIPLES AND OBJECTIVES In making its recommendations, Realty Services shall have regard to the following principles:  • Fiscal Accountability  • Consistency with Corporate Objectives	Revised for clarity. Realty Services makes recommendations to be approved.
<ul><li>Sustainability</li><li>Social Responsibility</li><li>Transparency</li></ul>	<ul> <li>Sustainability</li> <li>Social Responsibility</li> <li>Transparency</li> <li>Environmental Responsibility</li> </ul>	"Environmental Responsibility" has been added to the policy, as it is one of the City's Principles and Objectives.
Fiscal Accountability The principle of fiscal accountability means that:  • The City will endeavour to acquire, maintain,	Fiscal Accountability No change	

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<ul> <li>preserve, dispose of and otherwise manage Real Property assets to the maximum long term economic advantage of the City.</li> <li>The City will endeavour to retain and maintain Real Property, only when the Real Property interest:         <ul> <li>has adequate returns in terms of money or amenity;</li> <li>is not easily replaced with a more efficient</li> </ul> </li> </ul>	No change	
<ul> <li>is not easily replaced with a more efficient interest;</li> <li>can be operated within existing budget parameters; and</li> <li>adequately fulfills the function for which it was acquired; or</li> <li>has been identified as having "strategic hold" value for future use.</li> <li>The City will endeavour to minimize costs while realizing revenue from the disposal of non-essential, under-utilized properties.</li> <li>The City will obtain the best value when acquiring Real Property, giving due consideration to Market Value, and to entitlements under the <i>Expropriations Act</i>, where applicable.</li> <li>The City will dispose of Real Property on the</li> </ul>	endeavour to minimize costs while realizing revenue from the Disposal or Lease of non-essential, under-utilized properties; No Change.  No change	Added Lease of property.
• The City will dispose of Real Property on the basis of Market Value, unless otherwise approved by Council.	No change	

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Consistency with Corporate Objectives The principle of consistency with Corporate objectives means that the City will acquire, retain, maintain, renovate, and improve properties only when those properties clearly align with the goals and objectives of the City's Strategic Plan, Capital Budget, and departmental approved business plans related to the provision of City-mandated programs. City-mandated programs are services, products, or facilities which are owned, operated, or purchased in fulfillment of City objectives and delivered to the public.	Consistency with Corporate Objectives No change.	
<ul> <li>Sustainability The principle of sustainability means that the City will endeavour to retain Real Property only when: <ul> <li>returns in terms of money/amenity are cost neutral or better;</li> <li>service need is constant or growing; and</li> <li>the condition of the Real Property is such that it can be used and maintained on a low-maintenance and low-risk basis.</li> </ul> </li></ul>	Sustainability No change	
<ul> <li>Social Responsibility</li> <li>The principle of social responsibility means that:</li> <li>The City has an inherent duty to provide service and support, where there is no other viable service provider, and where there is a</li> </ul>	Social Responsibility No change	

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<ul> <li>clearly articulated City desire to fill a need, or to foster and promote programs of inclusion and accessibility. The City's social responsibility may form the basis for Real Property Transactions of a nature other than Market Value, provided they are ancillary to Council-approved programs.</li> <li>The City will endeavour to provide safe, healthy and accessible facilities for occupants.</li> <li>The City will endeavour to protect and preserve the environmental value and/or cultural heritage of the property.</li> </ul>		
<ul> <li>Transparency         The principle of transparency means that:         <ul> <li>The City is committed to conducting consistent, transparent, and equitable processes in acquiring and disposing of Real Property.</li> <li>The City's Real Property is managed along clearly defined lines of delegated authorities and levels of accountability, with semi-annual reporting to Council.</li> </ul> </li> </ul>	Transparency The principle of transparency means that:  • the City is committed to using consistent, transparent and equitable processes in acquiring and disposing of Real Property; No change	Minor wording changes for clarity.
<ul> <li>reporting to Council.</li> <li>Risk is managed responsibly, and Council is informed as appropriate.</li> </ul>	risk is managed responsibly and Council is informed as considered appropriate by the Manager.	Provided specific responsibility for managing risk.

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Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
	<ul> <li>Environmental Responsibility</li> <li>The principle of environmental responsibility means that the City will consider:</li> <li>the environmental condition of Real Property and any potential remedial costs; and</li> <li>if the environmental condition of Real Property presents any risk to the City.</li> </ul>	New section to capture the consideration the City currently gives to the environmental condition of Real Property.
ACQUISITIONS Responsibility for Acquisitions The Manager of Realty Services is responsible for Real Property Acquisitions, and all Acquisitions of Real Property interests are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives, and the Acquisition Considerations outlined in this policy. Real Property Transactions will be executed in accordance with the Real Estate Delegation of Authority By-law.	ACQUISITIONS Responsibility for Acquisitions The Manager is responsible for Real Property Acquisitions. All Acquisitions of Real Property interests are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives and the Acquisition Considerations outlined in this policy.	Moved reference to the Real Estate Delegation of Authority By-law to the new section, Authority to Enter Into Real Property Transactions section.
ACQUISITION PROCESS Realty Services staff will initiate an Acquisition process upon receipt of a request from any City department. All such requests should be supported by a departmental needs assessment setting out the rationale for the Acquisition, or a resolution of	ACQUISITION PROCESS Realty Services staff will initiate an Acquisition process upon receipt of a written request from any City department. All such requests should be supported by a departmental needs assessment explaining the rationale for the	Minor wording change to "Council authority" as opposed to "resolution of Council", as this is very narrow.

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Council, or proof of approval through the current or capital budget process.	Acquisition, a form of Council authority or proof of approval through the current or capital budget process.	
A budget for the program or project should be identified, where applicable, inclusive of the cost to acquire the necessary property component and setting out the operational budget impacts prior to Realty Services conducting the Acquisition.  Where Council has approved the issuance of a debt instrument to finance the Acquisition of Real Property, the terms and conditions of the debt instrument will be determined by the Finance Division.  Realty Services will investigate the market to determine suitable alternatives to meet the end user's needs. The final decision on the site rests with the end user department.	A budget for the program or project should be identified, where applicable, inclusive of the cost to acquire the necessary property component and setting out the operational budget impacts prior to Realty Services conducting the Acquisition. Where Council has approved the issuance of a debt instrument to finance the Acquisition of Real Property, the terms and conditions of the debt instrument must be approved by the Commissioner of Corporate Services and Chief Financial Officer or his/her designate.  No change.	Revised to specify the Commissioner of Corporate Services and Chief Financial Officer as the approver of any debt instrument.
Assessment of Property Before acquiring any Real Property, Realty Services will co-ordinate an assessment by appropriate staff as to the property's physical and environmental condition, cultural heritage, existing restrictions, encumbrances, liabilities, tax	Assessment of Property Before acquiring any Real Property, Realty Services will consult with other City departments and may coordinate an assessment by appropriate staff or an external consultant as to the property's physical, structural and	Minor wording changes to clarify that Realty Services will consult with other City departments and to add external consultants as an avenue for completing an assessment.

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implications or any other important characteristic which may impact on value or use.	environmental condition, cultural heritage, existing restrictions, encumbrances, liabilities, tax implications or any other important characteristic which may impact on value or use.	
Appraisal All Acquisitions in excess of \$100,000 must be accompanied by an independent current Market Value appraisal. The Manager of Realty Services may, at his or her discretion, obtain an appraisal of properties valued at less than \$100,000. The said appraisal will be based upon the "highest and best use" of the property.	Appraisal All Acquisitions must be accompanied by a current Market Value Appraisal.	A definition for Appraisal has been added.
Agreement Upon selection of a site by an end user department and successful negotiations, Realty Services shall instruct the Legal Services Division to prepare an appropriate agreement and conclude the necessary transaction. Once an agreement has been executed by the other party, the transaction will be approved and executed according to the Real Estate Delegation of Authority By-law. Where Council approval is required, the transaction may be considered at a closed session of Council. Refer to Corporate Policy and Procedure – Matters Considered In Camera for more information.	Agreement of Purchase and Sale Upon selection of a site by an end user department and successful negotiations, Realty Services shall instruct the Legal Services Division to prepare and/or review an appropriate agreement. When the agreement has been fully executed, it is transferred to the Legal Services Division for completion of the transaction.	This section has been revised to note that Legal Services may be reviewing an agreement prepared by Realty Services.

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When the agreement has been fully executed, it is transferred to the Legal Services Division for completion of the transaction.		
<ul> <li>Land Inventory</li> <li>The City will maintain a public register which lists all of the Real Property owned by the municipality. The following classes of Real Property are not listed in the public register:</li> <li>highways and roads;</li> <li>open road allowances;</li> <li>stopped up highways and roads;</li> <li>reserves of 0.3 metres (1 foot) or less in width;</li> <li>easements.</li> </ul>	Land Inventory No change	
ACQUISITION CONSIDERATIONS Real Property Acquisitions will be conducted in consideration of the following:	ACQUISITION CONSIDERATIONS No change	
Acquisition Required For Municipal Purposes Real Property Acquisitions are restricted to Acquisition of land and interests which are required for municipal purposes only, and in support of Council approved programs, projects and policies.	Acquisition Required For Municipal Purposes Real Property Acquisitions are restricted to Acquisition of land and interests which are required for municipal purposes or in support of Council-approved programs, projects and policies.	Minor wording changes for clarity. No change to intent.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
Acquisition at Market Value Acquisitions are Market Value based. Realty Services staff will acquire Real Property at the lowest possible negotiated cost, and greatest economic advantage to the City. When the Acquisition is part of an unsolicited purchase in support of a City-mandated program (e.g. for a road widening) land may be acquired on the basis of Market Value and entitlements, as defined by the Expropriations Act.	Acquisition at Market Value Realty Services staff will acquire Real Property at the lowest possible negotiated cost and greatest economic advantage to the City. When the Acquisition is part of an unsolicited purchase in support of a City-mandated program (e.g. for a road widening) land may be acquired on the basis of Market Value and entitlements, as defined by the <i>Expropriations Act</i> .	Minor wording changes for ease of reading. No change to intent.
Environmental Assessment If an environmental assessment is required under the Environmental Assessment Act the City may enter into an agreement which is conditional on the approval of the environmental assessment.		Section no longer required. The Environmental Investigations section specifies that, where an investigation is required, it must be completed before acquisition of the property.
Environmental Audit The Manager of Realty Services, in conjunction with environmental staff, may require that Real Property acquired, regardless of the method of Acquisition, be subject to an environmental investigation which must be completed prior to completion of the transaction. All such audits are to be completed in accordance with any applicable Ministry standards.	Environmental Investigations The Manager, in consultation with Environmental Services, Transportation and Works Department, and the client department, may require that Real Property being considered for acquisition, regardless of the method of Acquisition, be subject to an environmental investigation, which must be completed prior to completion of the transaction. All such investigations are to be completed in accordance	Added that the City must meet the requirement of the City's insurer, as the City carries Environmental Impairment Liability insurance. Other minor wording changes to specify the Environmental Services group and client department will be consulted.

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	with any applicable Ministry of the Environment and Climate Change standards and undertaken in such manner and of sufficient level, so as to meet the requirements of the City's insurer.	
Heritage Properties When acquiring Real Property that may have a heritage designation or historical value, a comprehensive analysis of the property shall be conducted. The analysis will include:	Heritage Properties When acquiring Real Property that may have cultural heritage value, the unit/division responsible for the acquisition will consult with Heritage Planning staff, Culture Division, Community Services Department, to understand the implications of the property's heritage status.	Clarified, in consultation with Heritage Planning, Culture Division, which aspects of the analysis will come from the Heritage Planning Section and which from other divisions/ departments.
<ul> <li>identification of the heritage designation or historical value of the property, and how the heritage attributes will be conserved or mitigated due to development of the property;</li> <li>confirmation of the City program(s) to be</li> </ul>	The unit/division responsible for the property will be responsible for:  • No change	The intent of this bullet is incorporated into the first paragraph.
<ul> <li>implemented at the property;</li> <li>identification of the desired long-term use of the property;</li> </ul>	• No change	
<ul> <li>assessment of the impact on the City of the operational costs of the property; and,</li> </ul>	No change	
<ul> <li>development of an asset management plan, which forecasts the capital renewal and re- investment requirements, to preserve the property, including actual or potential funding sources.</li> </ul>	No change	

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
<ul> <li>METHODS OF ACQUISITION</li> <li>Real Property interests may be acquired through any of the following methods:</li> <li>negotiated agreements;</li> <li>land exchanges;</li> <li>charitable Donations;</li> <li>Expropriation;</li> <li>transfers from another level of government;</li> <li>competitive bid request methodology, in accordance with criteria established by the Manager of Realty Services with the assistance of the Manager of Materiel Management.</li> </ul>	METHODS OF ACQUISITION Real Property interests may be acquired through any of the following methods:  No change  competitive bid request.	Language from the last bullet was moved to a subsection, below.
Negotiation Negotiation is the preferred method of obtaining Real Property.	Negotiation Negotiation is the preferred method of obtaining Real Property and will be completed in consultation with Legal Services.	Included reference to Legal Services.
Land Exchanges When an Acquisition is pursued in support of Council approved programs, projects and policies and it is determined that an exchange of City owned Real Property is in the best interests of the City, negotiations shall be initiated based on the Market Value of the respective Real Properties, pursuant to this policy.	Land Exchanges No Change	

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
Charitable Donations The City may accept a Donation of Real Property if an appropriate municipal purpose has been identified for the property and upon City Council's approval. Prior to the acceptance and execution of all necessary agreements related to a property Donation, an analysis to determine the condition of the gift, existing restrictions or encumbrances, assumption of liabilities or any tax implications shall be carried out. When a Donation is accepted, Realty Services will instruct Legal Services to prepare an appropriate agreement and conclude the transaction. Once such donated property becomes City property, it can be held, leased, licensed or disposed of at the discretion of the City.  Realty Services staff will advise the Director of	Charitable Donations The City may accept a Donation of Real Property if an appropriate municipal purpose has been identified for the property and upon City Council's approval.  Realty Services staff will advise the Commissioner of Corporate Services and Chief Financial Officer as to the appropriateness of accepting the Donation.	The procedural information has been removed from the Charitable Donations section to align with the other Methods of Acquisition sections. This information will instead appear in the procedures manual.  The deleted text is repetitive, as
Finance & Treasurer, who is responsible for the issuance of charitable Donation tax receipts. A charitable Donation tax receipt may be issued in the amount of the appraised value of donated property as may be determined by an independent appraiser.		agreements are already noted in the Agreement section.
<b>Expropriation</b> The City has the authority to expropriate land in accordance with the provisions of the	Expropriation The City has the authority to expropriate land in accordance with the provisions of the	Minor wording changes for clarity.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
Expropriations Act. Expropriation may be used where project requirements must be met in a timely manner or where negotiation has failed.	Expropriations Act. Expropriation may be used where project requirements must be met in a timely manner or where negotiation has failed to produce an agreement.	
The Mayor and Ward Councillor will be informed of any contemplated expropriations prior to the report recommending approval to Give Notice of Application to expropriate is brought to Council.	The Mayor and applicable ward councillor shall be informed of any contemplated Expropriations prior to the report recommending approval to Give Notice of Application to Expropriate is brought to Council.	
Transfers from Another Level of Government The City may acquire Real Property as the result of a transfer of jurisdictional authority from one level of government to another (e.g. transfer of highways, boat launches etc.). Prior to accepting lands from other levels of Government or agencies, the City will first investigate the property to be transferred, its associated encumbrances or environmental liabilities and if necessary, decline the transfer if the risk is deemed to be too great.	Transfers from Another Level of Government The City may acquire Real Property as the result of a transfer of jurisdictional authority from one level of government to another (e.g. transfer of highways, boat launches etc.).	Procedural information has been removed from the Methods of Acquisition sections and will be moved to the procedures manual.
DISPOSAL OF PROPERTY Responsibility for Disposal of Properties The Manager of Realty Services is responsible for Real Property dispositions, including the selection	DISPOSAL OF PROPERTY Responsibility for Disposal of Properties The Manager is responsible for Real Property dispositions, including the selection of the	

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
of the appropriate Disposal method for the property, and all Disposals of Real Property are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives, and the Disposal Considerations outlined in this policy. Real Property Transactions will be executed in accordance with the Real Estate Delegation of Authority By-law.	appropriate Disposal method for the property. All Disposals of Real Property are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives and the Disposal Considerations outlined in this policy. Where applicable, the transaction will be approved and executed according to the Real Estate Delegation of Authority By-Law. Where Council approval is required, a Corporate report will be brought seeking authorization for the transaction.	
<ul> <li>DISPOSAL PROCESS</li> <li>Realty Services staff, in consultation with City departments, will identify potential properties for Disposal and:</li> <li>ensure that the property is declared surplus;</li> <li>initiate an appraisal to estimate the property's Market Value;</li> <li>initiate an environmental assessment and remediation as may be required.</li> </ul>	<ul> <li>DISPOSAL PROCESS Realty Services staff, in consultation with other City departments, will identify potential properties for Disposal and: <ul> <li>No change</li> <li>No change</li> </ul> </li> <li>initiate an environmental investigation, where deemed applicable, in consultation with Environmental Services, Transportation and Works Department, and the client department and undertake remediation as may be required; and</li> </ul>	Included involvement of Environmental Services.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
	initiate such other investigations and commission such other reports as may be deemed appropriate by the Manager, in consultation with other City departments.	Bullet added to provide more complete process information should the Manager, Realty Services, deem that further work is required.
Declaration of Property as Surplus Property Real Property may not be disposed of unless it has been declared Surplus to the requirements of the City in a report to City Council which will include notice of the City's intention to dispose of the surplus property and the method of disposal.	<b>Declaration of Property as Surplus Property</b> No change	
Note: declaration of Surplus Property does not apply to easement interests, including easements to be transferred to the Region of Peel under the existing Easement Protocol Agreement, or one foot reserves.	<ul> <li>Note: The requirement to declare surplus prior to Disposal does not apply to the following:</li> <li>grant of Easement interests, including Easements to be transferred to the Region of Peel pursuant to the existing Easement Protocol Agreement;</li> <li>disposal of one foot reserves;</li> <li>re-conveyance to the owner, or successor in title, who conveyed the land gratuitously by virtue of the terms of a Development and Servicing Agreement, provided all costs to recover the lands are borne by the owner;</li> <li>Lease of Real Property for less than 21 years; and</li> <li>Lease of a portion of a City-owned building</li> </ul>	Bullets expanded for clarity.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
Public highways that are being stopped up and closed for the purposes of disposal may be declared Surplus Property in the same report at which City Council formally approves the public highway being stopped up and closed by by-law.	for more than 49 years.	Removed to add clarity and to maintain maximum flexibility that authority to declare a property surplus and it sale can be contained in the same report.
Prior to a declaration of Surplus Property, clearances to dispose of the property are obtained from all appropriate City departments and may include circulation to several outside agencies such as Boards of Education, Conservation Authorities, the Regional Municipality of Peel, the Government of Canada, the Government of Ontario, Enersource Mississauga Hydro Inc. and adjacent land owners.	Prior to a declaration of Surplus Property, clearances to dispose of the property are obtained from all appropriate City departments and designated affordable housing providers and may include circulation to several other outside agencies. Realty Services may also direct a circulation to the various utilities to determine whether or not Easement protection is warranted prior to the sale of the property.	Language revised to include affordable housing providers and to reflect current process and to use a generic term for utilities.
Notice of Sale of Real Property  Notice of the proposed sale of real property that has been declared as surplus to the requirements of the City will be posted in accordance with the City's Notice By-law.	Notice of Sale of Surplus Property Notice of the proposed sale of Surplus Property will be posted in accordance with the City's Notice By-Law 215-08, as amended.	Added By-Law number and revised for ease of reading.
Status Report on City Surplus Property Realty Services will prepare an annual information report to City Council listing all properties that	Status Report on City Surplus Property Realty Services will report to City Council identifying the status of all properties that have	Revision of timeline for report to 18 months that will provide for the capture of

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have been declared surplus previously by City Council and the status of each.	been previously declared surplus by City Council. Reporting will be every 18 months or as directed by City Council.	a full year's worth of review; also provides for a Council request.
Appraisals of Surplus Property All Disposals will be subject to an appraisal of value except:  • subject to the discretion of the Manager of Realty Services, sales involving the following classes of property:  - reserves of 0.3 metres (1 foot) or less in width;  - stopped up highways and walkways;  - landlocked properties if being sold to an abutting owner;  - property acquired under Section 42 of the Expropriations Act, if being sold to an owner from whom the land was taken;  • abandoned cemeteries  • sales to public bodies (Boards of Education,	Appraisals of Surplus Property No Change	
<ul> <li>the Regional Municipality of Peel, Enersource Mississauga, Ontario Hydro, Conservation Authorities, and the Provincial and Federal Government);</li> <li>sales to private bodies where the deemed value of the Surplus Property is less than \$50,000 as determined by the Manager of Realty Services.</li> </ul>		

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Priority of Offerings The City shall have the right to convey the Surplus Property at market value to the party having the greatest priority. For the purpose of assigning priorities, the order shall be as follows:  1. Federal Government 2. Provincial Government 3. Regional Municipality 4. Local School Boards 5. Recognized Authorities	Priority of Offerings No change	
Multiple Offers In the event of multiple offers on the Surplus Property, each of the offerors will be advised that there are multiple offers. Each offeror will be given the opportunity to revise their offer within a set amount of time. At the end of the set amount of time, the City will consider the offers. The offer providing the most advantageous terms with the highest value will be recommended for acceptance.		Deleted to ensure that the City receives the "best offer" for the sale of surplus property and the flexibility to go with that offer.
Agreement of Purchase and Sale When an acceptable offer for the Surplus Property has been received, Realty Services instructs Legal Services to prepare an agreement of purchase and sale.	Agreement of Purchase and Sale When an acceptable offer for the Surplus Property has been received, Realty Services shall instruct the Legal Services Division to prepare/and or review an agreement. When the	

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
Once an agreement has been executed by the purchaser, the transaction will be approved and executed according to the Real Estate Delegation of Authority By-law. Where Council approval is required, the transaction may be considered at a closed session of Council. Refer to Corporate Policy and Procedure – Matters Considered In Camera for more information.  When the agreement has been executed by the City, it is transferred to the Legal Services Division for completion of the transaction.	agreement has been fully executed, it is transferred to the Legal Services Division for completion of the transaction.	Information in this paragraph now appears in the Authority to Enter into Real Property Transactions section. No change to intent.
Mortgages Where authority to grant a mortgage is permitted under the <i>Municipal Act, 2001</i> , as amended, or under the regulation enacted there under, and where Council approves the granting of a mortgage, the City may take back a mortgage on the sale of City property. The terms and interest rate included in the mortgage instrument will be determined by Realty Services in consultation with the Finance Division and identified in a Corporate Report to Council.		Deleted as in the opinion of Legal Services, the existing wording of the <i>Municipal Act, 2001</i> does not allow municipalities to enter into mortgage transactions.
Cost of Disposal of Surplus Property All applicable fees and charges recoverable under	Cost of Disposal of Surplus Property No change	

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the City's fees and charges by-laws shall be recovered from the purchaser on or before the closing date. All other reasonable fees, costs, and expenses incurred by the City, even if the property is sold at a nominal value, shall be recovered from the purchaser on or before the closing date, unless the sale was initiated by the City and the costs have been waived by the approver of the transaction.		
Proceeds from Disposal of Surplus Property Proceeds from the Disposal of Surplus Property will be credited to one of the following accounts:  Capital Reserve Fund;  a departmental account from where the original acquisition of the property was funded; or  as otherwise directed by Council.	<ul> <li>Proceeds from Disposal of Surplus Property</li> <li>Proceeds from the Disposal of Surplus Property</li> <li>will be credited to one of the following accounts:</li> <li>No change</li> <li>a departmental account from where the original acquisition of the property was funded, as directed by the Commissioner of Corporate Services and Chief Financial Officer; or</li> <li>No change</li> </ul>	Specified the Commissioner of Corporate Services as Realty Services reports to Corporate Services.
DISPOSAL CONSIDERATIONS  The Disposal of Real Property will be carried out with consideration for the following:	DISPOSAL CONSIDERATIONS No change	
Market Value All Disposals of Real Property must be at least at	Market Value No change	

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90 per cent of Market Value unless an exception is provided in this policy, and Council has approved the transaction.		
<ul> <li>Reports to Council recommending Disposals at less than 90 per cent of Market Value must:</li> <li>clearly state the Market Value of the Surplus Property to be transferred and not realized and the reasons for such a decision;</li> <li>identify the purchaser;</li> <li>in the event of a lease of 21 years or more, fully disclose all important or financial terms and conditions therein.</li> </ul>		
Transfers to Another Level of Government Where an offer is received from another level of government, board or authority and the City disagrees with the Market Value determined by the other level of government, the City may agree to either:	Transfers to Another Level of Government No change	
<ul> <li>elect to have the Market Value estimated by a third party appraisal, then average the two closest values, and amend the offers accordingly; or</li> <li>start negotiating with the next purchaser, in</li> </ul>	elect to have the Market Value estimated by a third party appraisal, negotiate and amend the offers accordingly; or  No change	Realty Services will negotiate based on information received in third party appraisal but does not have to "average the two closest values"
priority order:  1. Federal Government		

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
<ol> <li>Provincial Government</li> <li>Regional Municipality</li> <li>Local School Boards</li> <li>Recognized Authorities</li> </ol>		
<ul> <li>Disposal of Land Acquired through Gratuitous Dedication or Donation         Where the City has acquired Real Property through a gratuitous dedication as a condition of a development application, or through a Donation, and the Real Property becomes Surplus Property, the City shall consider the following options:         <ul> <li>a potential transfer to the another level of government, local school board or recognized authority; or</li> <li>re-conveyance to the owner, or successor in title, who conveyed the land gratuitously, provided all costs to recover the lands are borne by the owner; or</li> <li>the Disposal of the Surplus Property at Market Value.</li> </ul> </li> <li>The City will not re-convey Surplus Property gratuitously for the purposes of development, redevelopment or resale.</li> </ul>	Disposal of Land Acquired through Gratuitous Dedication or Donation No change  No change  • re-conveyance to the owner, or successor in title, who conveyed the land gratuitously, provided, at a minimum, all costs to recover the lands are borne by the owner; or • No change	Minor wording change for clarity.  This wording was removed as it's inconsistent with the second bullet above.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
<ul> <li>Environmental Audit The Manager of Realty Services may require an environmental site audit prior to property disposition, to ensure that there is no liability to the City in disposing of the property. Examples of situations which may warrant such audits include, but are not limited to: <ul> <li>the previous use was of an industrial nature;</li> <li>there is proximity to other known environmentally sensitive and discharging entities (gas stations, rail lines);</li> <li>a title search indicates the need for one from prior use; or</li> <li>there are other properties in the vicinity that have registered environmental issues.</li> </ul> </li></ul>	Environmental Investigations The Manager, in consultation with Environmental Services, Transportation and Works Department, may require an environmental site investigation prior to property disposition to assess any potential liability to the City in disposing of the property.	Revised to clarify that the environmental investigation is completed to assess if any liability exists.  As Realty will be consulting with Environmental Services it was decided to eliminate the list rather than have an incomplete list that does not capture all scenarios
Natural Areas Natural or environmentally sensitive areas identified by the City as being worthy of protection will be transferred exclusively to appropriate organizations, such as Conservation Authorities or other levels of government. These sensitive lands will be identified through the Planning and Building Department and the Community Services Department.	Natural Areas No change	

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Public Highways Any public highway that is stopped up, closed, and declared surplus shall be offered for sale at Market Value.	Public Highways Any public highway that is stopped-up, closed, and declared surplus shall be offered for sale pursuant to the value established by an Appraisal.	Clarified that Market Value will be determined by an Appraisal.
The entire portion of the public highway should be sold at one time so as not to leave the City owning portions of the closed public highway. Should one of the adjacent owners choose not to purchase the closed public highway, it may be offered in whole to the other adjacent owner at the same or higher price. Should neither owner wish to purchase the closed road allowance, the City may offer it to any other interested purchaser.	It is preferred that the entire portion of the public highway should be sold at one time so as not to leave the City owning portions of the closed public highway. Should one of the adjacent owners choose not to purchase the closed public highway, it may be offered in whole to the other adjacent owner at the same or higher price. Should neither owner wish to purchase the closed road allowance, the City may offer it to any other interested purchaser.	Minor wording revision, no change to intent.
In the event the closed road is of sufficient size to be considered a viable property on its own, the City shall have the option, in its sole discretion, of marketing the property as a stand-alone property with no obligation to offer it to the adjacent owners, however, notice will be provided to the adjacent owner(s) that the property is to be placed for sale on the open market.	No change	

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Sale of Property to City Staff/Elected Officials Surplus Property may be sold to City employees or elected officials, or to members of their families, provided the requirements of all by-laws, policies and procedures regarding the sale of Surplus Property are satisfied, and provided the sale is approved by Council. The sale of all Surplus Property shall require written confirmation by the purchaser indicating whether the purchaser is, or is not, an employee or elected official of the City, or a member of their family; and whether any person having a controlling interest in an organization acquiring Surplus Property is an employee or elected official of the City.	Sale of Property to City Staff/Elected Officials Surplus Property may be sold to City employees or elected officials, or to members of their families, provided the requirements of all by- laws, policies and procedures regarding the sale of Surplus Property are satisfied, and provided the sale is approved by Council.	Minor wording changes to reflect current practice. No change to intent.
Sale of Heritage Property The agreement of sale for the heritage property must contain any necessary special conditions to preserve its heritage status including, but not limited to, a heritage easement.	Sale of Heritage Property Any agreement of sale for a heritage property must contain any necessary special conditions to preserve its heritage status including, but not limited to, a Heritage Easement. Identification, correction or change to the zoning of the property will be completed by Development and Design, Planning and Building Department.	Sentence added to ensure this step is captured in the policy.
Easements	Easements	
<ul><li>The City may grant an easement interest:</li><li>if the easement is considered appropriate to the</li></ul>	<ul><li>The City may grant an Easement interest:</li><li>if considered appropriate to the relevant City</li></ul>	

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<ul> <li>relevant City department; and</li> <li>if the granting of the easement does not render the retained City land no longer viable for the use for which the land was obtained; and</li> <li>if the granting of the easement does not render the retained City land subservient to the easement interest.</li> </ul>	department; No change  No change  to utilities for existing plant and equipment at the time of Disposal.	Minor revision to include utilities
Easement interests are granted at Market Value, in general, however, the City will retain the right to grant easements gratuitously to another level of government, if it is determined that the location of the easement has limited or no impact on the future value or future City development of the lands over which the easement is sought.	Easement interests are granted at Market value as established in an Appraisal. However, Easements may be granted gratuitously to another level of government or to a utility for existing plant and equipment at the time of Disposal, if it is determined that the location of the Easement has limited or no impact on the future value or future City development of the lands over which the Easement is sought.	Minor wording changes to reflect current practice. No change to intent.
Notwithstanding the above noted policy respecting the granting of easement interests, easements transferred to the Region of Peel are governed by the Easement Protocol Agreement (By-law 0296-2007).	No change.	
METHODS OF DISPOSAL The Manager of Realty Services will determine the	METHODS OF DISPOSAL The Manager will determine the appropriate	

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best means of Disposal of Surplus Property based upon criteria such as value, competition, property type and market conditions. The method of Disposal will be recommended at the time the property is officially declared surplus, and may include:  • competitive bid process – offered by public bid process in accordance with criteria established	means of Disposal of Surplus Property based upon criteria such as value, competition, property type and market conditions. The method of disposal may include:  • No Change	The last sentence was removed as it is unnecessary.
by the Manager of Realty Services with the assistance of the Manager of Materiel Management;  • direct sale to a specific party – if land locked or only one possible purchaser;  • land exchange – lands to be exchanged for other lands deemed suitable or necessary for the City at the same or higher value, unless otherwise approved by Council;	<ul> <li>direct sale to a specific party, as approved by Council;</li> <li>No change</li> </ul>	Revision provides the City greater flexibility.  Clarified broker must be licensed.
<ul> <li>real estate multiple listing service – listed with local real estate Broker having the appropriate expertise.</li> <li>All Surplus Property will be posted on the City's website for notice and information purposes in accordance with the City's Notice By-law.</li> </ul>	real estate multiple listing service – listed with a licensed real estate Broker having the appropriate expertise.	This information is already noted in the Notice of Sale of Real Property section.
LEASES, LICENCES, AND MANAGEMENT AGREEMENTS	LEASES AND LIMITED INTEREST AGREEMENTS	Minor wording changes to align with
When City property is not required for immediate	When City property is not required for	revisions to the definitions, including

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use but may be required to meet the City's long term needs, the City may enter into a lease, licence, or management agreement allowing the temporary use of the property by another party. Clearances from all affected City departments are required to ensure that there are no municipal needs prior to the lands being leased.	immediate use but may be required to meet the City's long term needs, the City may enter into a Lease or other Limited Interest Agreement allowing the use of the property by another party. Written clearances from all affected City departments are required to ensure that there are no municipal needs prior to the lands being used. For additional information on Lease financing agreements refer to Corporate Policy and Procedure – Corporate Administration – Leases.	"Limited Interest Agreements".  Added reference to Lease policy, as it deals with agreements.
The Manager of Realty Services is responsible for leases, licences and management agreements, and all such transactions are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives outlined in this policy.	The Manager is responsible for Leases or other Limited Interest Agreements. All such transactions are to be undertaken by Realty Services staff. Realty Services staff will conduct their responsibilities in accordance with the Real Property Management Principles and Objectives outlined in this policy.	Minor revisions to align with definitions.
Priority Available Real Property is limited and therefore priority is given to service clubs, groups affiliated with the City and charitable organizations funded by Peel United Way. Prior to entering into a lease, licence or management agreement, Realty Services will contact City departments to determine	Priority Available Real Property is limited and therefore priority may be given to service clubs or groups affiliated with the City, in consultation with the appropriate departments.	

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whether or not a community group can utilize the space being considered.		
<ul> <li>In assessing groups, consideration is given to the:</li> <li>number of years in operation;</li> <li>area in which the group provides services;</li> <li>scope, magnitude and types of services offered;</li> <li>ability of the group to operate without financial assistance from the City, both in the short and long terms;</li> <li>total costs and benefits to the City in assisting the group; and</li> <li>degree to which the group participates in commercially oriented activities.</li> </ul>	In assessing which groups to recommend, consideration may be given to the following:  No change to bullets.   or as otherwise recommended by the Manager.	Included last bullet to allow for other considerations as deemed necessary.
Method of Securing a Tenant Realty Services staff shall determine the appropriate method of securing a tenant, which may include a public call for bids via tender or proposal, using a realtor, or negotiating with a specific tenant.	Method of Securing a Tenant No change	
Lease to City Employees/Elected Officials	Lease to City Employees/Elected Officials	

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
City employees and elected officials may not lease City property unless the City Manager's approval has been received prior to submitting the offer to lease.	City employees and elected officials may not Lease City property unless Council approval has been received.	It is recommended that Council must now approve leases by City employees or elected officials.
Agreement All tenants or licensees of City property will be required to execute an agreement prepared by Legal Services. Any additional licenses, permits or approvals which may be required for the facility's operation must be obtained by the tenant or licensee before the agreement can be approved.  Management and Operation Agreements require the groups to be responsible for day to day operational expenses, including custodial and garbage removal services, utility charges and minor repairs. Recreation staff maintain the grounds and Facility and Property Management staff maintain the facilities.	Agreement All tenants or licensees of City property will be required to execute an agreement prepared by Legal Services. Any additional licenses, permits or approvals which may be required for the facility's operation must be obtained by the tenant or licensee.	The words "before the agreement can be approved" have been deleted as in certain cases an agreement is required to be in place before certain licenses, permits or approvals can be obtained by a tenant or licensee.  Deleted as these requirements are actually set out in the terms of the Management and Operation Agreements themselves.
Agreements at Market Value  Lease, license, or management agreements are generally entered into at Market Value rent. A nominal rent (\$2.00) or a reduced rent may be applied when:  • the agreement is with another level of	Lease and Limited Interest Agreements at Market Rent Leases and Limited Interest Agreements are generally entered into at market rent. A nominal rent (\$2.00) or a reduced rent may be applied when: No change	Added Limited Interest Agreements.

Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
<ul> <li>government; or</li> <li>a reciprocal agreement has been entered into by the City, such as an agreement with a school board; or</li> <li>the agreement is with a not-for-profit organization that actively provides services</li> </ul>	<ul> <li>a reciprocal or shared use agreement; or</li> <li>the agreement is with a not-for-profit organization that actively provides services</li> </ul>	Reworded for ease of reading.
which supplement City services.	which supplement City services, as determined by the Commissioner of Corporate Services and Chief Financial Officer or his/her designate, in consultation with the Commissioner of Community Services.	
Realty Services will consider the potential impact on the heritage nature of the structure, as well as any capital costs to facilitate the occupancy by the group before entering into any agreements at nominal value. Groups which occupy space at nominal rents and which do not fully utilize the	No Change	
space may be required to share the space with another group.		
PRIVATE BUILDINGS ON PUBLIC LANDS	PRIVATE BUILDINGS ON PUBLIC LANDS	
No private individual, or organization, may erect and own a permanent structure on public lands owned or leased by the City of Mississauga. However the City may entertain proposals for	The City may entertain proposals for public- private partnerships to erect a permanent structure on lands owned or Leased by the City of Mississauga, provided any such proposal	Minor revision to state what may be erected on public lands. No change to intent.

## Comparison of Current and Proposed Policy – Acquisition and Disposal of Real Property

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Current Policy – What Exists Today	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, "No change – same as Current Policy" will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
public –private partnerships to erect a permanent structure on lands owned or leased by the City of Mississauga, provided any such proposal received is reviewed and evaluated by the appropriate department with respect to design and construction details, including the provision for ongoing lifecycle maintenance, to be approved by the Director of Facilities and Property Maintenance. All proposals will require the approval of City Council.	received is reviewed and evaluated by the appropriate department with respect to design and construction details, including the provision for ongoing lifecycle maintenance, to be approved by the Director of Facilities and Property Maintenance. All proposals will require the approval of City Council.	

# City of Mississauga

# **Corporate Report**



Date: 2017/06/09

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Tax Exemption of Municipal Capital Facility, 377 Burnhamthorpe Road East, Suite 116, Tax Roll #05-04-0-094-21500-0000

## Recommendation

- That a by-law be enacted to ratify the Lease Agreement set out in the report dated June 09, 2017, from the Commissioner of Corporate Services and Chief Financial Officer as an agreement made pursuant to section 110 of the *Municipal Act*, 2001, SO 2001, c.25 as amended and to exempt 377 Burnhamthorpe Road East, Suite 116 from taxation for municipal and school purposes.
- 2. That By-law 0434-2004, being "A By-law to provide for Municipal Capital Facilities", be amended with necessary modifications, by adding tax roll number 05-04-0-094-21500-0000, 377 Burnhamthorpe Drive East, Unit 116 to the list of properties described in said By-law, for the purposes of declaring it to be a Municipal Capital Facility.
- 3. That the Clerk be directed to notify the Minister of Education, Municipal Property Assessment Corporation, the Regional Municipality of Peel and the secretary of any school board which includes the land exempted, of the enactment of the By-law.
- 4. That all necessary by-laws be enacted.

# **Background**

As authorized by Council through By-law 292-2016, the City entered into a lease with Hillmond Investments Limited to lease Unit 116 at the Central Parkway Mall at 377 Burnhamthorpe Drive East for a period of five (5) years. The City entered into the lease so that it could licence the space to the Square One Older Adult Centre ("SOOAC") for the delivery of social, recreational, health and multicultural programs and services to the community. The lease is effective January 1, 2017. The lease provided for a six month Rent Free Period while leasehold improvements were being undertaken. Currently the property is under renovation, after which,

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the SOOAC will be able to occupy the space and provide social, recreational, health and multicultural programs and services to the community. The SOOAC will be transitioning from its current location at Square One to the property at 377 Burnhamthorpe Drive East in the summer/fall of 2017.

Property that is owned and occupied by the City is exempt from assessment and taxation pursuant to section 3(9) of the *Assessment Act*, RSO 1990, c A.31. However, this exemption does not flow through automatically where the City leases space for municipal purposes from a private party who is taxable.

Section 110 of the *Municipal Act*, 2001, SO 2001, c 25, permits the council of a municipality to exempt from taxation for municipal and school purposes leased lands on which municipal capital facilities are or will be located. Municipal capital facilities are defined by the legislation to include, among other things, municipal community centres.

The SOOAC will occupy the space and will deliver social, recreational, health and multicultural programs and services that the City would otherwise deliver to older adults in a community centre.

## **Comments**

The City has entered into an agreement to lease Unit 116 at 377 Burnhamthorpe Drive East effective January 1, 2017. Under the terms of the lease agreement, the City is to be exempt from taxation, so long as a by-law is passed declaring the premises a municipal capital facility for the purposes of the *Municipal Act*, 2001. Should Council adopt the recommendations herein, the leased premises would become tax exempt. This exemption is only applicable so long as the City holds the lease for the property. The exemption would automatically expire upon the City ceasing to use the property intended for use by the SOOAC to deliver social, recreational, health and multicultural programs and services to the community as a center for the community.

# **Financial Impact**

Should Council adopt the recommendations noted herein and exempt 377 Burnhamthorpe Drive East, Unit 116 from taxation for municipal and school purposes, the City will not be required to pay taxes on the property. While the lease agreement contemplates the possibility of the leased premises as being a municipal capital facility, the enactment of a by-law declaring it as such is required under the *Municipal Act*, 2001. The total amount of exempt taxation is estimated to be \$47,300 subject to the Municipal Property Assessment Corporation's assessment of the space.

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# Conclusion

While ordinarily exempt from assessment and taxation, the City is obligated to pay its proportionate share of property taxes on properties which have been leased from private parties. Tax exempting this property in accordance with the municipal capital facilities provisions of the *Municipal Act*, 2001 would result in considerable savings to the City.

G. Kent.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Connie Mesih, Director, Revenue and Materiel Management

# City of Mississauga

# **Corporate Report**



Date: 2017/06/13

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Annual Report on Electricity and Natural Gas Procurement for 2016

## Recommendation

That the Corporate Report titled "Procurement of Electricity and Natural Gas 2016", dated June 13, 2017, from the Commissioner, Corporate Services and Chief Financial Officer be received for information.

# **Report Highlights**

- The goal of the electricity and natural gas procurement strategies is to mitigate the risk of price volatility and optimize the cost of the City's electricity and natural gas.
- Fixed Price Contract (Hedging) is a method of managing the electricity and gas price volatility.

## **Electricity**

- The total cost for electricity for the City of Mississauga in 2016 was \$15,956,000 before taxes.
- All 277 electricity accounts are reviewed every year to determine if the most appropriate billing method is selected for each account. The billing method is decided based on the volume of electricity used as well as the load profile of each account. As part of the 2016 electricity procurement strategy, 46 accounts were transferred from hourly Spot Market billing (including Pass-Through contract) to Time of Use billing. This change saved the City \$10,665 in 2016.
- The current market conditions and offerings don't favour hedging, therefore this strategy was not considered in 2015 or 2016.
- The Time of Use rates have lowered significantly as a result of the 'Fair Hydro Plan'. To quantify on this benefit all small accounts will be transferred from the Pass-Through

contract to Time of Use billing method. Anticipated savings are between \$14,300 to \$52,800 for the July to December period.

#### **Natural Gas**

- The total cost for natural gas for the City of Mississauga in 2016 was \$2,187,000 before taxes.
- In 2016, the City reduced the amount of natural gas purchased on Fixed Price contracts from 70% of its requirements in 2015, to 50%.
- Purchasing more gas on Spot Market pricing saved the City \$54,500 as compared to the 2015 strategy.
- For 2017, with lower rates and lower volatility expected in the market, the City will
  purchase its entire natural gas requirement for April to November on Spot Market pricing.

# **Background**

This Report is being provided to General Committee as required by Corporate Policy # 03-06-07 on Procurement of Electricity and Natural Gas. The Policy states that electricity and natural gas procurement will be undertaken in a manner that endeavours to balance the need to achieve the lowest cost with the need for price stability.

To assist in developing the City's electricity and natural gas procurement strategy, the City hired E2 Energy (subject matter expert) to provide advice on supplier contracts, identifying market opportunities, providing the City with market updates and ongoing advice and support as required.

The Policy also requires that the Commissioner of Corporate Services and CFO provide a report to Council, on an annual basis that contains the information provided in this Report.

## Comments

## **Electricity**

There are 3 major costs associated with Electricity use for the City:

- Commodity/Supply The cost of purchasing the electricity from a Generator, Retailer, or the Local Distributing Company (LDC).
- Global Adjustment Charge which includes compensation to Ontario Power Generation when market prices fall below an agreed base price but also the recovery of premium that the Province pays towards green power generation projects and conservation programs.
- Regulated Charges Costs to deliver the electricity from the Generator to the LDC (Transmission) and from the LDC to the end user (Distribution).

This report will discuss the first two bullets as regulated charges are fixed costs and one not subject to commodity purchasing strategy.

In an effort to identify the most suited electricity procurement strategy which best optimizes the City's electricity cost and reduces the risk of adverse price movement, the City analyzes the previous year's strategy performance, the market conditions, new regulations and available procurement options offered by the LDC.

All 277 electricity accounts are reviewed every year to determine if the most appropriate billing method is selected for each account. The billing method is decided based on the volume of electricity used as well as the load profile of each account. Currently the City uses the following methods:

- Regulated Price Plan: Time of Use (ToU) and Tiered, and
- Non-Regulated Price Plan: Spot Market and Pass-Through

A description of each billing method is provided in Appendix 1.

### 2016 Electricity Strategy vs. 2015

The 2016 and 2015 electricity procurement strategies are summarized in the table below.

Year	•	Price Plan PP)	•	ated Price Plan on-RPP)	Total Accounts
	ToU	Tiered	Spot	Pass Through	
2015	97	30	71	79	277
2016	146	26	48	57	277

The changes in 2016 strategy vs. 2015 were driven by 2 factors:

 Electricity cost optimization. The assessment of each account revealed that changing billing methods for 55 accounts will provide extra cost savings relative to 2015 strategy. The most significant change was moving 46 accounts from Pass-Through billing to Time of Use Rates.

The Table below shows the number of accounts that were moved from one billing method in 2015 to a different one in 2016, the predicted savings from such a move, and the actual savings that were realized.

2015	2016	Count	Predicted Savings	Actual Savings
Pass-Through	Tiered	2	\$30	\$168
Pass-Through	ToU	46	\$5,300	\$10,098
Tiered	Pass-Through	2	\$960	\$153
Tiered	ToU	4	\$185	\$342
ToU	Pass-Through	1	\$125	-\$96
Tot	tals	55	\$6,600	\$10,665

In total, \$10,665 was saved in 2016 by changing the billing strategy of these accounts.

2. <u>Eligibility</u>. 23 accounts that were billed under the Spot Market method in 2015 were no longer eligible to be billed the Spot Market rates by the utility because the fell below the 250,000 kWh threshold. These accounts were selected to be moved to the Pass-Through contract. This resulted in an additional cost of almost \$26,000 over the Spot rates. The expected costs for these accounts on a Pass-Through contract were lower than the estimated costs on Time of Use which was the other alternative.

2015	2016	Count	Additional Cost
Spot	Pass-Through	23	\$25,969

Hedging – a procurement strategy known to manage the price volatility was not considered for the City's electricity purchase since 2004 when Global Adjustment was introduced. The reason for this is that retailers are currently only offering contracts to cover Hourly Ontario Electricity Price (HOEP) portion of the Spot Market, and not the Global Adjustment. As the HOEP currently only makes up about 15% of the Spot Market pricing, a hedge would still leave a majority of the City's electricity exposed to the volatility of the Global Adjustment.

#### 2017 Electricity Strategy

As a result of the Provinces announced 'Fair Hydro Plan' (Ontario Rebate for Electricity Consumers Program), Time of Use rates have lowered significantly beginning in May of 2017. The reductions range from 11.5% for Off-Peak rates, to 14.4% for Mid-Peak rates, as compared to the May 2016 to April 2017 rates.

With these lower rates, the City will be moving all of tis smaller accounts which are currently being billed through the Pass-Through contract onto the Time of Use billing method. By doing this, it is estimated the City will save between \$14,300 (worst case) to \$52,800 (best case) for the July to December period.

As part of the Industrial Conservation Initiative (I.C.I) program, eligible consumers (1 MW average annual demand) can choose on how they are billed for Global Adjustment: based on their percentage contribution to the top five peak Ontario demand hours (Class A), or based on kilowatt hours used (Class B). Currently all City accounts are Class B. However, with the new lowered threshold of 1 MW, the Mississauga City Hall account can opt to switch to class A.

The two options, Class A and Class B, were reviewed and at this time it appears more beneficial from a cost perspective for the City Hall account to remain on the Class B structure.

The Class A versus Class B option will be reviewed each year.

#### **Natural Gas**

There are 3 major costs associated with Natural Gas use for the City:

- Commodity/Supply The cost of purchasing the physical gas from a supplier
- Transportation The costs associated with moving the purchased gas from the point of purchase to the Local Distributing Company (LDC)
- Regulated Charges Costs to deliver the gas from the LDC to the end user.

This report will discuss the first two bullets as regulated charges are fixed costs and are not subject to commodity purchase strategies.

Similar with electricity, the procurement strategy for gas aims to mitigate budget volatility while maintain an optimal cost for gas over time.

There are 3 representative strategies for commodity procurement:

- 100% Fixed Price (Hedge)
- 0% Fixed (100% Index or Spot Market)
- Blended strategies (a combination of the 2 above)

Statistics show that a 100% Fixed Price strategy lowers volatility but produces the highest prices. The 100% Index achieves the lowest price but with significantly greater volatility relative to other strategies.

Blended solutions have proved in many cases to reduce the budget volatility without sacrificing the lower price potential.

The City used Blended strategies for both 2015 and 2016 with a term-layered approach which involves a series of multiple hedges of varying durations and varying end-dates. This is a more opportunistic approach to ever-changing market conditions. A summary of the strategy used in 2015 and 2016 is presented in the table below.

It should be noted that the decision to purchase different bocks of gas was based on the information at the time of purchase and the recommendations provided by E2 Energy (subject matter expert), engaged by the City to advise on commodity procurement.

Year	Procurement Method	Period	Duration	Amount (% of total volume)	Volume of Natural Gas
2015	Hedging (contract)	Jan-Oct	10 Months	70%	225,700 GJ
		Nov-Dec	2 Months	75%	
	Daily Priced Index	Jan-Oct	10 Months	30%	94,771 GJ
		Nov-Dec	2 Months	25%	
	2015 Totals	Jan-Dec	12 Months	100%	320,471 GJ

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Originators files: File names

Year	Procurement Method	Period	Duration	Amount (% of total volume)	Volume of Natural Gas
2016	Hedging (contract)	Jan-Mar	3 Months	75%	160,200 GJ
		Apr-Oct	7 Months	50%	
		Dec	1 Month	50%	
	Daily Priced Index	Jan-Mar	3 Months	25%	161,573 GJ
		Apr-Oct	7 Months	50%	
		Nov	1 Month	100%	
		Dec	1 Month	50%	
	2016 Totals	Jan-Dec	12 Months	100%	321,773 GJ

### Review of Natural Gas Strategy for 2015 and 2016

In 2013 the City was advised to engage hedges on a two to three year time horizon. This recommendation was reiterated in 2014 and it was based on an anticipated significant upward movement in gas rates and the low natural gas price recorded in the previous years. The City engaged in a series of hedges for budget stability as shown in the table above.

## Forecast and Presumptions

The Main contributing factors causing a forecasted upwards gas price pressure:

1. Storage Level – Low

Previous extreme cold winter (2014) had depleted stocks and storage to lowest levels in history. An anticipated cold extended winter was expected to drain the reserves quickly an put pressure on prices.

## 2. Production Levels - Low

A reduction in production was expected. Natural gas drilling activity was in decline and an high degree of uncertainty was expected for index prices. Environmental concerns and tightened regulations were expected to slow down creation of new wells.

#### 3. Demand - Increased

Increase demand for gas was expected due to factors such as: increased interest in Liquefied Natural Gas proven by the high number of applications, and coal generation in the U.S. planning to be retired in 2016 and replaced with natural gas generation.

4. Weather – Winter was forecasted to be colder than normal

## 5. Others

a. Pipeline infrastructure still the same with new and expanded pipelines under construction. Volatility in prices during the periods of peak demand will continue to exist until the upgrade of the piping infrastructure is completed. General Committee 2017/06/13 7

Originators files: File names

b. The nature of the market is for the gas to flow to where the prices are most attractive which would be towards the U.S. northeast, which is one of the highest prices natural gas markets in North America. This will put pressure on prices here to remain competitive with the general market.

Based on these factors the forecasted gas rate was in the range of \$3.48 to \$4.64 per Gigajoule (GJ) for 2015 and \$3.07 to \$3.72 per GJ in 2016 which denoted a high level of price volatility supporting the decision to hedge for budget stability.

#### **Actual Conditions**

As shown below, most of the factors expected to create an upwards pressure on natural gas prices never materialized.

- Storage Levels Normal
   Average natural gas storage level greater than previous season due to abundant gas supply and sustained production.
- 2. Production Levels Normal Production levels increased marginally in 2015 over 2014 levels in Canada. In the U.S., production levels increased even more (5.3%).
- Demand Modest growth
   Natural gas demand experienced modest growth in both Canada and the U.S.
- 4. Weather Winter in 2015 and 2016 saw temperatures near and above historical averages. The warmer winters in both years would result in a lowered demand on natural gas for heating leaving unprecedented levels of surplus gas in storage.

#### 5. Others

- a. Declining U.S. natural gas imports The rising production in the U.S. was better able to supply the U.S. demand, reducing the requirement to import Canadian gas. This would put lowered demand on Canadian gas.
- b. Modest economic growth.

As noted in the above table, in 2015 the City purchased on average 70% of its natural gas requirements on a fixed price contract, with the remaining 30% at the Spot Market. At the time of the purchase, in 2014, natural gas rates were low and were forecasted to increase in 2015. The intent behind the purchase was to take advantage of what were then historically low prices and to protect against the projected price increases. However, due to a warmer than expected winter and high supply, market prices did not increase as predicted.

Because of this, it was decided to reduce the volume of the City's natural gas on a fixed rate, and increase the percentage on the Spot Market. In 2016, the City purchased approximately

half of its natural gas requirements on a fixed price contract, with the remaining half at variable Spot Market prices.

With the average Spot Market rates even lower in 2016 than in 2015, by reducing the portion of City gas on fixed contracts, and increasing the percentage at Spot Market pricing, the City saved about \$54,500 in 2016.

Actual 2016 Natural Gas commodity costs - 50% Contract / 50% Spot prices	\$975,300	
2016 Natural Gas Commodity costs at 2015 Strategy - 70% Contract / 30% Spot prices	\$1,029,800	
Savings	\$54,500	

#### **Transportation**

In 2015 and 2016 the City purchases its natural gas from suppliers located in Alberta. In order to move the gas from the supplier to the end use location, the City was required to purchase capacity in the pipelines, or 'Transportation', from either a supplier, or from the TransCanada Pipeline (TCPL). For both years the City purchased its Transportation requirements from the TCPL. Below are the Transportation costs the City paid for its natural gas:

2015	\$686,100
2016	\$677,800

## 2017 Strategy

During fiscal year 2017, the City hedged 50% of its requirements for the period of January 1<sup>st</sup> to March 31<sup>st</sup>, 2017. The remaining 50% was purchased on the daily Spot Market. The decision to buy the full requirement on the Spot Market from April to at least October 31<sup>st</sup> has been based on lower forecasted index prices, healthy supply forecasts and as supported by an expectation of lower volatility for remainder of the fiscal period. This should allow the City to avail itself of lower expected Index-based commodity prices during a period of expected limited volatility.

# **Financial Impact**

With the adjustments to the 2015 electricity and natural gas procurement strategies to remove several electricity accounts from the Pass-Through contracts, and buying a larger percentage of natural gas on the Spot Market, the City was able to save an estimated \$65,165 (\$10,665 in electricity, \$54,500 in natural gas) in 2016.

## Conclusion

This report provides an overview of the changes in electricity and natural gas procurement strategy used in 2016 as compared to 2015, and the resulting savings. Additionally, it describes the approach being followed in 2017.

The City proactively monitors electricity and natural gas markets conditions and takes appropriate procurement decisions to maximize benefit to the energy portfolio.

## **Attachments**

Appendix 1: Electricty Commodity Billing Method Description

G.Kert.

Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Daniela Paraschiv, Manager, Energy Management, Facilities and Property Management

## Appendix 1

## **Electricity Billing Methods Description**

# Time of Use (ToU)

A Regulated Price Plan rate which varies according to the time of day the power is used. ToU rates are broken down into 3 categories: On Peak (most expensive), mid-Peak, Off-Peak (least expensive). The schedule for each category varies by season.

ToU rates are advantageous for accounts where a significant portion of electricity is used during off-peak hours.

#### Tiered

A Regulated Price Plan, with 2 tiered fixed rates, where a lower rate applies to the first 750kWh of consumption and a higher rate is charged for consumption beyond 750 kWh. Tiered rates are economical for City's small accounts (lower consumption)

#### Spot Market

A non-Regulated Price Plan. Customers pay the Hourly Ontario Electricity Price (HOEP) based on the hourly rate and their consumption during that hour. The HOEP rate varies hourly depending on supply, demand, and other economic factors.

On top of the hourly rate, customers also have to pay the Global Adjustment (GA) charge.

Large customers, who use 250,000 kWh or more each year, are billed on the Spot Market by the utility automatically.

Generally, the Spot Market rates are higher than ToU during Off-Peak hours, but less expensive during On-Peak.

For accounts that have large consumption where a majority is used during the On-Peak hours, the Spot Market would be more cost effective.

# Pass Through Contract

Pass Through Contracts are similar to Spot Market except that the accounts are less than 250,000 kWh per year. Below that threshold, the customer is required to sign up with a retailer if they wish to be billed on the Spot Market.

Signing an account up with a retailer usually involves an additional fee.

#### Note:

Regulated Price Plans are reviewed and approved by the Ontario Energy Board (OEB). Regulated Price Plan rates are set for a given period of time.

Non-Regulated Price Plans are not approved by the OEB, but rather are determined by market conditions on an hourly basis.

# City of Mississauga

# **Corporate Report**



Date: 2017/06/06 Originator's files:

To: Chair and Members of General Committee

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

Meeting date: 2017/06/28

# **Subject**

Delegation of authority respecting collection matters proceeding in Superior Court in the amount of \$25,000.00 and above.

## Recommendation

That the City Solicitor be granted standing authority to commence, defend, settle or terminate legal actions in Superior Court for collection related matters in the amount of \$25,000.00 and above.

# **Background**

Section 23.1(1) of the *Municipal Act, 2001* as amended provides municipalities' authority to delegate certain powers and duties that otherwise must be exercised by City Council. In many jurisdictions it is common practice to delegate authority for such matters to the City Solicitor to improve organizational efficiency and response time.

## **Comments**

The purpose of the changes recommended in this report is to improve organizational efficiency, improve response time, eliminate unnecessary reporting processes and enable a more effective use of staff and Council time.

At this time, in order for the City Solicitor to commence legal actions or settle claims in Superior Court for collection related matters above \$25,000.00, a report to Council must be submitted for each claim. The number of collection related matters commenced in Superior Court is increasing and staff is seeking authority to authorize the City Solicitor to commence, defend, settle and terminate legal actions without the necessity of seeking specific authority from City Council for every claim. It would be incumbent upon Legal Services staff to meet with and ensure that staff with subject matter responsibility is aware of the matter and in agreement of the appropriate course of action in respect of any such delegated authority. A negotiated resolution of a claim, or a settlement, would require input from the affected Division. Information

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respecting any such actions would continue to be included in the litigation reports kept by Legal Services, which are available to City Council.

# **Financial Impact**

It may be necessary to retain outside counsel to appear before the Superior Court on behalf of the City where it is appropriate.

## Conclusion

To improve organizational efficiency and response time, this report seeks to delegate authority to the City Solicitor to commence, defend, settle, or terminate legal proceedings for collection related matters within the jurisdiction of the Superior Court being \$25,000.00 and above.

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

Prepared by: Marcia Taggart, Deputy City Solicitor

# **REPORT 2 - 2017**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Council Subcommittee of Towing presents its second report for 2017 and recommends: CSOT-0005-2017

- 1. That the report from the Commissioner of Transportation and Works dated June 7, 2017 and entitled "Results of Inquiries made by the Council Subcommittee of Towing" be received for information.
- That proposed amendments be brought forward to the next Towing Industry Advisory Committee to more closely align the City of Mississauga Tow Truck Licensing By-law 521-04, as amended, and the Business Licensing By-law 1-06, as amended, with Bill 15, Fighting Fraud and Reducing Automobile Insurance Rates Act, 2014.
   (CSOT-0005-2017)

#### CSOT-0006-2017

That the Council Subcommittee of Towing Committee be dissolved as the original intent of the subcommittee has been achieved and that the work continues at the Towing Industry Advisory Committee.

(CSOT-0006-2017)

# **REPORT 6 - 2017**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Heritage Advisory Committee presents its sixth report for 2017 and recommends:

#### HAC-0044-2017

- That the deputation by Peter Stewart, George Robb Architect, with respect to the Old Port Credit Village Heritage Conservation District Plan Review to the Heritage Advisory Committee dated June 13, 2017, be received.
- That the proponent of the Port Credit West Village development (70 Mississauga Road South) present the heritage aspects of their proposal to the Heritage Advisory Committee. (HAC-0044-2017)

#### HAC-0045-2017

- 1. That the proposed alteration to 29 Port Street West, as per the Corporate Report from the Commissioner of Community Services, dated May 18, 2017, be approved.
- 2. That if any changes result from other City review and approval requirements, such as, but not limited to, building permit, Committee of Adjustment or site plan approval, a new heritage permit application may be required. The applicant is required to contact Heritage Planning at that time to review the changes prior to obtaining other approvals and commencing construction.
- That the Heritage Advisory Committee review the Committee of Adjustment application once it is submitted to the City by the applicant.
- 4. That the Owner be requested to work with staff to reduce the visual impact of the side addition by considering to lower the height of the roof ridge and change the side gable roof to a hip roof.

(HAC-0045-2017)

#### HAC-0046-2017

- 1. That the proposed alteration to 39 Peter Street South, as per the Corporate Report from the Commissioner of Community Services, dated May 18, 2017, be approved.
- 2. That if any changes result from other City review and approval requirements, such as, but not limited to, building permit, Committee of Adjustment or site plan approval, a new heritage permit application may be required. The applicant is required to contact Heritage Planning at that time to review the changes prior to obtaining other approvals and commencing construction.

(HAC-0046-2017)

## HAC-0047-2017

That the request to install a shed at 1723 Birchwood Drive, as per the report from the Commissioner of Community Services, dated May 18, 2017, be approved with the caveat that the potentially impacted trees continue to be maintained. (HAC-0047-2017)

#### HAC-0048-2017

That the request to alter the City boulevard in front of 111 Lakeshore Road West, as per the report from the Commissioner of Community Services, dated May 18, 2017, be approved. (HAC-0048-2017)

#### HAC-0049-2017

That the corrections to the Heritage Register pertaining to the Reduction of the Mineola Cultural Landscape, as per the Corporate Report from the Commissioner of Community Services, dated May 31, 2017, be approved. (HAC-0049-2017)

#### HAC-0050-2017

That the Memorandum dated June 1, 2017 from Paul Damaso, Director, Culture Division, with respect to amending Subsection 89(8) of Council Procedure By-law 0139-2013, as amended, delegating summer and election recess authority to the Director of Culture Division (or designate) for specific matters under the *Ontario Heritage Act*, be received for information. (HAC-0050-2017)

# **REPORT 6 - 2017**

#### To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Mississauga Cycling Advisory Committee presents its sixth report for 2017 and recommends:

MCAC-0018-2017

That \$5000.00 be transferred to the Active Transportation budget from the 2017 Mississauga Cycling Advisory Committee (MCAC) budget in support the 2017 Tour de Mississauga. (MCAC-0018-2017)

#### MCAC-0019-2017

That the memorandum dated June 2, 2017 from Jelmer Stegink, Marketing and Education Specialist entitled 2017 Tour de Mississauga Update be received. (MCAC-0019-2017)

#### MCAC-0020-2017

That the memorandum dated June 2, 2017 from Matthew Sweet, Active Transportation Coordinator entitled 2017 Capital Program Update - Public Transit Infrastructure Fund be received.

(MCAC-0020-2017)

#### MCAC-0021-2017

That the memorandum dated June 2, 2017 by Pauline Craig, Active Transportation Coordinator entitled Cycling Master Plan Update - June 2017 MCAC Meeting be received. (MCAC-0021-2017)

#### MCAC-0022-2017

That the Network and Technical Subcommittee Report dated June 2, 2017 be received. (MCAC-0022-2017)

#### MCAC-0023-2017

That the verbal update from Dorothy Tomiuk, Citizen Member regarding positive comments received from the June 10, 2017 Streetsville Community Ride outlining the great route design and the professionalism of the bike marshals be received. (MCAC-0023-2017)

#### MCAC-0024-2017

That Nicole Hanson be the recipient of the 2016 Phil Green Recognition Award. (MCAC-0024-2017)

## MCAC-0025-2017

That the following information items at the June 13, 2017 Mississauga Cycling Advisory Committee meeting be received for information:

- a) Letter dated May 29, 2017 regarding the Etobicoke Creek Trail Closure
- b) Letter dated June 1, 2017 regarding the City of Brampton Cycling Infrastructure Funding (MCAC-0025-2017)

# **REPORT 2 - 2017**

#### To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Arts, Culture & Heritage Ad Hoc Committee presents its second report for 2017 and recommends:

#### ACHC-0011-2017

That the deputation by Mojan Jianfar, Assistant Planner regarding the review of public feedback be received. (ACHC-0011-2017)

#### ACHC-0012-2017

That the deputation by Sonja Banic Manager, Culture Operations and Andrew Douglas, Grants Officers regarding the overview of the grants program be received. (ACHC-0012-2017)

#### ACHC-0013-2017

That the deputation by Mike Douglas, Executive Director, Mississauga Arts Council regarding the overview of the Mississauga Arts Council be received. (ACHC-0013-2017)

### ACHC-0014-2017

That the Arts Culture and Heritage Ad Hoc Committee Review of Public Feedback Supporting Document be received. (ACHC-0014-2017)

#### ACHC-0015-2017

That the email dated June 6, 2017 from Annis Karpenko, Executive Director, Visual Arts Mississauga regarding agenda items for the upcoming Arts, Culture & Heritage Ad Hoc Committee be received.

(ACHC-0015-2017)

# **REPORT 1-2017**

#### To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Museums of Mississauga Advisory Committee presents its first report for 2017 and recommends:

## MOMAC-0001-2017

That the update on the Museums of Mississauga Advisory Committee 2017-2018 Work Plan dated June 20, 2017 from Joe Zammit, Chair, be received. (MOMAC-0001-2017)

#### MOMAC-0002-2017

That the update dated June 7, 2017 from Stuart Keeler, Manager and Chief Curator, Museums of Mississauga, with respect to the Museums of Mississauga, be received. (MOMAC-0002-2017)

# **REPORT 6 - 2017**

#### To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Traffic Safety Council presents its sixth report for 2017 and recommends:

#### TSC-0081-2017

That the deputation and associated PowerPoint presentation to the Traffic Safety Council on June 21, 2017 by Colin Patterson, Supervisor, Road Safety, with respect to Pedestrian Crossover Pilot Project, be received.

(TSC-0081-2017)

#### TSC-0082-2017

That the request for the placement of a crossing guard at the intersection of Crawford Mill Avenue and Gooderham Estates Blvd., for the students attending Meadowvale Village Public School, be denied as the warrants are not met.

(Ward 11)

(TSC-0082-2017)

#### TSC-0083-2017

That the request for the placement of a crossing guard at the intersection of Old Derry Road and Gooderham Estates Blvd., for the students attending Meadowvale Village Public School, be denied as the warrants are not met.

(Ward 11)

(TSC-0083-2017)

#### TSC-0084-2017

- 1. That the Peel District School Board consider removing the school bus loading zone from the front of Homelands Senior Public School.
- 2. That Parking Enforcement be requested to enforce the "No Stopping/No Parking" prohibitions during the peak times of 8:10 a.m. to 8:30 a.m., and from 2:20 p.m. to 2:45 p.m., on Homelands Drive for the students attending Homelands Senior Public School.
- 3. That Peel Regional Police be requested to enforce 40 KWH speed zone from 8:10 a.m. to 8:30 a.m., on Homelands Drive for the students attending Homelands Senior Public School, as time and manpower permits.
- That Transportation and Works be requested to review the feasibility of installing a
  pedestrian crossover at Thornlodge Park path in front of Homelands Senior Public School.
  (Ward 2)

(TSC-0084-2017)

#### TSC-0085-2017

That the Principal of Bishop Scalabrini Catholic Elementary School be requested to continue to remind parents to:

- a. not park their vehicles in the staff parking lot; and
- b. to utilize the Kiss and Ride area to drop off their children.

(Ward 7)

(TSC-0085-2017)

#### TSC-0086-2017

That Transportation and Works be requested to install "No Stopping" corner prohibitions on Melville Avenue at Palgrave Road, for the students attending Bishop Scalabrini Catholic Elementary School.

(Ward 7)

(TSC-0086-2017)

#### TSC-0087-2017

That the email dated June 6, 2017 from Sheelagh Duffin, Supervisor, Crossing Guards, in response to an area residents' inquiry regarding installation of school crossing signs on Chriseden Drive, for the students attending Tecumseh Public School, be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to the Traffic Safety Council.

(Ward 2)

(TSC-0087-2017)

#### TSC-0088-2017

That the email dated June 7, 2017 from Angie Melo, Legislative Coordinator, on behalf of area resident regarding traffic safety concerns in front of Artesian Drive Public School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to the Traffic Safety Council.

(Ward 8)

TSC-0088-2017)

#### TSC-0089-2017

That the email dated June 7, 2017 from Julie Luceno with respect to traffic safety concerns on Lisgar Drive, at the Kiss and Ride entrance of St. Simon Stock School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to the Traffic Safety Council.

(Ward 10)

(TSC-0089-2017)

#### TSC-0090-2017

That the email dated June 7, 2017 from Sandra Carusi regarding traffic safety concerns at the intersection of Cherry Post Drive and Corsair Road for the students attending St. Timothy Separate School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to the Traffic Safety Council. (Ward 7)

(TSC-0090-2017)

#### TSC-0091-2017

That the email dated June 12, 2017 from Ouliana Drobychevskaia, Traffic Operations Technologist on behalf of area resident with respect to traffic safety concerns at the intersection of Whitehorn Avenue and Mersey Street for the students attending Whitehorn Public School and St. Raymond Catholic School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to the Traffic Safety Council. (Ward 6)

(TSC-0091-2017)

#### TSC-0092-2017

That the email dated June 13, 2017 from Nadia Pinelli, Vice Principal, Bristol Road Middle School, regarding traffic safety concerns during school entry and exit times, in front of Bristol Road Middle School be received and referred to the Traffic Safety Council Site Inspection Subcommittee for a report back to the Traffic Safety Council.

(Ward 5)

(TSC-0092-2017)

#### TSC-0093-2017

That the Report with respect to Transportation and Works Action Items List for the month of May 2017, be received for information.

(TSC-0093-2017)

#### TSC-0094-2017

- 1. That the resignation letter from Katherine Vukobrat, Traffic Safety Council Citizen Member, dated June 14, 2017, be received.
- 2. That due to the resignation of Katherine Vukobrat, a vacancy exists on the Traffic Safety Council, and that the City Clerk be directed to fill the vacancy in accordance with the Corporate Policy #02-01-01 on Citizen Appointments to Committees, Boards and Authorities.

(TSC-0094-2017)

#### TSC-0095-2017

That the email dated June 9, 2017 from Sheelagh Duffin, Supervisor, Crossing Guards, with respect to the East Credit Pupil Accommodation Review be received for information. (TSC-0095-2017)

June 21, 2017

#### TSC-0096-2017

That the City of Mississauga Notice of Study Completion, Municipal Class Environmental Assessment Study for Mavis Road, from Courtneypark Drive to Ray Lawson Boulevard, dated June 1, 2017 be received for information.

(TSC-0096-2017)

#### TSC-0097-2017

That the City of Mississauga Notice of Public Information Centre with respect to a Municipal Class Environmental Assessment Study for Sheridan Park Drive Extension, between Homelands Drive and Speakman Drive, dated June 15, 2017 be received for information. (TSC-0097-2017)

#### TSC-0098-2017

That the Site Inspection Report for the inspection conducted on June 7, 2017 at the rear of St. Timothy Catholic Elementary School, on Florian Road be received for information.

(Ward 7)

(TSC-0098-2017)

#### TSC-0099-2017

That Transportation and Works be requested to review signage on Cliff Road for the students attending St. Timothy Catholic Elementary School.

(Ward 7)

(TSC-0099-2017)

#### TSC-0100-2017

- That the request for the placement of a crossing guard at the intersection of Churchill Meadows Boulevard and Erin Centre Boulevard, for the students attending St. Bernard of Clairvaux Catholic Elementary School, be denied as the warrants are not met.
- That the Principal of St. Bernard of Clairvaux Catholic Elementary School be requested to continue to remind students to wear bike helmets, and to dismount from their bikes before crossing the street.

(Ward 10)

(TSC-0100-2017)

#### TSC-0101-2017

That the request for the placement of a crossing guard at the intersection of Canyon Street and Cobalt Street, for the students attending St. Luke Catholic Elementary School, be denied as the warrants are not met.

(Ward 2)

(TSC-0101-2017)

#### TSC-0102-2017

That the request for the placement of a crossing guard at the intersection of Tacc Drive and Tenth Line West, for the students attending McKinnon Public School, be denied as the warrants are not met.

(Ward 10) (TSC-0102-2017)

## TSC-0103-2017

That the Report prepared by Traffic Safety Council Citizen Members Louise Goegan and Tammy Coulson, summarizing the sessions they attended at the 67<sup>th</sup> Annual Ontario Traffic Council Conference held on May 7 to 9, 2017 in Ottawa, Ontario be received for information. (TSC-0103-2017)

#### TSC-0104-2017

That the Report with respect to parking enforcement in school zones for the month of May 2017 be received for information.

(TSC-0104-2017)