
REVISED

General Committee

Date: November 4, 2020
Time: IMMEDIATELY FOLLOWING the completion of Special Council
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
And Online Video Conference

Members

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

Participate Virtually and in Person

Advance registration is required to participate in person and/or to make comments in the virtual public meeting.

Any member of the public interested in speaking to an item listed on the agenda or interested in attending in person must register at allyson.dovidio@mississauga.ca by Monday, November 2, 2020 before 4:00 PM. Residents without access to the internet, via computer, smartphone or tablet, can participate and/or make comment in the meeting via telephone. To register, please call Allyson D'Ovidio 905-615-3200 ext 8587 no later than Monday, November 2, 2020 before 4:00 PM.

Comments submitted will be considered as public information and entered into public record.

Contact

Allyson D'Ovidio, Legislative Coordinator, Legislative Services
905-615-3200 ext. 8587
Email: allyson.dovidio@mississauga.ca

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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 present the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

5. **DEPUTATIONS**

- *5.1. Dr. Lawrence Loh, Medical Officer of Health, Region of Peel, to provide an update on COVID-19 in Peel
- *5.2. Item 9.6. Samuel Rogers, Director, Enforcement
- *5.3. Item 9.6. Nathan Rotman, Director, Public Policy, Airbnb
- *5.4. Item 9.6. Caroline Almeida, Resident
- *5.5. Item 9.6. Nadeem Khan, Resident and Business Owner
- *5.6. Item 9.6. Sue Shanly, Chair, MIRANET (Mississauga Resident's Association Network)
- 5.7. Item 7.1 and Item 7.2. Shahada Khan, Manager, Development Financing and Reserve Management and Jason Bevan, Director, City Planning Strategies
- 5.8. Item 9.1. Scott Perry, Manager, Stormwater Assets and Programming
- 5.9. Item 9.2 and Item 9.3. John Dunlop, Manager, Heritage Planning and Indigenous Relations

6. **PUBLIC QUESTION PERIOD - 15 Minute Limit**

Advance registration is required to participate in person and/or to make comments in the virtual public meeting.

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7. **MATTERS PERTAINING TO COVID-19**

- 7.1. Bill 197 – COVID-19 Economic Recovery Act 2020
- 7.2. Bill 197 – Overview of Changes to the Planning Act and Community Benefit Charge
- 7.3. MiWay Discount to UTM students of 2020/2021 Fall/Winter U-Pass Program

8. **CONSENT AGENDA**

9. MATTERS TO BE CONSIDERED

- 9.1. Stormwater Charge Credit Program - 5 Year Review
- 9.2. Reaffirming the City of Mississauga's Relationship with the Mississaugas of the Credit First Nation
- 9.3. Truth and Reconciliation Commission Calls to Action and the AMO Declaration on Friendship Centres
- 9.4. 2019 Annual Report for Access Requests under the Municipal Freedom of Information and Protection of Privacy Act
- 9.5. All-way Stop – Tolman Road and Russett Road (Ward 1)
- 9.6. Short-Term Accommodation Regulatory Framework
- 9.7. 5G Assessment Update

10. ADVISORY COMMITTEE REPORTS

- 10.1. Traffic Safety Council Report 2 - 2020 - October 28, 2020
- 10.2. Road Safety Committee Report 4 - 2020 - October 27, 2020

11. MATTERS PERTAINING TO REGION OF PEEL COUNCIL

12. COUNCILLORS' ENQUIRIES

13. OTHER BUSINESS/ANNOUNCEMENTS

14. CLOSED SESSION

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

- 14.1. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board:

Contract for Licence to Place Advertising on MiWay Buses

15. ADJOURNMENT

City of Mississauga
Corporate Report



<p>Date: October 16, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer</p>	<p>Meeting date: November 4, 2020</p>

Subject

Bill 197 – COVID-19 Economic Recovery Act 2020

Recommendation

That the report entitled “Bill 197 – COVID-19 Economic Recovery Act 2020” dated October 16, 2020 from the Commissioner of Corporate Services be received for information.

Report Highlights

- The Provincial government passed Bill 197, the *COVID-19 Economic Recovery Act, 2020*, on July 21, 2020. This Act includes changes to various pieces of legislation and makes additional changes to those originally proposed in Bill 108 – *More Homes, More Choice Act, 2019*.
- Changes to the *Development Charges Act* now eliminate the 10% discount to soft services. Libraries, Parks and Recreation were previously proposed to be recovered through a Community Benefits Charge; they are now fully recoverable through development charges. Municipal parking services are no longer DC eligible.
- The *Planning Act* introduces a new funding source called the Community Benefits Charge, to fund services that are not recoverable through development charges. Further details on the CBC and other *Planning Act* changes can be found in the complementary report found on this General Committee agenda from the Commissioner of Planning and Building entitled “Bill 19 – Overview of Changes to the *Planning Act* and Community Benefit Charge.”
- The *Public Transportation and Highway Improvement Act, 1990* allows the Minister of Transportation to expropriate lands for transportation uses, without giving the owner an opportunity to ask for a Hearing of Necessity; this includes lands owned by the City.
- There are significant changes to the Environmental Assessment process, which includes shorter approval times. The *Environmental Assessment Act* provisions will only be required for projects (public or private) that are specifically designated by Cabinet through

regulation.

- Regulations to implement some of the legislative changes are pending. These regulations will provide additional, specific information regarding implementation details.

Background

On July 8, 2020, the Province introduced an omnibus bill, the *COVID-19 Economic Recovery Act, 2020* (Bill 197). The Bill makes changes to various Legislative Acts as well as the originally proposed Bill 108 – *More Homes, More Choice Act, 2019*. Bill 197 addresses most of the City's concerns related to the *Development Charges (DC) Act* and the *Planning Act*, specifically with regard to the new Community Benefits Charge (CBC).

Bill 197 makes changes to the *Environmental Assessment (EA) Act* as well, in follow up to the *Modernizing Ontario's Environmental Assessment Program Discussion Paper* released by the Ministry of Environment, Conservation and Parks (MECP) in 2019 to which staff provided comments to the Ministry in May 2019. On July 8, 2020, the MECP released a number of proposed Class EA and exemptions for which comments were accepted until August 22, 2020.

Bill 197 received Royal Assent on July 21, 2020. The Bill aims to stimulate the economy, build strong communities and provide greater financial flexibility to municipalities. Overall, the changes are welcome and strengthen the municipality's ability to fund growth-related infrastructure. This report highlights the legislative changes and their implications for Mississauga.

Comments

Changes to the *Development Charges Act*

The changes to the *Development Charges Act* expand the list of eligible services to include certain former "soft services" (i.e., Library Services, Parks and Recreation and General Government) previously proposed to be included in the Community Benefits Charge through Bill 108. Furthermore, the discounted services are no longer subject to the requirement to fund 10% of eligible projects through non-DC (i.e., tax) funding sources. Specific changes are outlined below.

- The list of eligible services that can be funded through DCs has expanded. Table 1 shows the changes to DC-eligible services.
- The newly created Community Benefits Charge can be used alongside DCs. However, DCs and CBCs cannot be used to fund the same capital costs.
- The 10% discounting, previously applicable to "soft" DC services, has been eliminated.
- Categories of services can be replaced by "classes," which can be composed of any number or combination of services. Each class will be considered a single service and is used for the purposes of development charge reserve fund management.
- Parking is no longer an eligible DC service.

- Municipalities must pass a new DC by-law within two years after proclamation of the *COVID-19 Economic Recovery Act, 2020* (Bill 197), as existing by-laws will be deemed to expire at that time.

Table 1. Changes to DC-Eligible Services as a Result of Bill 197

Unchanged Services	Newly Eligible Services at 100%	Services No Longer Eligible
<ul style="list-style-type: none"> • Water and waste water supply; waste diversion • Stormwater Management • Roads and related infrastructure services • Electrical power • Transit • Policing • Fire • Ambulance • Public Works • Development Related Studies • Living Arts Centre (debt) 	<ul style="list-style-type: none"> • Libraries* • Long-term care • Parks and recreation services (excludes acquisition)* • Public Health • Child Care** • Housing Services** • By-law Enforcement and Court Services* • Emergency Preparedness** • Airports in Waterloo Region • Additional services as prescribed 	<ul style="list-style-type: none"> • Municipal Parking

*These services were previously DC eligible with a 10% discount.

**New items that were not previously expressly DC eligible

DC Act Changes: Implications for City of Mississauga

- The elimination of the 10% discount on eligible services will allow the municipality to recover full costs for these services. This transfers a pressure of approximately \$23 million (over 10 years) from the tax base to DCs.
- Costs associated with municipal parking can no longer be recovered by DCs. However, a CBC can be used to recover these costs, or the municipality may choose to fund parking from an alternate funding source.
- A new DC By-law or amendment will be required to realize the benefits of removing the 10% discount on services. This DC By-law or amendment can be prepared once the legislative changes are proclaimed in force by the Lieutenant Governor.

Changes to the *Planning Act*

Significant changes have been made to the *Planning Act*. They include the introduction of a Community Benefits Charge (CBC) that can be used to recover the capital costs of growth-related, locally determined services. Many of the services proposed to be funded through a CBC in Bill 108 have been moved back to the DC Act. The *Planning Act* maintains the basic alternative parkland rates. The City's Parkland Conveyance By-law remains distinct and separate from the CBC By-law. The CBC is now much more akin to the former Section 37 provisions which will help pay for services related to growth in high density neighbourhoods.

Detailed implications on planning matters can be found in the complementary report found on this General Committee agenda from the Commissioner of Planning and Building entitled “Bill 19 – Overview of Changes to the *Planning Act* and Community Benefit Charge.

Transportation Related Legislative Changes affected in Bill 197

A number of changes have been made that will impact various transportation-related statutes. Those of significance to the City are outlined below.

Transit-oriented Communities Act, 2020

- The Bill includes a schedule to deliver on the Premier’s earlier commitment to develop transit-oriented communities and makes it easier for developers to contribute to the development of this infrastructure to support land development in these areas. The legislation is limited to priority transit projects in the Toronto and York systems. The legislation proposes to allow regulations to designate transit-oriented communities, allowing the creation of corporations to invest in the development and processes for expropriating land.
- Under this Act, once the Lieutenant Governor in Council (by Order-in-Council) designates lands as “transit-oriented community lands,” to support a “transit-oriented community project,” owners of such lands shall no longer have the right to demand a Hearing of Necessity when lands are expropriated for transportation uses. The Minister of Transportation is required to publish a Notice of each designation so made on a Government of Ontario website.
- The Act further provides that the Minister may establish a process for receiving comments from property owners about a proposed expropriation, and for considering those comments. The Minister may make regulations establishing this process at some point in the future.

Public Transportation and Highway Improvement Act, 1990

- Bill 197 amended the *Public Transportation and Highway Improvement Act (PTHI Act)* to provide the Minister of Transportation with the right to expropriate lands for transportation uses, without giving the owner an opportunity to ask for a Hearing of Necessity. This is not a temporary measure and it includes any lands in the Province of Ontario (including municipally owned lands).

Environmental Assessment (EA) Act

- The Part II Order¹ (also referred to as Individual EAs) will be replaced by a new Part II.3 (referred to as Comprehensive EAs) which are projects designated by Cabinet by regulation and these projects will need to complete a comprehensive EA based on terms approved by the Minister.
- Class EAs under Part II.1 are to be replaced by a new Part II.4 or Streamlined EA. The new Streamlined EAs will set out consistent requirements (consultation, documentation, scope of assessment, etc.) across project types to replace the differing and inconsistent Class EA system. Details of the new Streamlined EA process will be included in forthcoming regulations that will be released at a later date by the Province.
- The existing Class EAs would remain in place until the new regulations are released.
- The Minister may make an order declaring Streamlined EA projects to be Comprehensive EA projects requiring proponents to comply with the more rigorous EA process in the comprehensive process instead of the streamlined process. This is similar to the current practice whereby the Minister can make a Part II Order requiring an Individual EA instead of a Class EA.
- The *EA Act* currently applies based on “who” is doing the work and not necessarily the impacts of the project being done. The Act now proposes a Project List be developed through future regulation that would clearly identify projects subject to an EA.
- A person may now only submit a request for a Part II Order on the basis that the order may prevent, mitigate or remedy adverse impacts on existing aboriginal and treaty rights. The authority for the Minister to impose conditions or require a Comprehensive EA (‘bump-up’) on a streamlined project will remain but the time period to impose these conditions or bump-up the project is proposed to be limited. The Minister’s authority will be retained, on his or her own initiative and in a time-limited manner, to impose conditions or require a Comprehensive EA for streamlined projects and impose a 30-day timeline (or other, as prescribed) within which the Minister can issue an Order.
- The Act clarifies the authority to create standardized Comprehensive EA work plans through regulation for selected sectors. Currently proponents must develop and consult on a work plan for each project that undergoes an Individual EA.
- The Act provides for expiry dates for all Comprehensive EAs that do not currently have an expiry date and that are not listed by regulation. This will include the possibility for extension if appropriate. The Ministry of the Environment, Conservation and Parks (MECP) will, next, develop and consult on a regulation that will list projects which are not subject to the expiry provisions.

¹ A Part II Order requires the proponent to carry out an individual EA. A Part II Order request is made when a stakeholder feels that there are significant outstanding issues that have not been addressed in a Class EA Study. Part II Order requests are submitted to the Minister after a proponent has filed a Notice of Class EA Study completion.

- The Act enables MECP to impose a time limit through regulation on submission of Comprehensive EAs following approval of a Terms of Reference, so that EA studies are completed in a reasonable period.
- The Act enables MECP to require online submissions of EAs in the future, once a platform is developed, and require proponents of Comprehensive EAs to make information available online.
- Proponents of new, large landfills (i.e., those that require a Comprehensive EA) now must obtain support from 1) host municipalities and 2) adjacent municipalities where there is land with authorized residential uses within a 3.5 km (2.2 mi) distance (or such distance as may otherwise be prescribed) from the proposed new landfill site property boundary. While the Minister will still have final approval authority on all landfill EAs, the landfill proposal will now have additional requirements for consultation with adjacent municipalities.
- As part of the changes to the EA Act to streamline and accelerate projects, the Province is proposing a regulation to specifically streamline the EA process for the Ministry of Transportation's (MTO) Greater Toronto Area (GTA) West Transportation Corridor project. This regulation will shorten the project schedule by a minimum of a year by removing duplication with other legislation and MTO's standards and practices.

Amendments to Class Environmental Assessments:

- Amendments have been proposed for eight of the ten Class EAs. The proposed revisions include changing requirements for some projects, including reducing requirements for certain projects, or exempting projects altogether; establishing or updating screening processes to determine the appropriate categorization for a project; updating the Class EAs to ensure consistency with the *Environmental Assessment Act* as a result of the passage of Bill 108 - *More Homes, More Choice Act, 2019*; administrative changes to correct errors; updating references to legislation and regulations; clarify the existing text; and updating references to bodies, offices, persons, places, names, titles, locations, websites, and addresses.
- New standard terminology has been added to each Class EA to replace the existing terminology for some of the notices required by the Class EA, and terminology related to these notices, including Notices of Completion and Notices of Addendum. The amendment also clarifies the requirement for each of the above notices to specify the length of time for the comment period (e.g., 30 days) and the dates when the comment period begins and ends.

Exempting Regulations:

- Select Ministry of Transportation projects will be exempted from the requirements of the *Environmental Assessment Act* including the QEW from west of Mississauga Road to west of Hurontario Street (Credit River Bridge) project. As part of the MTO's Class EA process, this project would have been subject to the five-year addendum

process. If the proposed exemption regulation is approved, the MTO would no longer be required to complete a Transportation Environmental Study Report (TESR) addendum or Design and Construction Report (DCR) as outlined in the Ministry of Transportation Class EA for these projects.

Transportation-Related Legislative Changes: Implications for City of Mississauga

- No immediate impacts to City projects are expected from changes to the *Environmental Assessment Act*, as the City has no ongoing Comprehensive/Individual EA projects. However, the replacement of the Class EA process for a Streamlined EA process does set the stage for potential significant changes to the EA process on future City projects. As the Province releases regulations associated with this change, staff will report back to Council on next steps and resource implications.
- The exemption of the MTO's QEW-Credit River Bridge project from the requirement of the *Environmental Assessment Act* would eliminate any opportunity for public review of an addendum or DCR or any opportunity to submit Part II Order requests on the project.
- The proposed revised process for the GTA West Environmental Assessment may not provide a sufficient commenting period for staff to review reports, prepare comments and obtain City Council endorsement as well as provide an issues resolution process that is impartial. In addition, early construction along the GTA West Corridor may occur before all issues are resolved.
- As a result of the *Transit-oriented Communities Act* and changes to the *PTHI Act*, property owners, including the City of Mississauga, will no longer have the right to demand a Hearing of Necessity when faced with an expropriation from the Ministry of Transportation. This would include projects led by Metrolinx, as Metrolinx is an agency of the Ministry of Transportation.

Changes to Other Legislative Acts affected in Bill 197

A number of other changes have been made to various statutes. Those of significance to the City are outlined below.

Marriages Act

- Marriage licenses issued on or after December 1, 2019 but prior to the COVID-related state-of-emergency have 24 months to be solemnized following the declaration date the state of emergency ends.

Provincial Offenses Act (POA)

- Amendments to the POA will allow court filings and proceedings to proceed by electronic means, including meetings and hearings. The amendments will make it easier to contest charges and schedule appearances, increasing efficiency of administration.

Municipal Act, 2001

- Electronic Participation in Meetings and Proxy Voting: This Bill allows the continued provisions for municipal councils and local boards to meet electronically, as has been enabled temporarily through the pandemic. As well, the government is proposing elected officials be allowed to vote by proxy in cases determined locally, such as when they are ill or must self-isolate.

Building Code Act, 1992

- Regulations under the *Building Code Act* will now be drafted by the Minister of Municipal Affairs and Housing instead of the Lieutenant Governor General in Council. The changes will enable the Province to pursue necessary recovery-related regulatory changes to the Building Code in a timely fashion. As well, the amendments clarify the scope of certain regulation-making authorities, including the authority to make regulations by adopting certain documents by reference.

Drainage Act

- Bill 197 amends the *Drainage Act*. The Ministry of Agriculture, Food and Rural Affairs (OMAFRA) recently posted a consultation paper on altering the *Drainage Act* to address three areas:
 - Streamlining Approvals - creates a new process for minor improvements.
 - Simplifying Administrative Processes - simplifies the process to update the engineer's report and to account for changes to drain design during construction.
 - Supporting Technical Proposals - incorporates protocols by reference in a regulation.

Other Legislative Changes: Implications for City of Mississauga

- There will be no charge for marriage licences that were issued and require replacement; new licences will be charged at the current rate of \$140.
- Amendments to the POA will allow court filings and proceedings to proceed by electronic means, including meetings and hearings which would require each courtroom to be retrofitted with either new or upgraded software. The amendments will provide the clients another option to contest their charge electronically. Updates to the Provincial Offences Notices (tickets) would also need to be made. These amendments will improve administration efficiency.
- Council considered report "Bill 197 and the Resumption of Council and Committee Meetings" on August 5, 2020. Council approved the recommendation that electronic participation at all Council and Committee meetings be permitted until August 1, 2021. Council deferred the recommendation regarding implementing proxy voting for Council meetings to the Governance Committee.

Financial Impact

There are no financial impacts as a result of the recommendation in this report.

The DC By-law will need to be amended to include the removal of the 10% discounted rate. This will allow the City to recover 100% of eligible service costs, and relieve this pressure from tax capital funding. A new DC Background Study and By-Law will be prepared for early 2022.

Regulations concerning the CBC were released on September 18, 2020. The Province has set a four per cent cap on land values to determine a CBC charge on eligible high-density developments. Municipalities have two years from the date of proclamation to approve a CBC by-law. Staff will be commencing work on a CBC strategy; this will be done in tandem with the new DC Background Study and By-law.

Conclusion

On July 8, 2020, the Province introduced an omnibus bill, the *COVID-19 Economic Recovery Act, 2020* (Bill 197). Bill 197 affected various pieces of legislation. The Bill received Royal Assent on July 21, 2020. This report outlines the impacts of Bill 197 to the City. Detailed implications on planning matters can be found in the complementary report found on this Council agenda entitled "Bill 19 – Overview of Changes to the *Planning Act* and Community Benefit Charge.

Generally, the changes made to the *DC Act* and *Planning Act*, with the elimination of the 10% discounted rate for "soft services" and introduction of a Community Benefits Charge, are positive and will allow the City to recover most costs associated directly from growth and support capital programs. Some of the changes greatly impact the EA process and significantly reduce EA approval times. Expropriations initiated by the Province may impact the rights of landowners.



Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Shahada Khan, Acting Manager, Development Financing and Reserve Management

City of Mississauga
Corporate Report



<p>Date: October 9, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files: LA.07-BIL</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: November 4, 2020</p>

Subject

Bill 197 – Overview of Changes to the Planning Act and Community Benefit Charge

Recommendation

That the report entitled “Bill 197 – Overview of Changes to the *Planning Act* and Community Benefit Charge” dated October 9, 2020 from the Commissioner of Planning and Building be received for information.

Report Highlights

- The Province updated the *Planning Act* as part of the *COVID-19 Economic Recovery Act, 2020* (Bill 197) in order to implement the Community Benefits Charge (CBC).
- These changes are generally positive and largely a return to the status quo. Most soft service growth costs will continue to be collected as Development Charges and parkland provisions, and alternative parkland rates will be maintained.
- The CBC replaces the former Section 37 (density bonusing) provisions of the *Planning Act*. The CBC can be applied to all high density residential developments in Mississauga, including those in the Downtown Core, and is underpinned by a more transparent process to calculating growth related fees.
- The CBC cap has now been set at 4% of land value. This is anticipated to result in modest revenues of approximately \$2-3M per year. However, this could vary significantly based on levels and timing of development.
- To implement the CBC, a by-law will need to be developed. Through this process staff will be able to better estimate revenues generated and seek feedback from Council on how to direct CBC revenues.
- This report is focused on changes to the *Planning Act* that relate to the CBC. To understand all of the other changes made through Bill 197, please refer to the Corporate

Report entitled “Bill 197 – COVID-19 Economic Recovery Act 2020” from the Commissioner of Corporate Services on November 4, 2020.

Background

The *COVID-19 Economic Recovery Act, 2020* (Bill 197) received Royal Assent on July 21, 2020 and is now in effect. This report describes the changes to the *Planning Act* stemming from Bill 197 and specifically examines the CBC and changes related to the provision of parkland.

A parallel report from the Corporate Services Department will describe changes to the *Development Charges Act* and other legislation. Please refer to the Corporate Report entitled “Bill 197 – COVID-19 Economic Recovery Act 2020” from the Commissioner of Corporate Services for more information.

Comments

1. COMMUNITY BENEFITS CHARGE (CBC)

The CBC has evolved significantly and is now a growth related charge

In May 2019, the Province first proposed the CBC through the *More Homes, More Choice Act, 2019* (Bill 108). The intent was for the CBC to replace the existing height and density bonusing provisions (Section 37) and parkland dedication requirements (Section 42 and 51) of the *Planning Act*, as well as most soft services development charges. The consultation period that followed led to the Province changing direction.

The Province has now repositioned the CBC to exclusively replace the former Section 37 (Density Bonusing) provisions of the *Planning Act*. Parkland dedication requirements remain largely the same with some changes and are discussed in later sections of this report. Most soft services are now fully recoverable from development charges, with the notable exception of municipal parking.

Please see Appendix 1 to see how the CBC has evolved over this period from Bill 108 to the present Bill 197.

The CBC applies to high density residential redevelopments

The CBC can only be applied to residential developments of 5 or more storeys and 10 or more units. The CBC is determined as a prescribed percentage cap of land valuations, which will be determined at building permit issuance, and can only be levied by single and lower tier municipalities. To determine land value, the Province has clarified a three stage appraisals process between the municipality and applicant.

Revenue from the CBC can also be used to fund any growth-related capital cost (e.g. affordable housing, parking, public art, etc.), provided that development charges are not being used to fund the same capital costs (i.e. no double dipping permitted).

The CBC provides a more transparent approach to funding growth related costs

The CBC provides a new approach for collecting funds for growth-related costs that is more transparent and predictable than Section 37 (Density Bonusing).

The CBC is a legal instrument that is implemented through a by-law, compared to density bonusing that is implemented through a Corporate Policy. A CBC by-law can be appealed to Local Planning Appeal Tribunal (LPAT).

The CBC has a broader application than Section 37 (Density Bonusing), which was limited to development applications that exceeded height and density permissions. With the CBC, the City will have the ability to apply the charge across a broader range of high-rise development, regardless of location and zoning permissions.

Extensive and lengthy negotiations are common under the density bonusing regime. These negotiations take place on a case by case basis, which creates uncertainty over the size of the contribution and/or where it is to be directed. The CBC addresses this by providing municipalities and the development industry with a structured and transparent process for determining the charge and directing its revenues.

The CBC cap is 4% of land value, which is anticipated to generate modest revenues

A CBC of 4% will generate new revenues, but predicting a standard annual amount is difficult. There are many variables that influence the amount of potential funds that could be generated. For example, because the regulation would only apply to residential developments that are 5 storeys or more, and is only collected at the time of building permit issuance, the annual amount of funding is directly dependent upon the level of construction activity occurring throughout the city, and the property value at that time.

If staff were to estimate, a CBC of 4% is likely to generate revenue in the order of \$2-3 million per year, which is similar to the average collections of density bonusing contributions prior to 2019.¹

The CBC may be complex to administer due to multi-stage appraisal process and less certainty over the timing of payments

¹ Recently Council has secured density bonusing contributions higher than historical averages in places such as the waterfront and Uptown Node.

There will be some administrative challenges to implement the CBC. Specifically, a strategy will need to be developed to support the CBC by-law, up to three appraisals will need to be conducted to determine each charge, a new process for collecting funds at the building permit stage will need to be developed, staff will need to interpret and apply the by-law, as well as enforce collections.

Another disadvantage of the CBC is that the City has little control over when an applicant pulls their building permit (e.g. the point where the charge would be collected). This may delay collections and/or could result in some challenges for projecting CBC revenues.

The Province has also not yet provided clarification on how the CBC will be charged for developments that occur in phases (e.g. does the entire site get appraised or just the portion subject to the first stage of redevelopment?). This could be an administrative bottle neck and will need to be clarified with the Province while developing the City's first strategy and by-law. The City will also need to build any additional costs for appraisal processes into its development fees.

A CBC By-law is required to support implementation

In the coming months staff will be preparing a statement of work for the Development Charges Background Study and CBC Strategy, and will be reporting to Council on the work plan timing. These reviews will occur in tandem and is set to commence in early 2021.

As part of this process, recommendations will be brought forward to Council on how to implement the CBC, as well as options for where funds could be directed. For example, the CBC could be implemented City-wide or for specific areas. If implemented City-wide, this would mean the CBC could be charged, and funds directed, to all areas experiencing high density development growth. This could include the Downtown Core where density bonusing currently is not applicable.

Possible options on where to direct the CBC revenues include affordable housing, municipal parking, public art and community service facilities not covered by the Development Charges by-law. If directed to affordable housing, the CBC could help provide a consistent revenue stream for these initiatives and address affordable housing needs in areas other than Major Transit Station Areas that are not able to implement Inclusionary Zoning. In addition to affordable housing, the CBC may serve as a continuous funding source for the city's public art program. A developer's contribution towards public art is currently voluntary, unless otherwise negotiated through Section 37. Staff will report back to Council at a later date on funding options.

The Province requires municipalities implement the CBC within two years of the Act's proclamation date on September 18, 2020. In other words, the sunset date for the current density bonusing regime is September 18, 2022. The City will need to pass the new CBC by-law by that date in order to avoid any funding losses.

2. PARKLAND PROVISIONS

Parkland provisions have largely returned to status quo

The changes to the *Planning Act* stemming from the *COVID-19 Economic Recovery Act, 2020* (Bill 197) also address parkland provisions related to development. While Bill 108 proposed some significant change, the new legislation maintains the existing provisions for parkland dedication, cash-in-lieu payments, and the alternative requirement (per unit rate).

As for the required parkland dedication/cash-in-lieu payments negotiated through the development process, the new legislation also enables CBC to be applied. The mechanics of this are unclear at present. Staff anticipate new regulations will be released to help clarify, and/or future LPAT decisions will help to inform the approach.

Respecting the alternative requirement (per unit rate), municipalities wishing to use the alternative requirement will be required to adopt a new parkland conveyance by-law. The By-law will require public consultation and will be subject to appeal within 40 days of passing. Municipalities have until September 18, 2022 to pass the new parkland conveyance by-law.

As Council is aware, Section 42(15) of the *Planning Act* permits cash-in-lieu to be spent only for the acquisition of land for park, or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes. Consequently, the potential to direct a portion of CBC funds, over and above the existing parkland dedication and cash-in-lieu, could provide opportunities for more resources to be directed to parkland and open space amenities, especially in high growth areas of the City where these amenities are most needed.

City is currently updating its Parkland Conveyance By-law

The City is currently working on a new Parkland Conveyance By-law and strategy to be completed within the required time. The establishment of a new Parkland Conveyance By-law will require additional study and supporting documentation to rationalize the alternative requirement methodology.

Financial Impact

The CBC cap has now been set at 4% of land value. If staff were to estimate, a CBC of 4% is likely to generate revenue in the order of \$2-3 million per year, which is similar to the average collections of density bonusing prior to 2019.

To implement the CBC, a strategy and by-law will need to be developed. Through this process staff will be able to better estimate revenues generated, identify locations for which the charge

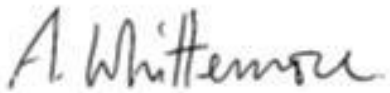
will apply, identify the capital projects and improvements related to the charge, and determine where to direct revenues.

Conclusion

Bill 197 changes to the *Planning Act* are largely positive, particularly regarding the CBC and parkland provisions. In this case, advocacy from Mississauga and other municipalities was effective and persuaded the Province to change direction. Mississauga now has a complete framework to commence work on a new CBC by-law.

Attachments

Appendix 1: Evolution of the Community Benefits Charge



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Elizabeth Bang, Planner, City Planning Strategies
Katherine Morton, Manager, City Planning Strategies

Appendix 1: Evolution of the CBC

<p>Pre-Bill 108</p>	<ul style="list-style-type: none"> • Parkland dedication/CIL is collected at between 5% and 2% of land value for non-residential and low density residential. A per unit charge (currently ~\$10,400) was applied to medium and high density residential developments. • Soft service development charges could be recovered at 90%. • City was able to apply density bonusing tool (s. 37 of <i>Planning Act</i>) to pay for growth above planning permissions.
<p>Bill 108 <i>May 2019</i></p>	<ul style="list-style-type: none"> • Bill 108 proposed to replace the above three revenue streams with a CBC. It was proposed that the CBC would be a city-wide charge, capped as a prescribed percentage of the value of the lands.
<p>CBC Regulation <i>February 2020</i></p>	<ul style="list-style-type: none"> • CBC regulation proposed the CBC have a uniform land value cap of 10% for lower tier governments and 5% for upper tiers. • The regulation also proposed that some City services (e.g. park development, recreation, and library services) be 100% DC eligible.
<p>Bill 197 <i>July 2020</i></p>	<ul style="list-style-type: none"> • Parkland dedication/CIL rates will remain the same as pre-Bill 108. However, alternative (per unit) rates of parkland can now be appealed to LPAT within 40 days of the by-law passing. • All soft services are now 100% DC eligible, with the exception of municipal parking, which can be funded by CBCs. • CBC to be applied to high-density residential developments only (10 or more units and/or 5 or more storeys). <ul style="list-style-type: none"> ○ Only single and lower tier municipalities can apply a CBC. ○ A percentage of land value capture will be provided in an upcoming Regulation, staff suggested a 10% cap. ○ Density bonusing provisions (former s. 37) are still eliminated. ○ CBC could apply to areas where s. 37 did not, such as the Downtown Core.

City of Mississauga
Corporate Report



<p>Date: October 15, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works</p>	<p>Meeting date: November 4, 2020</p>

Subject

MiWay Discount to UTM students of 2020/2021 Fall/Winter U-Pass Program

Recommendation

1. That the report dated October 15, 2020 from the Commissioner of Transportation and Works entitled "MiWay Discount to students of 2020/2021 Fall/Winter U-Pass Program" be received.
2. That a discount, effective September 18, 2020, of \$15 per student totalling \$219,000 be approved for all those students who were unable to collect their 2020/2021 Fall/Winter U-Pass cards during the September 18, 2020 to October 4, 2020 University of Toronto Mississauga Students' Union student office closure due to COVID-19 precautions.
3. That the User Fees and Charges By-law 0156-2019, as amended, and the User Fees and Charges By-law for 2021, as approved by Council, be amended to reflect the discounted 2020/2021 Fall/Winter U-Pass 8 Month Fee as outlined in Recommendation #2.

Background

On the evening of Thursday September 17, 2020 University of Toronto Mississauga Student Union (UTMSU) was notified of two positive COVID-19 cases at the student centre. Due to the nature of the situation, the UTMSU Health and Safety Committee made the decision to close the UTMSU office at the student centre for two weeks starting Friday September 18, 2020. Accordingly, U-Pass distribution was suspended during this two week period to October 4, 2020. In addition, COVID-19 physical distancing measures and building access restrictions delayed the U-Pass distribution which adversely impacted the number of students who could pick up their cards as it had to be done via pre-booking to avoid crowding in the office. By September 18, 2020, only 1,740 (11%) of the total 16,340 students enrolled for the 2020/2021 Fall/Winter academic program had picked up their U-Pass cards.

Comments

In order to address the COVID-19 U-Pass distribution challenges and the 2 weeks closure of UTMSU office at the student centre, UTMSU and MiWay have agreed on a secured mailing out option to the students as an efficient and safe way of getting the U-Pass cards to the remainder of the students.

UTMSU has shared the challenges of not being able to distribute and provide U-Pass cards in time to the students who rely on transit as a primary mode of travel and also brought concerns of unexpected additional travel expenses from the U-Pass eligible students who used MiWay service by paying regular fares. Considering the unprecedented circumstance all of us are facing and supporting UTM students in good faith, MiWay is recommending that the City provide a \$15 discount to students who did not pick up their U-Pass cards before September 18, 2020. The 1,740 students who had picked their U-Pass cards are exempted from this discount. Both By-law 0156-2019, as amended, as well as the new 2021 Fees and Charges By-law as approved by Council will be amended to reflect the discounted fees.

Based on the re-negotiated U-Pass agreement, effective September 1, 2020, Council approval of the U-Pass fee as set out in User Fees and Charges By-law 0156-2019 as well as the new U-Pass fee in the 2021 Fees and Charges Bylaw as approved by Council for the 2020-21 Fall/Winter term of \$257.28, the \$15 discount to 14,600 students who did not pick up the U-Pass will cost the City \$ 219,000. However, this will address UTM students' concerns of unexpected travel expenses and the UTMSU's distribution challenges in a reasonable way.

Strategic Plan

This discount will contribute to the strategic pillar of Developing a Transit Oriented City and the strategic goals to:

- Ensuring Youth and New Immigrants Thrive
- Ensuring Affordability and Accessibility
- Attract and Retain Youth

Financial Impact

The \$15 U-Pass discount per student totals \$219,000 for the two week period. This represents lost revenue to the financial year 2020. Without the discount, MiWay anticipated \$4,200,000 in total revenues from the Fall/Winter U-Pass Program. The \$219,000 discount now revises anticipated revenue down to \$3,981,000.

MiWay will receive the full \$4,200,000 from UTM, the \$219,000 discount will be issued to UTM as part of the settlement process at the end of the Fall/Winter U-Pass Program. UTM shall manage the distribution of the discount to the students.

Conclusion

MiWay is recommending that a discount of \$15 per U-Pass totalling \$219,000 be approved for the students who were unable to pick up their U-Pass cards within the two weeks due to the closure of the student centre right after confirmation of two positive COVID-19 cases. UTMSU has shared with MiWay challenges they encountered of not being able to distribute and provide U-Pass cards in time to the students who rely on transit as a primary mode of travel and also brought concerns of unexpected additional travel expenses from the U-Pass eligible students who used MiWay service by paying regular fares. Considering the unprecedented circumstances that we all are facing due to COVID-19 outbreak, the \$15 discount to each of these eligible students is in good faith and will help alleviate the UTM students unexpected travel expenses and the UTMSU's distribution challenges in a reasonable way.



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

Prepared by: Fritz Youaleu, CMA, MBA, Supervisor, Transit Revenues

City of Mississauga
Corporate Report



<p>Date: October 20, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works</p>	<p>Meeting date: November 4, 2020</p>

Subject

Stormwater Charge Credit Program - 5 Year Review

Recommendations

1. That the report dated October 20, 2020 from the Commissioner of Transportation and Works titled Stormwater Charge Credit Program – 5 Year Review be received for information; and
2. That staff report back to General Committee with a detailed implementation plan addressing the proposed options to improve the Non- and Multi-residential Credit Program as outlined in the report dated October 20, 2020 from the Commissioner of Transportation and Works titled Stormwater Charge Credit Program – 5 Year Review.

Report Highlights

- As part of a 5-year review of its Stormwater Charge Program, the City retained consulting services to undertake a review of its Non- and Multi-residential Credit Program, including consideration of a grant program as requested by the Mississauga Board of Trade (MBOT), and residential credit programs being offered by others.
- The City's Non- and Multi-residential Credit Program was found to be robust and generally consistent with other large benchmarked communities in North America.
- Five recommendations to improve the Non- and Multi-residential Credit Program were shortlisted for further consideration.
- MBOT has been consulted and is generally supportive of the five recommendations to improve the Non- and Multi-residential Credit Program but requests that the maximum 50 percent credit currently offered receive further consideration for an increase.
- Through the benchmarking exercise of residential credit programs offered by communities in North America, it remains staff's opinion that the current Residential Stormwater Outreach and Education Program is the best approach and most cost-effective way to

engage and educate Mississauga's residential community on stormwater best management practices.

Background

Beginning in January 2016, the City of Mississauga launched its Stormwater Charge Program that included a Non- and Multi-residential Credit Program for industrial, commercial, institutional and multi-residential property owners. The purpose of this credit program is to encourage non-residential and multi-residential property owners, making up 70 percent of the City's land area, to implement stormwater management best practices on-site and be eligible for a stormwater charge fee reduction of up to a maximum of 50 percent. As of October 2020, the participation rate for eligible properties is below two percent.

With respect to a residential incentive program, the question of how best to recognize residential homeowners who take action to manage stormwater has been a topic thoroughly considered during the development and after the implementation of the Stormwater Charge Program. The following table, Table 1, briefly summarizes the residential program options previously taken to General Committee and Council.

Table 1: Summary of Residential Program Options

Subject	Highlights of Residential Incentive Discussions
Corporate report titled ' <i>Stormwater Financing Study (Phase 1) – Funding Recommendations</i> ' General Committee December 5, 2012 (Adopted by Council on December 12, 2012)	<ul style="list-style-type: none"> ▪ While the City recognizes the importance of on-site stormwater management measures on residential properties, the anticipated high administration cost of such a program would outweigh the net savings in the City's stormwater program ▪ Staff recommended that an incentive program be explored which offers a one-time discount on the capital cost of implementing stormwater controls such as rain barrels
Corporate report titled ' <i>Stormwater Financing Study (Phase 2) – Implementation Plan</i> ' General Committee December 4, 2013 (Council adopted referral back to staff on December 11, 2013)	<ul style="list-style-type: none"> ▪ The report recommended that a residential incentive program be developed with an offer of one-time incentives to homeowners for pre-approved stormwater measures such as rain barrels, rain gardens, soak-away pits or permeable pavements ▪ Members of Committee expressed concerns with the administrative costs and bureaucratic scale of implementing this program and referred the matter back to staff for more information

Subject (cont.)	Highlights of Residential Incentive Discussions (cont.)
<p>Corporate report titled <i>'Stormwater Charge Implementation Update'</i></p> <p>General Committee May 20, 2015 (Adopted by Council on May 27, 2015)</p>	<ul style="list-style-type: none"> ▪ Staff recommended that an Outreach and Education Program be introduced for the single-family residential sector ▪ Staff research found that residential financial incentive programs for stormwater best management practices on residential properties commonly has very low uptake ▪ Members of Committee expressed concerns the report did not recommend incentives and requested more information on the residential stormwater credit program being offered by the City of Kitchener
<p>Corporate report titled <i>'Stormwater Charge Implementation Update – Additional Information on Residential Programs'</i></p> <p>Council May 27, 2015</p>	<ul style="list-style-type: none"> ▪ Additional information related to Kitchener's residential stormwater credit program was presented ▪ Staff concluded that the Outreach and Education Program for the residential sector still represents the best value to realize an uptake of stormwater best management practices on residential properties. ▪ Council received this report for information
<p>Council Meeting October 28, 2015</p>	<ul style="list-style-type: none"> ▪ Council supported an amended motion by Councillor Ras to establish a Working Committee of Councillors and staff to consider a separate credit program for residential properties. ▪ In January 2016, a Residential Program Working Committee was initiated comprised of Councillors Ras, Fonseca, Starr, Mahoney and Carlson and City staff. In addition to Working Group meetings, two well attended and well-received facilitated workshops were held on April 13, 2016.
<p>Corporate Report titled <i>'Stormwater Programs for Residential Properties'</i></p> <p>General Committee June 29, 2016 (Adopted by Council on July 6, 2016)</p>	<ul style="list-style-type: none"> ▪ Based on findings from the Residential Program Working Committee, an enhanced Residential Stormwater Outreach and Education Program was determined to be the best value option to address public outreach and education desires and to develop a Residential Home Visit Service to engage homeowners to apply general stormwater best practices on their property ▪ The report also concluded that financial recognition programs, such as credits and rebates, are not recommended as these programs do not incentivize good stormwater management practices or provide benefits to municipal stormwater programs, typically have very low participation rates, and are costly to provide. ▪ Council adopted staff's recommendations (as amended)

Subject (cont.)	Highlights of Residential Incentive Discussions (cont.)
<p>Corporate report titled <i>'Enhanced Stormwater Outreach and Education Program'</i></p> <p>General Committee October 4, 2017</p>	<ul style="list-style-type: none"> ▪ An update was provided on the enhanced Residential Stormwater Outreach and Education Program and the Residential Stormwater Home Visit Service pilot program ▪ General Committee did not make a decision on this report which recommended the following: <ul style="list-style-type: none"> ▪ The pilot Enhanced Residential Stormwater Outreach and Education Program to be made permanent; ▪ Budget increase for promotional material; ▪ Increased funding to expand the Residential Stormwater Home Visit Service; ▪ Conversion of the two full-time contracts to permanent positions ▪ General Committee was concerned over the effectiveness of in-person outreach and the potential for duplication with initiatives offered by the Region and local conservation authorities and did not support the recommendations ▪ The Commissioner of Transportation and Works indicated that staff would continue with the current pilot program and will report back in a year
<p>Corporate report titled <i>'Enhanced Stormwater Outreach and Education Program Update'</i></p> <p>General Committee June 26, 2019 (Adopted by Council on July 3, 2019)</p>	<ul style="list-style-type: none"> ▪ Upon completion of the Enhanced Residential Stormwater Outreach and Education Pilot Program, staff reassessed the program and proposed a strategic shift to digital outreach, supplemented by in-person interactions, as well as a greater presence with the commercial sectors; resulting in a cost effective way to engage the public ▪ General Committee was in favour of this approach

While the Non- and Multi-residential Credit Program has remained unchanged since the launch of the Stormwater Charge, significant efforts have been spent on developing and refining the approach to the residential sector. Most recently in 2019, Council supported an updated Stormwater Outreach and Education Program with a primary focus on digital engagement and a web-based presence. This program includes online videos and tutorials to assist residents in stormwater management, digital comic books to increase stormwater literacy in schools, and other educational offerings.

In December 2019, as the City headed into the fifth year of its Stormwater Charge Program, staff commenced a study to review the program's Non- and Multi-residential Credit Program including, in response to a request by MBOT, consideration for a grant program (particularly the

one being offered by the City of Philadelphia) to support the business sector with implementing on-site stormwater management measures. This study also included a review of existing residential incentive programs currently being offered by other communities.

To assist with this review, the City retained consulting services led by Resilient Consulting Corporation with sub-consultant CHI ('Consulting Team'). As part of its review, the Consulting Team conducted thorough jurisdictional scans of 14 benchmark communities (five Canadian and nine American communities) with established stormwater credit programs. The purpose of this review was multi-fold and included the following:

- Gather information through online research, questionnaires and phone interviews to thoroughly review each community's current stormwater credit program in relation to the City of Mississauga's;
- Compare successes and challenges of stormwater programs across communities in relation to the City of Mississauga's;
- Recommend enhancements and improvements to the City's Non- and Multi-Residential Credit Program, and;
- Provide options to consider for a residential incentive program.

This information report provides a summary of the Consulting Team's study findings and recommended improvements.

Comments

The following is a summary of the benchmarking exercise undertaken by the Consulting Team related to the Non- and Multi-residential Credit Program and residential incentive options for the City to consider moving forward.

Non- and Multi-Residential Credit Program

Non- and Multi-Residential credit programs are a part of a comprehensive stormwater rate structure. The principle behind a credit program is based on fairness and equity between the credit amounts offered and the cost savings to the City's Stormwater Program resulting from the implementation of stormwater measures on private properties.

All 14 benchmarked communities have some form of stormwater credit program available to non-residential and, in some cases, multi-residential property owners. While it was found that there are overall commonalities with credit categories among the communities such as for flood protection or water quality treatment, each community's credit program is individualized and tailored to meet broader stormwater objectives of or specific regulations imposed on that municipality.

The City's Non- and Multi-residential Credit Program was developed in consultation with the Stormwater Credit Stakeholder Group comprised of representatives from the institutional,

development and commercial sectors. The resulting program was developed based on aligning with the objectives of the City's Stormwater Program such as flood control and water quality.

Unlike Mississauga, some benchmarked communities have developed their programs with a focus towards meeting regulations or legal obligations. As an example, a number of communities benchmarked have a combined stormwater and wastewater system, mainly in the older areas, where combined sewer overflow is a serious concern. This occurs when heavy rain overwhelms the capacity of the wastewater treatment plants to handle the flow from both storm and sanitary sewers, the effluent is forced to divert untreated into the system's creeks, rivers and other water bodies. The City of Philadelphia, Pennsylvania and Northeast Ohio Regional Sewer District in Cleveland, Ohio, for instance, are under enforcement orders of the U.S. Environmental Protection Agency (EPA) to reduce combined sewer overflow with the large-scale implementation of green infrastructure. Encouraging the non-residential sector to implement green infrastructure on-site is seen as a critical step by these communities towards compliance with the EPA consent orders and decrees. In another example, the Cities of Alexandria and Richmond, Virginia are required to meet state and federal pollution reduction mandates associated with areas that drain into the Chesapeake Bay watershed; deemed to be a sensitive water body of ecological and economic significance. Their credit programs have been developed through that lens.

Overall, the Consulting Team concluded that the City's Non- and Multi-residential Credit Program is robust and consistent with what other large communities are offering in North America. Further, it found that the maximum 50 percent credit given by the City is in line with the median value of maximum credit given by the benchmarked communities. While these findings are encouraging, the Consulting Team pursued opportunities to further enhance Mississauga's existing credit program in line with the City's objectives.

Consequently, a list of 12 preliminary options were proposed and considered based on applicability and level of effort. Through multiple meetings between the Consulting Team and City staff, the 12 preliminary options were shortlisted to five recommended options, which this report will focus on. There is, however, one preliminary option related to offering grants which was ruled out that warrants a more detailed explanation given MBOT's request for this option to be considered.

Currently, the City's credit program does not offer grants that are specifically intended to encourage credit uptake. Of all the benchmarked communities and agencies across North America, only the City of Philadelphia and the Northeast Ohio Regional Sewer District in Cleveland offer grants. In these cases, their grant programs are intended to specifically offer help to achieve the terms of their respective combined sewer overflow U.S. EPA consent orders and decrees.

In the case of the City of Philadelphia, it is in its ninth year of a 25-year implementation schedule to fulfill a consent order with the EPA to reduce Philadelphia's combined sewer overflow by 85

percent (referred to as the *Green City, Clean Waters* program). One way that Philadelphia needs to achieve this is by integrating green stormwater features such as bio-retention, swales, wetlands, forest buffers, and vegetated strips.

The City of Philadelphia's Stormwater Credit Program offers a maximum credit of nearly 100 percent; however, in most cases the credit alone is not significant enough to incentivize private investment in green infrastructure.

In 2012, the City of Philadelphia partnered with the Philadelphia Industrial Development Corporation (PIDC), a public-private economic development corporation, to offer stormwater grants to fund the design and construction of stormwater retrofit projects on commercial, industrial, multi-family and institutional properties. It is staff's understanding that the grants given out in 2019 were in excess of \$20 million. Of note is that projects undertaken using the stormwater grants are allowed to qualify for credits to stimulate investments in green infrastructure which is seen as a critical step by the City towards reducing the volume of combined sewer overflow and meeting the terms of the EPA consent order.

In short, stimulus grants to increase credit uptake are being used in communities that have been ordered to reduce combined sewer overflows. The grant program was implemented to assist in meeting legal obligations with respect to their wet weather infrastructure and operations. The City of Mississauga does not have combined sewers or orders to reduce overflow as in the case of City of Philadelphia and Northeast Ohio Regional Sewer District in Cleveland. As such, offering significant grant funding to property owners for capital investment of on-site stormwater management measures in order to obtain additional incentives via credits is not seen as a suitable approach for Mississauga. This would also translate into a higher stormwater charge rate to offset the cost of the grant program funded by stormwater charge revenue.

The five recommended options shortlisted for further consideration are shown in the following table, Table 2.

Table 2: Non- and Multi-Residential Credit Program Options Recommended for Further Review

Recommended Options	Description
Formalize process for communal facilities to share credits	The City currently allows for credits to be allocated to multiple property owners for communal facilities based on contributing impervious area or some other acceptable cost-share formula between property owners. Business rules and processes need to be developed to formalize this option.
Define variable credit criteria by geography	The current credit criteria are applied uniformly across the City. The City may consider variable credit criteria defined by geography, such as at a watershed or sub-watershed level, based on City development requirements. This notion allows the City to encourage uptake of onsite stormwater management measures in areas where these would be most effective and, likewise, discourage uptake in areas where they would be less effective (as over-controlling beyond requirements to achieve greater credit amount may not provide reciprocal benefits to the City's stormwater system).
Apply sliding scale criteria	This option is to be considered concurrently with the option ' Define variable credit criteria by geography '. This option is intended for property owners who wish to obtain credits through site retrofits, outside of the development process, but cannot meet full control requirements due to site constraints or cost. A "sliding scale" approach which provides partial credits can be applied to the City development requirements at a watershed or sub-watershed level.
Change maximum credit in any category	The current maximum credits under each of the four credit categories are: Peak Flow Reduction – 40%, Runoff Volume Reduction – 15%, Water Quality Treatment – 10%, Pollution Prevention – 5%. These figures were generally based on the need of the City during the development of the stormwater charge credit program. Given fluctuations in the needs and focus of the City's annual stormwater program, it may be appropriate to re-evaluate the optimal maximum credits in each category. This approach would allow the credit applicants the flexibility to maximize credits in categories that would provide the most benefit and/or align with current stormwater goals and objectives of the City.
Add new practices or measures to be eligible	Review and possibly expand the list of eligible stormwater management measures (new technologies and practices) in the credit program.

On October 1, 2020, City staff held a consultation meeting with MBOT to present the credit program review, discuss preliminary results and solicit feedback. Formal comments from MBOT were received on October 13, 2020 (Appendix 1). MBOT is generally supportive of the five options shortlisted for further consideration but strongly recommends that the maximum 50 percent overall credit offered be given greater consideration. This feedback from MBOT will be considered in combination with the recommended options as a next step.

Given the complexity of the City's Stormwater Charge Program, prior to any option being incorporated into the credit program, additional evaluation must be taken at a detailed level. This would include an impact assessment to existing credit holders, changes to existing business processes and IT systems as well as revisions required to stormwater policies and the by-law.

Residential Incentive Options

The intent of a residential incentive program is to encourage desirable behaviour on a smaller/single property scale and that on-site stormwater management may contribute a benefit to the City's overall stormwater programs and infrastructure.

As part of the City's 5-year review of its Stormwater Charge Credit Program, the Consulting Team was tasked with undertaking a benchmarking exercise on residential incentives that are being offered by other communities in North America. The purpose of this benchmarking exercise is not intended to revisit the approach that was approved by Council last year but to highlight programs currently being offered and identify any new approaches which may warrant consideration in the future.

The Consultant Team's study identified various forms of residential incentives found throughout North America that have been classified into four types:

- Credits – on-going reduction of stormwater charge;
- Rebates – one time reward;
- Subsidies – cost reduction on materials or supplies from an external body/vendor, and;
- Other – incentives provided by an organization (e.g. guidance/education programs or in-kind services).

Of the 14 benchmark communities or agencies, 10 offer some form of stormwater credits to residential property owners of which only two examples are found in Canada (Kitchener, ON and Victoria, BC). Maximum credits on average are approximately 50 percent. Some of the benchmark communities have extensive combined sewer systems and as a result their stormwater pressures and program objectives are not comparable to Mississauga. Five benchmarked communities offered rebates to residential property owners while none provided a formal subsidy. However, many offer 'other' incentives in the form of guidance/education similar to Mississauga's existing Stormwater Outreach and Education Program.

The Consulting Team compared Mississauga to other benchmarked communities and provided a range of residential incentive program options being offered. These options, including a subsidy program, rebate program and credit program, have largely been explored at length in the past by the City and subsequently not pursued.

In practice, there are several drawbacks to any residential incentive program including start-up and on-going administrative costs, enforcement, impact to stormwater charge rates and, most importantly, poor uptake. These drawbacks were highlighted in previous Corporate Reports when residential incentive programs were considered in the past which led to the Stormwater Outreach and Education Program currently in place; an approach that staff believes remains the best option and most cost-effective way to engage and educate Mississauga's residential community.

Strategic Plan

The Stormwater Charge Credit Program aligns with the *Connect: Completing our Neighbourhoods*, *Prosper: Cultivating Creative and Innovative Businesses* and *Green: Living Green* pillars.

Financial Impact

There are no immediate financial impacts as a result of the adoption of the recommendations in this report.

Conclusion

Based on the Consultant Team's experience with other stormwater user fees across North America as well as discussions with the benchmarked communities that were reviewed as part of its study, the City's efforts with respect to the stormwater charge and credit program meet or exceed an acceptable standard of practice.

As a next step, staff is recommending that a detailed review of the Consulting Team's recommended options and MBOT's suggestion on the Non- and Multi-residential Credit Program to identify implications and merit for implementation be undertaken.

Attachments

Appendix 1: Letter from Mississauga Board of Trade



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

Prepared by: Scott Perry, LEL, Manager, Stormwater Assets & Programming



October 13, 2020

Ms. Helen Noehammer
Director, Infrastructure Planning & Engineering Services
Transportation & Works Department
City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

VIA Email – helen.noehammer@mississauga.ca

Dear Ms. Noehammer:

Re: City of Mississauga Storm Water Credit Program Review

The Mississauga Board of Trade (MBOT) appreciates the opportunity to meet with staff and your consultants on the review of the Storm Water Credit program and submit our comments on some proposed changes to the program.

From the outset, MBOT has been concerned about the financial impact of the storm water levy on Mississauga businesses. Because the levy is based upon the size of the hard surface area of a given property, the levy disproportionately affects businesses with large roofs and parking areas.

However, in its wisdom, the City of Mississauga did adopt a credit program for non-residential properties when it created the storm water levy which does permit for applications for a credit of up to 50% of the storm water charges for a given property.

Now that the program is just over five years old, it is appropriate that the City of Mississauga conduct this review and look at the success (or not) of the credit program.

In the meeting we had with staff and the consultants, you shared five specific areas where you are open to changes in the program. MBOT would like to address each herein.

Formalize the Process for Communal Facilities to Share Credits

MBOT is supportive of this recommendation. Evidence from the Southdown project being coordinated by Credit Valley Conservation (CVC) shows property owners willing to work together on storm water

mitigation and sharing of the credits. One problem will continue to be that the amount of the credit remains too low to allow for greater participation.

Define Variable Credit Criteria by Geographic Region

MBOT is generally supportive of this recommendation and certainly the City of Mississauga should be focusing its efforts on areas of the City with greatest concerns around storm water and flooding. We are concerned about the administration of this but feel if run properly could incent property owners in the most affected areas to perform retrofits for storm water mitigation. Again, the amount of credit back to the property owner will be a major driver in the rate of participation.

Applying a Sliding Scale to Geographically Variable Criteria

MBOT generally supports this recommendation. Again, the costs of retrofits regardless of the standard (new development vs existing) still make most projects cost prohibitive particularly as it relates to existing properties.

Change Maximum Credit in any Category

MBOT is generally supportive of this recommendation but still believes that peak flow reduction will continue to be the highest number of applications the City of Mississauga will receive and should constitute the lion's share of the credit. The City of Edmonton for example in your report, provides up to a 100% credit for peak flow reduction.

Accept New Practices as Eligible Facilities

MBOT supports this recommendation. The City of Mississauga should expand the list of eligible facilities or best practices to increase credit opportunities and customer flexibility.

The Mississauga Board of Trade appreciates the opportunity to comment on these recommendations.

MBOT does however strongly recommend to the City of Mississauga that it increase the credit for non-residential properties from the 50% maximum currently and look to other jurisdictions (like the City of Edmonton) that has set 100% as a maximum credit.

We look forward to continuing to work with you and to speaking to the staff report when it comes before Council later this year.

Yours truly,



David Wojcik
President & CEO
ceo@mbot.com

City of Mississauga Corporate Report



<p>Date: October 22, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Shari Lichterman, CPA, CMA, Commissioner of Community Services</p>	<p>Meeting date: November 4, 2020</p>

Subject

Reaffirming the City of Mississauga's Relationship with the Mississaugas of the Credit First Nation

Recommendation

1. That the report titled "Reaffirming the City of Mississauga's Relationship with the Mississaugas of the Credit First Nation" dated October 22, 2020 from the Commissioner of Community Services be approved.
2. That the following two initiatives be approved to reaffirm the City of Mississauga's relationship with the Mississaugas of the Credit First Nation:
 - a) Permanent installment of the Mississaugas of the Credit First Nation flag in the City of Mississauga's Council Chambers; and
 - b) That By-law Number 7362 be amended to recognize the Mississaugas of the Credit First Nation and the Indigenous origin of the City of Mississauga's name.

Report Highlights

- The City of Mississauga and the Mississaugas of the Credit First Nation have a long-held history and relationship. The City derives its name from the Indigenous peoples who lived along the banks of the Credit River.
- The *Truth and Reconciliation Commission of Canada: Calls to Action* call for a renewal of the relationship between Treaty peoples.
- The Town of Mississauga paid formal recognition to the Mississauga's of the Credit through an Honorary Grant of the Township, issued in 1968.
- This report recommends amending the existing naming by-law to formally include recognition of the Ojibwe/Anishnaabe origins of the name, as well as formally flying the flag of the Mississaugas of the Credit First Nation in recognition of the Treaties, which

cover the lands of the City of Mississauga.

Background

The History of the Mississaugas of the Credit First Nation

The Mississaugas of the Credit First Nation belong to the larger Ojibwe (Anishinaabe) Nation, a prominent Indigenous Nations in North America.

The ancestors of the Mississaugas of the Credit First Nation have a long and rich history on the lands now known as the City of Mississauga. By the mid-1700s, the Mississaugas occupied most of the land of Southern Ontario. They hunted and fished as a means of sustenance, moving throughout the land seasonally. The Credit River and its banks became especially important to their survival and traditions and became a regular annual gathering place.

After the American Revolution, the British Crown sought to secure land to accommodate the increasing amount of settlers arriving in the area. This resulted in the signing of four treaties between the British Crown and the Mississaugas, including Treaty 13-A in 1805; Treaty 19 in 1818; and Treaties 22 and 23 in 1820. The land from these treaties formed the land upon which the City of Mississauga is currently established. In 1825, in an attempt to secure the survival of the Mississaugas, a village near the Credit River was built by the British Crown. However, the Mississaugas eventually relocated to Hagersville Ontario in 1847, where they continue to reside today.

Today, we recognize that the Mississaugas of the Credit First Nation have Crown recognized treaties, land use areas and assertions within the boundaries of the City of Mississauga. They continue to have strong ties with their ancestral home along the Credit River and the land upon which the City is built. Their knowledge of the land, traditions, spirit and contributions are integral to the formation of the City of Mississauga today.

Relationship with Mississaugas of the Credit First Nation

On July 20th, 1968, the Corporation of the Town of Mississauga initiated a “Freedom of the Town Grant” to the Council and Members of the Mississauga of the New Credit Reserve. The document recognized the historical connection, friendly relations and communicated a desire of the Town to develop a bond of affection and regard with the community. Additionally, the grant recognized the name of the Town of Mississauga to have originated from the Mississaugas of the Credit First Nation. This document was signed and delivered by the Town of Mississauga to the Mississaugas of the Credit First Nation at a celebratory picnic at the Mississaugas of the Credit First Nation Reserve on July 20th, 1968.

In the following years, Mayor Hazel McCallion, of the City of Mississauga, was a signatory to two Friendship treaties that were initiated by third parties. The first was the Treaty of Peace, Friendship and Cooperation that was signed on September 29th, 1979 and was organized by the Mississaugas of the Credit, the Dufferin-Peel School Board and the Peel Board of Education.

The second was a Friendship Treaty organized by Heritage Mississauga and signed on August 6th, 2005.

The City of Mississauga and the Mississaugas of the Credit First Nation share a strong mutual interest and agreement in continuing to foster, strengthen and celebrate these efforts. To date, there are various initiatives that both parties work on collaboratively, some of which include:

- Land-use planning and infrastructure projects
- Retaining of Field Liaison Representatives for land-use planning and infrastructure projects
- Educational and social programming with Library and Museums at the City
- Participation of Mississaugas of the Credit First Nation in public City and staff events, including Canada Day, Canada's National Indigenous Peoples Day and the staff Leadership Conference
- The establishment of regular contact, staff meetings and visits

How the City of Mississauga received its name

The word Mississauga is derived from the word "Missisakis" in the Anishinaabemowin language, which translates into "many river mouths." This name is believed to have been given to the Mississaugas due to their locations on the mouths of the Trent, Moira, Shannon, Napanee, Kingston, and Gananoque rivers. As previously noted, a group of the Mississauga peoples came to settle along the Credit River and reside in the Credit Indian Mission, one of the first Methodist missions built settlements for Indigenous peoples in Canada.

Although the Mississaugas of the Credit moved to Hagersville in 1847, their name persisted in the area and became associated with the southern reaches of the Credit River.

In 1968, the Toronto Township held a vote for residents to select the new name of their town. The residents chose the name Mississauga due to their familiarity and fondness with the term and their recognition of the history of the Mississaugas on the land. In 1974, the City of Mississauga was incorporated with the same name.

Present Status

The City is in the process of developing and executing a series of initiatives in regards to the Indigenous relations file, including:

- a) Adopting the Truth and Reconciliation Commission Calls to Action that are within the City's capacity to respond to in order to further reconciliation with Indigenous peoples and communities. The Corporate report titled "Truth and Reconciliation Commission Calls to Action and the AMO Declaration on Friendship Centers," from the Commissioner of Community Services, dated October 22, 2020 provides further elaboration on this initiative.
- b) Promoting reconciliation and relationship building with Indigenous communities that have treaties, land use areas or assertions within the boundaries of the City of Mississauga, as identified by the Federal and Provincial Governments.

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- c) Operationalizing and streamlining internal processes to improve efficiency in working with Indigenous communities and providing clarity and direction to staff.
- d) Promoting inclusive programming which creates awareness and education of Indigenous cultures and further promotes Indigenous-led programming.

The recommendations in this report are in direct response to a) and b) above and are a tangible and meaningful move towards satisfying TRC Call to Action 45 *iii*.

Comments

Mississaugas of the Credit First Nation Flag

The City of Mississauga and Council have received requests from Chief Stacey Laforme of the Mississaugas of the Credit First Nation to permanently raise their nation's flag within Council Chambers in order to recognize the treaties signed between their ancestors and Crown, which allowed for the settlement of Toronto Township. The installment of the flag in Council Chambers would be done through a celebratory ceremony with the presence of the Mayor and Council as well as Chief Stacey Laforme and the Council of the Mississaugas of the Credit First Nation within National Indigenous Month, June 2021.

The City of Mississauga would join other municipalities within the treaty territory of the Mississaugas of the Credit in flying their flag, including Toronto, Oakville, Caledon, Burlington, Hamilton and others within the treaty territory.

In the spirit of reconciliation, the City is committed to learn, foster relationships, continue on-going and look for future opportunities and partnerships with the Mississaugas of the Credit First Nation. As a further demonstration of this commitment, permanent installment of the Mississauga's of the Credit First Nation flag in the City of Mississauga's Council Chambers is recommended through a celebratory ceremony with the presence of the Mayor and Council as well as Chief Stacey Laforme and the Council of the Mississaugas of the Credit First Nation within National Indigenous Month, June, 2021. The flag installation would be a permanent reminder of the City's shared history with, and recognition of, the Anishinaabe peoples who came to be known as the Mississaugas of the Credit and the origin of the Mississauga name

Recognition of the Name of the City of Mississauga

The 1968 By-law 7362, the Grant of Honourary Grant of the Freedom of the Town of Mississauga to the Council and Members of the Mississaugas of the New Credit Reserve serves as an important document regarding the relationship between settlers and Indigenous communities. The premise of the by-law, as well as the wording within it, has now become problematic and challenging and is not compliant with the Constitution Act (1982) nor the Calls to Action of the Truth and Reconciliation tribunal. The by-law does not recognize the treaties signed between the Mississaugas and the Crown nor does it take into account the various provisions, set out in these treaties, which grant the Mississaugas of the Credit rights and freedoms within their treaty territory.

As the Municipal Act 2001, s.o. 2001 subsection 8(1), c. 25 provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate, it is within the City of Mississauga's capacity and interest to issue a revision of this by-law to further relationship building with the Mississaugas of the Credit First Nation.

The proposed revision of the by-law (Appendix 1), seeks to bring the recognition of the City's name forward into a present context and provide proper recognition of our name, and its origins, in keeping with Council Resolution 0207-2020.

Financial Impact

The funds for the permanent installment of the Mississauga of the Credit First Nation flag and the celebration is estimated to cost \$8000.00 and will be secured from the Culture Division's 2021 operating budget.

There is no financial impact for endorsing the proposed By-law to amend By-law Number 7362 to recognize the Mississaugas of the Credit First Nation and the Indigenous origin of the City of Mississauga's name.

Conclusion

In the spirit of reconciliation and Council Resolution 0207-2020, the City of Mississauga seeks to reaffirm its relationship with the Mississaugas of the Credit First Nation, recognize the importance of the treaties signed between the Mississaugas and the Crown about the lands which make up the City of Mississauga, and seeks to formally recognize the Anishnaabe origins of the name of the City.

Attachments

Appendix 1: Amendment to By-law 7362- recognizing the origins of the name Mississauga.



Shari Lichterman, CPA, CMA, Commissioner of Community Services

Prepared by: John Dunlop, Manager, Heritage Planning and Indigenous Relations

THE CORPORATION OF THE CITY OF MISSISSAUGA
 A By-law to amend By-law Number 7362
 to recognize the origin of
 Name of The City of Mississauga

WHEREAS subsection 11(3) 5. of the *Municipal Act 2001*, S.O, 2001, c. 25, as amended provides that a municipality may pass by-laws respecting among other matters culture and heritage;

AND WHEREAS in 1968 The Corporation of the Town of Mississauga passed By-law Number 7362 to grant the Honourary Freedom of the Town of Mississauga to the Council and Members of the Mississaugas of the New Credit Reserve;

AND WHEREAS By-law Number 7362 attached a Grant to recognize the historical connection and friendly relations between the City of Mississauga and The Mississaugas of the New Credit Reserve from whence the name originated;

AND WHEREAS The Mississaugas of the Credit First Nation lived on the lands now known as the City of Mississauga and include the Treaty Lands and Territory of the Mississaugas of the Credit First Nation;

AND WHEREAS in 1974 the City of Mississauga was incorporated through the amalgamation of the Township of Mississauga and the villages of Port Credit and Streetsville along with portions of the Townships of Toronto Gore and Trafalgar;

AND WHEREAS The Corporation of the City of Mississauga acknowledges and has continued to work with the Mississaugas of the Credit First Nation;

AND WHEREAS The Corporation of the City of Mississauga is committed to learn, foster relationships, continue on-going and look for future opportunities and partnerships with the Mississaugas of the Credit First Nation in the spirit of reconciliation;

AND WHEREAS The Corporation of the City of Mississauga acknowledges the Anishinaabe peoples who came to be known as the Mississaugas of the Credit and the Mississauga name;

AND WHEREAS THE CORPORATION of the City of Mississauga has the statutory authority by virtue of Section 115(7) of the *Regional Municipality of Peel Act, 1973*, S.O. 1973, c.161 to amend a by-law that was enacted by the former Town of Mississauga prior to its amalgamation as the City of Mississauga;

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

1. THAT By-law 7362 is amended by adding thereto as Exhibit B, a Declaration in the form and content as set out in Schedule A attached hereto;
2. THAT By-law 7362 is amended to apply to the extended geographic boundaries beyond the Town of Mississauga to the boundaries referenced in section 2(a) of *The Regional Municipality of Peel, Act, 1973*, S.O. 1973, c.161, as amended.

ENACTED AND PASSED THIS day of , 2020.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
			
Date	2020		

_____ **MAYOR**

_____ **CLERK**

Schedule “A”

Declaration

In 1968, The Corporation of the Town of Mississauga passed By-law Number 7362 to recognize the historical connection and friendly relations between the Town of Mississauga and The Mississaugas of the New Credit Reserve. This was evidence of the desire by the Town to develop a bond of affection and regard with the descendants of the Indigenous inhabitants of this area, now known as Mississauga;

The Corporation of the City of Mississauga (“the City”) acknowledges and commits to continue to work with the Mississaugas of the Credit First Nation.

In the spirit of reconciliation, The City is committed to learn, foster relationships, continue on-going and explore future opportunities and partnerships with the Mississaugas of the Credit First Nation. The City acknowledges the Anishinaabe peoples who came to be known as the Mississaugas of the Credit and the Mississauga name.

Dated this _____ day of _____, 2020 at the City of Mississauga

Mayor _____

Clerk _____

City of Mississauga
Corporate Report



<p>Date: October 22, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Shari Lichterman, CPA, CMA, Commissioner of Community Services</p>	<p>Meeting date: November 4, 2020</p>

Subject

Truth and Reconciliation Commission Calls to Action and the AMO Declaration on Friendship Centres

Recommendation

1. That the report titled "Truth and Reconciliation Commission Calls to Action and the AMO Declaration on Friendship Centres", dated October 22, 2020, from the Commissioner of Community Services be approved.
2. That the following three initiatives be approved to reaffirm the City of Mississauga's commitment to furthering reconciliation with Indigenous communities:
 - a) Adoption of the Truth and Reconciliation Commission Calls to Action identified in this report;
 - b) Endorsement of the Declaration of Mutual Commitment and Friendship by the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC); and
 - c) Direct staff, within the City's Culture Division, to provide an annual update to Council on the City's progress with implementing the 13 Municipally focused Truth and Reconciliation Calls to Action.

Report Highlights

- In 2015, The Truth and Reconciliation Commission of Canada published 94 Calls to Action to forward Reconciliation between Indigenous and Non-Indigenous peoples in Canada.
- Thirteen of these Calls to Action are directed at all Municipal Governments across Canada, and seven of these are actionable by the City.
- Responding to these Calls to Action furthers Reconciliation within the City and helps move the City forward in meaningful partnerships with its Indigenous Community partners and residents.

Background

The Truth and Reconciliation Commission of Canada

The Truth and Reconciliation Commission of Canada (TRC) was established as one of the outcomes of the Indian Residential Schools Settlement Agreement between the Government of Canada, the churches, the survivors of the residential schools system and various Indigenous organizations in 2007. The purpose of the TRC was to rectify the legacy of residential schools and further the process of reconciliation in Canada. Over six years, the TRC recorded testimonies from over 6,000 survivors, and their families, and created a historical record of the residential schools system.

In 2015, the TRC presented 94 “Calls to Action” as part of its final report, thirteen of which apply to municipal governments. Over the past five years, municipalities across the country including Toronto, Ottawa, Montreal, London, Winnipeg, Vancouver, Calgary and Saskatoon have implemented various actions to answer this important call. The City of Mississauga is proud to do its part to further reconciliation by committing to the TRC Calls to Action outlined in this report.

Declaration of Mutual Commitment and Friendship by the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC)

Earlier this year, the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC) put forth a joint declaration to improve the quality of life of Indigenous peoples in municipalities across Ontario. Municipalities are encouraged to adopt the Declaration through signatories of their elected officials to commit to building partnerships with Friendship Centres in their municipalities. The Indigenous Network is a Friendship Centre located in Mississauga and is a valued partner and collaborator.

Comments

Over the past few years, the City has built meaningful relationships with Indigenous communities and organizations and established processes, programs and initiatives to further reconciliation.

City Staff have reviewed the Truth and Reconciliation Commission Calls to Action and has identified specific actions in which the City has already made progress as well as others it is positioned to meet.

Call to Action #41 Missing and Murdered Indigenous Women states:

We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry’s mandate would include:

i. Investigation into missing and murdered Aboriginal women and girls.

ii. Links to the intergenerational legacy of residential schools.

While the City does not have a mandate to directly investigate these crimes, the Library and Museums hold educational programming about Indigenous matters, including Missing and Murdered Indigenous Women and Girls. It is recommended that the City continues to provide this programming.

It is recommended that the City endorses the TRC Calls to Action in the table below to capture the important progress made as well as commit to future actions to further reconciliation.

Table 1 Recommended Truth and Reconciliation Calls to Action to be adopted by the City of Mississauga

TRC Call to Action	Recommended City of Mississauga Initiatives to satisfy the Call to Action
<p>United Nations Declaration on the Rights of Indigenous Peoples</p> <p>#43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.</p>	<p>Currently, the City works with Indigenous communities on land use planning and development matters, including long-term land use plans and Environmental Assessments.</p> <p>It is recommended that the City awaits further direction from the Federal government on Bill C-262.</p>
<p>Treaty Relationships</p> <p>#45. We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown. The proclamation would include, but not be limited to, the following commitments:</p> <p>iii. Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.</p>	<p>It is recommended that the City:</p> <ul style="list-style-type: none"> • Reaffirms its relationship with Mississaugas of the Credit First Nation by recognizing the Indigenous origin of the City's name and raising the flag of the Nation in Council Chambers • Continues to foster relationships with Indigenous communities that have Crown recognized treaties, land use areas and assertions within the boundaries of the City of Mississauga • Develops protocols for use of land acknowledgements, hosting official ceremonies and Indigenous Elders at the City • Creates Indigenous spaces and recognizes places that have significant Indigenous origins and Indigenous

TRC Call to Action	Recommended City of Mississauga Initiatives to satisfy the Call to Action
	names.
<p>National Council for Reconciliation</p> <p>#55. We call upon all levels of government to provide annual reports or any current data requested by the National Council for Reconciliation [NCR] so that it can report on the progress towards reconciliation. The reports or data would include, but not be limited to:</p> <ul style="list-style-type: none"> i. The number of Aboriginal children—including Métis and Inuit children—in care, compared with non-Aboriginal children, the reasons for apprehension, and the total spending on preventive and care Services by child-welfare agencies. ii. Comparative funding for the education of First Nations children on and off reserves. iii. The educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people. iv. Progress on closing the gaps between Aboriginal and non-Aboriginal communities in a number of health indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services. v. Progress on eliminating the overrepresentation of Aboriginal children in youth custody over the next decade. vi. Progress on reducing the rate of criminal victimization of Aboriginal people, including data related to homicide and family violence victimization and other crimes. 	<p>It is recommended that the City provides Council with annual reporting of progress towards reconciliation. This report will be available to the public, including the National Council for Reconciliation.</p>

TRC Call to Action	Recommended City of Mississauga Initiatives to satisfy the Call to Action
vii. Progress on reducing the overrepresentation of Aboriginal people in the justice and correctional systems.	
<p>Indigenous Education to Public Servants</p> <p>#57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.</p>	It is recommended that the City continues to provide staff with Indigenous learning opportunities and training with a view to expand to an Enterprise-wide system.
<p>Recognition of Indigenous Holidays</p> <p>#80. We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honor Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.</p>	<p>It is recommended that the City should continue to officially recognize annual Indigenous holidays including:</p> <ul style="list-style-type: none"> a) National Indigenous History Month (June) b) Canada’s National Indigenous Peoples Day (June 21st) c) Orange Shirt Day (September 30th) d) Treaties Recognition Week in Ontario (First week of November)
<p>Indigenous Athletes</p> <p>#87. We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.</p>	City Council endorsed resolution 0193-2019 on Sept 11 th 2019. As a result, the City will continue to not permit the display of any Indigenous images in the City’s sport and recreation facilities that are related to non-Indigenous sports organizations and will work with Indigenous and community sports groups to proactively build awareness of this policy through open communication and education. It is recommended that the City continues on this

TRC Call to Action	Recommended City of Mississauga Initiatives to satisfy the Call to Action
	course of action.
<p>Indigenous Athletes</p> <p>#88. We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.</p>	<p>It is recommended that the City continues to host the Little National Hockey League Tournament and engage with Indigenous communities for large sporting events.</p>
<p>Indigenous Business Opportunities</p> <p>#92. We call upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:</p> <p>ii. Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.</p>	<p>The City has a Sustainable Procurement Policy which directly speaks to making procurements available to equity seeking groups, including Indigenous peoples. This policy assists in providing Corporate procurement information to Indigenous communities and businesses. It is recommended that the City continues to providing these procurements.</p>

Declaration of Mutual Commitment and Friendship by the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC)

By adopting this declaration, the City will commit to continuing and strengthening its relationship with the Indigenous Network to collaborate on initiatives that improve the quality of life of Indigenous peoples in Mississauga.

Financial Impact

There is no new financial impact for adopting the Truth and Reconciliation Calls to Action in this report as funds for the initiatives will be funded through current operating budgets.

There is no cost to endorsing the Declaration of Mutual Commitment and Friendship by the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC)

Conclusion

The City of Mississauga joins other municipalities across Canada in responding to the Truth and Reconciliation Commission Calls to Action. By adopting the principles of reconciliation, the City is moving to strengthen its relationship with Indigenous Communities and residents. Adopting the Declaration of Mutual Commitment and Friendship with the Indigenous Network is one of several acts of Reconciliation the City is taking on the path through reconciliation.

Attachments

Appendix 1: Declaration of Mutual Commitment and Friendship



Shari Lichterman, CPA, CMA, Commissioner of Community Services

Prepared by: John Dunlop, Manager, Heritage Planning and Indigenous Relations

Declaration of Mutual Commitment and Friendship (FINAL)

Improving the Quality of Life of Indigenous People Across Ontario's Municipalities Joint and Ongoing Commitment Between Signatories: the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC)

-
1. WHEREAS in Ontario, over 85 percent of Indigenous people live in municipalities;
 2. WHEREAS the growing percentage of Indigenous people living in municipalities and the Friendship Centres that serve them participate in and contribute to municipal community life;
 3. WHEREAS the Friendship Centres have existed in Ontario municipalities for over half a century and have vital roles to play in community development, social cohesion, and improving the quality of life for Indigenous people living in urban and rural areas;
 4. WHEREAS the Friendship Centres receive their mandate from their communities and are inclusive of all Indigenous people;
 5. WHEREAS municipal governments have a growing and critical role in human and social services and community development and many have shown leadership in working in partnership with Indigenous organizations;
 6. WHEREAS the Truth and Reconciliation Commission defines reconciliation as “an ongoing process of establishing and maintaining respectful relationships”;
 7. WHEREAS strengthening relations between Indigenous and non-Indigenous people is essential to municipal governments, Friendship Centres, and communities across Ontario;
 8. WHEREAS municipal governments play an important role in providing and delivering valuable programs and services to meet the needs of their residents, as well as being responsible, in all or some part, for over two hundred and eighty (280) pieces of provincial legislation that impact daily life of all who live in Ontario;
 9. WHEREAS many municipal governments and Friendship Centres have taken up the responsibility to collaborate on a variety of initiatives that improve Indigenous quality of life and have had tangible community impacts;
 10. WHEREAS municipal governments are on the front-lines working directly with all individuals to support and determine social determinants of health, demonstrating a notion of direct responsibility contributing to community wellbeing and prosperity;
 11. WHEREAS the AMO has developed the Indigenous Relations Task Force to advise the AMO Board of Directors on municipal-Indigenous relationship building;
 12. WHEREAS the OFIFC was founded in 1971 and works to support, advocate for and build the capacity of member Friendship Centres across Ontario;
 13. WHEREAS the Friendship Centre Movement is the largest Indigenous service network in the province supporting the vibrant and quickly-growing Indigenous population through programming, research, education, and policy advocacy;
 14. WHEREAS AMO and OFIFC are partnering on a variety of initiatives to improve collaboration and information sharing amongst our membership, not limited to the work

of the AMO-OFIFC Indigenous Relations Working Group and the AMO-OFIFC Memorandum of Understanding signed on date; AND

15. WHEREAS this declaration is a living document that municipal governments and Friendship Centres can sign onto or use as a framework for the development of local or regional declarations that can be addended to this declaration;

THAT SIGNATORY MUNICIPAL GOVERNMENTS RECOGNIZE:

16. THAT Indigenous people reside and build community and resilience in municipalities across Ontario;
17. THE value of Indigenous knowledge and expertise to design, plan, implement, and evaluate public policy and programs that impact the wellbeing of Indigenous people is paramount;
18. THE responsibility taken up by Indigenous Friendship Centres to meet Indigenous community need;
19. THE value of building relationships and partnerships with Friendship Centres to improve the quality of life of Indigenous people in their municipality; AND
20. THAT the exchange of information and skills within and between municipal governments and related associations contribute to improved understanding in the area of Indigenous relations.

THAT SIGNATORY ONTARIO INDIGENOUS FRIENDSHIP CENTRES RECOGNIZE:

21. THAT they are and have been leaders in urban Indigenous community development and in reflecting and responding to the needs of Indigenous people in municipalities for over half a century;
22. THAT they are engaged in local and regional affairs and that they contribute to municipal life and that they lead the Indigenous social, community, economic, and cultural development of municipalities across Ontario;
23. THE responsibility taken up by municipal governments to meet and serve Indigenous communities;
24. THAT municipal governments provide essential services that Friendship Centre community members rely on to thrive;
25. THAT municipal governments are leaders in Ontario in meeting community needs through local programs, services and community development, be they in human and social services, public safety or public works/infrastructure, and are integral to community well-being and the social determinants of health;
26. THAT the development and maintenance of good relationships and partnerships with municipal governments is essential to achieving long-term positive impact on Indigenous communities; AND
27. THAT Friendship Centres acknowledge that they operate in a municipal landscape and rely on municipal governments.

ALL SIGNATORIES RECOGNIZE:

28. THAT we are uniquely positioned to improve community-wellbeing through local policy development, programs and services as we are well-equipped to be responsive to community needs;
29. THAT community-identified needs and priorities should provide the basis for policy and program development, and that we are uniquely positioned to improve the quality of life of Indigenous people living in municipalities;
30. THAT mutual respect, responsibility, trust, transparency and collaboration to meet common community priorities are key principles of relationship building between non-Indigenous and Indigenous organizations;
31. THAT the Friendship Centres and municipal governments play key roles in working against racism, inequality, discrimination, and stigma within and between communities;
32. THAT the goal of this declaration is to provide municipal governments and Friendship Centres with a framework for relationship-building to advance reconciliation in communities across Ontario;
33. THAT the goal of this declaration is to enhance social cohesion between Indigenous and non-Indigenous people and support closer cultural, social and civic ties between Indigenous and non-Indigenous people;
34. THAT we can play a leadership role and set a standard by advancing reconciliation locally and regionally through partnerships and collaboration;
35. THAT fostering local and regional partnerships is integral to improving the quality of life for all communities; AND
36. THAT we establish and maintain an ongoing dialogue and working relationships at the local and provincial orders.

SIGNATORIES AND ADJACENT DATES:

AMO

OFIFC

Ongoing Signatures:

Municipal Governments (Elected Officials)

Friendship Centres (Presidents)

City of Mississauga
Corporate Report



<p>Date: October 20, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer</p>	<p>Meeting date: November 4, 2020</p>

Subject

2019 Annual Report for Access Requests under the Municipal Freedom of Information and Protection of Privacy Act

Recommendation

That the report from the Commissioner of Corporate Services and Chief Financial Officer, dated October 20, 2020, regarding the 2019 Access Requests under the Municipal Freedom of Information and Protection of Privacy Act be received.

Background

The City of Mississauga is governed by the Municipal Freedom of Information and Protection of Privacy Act (the "Act"). The two key purposes of the Act are to ensure the right of access to government held records and information and to protect the personal privacy of individuals.

Much of the information disclosed by the City occurs on a routine basis. That is, the City may provide access to records or information without a formal FOI process. The Office of the City Clerk frequently provides assistance to staff across the corporation to process requests through routine disclosure. However, when information is of a personal, confidential or commercial nature, the release of the information may be handled by the Office of the City Clerk through a formal access request under the Act. A decision regarding the release of the requested information is then issued by the City Clerk. This decision can be appealed to the Information and Privacy Commissioner by the requestor of the information.

The Information and Privacy Commissioner ("IPC") is an officer of the Legislature appointed to provide an independent review of the decisions of provincial and municipal organizations under access and privacy laws. This report contains 2019 statistics that were submitted in the beginning of this year to the IPC for their annual report, published subsequently on May 28, 2020, which provides statistics on the number and type of access requests received across the province and highlights significant access and privacy issues.

Comments

Access Request Statistics

In 2019, the City received 856 FOI requests, representing a slight decrease in requests received from the previous reporting period in 2018. Over the past 10 years, the number of FOI requests received has increased by approximately 34%. A graph showing the statistics of requests received since 2009 is included in the Appendix 1.

In accordance with the Act, the City has 30 days to issue an access decision once a request for records is received. In 2019, 94.9% requests were completed within the 30 day time frame.

In qualifying circumstances, such as volume of the records requested or records that require consultation; the City may extend the time frame by notifying the requestors of the reason for the extension. In such instances, the City has achieved a compliance rate of 95.20%.

In comparison to all municipal government organizations in Ontario, the City's rate continues to surpass the average 30-day compliance rate of 84.40% and extended compliance rate of 90.00%.

Fee Statistics

Under the Act, a \$5 application fee is mandatory. In addition, there are several regulated fees that may apply to requests. Over half of the requests completed warranted additional fees, such as search time, reproduction costs, preparation time, shipping, computer costs and invoiced costs. The total amount collected in 2019 was \$28,046.56.

Appeal to the IPC

The City Clerk's decision on an access request is appealable to the IPC by the requestor or, in some cases, by an affected third party. The City received seven appeals to the IPC in 2019. Most of these appeals involved the information being withheld from disclosure under one or more exemptions of the Act. Of these seven appeals, two have been resolved. The others are currently being adjudicated by the IPC.

Public Interest

As part of the City of Mississauga's commitment to accountability and transparency, a list of requests received under the Act that could be of public interest has been compiled and is included in the Appendix 2.

Financial Impact

Not applicable

Conclusion

The 2019 access request statistics have once again highlighted the City of Mississauga's excellent record in complying with the response rate requirements of the Act. The City of

Mississauga will strive to continue its outstanding response rate, at the same time promoting the importance of privacy issues.

Attachments

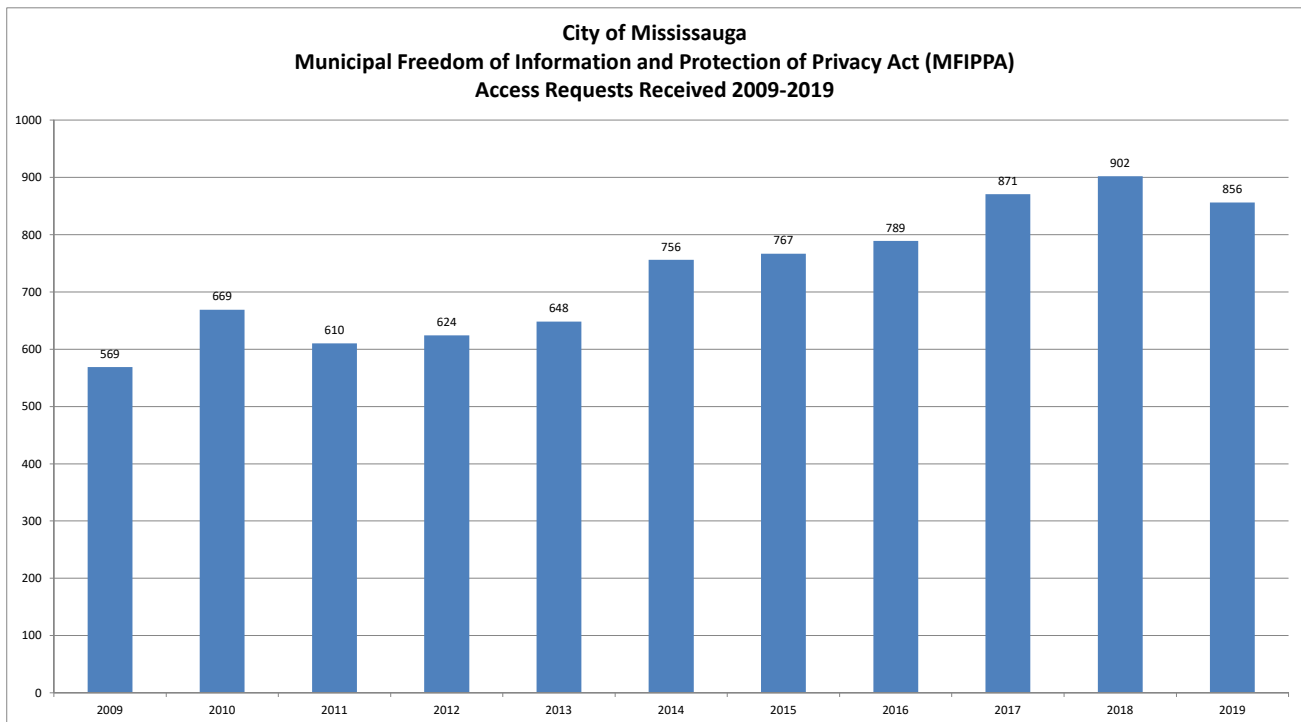
Appendix: 1: Access Requests Received 2009-2019

Appendix: 2: 2019 Report of Public Interest Requests



Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Paul Wan, Access and Privacy Officer



2019 Report of Public Interest Requests

Request no.	Subject
2019-0017	Municipal Access Agreement between the City and Bell Canada regarding Bell's installation of fibre optic cabling in the City of Mississauga
2019-0110	MiWay Transit 2018 Operational Data: Operating budget; Mean distance between failures by fleet and road call history; closed doors incident report; service performance evaluation; annual Presto trip amounts by rider category; annual Presto loyalty free trip amounts by rider category.
2019-0146	All documentation regarding pedestrian safety, pedestrian crosswalks, pedestrian mid-block crossing installations, at or near the intersection of the College Way and Glen Erin Drive.
2019-0167	A copy of the management agreement between the City of Mississauga and SMG for the Paramount Fine Foods.
2019-0190	All communications regarding the election for a new TRCA Board chair.
2019-0270	Various tender documents and addenda relating to road resurfacing - PRC000119, PRC001490 and PRC001501; road construction - PRC000749 and PRC001500; MiWay Five consulting - PRC001565; road sweeping - FA.49.039-17; bus acquisitions - FA.49.669-16, FA.49-316-16, FA.49.844-10 and FA.49.591-09.
2019-0340	A copy of the agreement between Markborough Properties Ltd and the City dated July 25, 1984.
2019-0354	Contract between the City of Mississauga and "Principles Integrity" Integrity Commissioner.
2019-0455	Detailed invoice from Principal Integrity for the date of May 13, 2019.
2019-0726	Tender documents & addenda for PRC001565 (Consulting for MiWay); FA.49.554-13 (Consulting for MiWay); PRC001820 (Transit Bus Acquisition)
2019-0752	Billing invoice for the month of September 2019 from Principles Integrity.

City of Mississauga
Corporate Report



<p>Date: October 14, 2020</p> <p>To: Chair and Members of 11</p> <p>From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works</p>	<p>Originator's files: MG.23.REP RT.10.Z-13</p>
	<p>Meeting date: November 4, 2020</p>

Subject

All-way Stop – Tolman Road and Russett Road (Ward 1)

Recommendation

That an all-way stop control not be implemented at the intersection of Tolman Road and Russett Road as outlined in the report from the Commissioner of Transportation and Works, dated October 14, 2020 and entitled “All-way Stop - Tolman Road and Russett Road (Ward 1)”.

Background

The Transportation and Works Department has been requested by the Ward Councillor to submit a report to the General Committee regarding the implementation of an all-way stop at the intersection of Tolman Road and Russett Road.

Currently the intersection of Tolman Road and Russett Road operates as a four-leg intersection with a stop control for eastbound and westbound traffic on Russett Road. A location map is attached as Appendix 1.

Comments

Both A.M. and P.M. turning movement counts were completed on September 22, 2020 to determine the need for an all-way stop based on traffic volumes. The results are as follows:

<u>Tolman Road and Russett Road</u>		<u>Warrant Value</u>
Part “A”	Volume for All Approaches	17%
Part “B”	Minor Street Volume	100%

As per the criteria for all-way stops outlined in the City of Mississauga’s Corporate Policy and Procedure – All-Way Stop Signs 10-05-04, in order for an all-way stop to be warranted, both parts “A” and “B” must equal 100%.” A review of the study results revealed an average of 29 total vehicles per hour entering the intersection, approximately 1 vehicle every two minutes.

A review of the collision history at this intersection did not reveal any reported collisions within the past three years. For an all-way stop control to be warranted based on collision frequency, at least five collisions must occur in a 12-month period, provided the collisions are of the type considered correctable by the use of an all-way stop (i.e. turning movement, angle collisions).

The alignment of the intersection is not ideal and, therefore, could potentially benefit from an all-way stop control. However, an all-way stop is not warranted based on the turning movement count results and collision history.

Financial Impact

In the event that an all-way stop is approved, the cost for the signs installation and pavement markings can be accommodated in the 2020 Operating Budget in cost center 23978.

Conclusion

Based on the manual turning movement count results and collision history of this intersection, the Transportation and Works Department recommends against the installation of an all-way stop at the intersection of Tolman Road and Russett Road.

Attachments

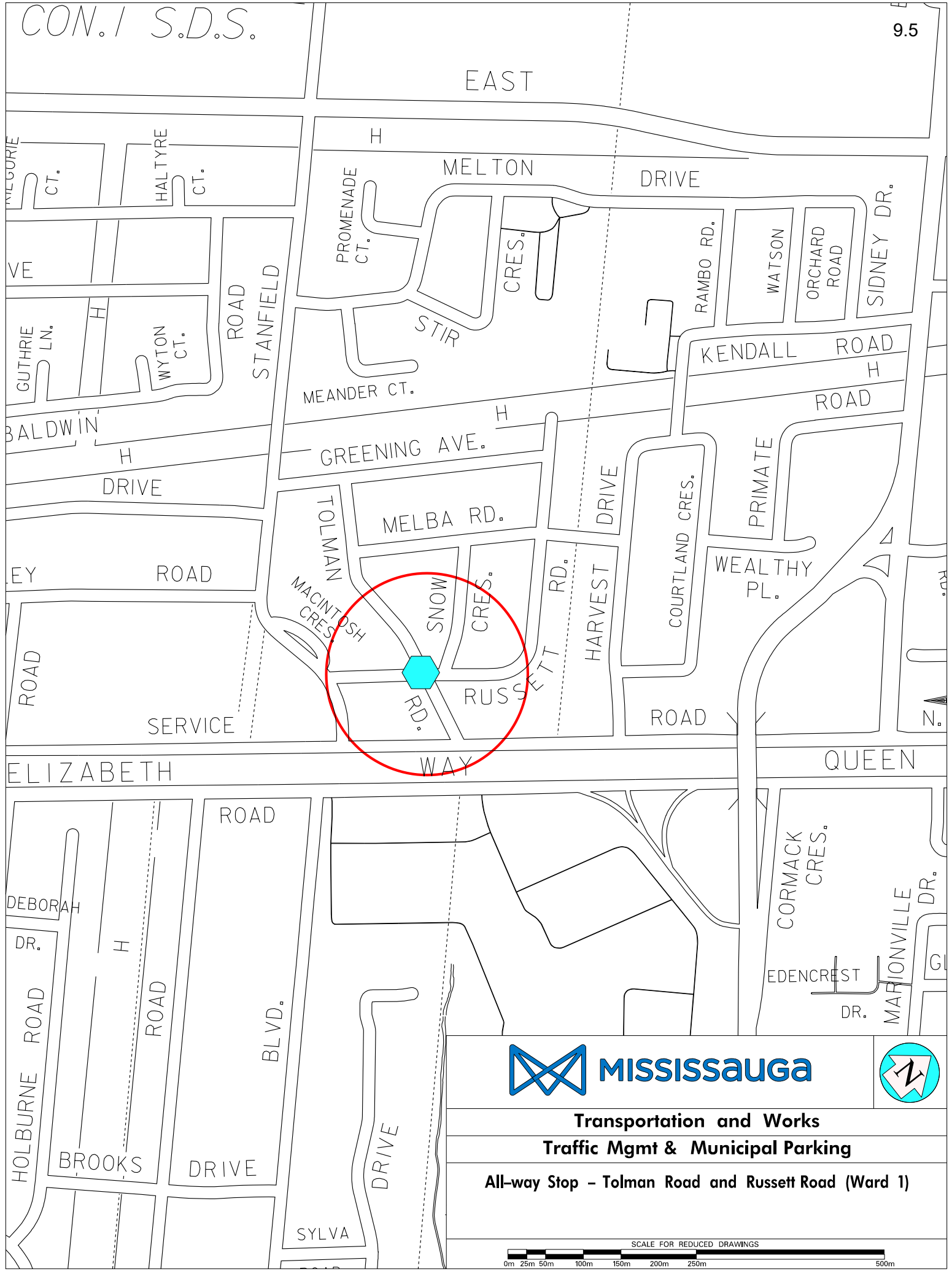
Appendix 1: Location Map - All-way Stop - Tolman Road and Russett Road (Ward 1)



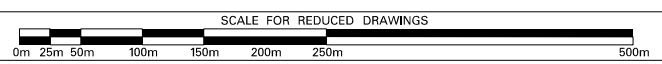
Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

Prepared by: Ouliana Drobychevskaia, Traffic Operations Technologist

CON. / S.D.S.



Transportation and Works
Traffic Mgmt & Municipal Parking
All-way Stop - Tolman Road and Russett Road (Ward 1)



City of Mississauga
Corporate Report



<p>Date: October 5, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works</p>	<p>Meeting date: November 4, 2020</p>

Subject

Short-Term Accommodation Regulatory Framework

Recommendation

1. That a by-law be enacted to license Short-Term Accommodation Operators, including implementing an administrative penalty system as outlined in the report from the Commissioner of Transportation and Works dated October 5, 2020 and entitled "Short-Term Accommodation Regulatory Framework".
2. That the enforcement plan, as outlined in the report from the Commissioner of Transportation and Works dated October 5, 2020 and entitled "Short-Term Accommodation Regulatory Framework" be approved.
3. That an annual licensing fee of \$250.00 for Short-Term Accommodation (STA) Operators, effective January 19, 2021 be established.
4. That the 2020 complement for Enforcement be increased to include three permanent Full-Time Equivalents, (FTE). All three positions will be funded through capital funding with a start date of December 1, 2020 and an end date of December 31, 2022
5. That the acquisition of a third-party STA data collection service be approved at an estimated cost of \$45,000.
6. That a new capital project PN 20-093 "STA Implementation Project" be established with a gross budget of \$820,000 and net budget of \$320,000 and that funding be allocated from Capital Reserve Funds, Account # 33121.
7. That funding of \$320,000 be transferred from Capital Reserve Funds, Account # 33121 to PN 20-093 "STA Implementation Project".
8. That a letter be sent by the Mayor on behalf of Council to the Premier and the Ministry of Municipal Affairs and Housing requesting that the Provincial Government begin to regulate STA Companies and Operators.
9. That all necessary by-laws be enacted.

Report Highlights

- There are an estimated 1,500 Short-Term Accommodation (STA) Operators and 20 STA Companies in the City of Mississauga.
- An STA Licensing By-law for Operators will achieve all public safety, community standards and licensing compliance objectives.
- The STA Licensing By-law will come into force and effect in January 2021 with a six month grace period to allow all STA Operators to gain compliance.
- The implementation, monitoring and assessment period of the STA regulatory framework will be funded through a two year capital project and staff will report back to GC in 2022 with a permanent operating budget recommendation.

Background

Definitions

For the purposes of this report, the following definitions will apply:

- Short Term Accommodation (STA) means all or part of a dwelling unit that is the principal residence of the owner or leaseholder that is rented for temporary overnight accommodation for 30 consecutive days or less (as per Zoning By-law).
- Principal Residence means all or part of the dwelling unit where a person lives for the majority of a calendar year (as per Zoning By-law).
- Short Term Accommodation (STA) Company means any company facilitating or brokering STA reservations online and receiving payment for this service (i.e. Airbnb, Expedia, VRBO, etc.).
- Short Term Accommodation (STA) Operator means any person/owner/tenant who operates an STA for a fee within their principal residence.

Should Council support an STA Licensing By-law, the definitions above are subject to change and final approval by Legal Services.

Zoning By-Law

On July 18, 2018, the Zoning By-law amendment permitting Short-Term Accommodation (STAs) went into force and effect. The Zoning By-law defined STA and principal residence as detailed in the definitions above.

Municipal Accommodation Tax

On April 1, 2018, the Municipal Accommodation Tax (MAT) came into effect. STAs were subject to the 4% MAT and on August 29, 2018, Airbnb entered into a Voluntary Collection Agreement with the City. The agreement has Airbnb remitting the MAT on a quarterly basis on behalf of all their STA Operators in the City. In 2019, Airbnb remitted a total to \$524,251. Due to COVID-19, the remittance of MAT collected was deferred in 2020. Despite the remittance deferral, Airbnb has continued with their quarterly remittance by submitting \$113,368 for the first two quarters of 2020.

Licensing and Enforcement

On April 18, 2018, the staff report entitled 'Short-Term Accommodation Regulatory Framework' was deferred by General Committee. Following the deferral, Enforcement staff began to assess alternative regulatory frameworks and implement an online business licensing solution.

Enforcement staff also began enforcing the Zoning By-law permitting STAs.

Present Status

STA Operators in Mississauga

There are an estimated 1,500 STA Operators in the City of Mississauga. This estimate is based on staff open source research as well as information provided by Host Compliance, a US based technology company offering STA regulatory services. According to Host Compliance, 58% of all Mississauga listings are the entire home and the remaining 42% are a partial home (i.e. a room for rent). The distribution is quite evenly spread across the City; however, there is a higher concentration in the city centre.

The STA market appears to have fluctuated significantly over the past two years. In 2018, staff reported that the total number of STA Operators was 800. This estimate increased to 1,800 in early 2020 but has since decreased to 1,500. The reason for the decrease is likely due to COVID-19.

STA Companies in Mississauga

There are approximately 20 STA companies advertising listings through online platforms in Mississauga. Companies of note include Airbnb, Expedia, FlipKey and VRBO. The exact number of STA companies and the market share of listings changes regularly in a relatively fragmented market. However, Airbnb is the market leader and is estimated to account for 60%-80% of all listings and bookings in Mississauga.

Relevant Legislation

Motels and hotels are regulated within the City of Mississauga zoning provisions under "Overnight Accommodation" and is a permitted use. These locations are defined as a "building, structure or part thereof, used for the purpose of providing temporary accommodation that contains at least 20 bedrooms". Further, these locations are regulated under provincial legislation that ensures worker and public safety. These locations are required to adhere to the *Hotel Registration of Guests Act*, *Innkeepers Act*, *Ontario Building Code Act*, Fire regulations, *Accessibility for Ontarians with Disabilities Act*, *Taxation Act* and the *Workplace Safety Act*. Residential based STA's do not fall under these regulations.

Individual condominium boards have the discretion to amend and/or introduce new restrictions detailing the permitted uses of units under their direct authority. Condominium boards may exercise their authority by prohibiting condominium owners from using their unit for STA's. The *Residential Tenancies Act* restricts tenants from subletting/renting the unit for a monetary amount that is higher than the allowable rental ceiling. Further, a well authored lease agreement

can prohibit commercial use of a residential rental unit and could be grounds for legal action on the part of the landlord.

Comments

REGULATORY OBJECTIVES

The primary objectives of the recommended STA Regulatory Framework are to:

1. **Ensure Public Safety.** High risk STA related incidents such as house parties and shootings have occurred in the recent past. The recommended framework will improve the ability to identify and remove any high risk STA Operators from online platforms quickly and permanently.
2. **Maintain Community Standards.** Public nuisance issues such as noise, garbage and parking are often associated with poorly managed STA Operators. The recommended framework will equip Enforcement with additional regulatory tools to minimize these public nuisances.
3. **Improve Public Complaint Response.** The recommended licencing information and online investigative tactics will allow Enforcement to quickly identify and respond to STA related public complaints.
4. **Ensure By-law Compliance.** Data driven proactive enforcement operations will ensure compliance with the existing Zoning By-law and recommended STA Licensing By-law.

BY-LAW OVERVIEW

Operator Licence

It is recommended that an STA Licensing By-law be established for STA Operators. A Short Term-Accommodation Operator will include “A person who carries on the business of providing a Short Term Rental Accommodation.” An Operator will not include operators of motels or hotels or landlords in accordance with the *Residential Tenancies Act*.

A Short Term-Accommodation Operator will be required to:

- Be at least 18 years of age or older.
- Provide basic information, including contact name/information and address/contact information to Compliance and Licensing for contact person available 24hrs/day, seven days/week.
- Person of contact must respond to calls from Enforcement or Police within 24 hours.
- Provide declaration that the address is their principal residence.
- Provide declaration that tenant/condo owner’s rental agreement or condominium by-law do not prohibit STA’s.
- Provide approved government issued identification at time of application.
- Operators must post their City issued licence number in all advertisements for their STA whether through online platforms or any other forms of public advertising.
- Keep records of all STA rental activity and, if requested, provide those records to the City.
- Provide 24hrs/day, seven days/week emergency contact information to guests.

- Describe the type of building and what parts of the property will be used for short-term accommodation.
- Cap the number of guests per accommodation to two persons per bedroom.
- Pay the proposed annual registration fee of \$250.00.
- Comply with all Federal, Provincial and Municipal laws including regulations set out within this and any other City by-laws.
- Remove all online listings and advertisements when directed to do so.

Company Licensing Considerations

Regulating multiple companies in multiple countries performing different roles under one STA company umbrella poses significant legal and prosecution challenges. Similar challenges were experienced during the initial regulation of Transportation Network Companies (TNC) and drivers. Due to the complexity of a TNC's legal identity, staff focussed on laying charges against the drivers (Operators) and not the companies. As the TNC regulatory framework matured, TNC companies eventually became licensed and today the TNC regulatory framework has proven to be extremely effective.

Given the challenges in regulating STA Companies, it is recommended that a letter be sent by the Mayor on behalf of Council to the Premier and the Ministry of Municipal Affairs and Housing requesting that the Provincial Government begin to regulate STA Companies and Operators. The Province has greater legislative authority and would ensure a consistent approach to STA regulations across Ontario.

Therefore, an STA Company licensing requirement is not recommended at this time. There are four primary reasons:

1. An STA Operator licensing scheme will provide all of the necessary controls needed to address STA related issues.
2. An STA Company Licence is highly unlikely to be complied with by the majority of the 20 companies operating in the City.
3. An STA Company Licence adds an administrative layer of complexity where the costs outweigh any potential benefits.
4. The existing voluntary agreements that have been established with the primary STA Company, Airbnb, is mutually beneficial and has been effective over the past two years.

Staff will continue to monitor and assess other regulatory frameworks and, if required, will consider an STA Company Licence in the future.

Voluntary STA Company Agreements

The existing voluntary agreements established with Airbnb over the past two years have been effective. Staff will continue to develop the existing agreements with Airbnb as well as implementing new agreements with all other STA Companies. The objective will be to obtain voluntary STA Company Agreements in the following areas:

1. Create a mandatory field for the operator city licence number / information, (Viewable on platform listing).
2. Remove non-compliant operators from the platform upon request, (Dependant on the circumstances, criminal activity and/or public safety issue).
3. Promote and educate their Operators about the City's by-law requirements and regulations
4. Enter into Voluntary Collection Agreements for MAT remittances.

Force and Effect Date

It is recommended that the force and effect date for the STA By-law be January 19, 2021. This will align with the 'go live' date of the Online Business Licensing solution. STA Operators will have a six month grace period to obtain a licence. Following the six month grace period, proactive licensing enforcement operations will commence.

Penalties and Fines

The administration of penalties and fines will consist of a progressive approach using the Licensing Administrative Penalty System and the Provincial Offences Act.

The following offence fines are recommended for addition to the Licensing Administrative Penalty By-law 135-14 and issued through the Licensing Administrative Penalty System:

1. Operate / Advertise an unlicensed STA rental property – \$200.00.
2. Renting / Advertising property that is not a principal residence - \$200.00.
3. Advertising a STA rental, licence number not displayed – \$200.00.
4. Fail to notify the City of changes in licensing information – \$150.00.
5. Obstructing an authorized inspection – \$500.00.
6. Making false or misleading statement during licensing - \$500.00.

All other penalty fines stemming from the STA Licensing By-law are recommended to be set in the range of \$150 to \$500. Further infractions or an escalation of infractions would be dealt with by way of the Provincial Offences Act. Set fines will be established and administered by way of Part 1 offence notices. Part 3 summons will have a maximum fine of \$10,000.00.

ENFORCEMENT PLAN

Public Complaint Response

STA related public complaints will be responded to within five business days and is consistent with similar complaint response times for property standards and business licensing. High risk complaints related to public safety will be investigated within 24 hours. Complaints that present a continuation of an offence such as a house party, or an immediate public safety concern will also be escalated to police.

Proactive Licensing Enforcement

Staff will proactively identify unlicensed STAs using in-house and third party provided public information. Once an unlicensed STA has been identified, Enforcement will initiate an investigation to verify the illegal operation and proceed with charges under the STA By-law. The expected outcome is that STA Operator licensing compliance rates will increase continuously over time. Once STA Operators realize that they cannot simply move their listing to another website to avoid being detected, they are very likely to comply with the by-law.

Licensing Manager Review Process

Licensed STA Operators that violate the STA By-law terms and conditions will be subject to a Licensing Manager Review Process. This may include implementing a suspension period or ultimately, revocation of the licence depending on the frequency and severity of the violation(s).

Staffing

A Project Manager and Business Analyst will be required to develop, implement and assess this new regulatory framework. One Municipal Law Enforcement Officer will be required for licensing, public complaint response and proactive licensing enforcement. All three staff positions are being requested for a two year period. Following that, staff will report back to GC with a recommended permanent staffing model based on two year actual revenues, operating costs and complaint volumes.

Education Plan

The education plan will have three primary audiences and each will have a specific area of focus:

1. Residents. Informing the public of the general STA By-law requirements and the public complaint process.
2. STA Operators. Informing Operators of the specific STA By-law requirements and the online business licensing solution.
3. STA Companies. Informing Operators of the specific STA By-law requirements, the online business licensing solution and seeking the voluntary support in educating their customers.

The key success measure will be the STA Operator licencing compliance rates. Working with Strategic Communications, audiences will be reached through standard City channels including, social media, digital signage, media relations, website updates, print and online material. As well as collaborating with the Economic Development Office and Tourism Mississauga will also aim to leverage their web, social media, e-newsletters and stakeholder outreach to encourage licensing.

Implementation, Monitoring and Assessment

As mentioned previously, a non-permanent staffing model is recommended for 2021 and 2022 because of several variables that will impact both revenues and operating costs. These variables include:

- Licensing Compliance Rates: The proactive enforcement model will ensure that all STA Operators will eventually be licensed over time. However the time it will take to achieve this is unknown.
- Total Number of Operator Licences: The number of STA Operators has fluctuated over the past two years and it continues to remain uncertain. The impacts of COVID-19 have not been fully realized and more time is required to accurately project the number of Operators and the associated licensing revenues.
- Public Complaint Volumes: A new STA By-law and education campaign is likely to cause an increase in the number of public complaints. A substantial increase in annual public complaints (e.g. more than 500/year) would likely require additional Officers.
- Proactive Investigations and Enforcement: This type of activity will be resource intensive especially if provincial offence charges are laid. However, if the initial compliance rates are high and proactive enforcement is not required, fewer inspection Officers will be required in the future.
- Penalty Revenues: Based on the recommended administrative penalty fines, the penalty revenue has a wide potential range and is linked to the other variables mentioned above.

In addition to measuring these variables, the two year monitoring and assessment period will also:

- Fully develop and implement all regulations, policies and standard operating procedures required to realize the stated objectives in this report.
- Measure service levels that include: initial response, average staff time per file and complaint resolution times in order to determine the effectiveness of the model.
- Evaluate other jurisdictional frameworks and monitor changes in the STA industry.

The key measure of success will be the STA Operator compliance rate. Staff will report back to GC in 2022 with a service level assessment and permanent operating budget recommendation that will aim to be 100% cost recoverable.

JURISDICTIONAL SCAN

The jurisdictions reviewed were Brampton, Burlington, Calgary, Oakville, Town of Niagara on the Lake, Newmarket, Markham, Prince Edward County, Toronto, Town of The Blue Mountains, Vancouver, and Vaughan (see Appendix A). The following are the key findings of the jurisdictional scan:

- Two of the twelve jurisdictions do not have STA regulations at this time.
- One of the twelve jurisdictions does not permit STAs.
- Four of the twelve jurisdictions licence both the STA Company and STA Operator.
- Five of the twelve jurisdictions licence the STA Operator only.
- Five of the twelve jurisdictions limit STAs to the primary residence only.

To date, no STA Companies have actually been licensed in any of these cities and it is extremely unlikely that all twenty identified STA Companies will ever licence in any one

jurisdiction. In Canada, the most mature regulatory framework is the City of Vancouver, followed by the City of Calgary. Both jurisdictions have limited their licensing requirement to STA Operators only and the recommendations in this report align with those models.

STAKEHOLDER ENGAGEMENT

In 2018 the Planning and Building Department conducted stakeholder engagement to understand stakeholder's concerns regarding the operation of STAs in Mississauga. Input received from the engagement sessions suggested significant support for permitting STA's within a regulatory framework and identified the following community concerns:

- Nuisance issues (parking, noise, litter and debris);
- House parties;
- Reduced rental housing stock and affordability; and
- Preserving community character.

In September 2020, Enforcement staff conducted two virtual stakeholder engagement sessions with residents and ratepayer associations to receive their feedback on the proposed regulatory framework for STAs (see Appendix B). The stakeholders were primarily concerned with ensuring that STA Operators would be held accountable and that community standards be maintained. The feedback received highlighted the following concerns:

- Ensuring STA Operators are the principal residents of the property;
- 3-1-1 availability and Enforcement response to residents' complaints;
- STA companies willingness to cooperate with Enforcement;
- Licensing fees for Operators; and
- Penalties for non-compliant Operators.

Overall, the stakeholder feedback was constructive and positive. Most participants were satisfied with the regulatory approach and no significant issues were identified.

Financial Impact

The financial impact resulting from recommendations for the STA Implementation Project are as follows:

Revenues:

The projected revenue associated with the STA Implementation Project is based on the projected rental accommodation. The Licensing Fee of \$250 per rental accommodation with estimated of 1,500 rental accommodation per year will generate \$500,000 over the two years.

Staffing:**2020-2022 Contract Staff Cost**

(Excluding Court's administration cost)

Position	Contract FTE	Grade	2020	2021	2022
Project Manager - Start Dec 1, 2020	1	F	\$12,230	\$111,499	\$113,450
Business Analyst - Start Dec 1, 2020	1	F	\$12,230	\$111,499	\$113,450
MLEO - Start April 1, 2021	1	E		\$72,890	\$99,677
			\$24,460	\$295,888	\$326,577
Total Cost Over Two Years:			\$646,925		

Operating Cost:

The expenditures projected to be \$820,000 over the two years period. The total expenditures are related to staffing costs for project leadership, analysis and inspection. Also included in the projection are additional costs for equipment, IT support, and associated inspection and mileage expenses. The net cost for the STA Implementation Project is \$320,000 over the two years and will be funded with Capital Reserve Funds, Account # 33121. The following table details the total expenditures from 2020 to 2022.

Short Term Accommodation (STA) Implementation Project

Expense Categories	2020 Start of STA Implementation Project	2021 50% Compliance rate - \$250/ Rental Unit	2022 75% Compliance rate \$250/ Rental Unit	Total STA Implementation Project Cost
Labour and Benefits	24,460	298,288	331,577	654,325
Other Operating Costs	40,000	62,300	62,300	164,600
Total Gross Expenditure	64,460	360,588	393,877	818,925
Licensing Fees - Revenue		-187,500	-281,250	-468,750
Penalty Fees		-12,000	-25,000	-37,000
Total Net Cost	64,460	161,088	87,627	313,175

Conclusion

The recommended regulatory framework will achieve the four primary objectives:

1. Ensure Public Safety
2. Maintain Community Standards
3. Improve Public Complaint Response
4. Ensure By-law Compliance

Pending Council approval, the STA By-law will come into force and effect on January 19, 2021. A non-permanent staffing model will implement, monitor and assess the recommended framework over a two year period. Staff will report back to GC in 2022 with a service level assessment and permanent operating budget recommendation.

Attachments

Appendix 1: Jurisdictional Scan

Appendix 2: Stakeholder Engagement Summary



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

Prepared by: Chris Giles, Manager, Compliance and Licensing Enforcement

Short-Term Accommodations Jurisdictional Scan September 2020

Category	Calgary	Oakville	Town of Niagara on the Lake	Newmarket	Prince Edward County *program on hold*	Toronto	Town of The Blue Mountains	Vancouver	Vaughan	Mississauga (Proposed)
Program Title	Short-Term Rental (STR)	Short-Term Accommodation (STA)	Short-Term Rental (STR)	Short-Term Rental (STR)	Short-Term Accommodation (STA)	Short-Term Rental (STR)	Short-Term Accommodation (STA)	Short-Term Rental (STR)	Short-Term Rental (STR)	Short-Term Accommodation (STA)
Licence home-sharing platform	No	Yes Annual licence fee of \$45,390 (currently under review)	No	Yes Annual licence fee of \$5,000 On-going fee of \$1.00 for every rental night booked	No	Yes One-time licence application fee of \$5,000 On-going fee of \$1.00 for every rental night booked	No	No	Yes Annual license fee (up to 10 properties): \$500.00 Annual license fee (11 to 50 properties): \$1,000.00 Annual license fee (51 to 100 properties): \$5,000.00 Annual license fee (more than 100 properties): \$10,000.00	No
Licence Operators	Yes \$100.00 per property for Tier 1: 1 to 4 rooms offered for rent Renewal: \$100.00	Yes Annual fee of \$242.00	Yes Annual fee of \$115.00 per room	Yes Annual licensing fees: \$100.00 for 1 bedroom	Yes Primary Residence STA: Licence fee of \$200.00 per guest room	Yes Annual fee of \$50.00	Yes 2 year period licence fee of \$2,500.00 Renewal fee of \$1,000.00	Yes Annual fee of \$99.00	Yes Annual fee of \$300.00	Yes Annual fee of \$250.00

Short-Term Accommodations Jurisdictional Scan September 2020

Category	Calgary	Oakville	Town of Niagara on the Lake	Newmarket	Prince Edward County *program on hold*	Toronto	Town of The Blue Mountains	Vancouver	Vaughan	Mississauga (Proposed)
	\$172.00 per property for Tier 2: 5 or more rooms offered for rent Renewal: \$131.00			#200.00 for 2 bedrooms \$300.00 for 3 bedrooms	Renewal fee of \$100.00 per guest room Whole Home STA: Licence fee of \$325.00 per guest room Renewal fee of \$162.50 per guest room		2 year period licence fee (condos) of \$1,500.00 Renewal fee of \$500.00			
Limit accommodation to principal residences	No	Yes	No	Yes	No	Yes	No	Yes	Yes	Yes
Maximum number of consecutive days	Yes Less than 30 consecutive days	Yes Less than 28 consecutive days	Yes Less than 28 consecutive days	Yes Less than 28 consecutive days	Yes Less than 30 consecutive days	Yes Less than 28 consecutive days	Yes Less than 30 consecutive days	Yes Less than 30 consecutive days	Yes Less than 29 consecutive days	Yes Less than 30 consecutive days
Maximum number of days per year	No	No	No	No	No	Yes Bedrooms: unlimited number of nights per year Entire Home:	No	No	No	No

Short-Term Accommodations Jurisdictional Scan September 2020

Category	Calgary	Oakville	Town of Niagara on the Lake	Newmarket	Prince Edward County *program on hold*	Toronto	Town of The Blue Mountains	Vancouver	Vaughan	Mississauga (Proposed)
						Maximum 180 nights per year				
Fine for operating without a City licence	\$1,000.00	\$300.00	\$1,000.00	\$600.00	\$1,000.00	\$1,000.00	\$2,500.00	\$1,000.00	\$750.00	\$500.00
Demerit system for Operator licences	No	Yes	No	Yes	Yes	No	Yes	No	No	No
Jurisdictions with other STA regulatory frameworks										
Brampton	Currently initiating their review of STAs in the city and will be moving towards developing a business licensing model similar to Toronto's regulations.									
Burlington	Currently do not licence STAs in the City.									
Markham	Currently STAs are prohibited within the city.									



**Short-Term Accommodations Virtual Information Session 1
Resident and Ratepayer Associations
Monday, September 28th, 2020
6:30 - 8:00pm
WebEx Meeting**

Participants

Approximately 10 members from various resident and ratepayer associations attended this session.

Session Format

Jonathan De Luliis, Researcher, Enforcement Business Support, facilitated the session and provided opening remarks and introductions. Alexandra Schwenger, Policy Analyst, Enforcement Business Support, transcribed the session. Chris Giles, Manager, Compliance and Licensing, presented the proposed regulatory framework, addressed any questions or concerns, and provided closing remarks. Lastly, Ross Spreadburry, Supervisor, Compliance and Licensing, assisted with addressing any questions or concerns.

Chris Giles welcomed attendees to the consultation and gave a short presentation. This presentation included some background information about the By-laws pertaining to Short-Term Accommodations (STA), current state, jurisdictional findings, proposed regulatory measures and next steps.

The information session followed a discussion format; attendees were asked to provide their feedback guided by two main questions.

- 1) What are your specific concerns with STAs?
- 2) How would you like new by-law and regulatory changes communicated?

Ample time was allotted to allow participants to contribute in discussion and ask questions to Enforcement staff. Once the discussion had ended, Chris Giles provided closing remarks and thanked the attendees for taking the time to attend the session. Contact information for Enforcement was also provided to attendees. The feedback received from the session is captured below.

Feedback from Participants

Participants were asked two questions to guide the discussion portion of the session. Jonathan De Luliis moderated the discussion while Enforcement Staff documented the input and addressed questions and concerns. The feedback from the discussion is summarized below along with key points to Enforcement's response. This is not a word for word transcript of the session but a summarization of the main concerns and input from attendees.

1) What are your specific concerns with STAs?

- I would hope there is buy-in from the hotel industry.
- Are STAs paying the Municipal Accommodation Tax (MAT)?
 - *MAT is required for any STA that is for 30 days or less. The City currently has an agreement with Airbnb for the collection of MAT.*
- Has there been any challenges to collecting the MAT?
 - *MAT is collected by the Tax and Revenue Department.*
- Does the STA program encompass long-term rentals?
 - *No, the program only deals with STA which are for 30 days or less.*
- Are STA's permitted in all areas of the City or are their zoning restrictions?
 - *The Zoning By-law permits STA in zones R1-R16, RM1-RM9, RA1-RA5,C4, and CC1-CC4.*
- Are their different processes for an STA operating out of a home rather than a condo?
 - *Both Operators in each situation would have to go through the same proposed licensing process. However, condominium boards may have restrictions for STA operations within their buildings.*
- Will STA's be limited to principal residents and what does that mean for secondary residences?
 - *Yes, accommodations can only be provided under one's principal residence. Secondary residences are dealt with under different regulations.*
- Concerned with how Enforcement will enforce this program.
 - *Planning a regulatory framework will include an identification process for unlicensed operators. Information from comparable jurisdictions and data scraping services will help inform regulatory measures and goals for compliance.*
- Expressed high desire for enforcement penalties to have 'teeth'.
- Would like operators to display their licences on the exterior of the property- much like a building permit.
- STA's should be required to pay taxes similar to hotels.
- If property owners are responsible for property upkeep, how would residents make a complaint if the property is unkempt?
 - *Complaints related to unkempt properties can be submitted to Enforcement via 3-1-1 following that process an Officer will be dispatched. If a violation is observed notification will be given to remedy the violation in a given amount of time. If not dealt with in that prescribed period of time, property owners may face a penalty as prescribed in the associated by-law.*
- What will be the process for issuing complaints?
 - *3-1-1 is the main source for filing complaints. However, if it is a party after 3-1-1 operating hours at a suspected STA property or there is a public safety concern Peel Police should be contacted.*
- What about places renting to students for an entire semester, accommodations going over 30 days and not the property of the principal residence.

Appendix 2: Stakeholder Engagement Summary

- *This would not apply to the STA program. This would be dealt with under an existing program.*
- What are the requirements for having an STA?
 - *Principal residence, accommodation less than 30 days, obtain a licence from the City, and be a responsible Operator and community member.*
- Do building modifications have to be done to an STA property (separate entrance, fire exits)?
 - *No.*
- What percentage of STA are in the city centre?
 - *Approximately 50-60%.*
- Has Covid-19 impacted the STA market?
 - *Yes, Covid-19 has impacted the STA market very significantly, firstly with the emergency orders prohibiting them and then limiting their use during the first part of the pandemic. Also, travel is down and thus will have an impact on the STA market.*
- What can neighbourhoods do if they don't like an STA in their community? Do residents have a say?
 - *Residents can file legitimate complaints regarding STAs operating in their neighbourhood. Enforcement will take on the responsibility to ensure STA Operators are ensuring public safety and community standards.*
- Are STA inspections part of the proposed licensing process?
 - *Not at this time, no.*
- What is the cost to get a STA operator licence?
 - *Proposing an annual fee of \$250.00.*
- Would Enforcement be made first by education and then if there is no compliance would enforcement be made. What steps will be taken?
 - *After the proposed regulatory framework is approved there will be a six month educational/grace period after that six month period staff will escalate enforcement.*
- If the City hiring more officers to address STAs?
 - *Not at this time, Staff will assess the needs and demands of the program and report back with a request for additional staff if needed.*
- How safe is it to rent a STA during Covid-19?
 - *Provincial regulations regarding Covid-19 have identified the operating requirements for STAs and it is up to both the operators and potential users to act responsibly and do what they can to reduce the risk of spreading Covid-19.*
- When will this program go into effect?
 - *Early 2021 if accepted by Council this year.*
- Will local residents be notified when a STA is operating?
 - *Enforcement staff will not be notifying residents when an STA Operator was licenced in their neighbourhood.*
- STAS are operating a business, would it then require a change in zoning?

Appendix 2: Stakeholder Engagement Summary

- *This is a matter for Planning and Building but STAs are currently permitted under the Zoning By-law.*
- Use Airbnb rather than the acronym STA when referring to this program.
 - *There are many STA companies operating across the City and the term STA refers to the type of business those companies and associated operators are conducting; short-term accommodations.*

2) How would you like new by-law and regulatory changes communicated?

- Would like to see a hard copy in mail box of all information.
- Flyers by mail to homes.
- Would like to see hard copy; website is good source of information.
- Mississauga billboards on bridges and public spaces.
- Provide information to MIRANT and Resident Associations for them to distribute.
- Social media.
- Newsletters from Councillors.
- Local newspaper.

Main Themes

The main themes that emerged from the STA Virtual Information Session One were:

- Zoning and MAT provisions:
 - Attendees were concerned with the provisions required for an STA to operate; principal residence, 30 days or less, zoning regulations, and MAT collection.
 - The attendees wanted each of the above points clarified to determine the measures required of STA Operators to ensure compliance with community standards.
 - Attendees agreed with the provisions and expressed their desire for these measures to be upheld and enforced as a priority.
- Licensing and complaint processes:
 - Attendees agreed with the licensing requirement for Operators and wanted to know the associated licensing fees and penalties.
 - Attendees wanted to understand the processes available to them if they needed to make a complaint regarding an STA property and/or Operator.
 - Attendees expressed their desire to have information available regarding STA locations and ability for residents to provide input on proposed STA locations in their neighbourhoods.
- COVID-19 Impact
 - Attendees wanted to know the impact COVID-19 has had on the STA market in the City; has there been a decrease or increase in rentals?
 - Attendees questioned whether renting out a STA a responsible choice during the pandemic.
 - Attendees wondered about the impact that COVID-19 will have on the capacity of Enforcement to enforce STAs.



**Short-Term Accommodations Virtual Information Session 2
Resident and Ratepayer Associations
Wednesday, September 30th, 2020
6:30 - 8:00pm
WebEx Meeting**

Participants

Approximately 16 members from various resident and ratepayer associations attended this session.

Councillor Stephen Dasko of Ward 1 attended this session.

Session Format

Jonathan De Iuliis, Researcher, Enforcement Business Support, facilitated the session and provided opening remarks and introductions. Alexandra Schwenger, Policy Analyst, Enforcement Business Support, transcribed the session. Chris Giles, Manager, Compliance and Licensing, presented the proposed regulatory framework, addressed any questions or concerns, and provided closing remarks. Lastly, Ross Spreadburry, Supervisor, Compliance and Licensing, assisted with addressing any questions or concerns.

Chris Giles welcomed attendees to the consultation and gave a short presentation. This presentation included some background information about the By-laws pertaining to Short-Term Accommodations (STA), current state, jurisdictional findings, proposed regulatory measures and next steps.

The information session followed a discussion format; attendees were asked to provide their feedback guided by two main questions.

- 1) What are your specific concerns with STAs?
- 2) How would you like new by-law and regulatory changes communicated?

Ample time was allotted to allow participants to contribute in discussion and ask questions to Enforcement staff. Once the discussion had ended, Chris Giles provided closing remarks and thanked the attendees for taking the time to attend the session. Contact information for Enforcement was also provided to attendees. The feedback received from the session is captured below.

Feedback from Participants

Participants were asked two questions to guide the discussion portion of the session. Jonathan De Iuliis moderated the discussion while Enforcement Staff documented the input and addressed questions and concerns. The feedback from the discussion is summarized below along with key points to Enforcement's response. This is not a word for word transcript of the session but a summarization of the main concerns and input from attendees.

1) What are your specific concerns with STAs?

- Could each person running a STA post something on their door or window saying that they are an STA?
 - *Staff will consider this input in the proposed regulation.*
- If business post their licences on the door. The same should be the same for STAs.
 - *STA Operators will be required to post their STA licence on all platforms where their accommodation is listed.*
- Regarding public complaints, if the issue is after hours you can't phone 3-1-1 so you will have to call Peel Police. But if Peel Police respond to the occurrence it would not get registered with Enforcement. Need to consider better communication between Peel Police and Enforcement. This can be a cause as to why you haven't had many STA complaints.
 - *Staff continue to work in partnership with Peel Police and make every effort to improve response times beyond regular business hours.*
- How are you going to make sure that STAs are not vacant properties?
 - *Staff will utilize a third party data gathering service to identify property listings where Enforcement Staff will then investigate if the associated STA Operator has attained a licence and ensure the property is the Operator's principal residence. If the Operator has not attained a licence of the property is not their principal residence enforcement actions will take place.*
- How will you regulate the new STA By-law?
 - *There will be a six month grace period where education and program awareness will be distributed via the proper channels. Following this grace period Enforcement will begin to ensure compliance and community standards. Education and program awareness will be maintained beyond the grace period.*
- Concerned with the degree of penalties.
- Will STAs need to attain insurance?
 - *This will not be a By-law requirement.*
- How will the City address Operators renting out multiple units?
 - *Data-scraping services will address this concern. If a listing is made public online Staff will cross reference the information with our own database and licensing records. Operators will have to prove that it is their principal residence; an investigation could also be initiated by Enforcement if deemed necessary by the Officer.*
- Will Staff actively track down non-licensed hosts?
 - *Yes.*
- Toronto has just brought forward their STAs regulatory approach, what have you heard from them?
 - *Staff remain in constant communication with Toronto and many other jurisdictions. Toronto's registration for STA companies opened on September*

Appendix 2: Stakeholder Engagement Summary

10th and they continue to assess their regulatory framework, but it is still too early to determine any substantial conclusions.

- Can the businesses themselves communicate information regarding regulations?
 - *Staff aim to ensure STA companies remain cooperative in enforcing negligent operators and direct both operators and users to the City's regulatory information for accommodations in Mississauga.*
- Are STA companies cooperative?
 - *Staff remain in communication with Airbnb to ensure STAs in the City operate in a manner that ensures public safety and community standards.*
- STA companies can come into a community and do business without any oversight?
 - *Staff aim to address community concerns regarding disruptive technologies and the sharing economy in the capacity and authority given to Enforcement.*
- Can we get a copy of this presentation to disperse it within our associations?
 - *Following the session, Staff shared a one page summary document regarding the background, current status, proposed framework, and contact information for the STA program.*
- I was just in Vancouver and heard comments that they are still having issues. Do you still follow up with Vancouver and speak with them?
 - *Staff remain in constant communication with Vancouver and many other jurisdictions. Regulatory approaches and enforcement tactics are a major area of focus in these conversations.*
- Penalties need to have “teeth” and track people down to bring them into compliance.
- Penalties end up resulting in one third of what they should be. Find it discouraging that people operating in non-compliance do not face the full extent of the penalties. This is regarding various City By-laws.
- How do residents get assured that they can get through to 3-1-1? During Covid-19, I have called and have been on hold for more than an hour on multiple occasions.
 - *3-1-1 have experienced higher call volumes than ever before due to Covid-19 and their capacity is being assessed by the City to ensure improvements to the service. Staff hope to have concerns of availability and response addressed by the time this program comes into place.*
- Residents are fed up with the response to complaints from 3-1-1.
- With costs of Covid-19, how will you get the funding to do the job that is necessary?
 - *Staff will assess the program on a continual basis to determine the need for additional Staff and/or resources. Covid-19 has presented a unique financial situation and Staff will ensure to implement a program that respects the funding capabilities of the City, but ensure public safety and community standards are upheld to a high degree.*

- Use Airbnb rather than STA for the name of this type of business.

2) How would you like new by-law and regulatory changes communicated?

- Much of the communication can be put in local newspapers.
- Would information on how to make a complaint be more publically broadcasted.
- Electronic newspaper like the Peel News is very informative.
- Social media like Twitter and Facebook.
- Paper flyer to the homes of residents.

Main Themes

The main themes that emerged from the STA Virtual Information Session Two were:

- Public notice of STAs:
 - Attendees wanted STA Operators to post their licencing information on the exterior of the building.
 - Attendees were concerned with STA companyies' willingness to cooperate with Enforcement operations.
 - Attendees wanted STA companies to share or make public the City's regulations regarding STA operations in Mississauga in an effort to educate users and operators.
- Licensing and By-law penalties:
 - Attendees agreed with the licensing requirement for Operators and wanted to know the associated licensing fees and penalties.
 - Attendees wanted heavy fines and penalties for non-compliant STA Operators.
 - Attendees have had past experience with other City By-laws where violators and those non-compliant would not receive the full extent of the associated penalties.
- 3-1-1 and complaint processes
 - Attendees wanted improvements to be made to 3-1-1's response and availability.
 - Attendees expressed that many STA issues will occur outside of regular business hours and were concerned that Enforcement will not have a timely response to situations.
 - Attendees requested that if Peel Police respond to an STA situation there should be communication with Enforcement in order to document occurrences and assess necessary enforcement actions.

City of Mississauga
Corporate Report



<p>Date: October 16, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer</p>	<p>Meeting date: November 4, 2020</p>

Subject

5G Assessment Update

Recommendation

That the report from the Commissioner of Corporate Services and Chief Financial Officer dated, October 16, 2020 and entitled, "5G Assessment Update" be received for information.

Report Highlights

- In Canada, Telecommunication providers are progressing with 5G deployment with expectations that full 5G implementation will start in 2021 and take several years with billions of dollars of investment to implement 5G across Canada.
- City staff has been actively assessing the implications of 5G for the City of Mississauga through the engagement of key internal and external stakeholders including benchmarking across Canada and globally.
- Members of Council and 311 will be provided current information regarding 5G to assist with answering inquiries. The information will also be published on the Smart City web site at www.smartcity.mississauga.ca/.
- The 5G Assessment, including recommendations, will be reported back to General Committee in first quarter of 2021.

Background

The Smart City Master Plan, endorsed by Council July 2019, included several strategic initiatives including an assessment of the 5G technology standard for cellular networks, for the City of Mississauga.

The term 5G can be defined as the "fifth generation technology standard for cellular networks" and is heralded for providing ultrafast and reliable communications for a growing and

demanding smart phone customer base. It is also seen as the future framework for connecting the Smart City for use cases such as autonomous vehicles, the Internet of Things (IoT) and will transform the speed, reliability, and access to data.

The introduction of 5G is happening around the world with varying degrees of implementation ranging from full-scale implementation to small-scale pilot projects. In Canada, Telecommunication providers are progressing with 5G deployment with expectations that full 5G implementation will start in 2021 and take several years with billions of dollars of investment to implement 5G across Canada. The provision of 5G is a commercially provided competitive business model that is introducing new pressures on municipal infrastructure.

Comments

City staff has been actively assessing the implications of 5G for the City of Mississauga through the engagement of key internal and external stakeholders including benchmarking across Canada and globally. A Project Steering Committee with key stakeholders from City service areas that have an interest ranging from City planning to the approvals and operational impacts of the supporting infrastructure for 5G.

The 5G Assessment will include:

- The impacts on the Built Environment looking at the types of radio and antenna technology and related infrastructure to support the technology
- Where and how 5G will be implemented City-wide so we can anticipate how to best influence and inform the decision making process
- Health related concerns following closely Public Health Canada, CSA and Industry standards as well as any independent studies
- The operational and economic opportunities of 5G considering future use such as Autonomous Vehicles and other Smart Sensor technologies.
- Recommendations and opportunities to influence how 5G is implemented in the City of Mississauga.

Currently there are 5G pilots underway in Canada to test various use cases, the technology and the capabilities. Rogers and the University of British Columbia have embarked on a pilot rendering UBC Canada's first 5G smart campus. A 5G Pilot in partnership with Post-Secondary Institutions is the typical approach observed in neighbouring municipalities and across Canada. Additional pilots of varying scale are underway in the following municipalities; Brampton, London, Toronto, Hamilton, Kitchener, Waterloo, Ottawa, Montreal, Kelowna, and the Region of Peel. The merits of a pilot for the City of Mississauga will be considered as part of the 5G Assessment recommendations.

Recently the Region of Peel Health Department took a report to Regional Council (Appendix 1 Region of Peel Health Report) regarding 5G and have identified that 5G, when implemented to

the specifications identified and regulated by ISED, meets Health Canada's requirements and aligns with a standard known as Code 6.

The governance and licensing of cellular spectrum is managed by Innovation, Science and Economic Development Canada (ISED) and it is expected that the broader implementation of 5G across Canada will begin in 2021.

The Federation of Canadian Municipalities has issued a guide "Getting it right: Preparing for 5G deployment in your municipality" which can be found at www.fcm.ca. The guide provides a comprehensive overview of 5G, how FCM has been involved in the regulation commenting process and then implementation advice that municipalities should consider as 5G rolls out across Canada. The following is a message from Bill Karsten, President FCM that captures the essence their position on 5G:

"Connectivity has become essential for any community's economic, cultural and social development. Even though important challenges remain in terms of access to basic broadband and wireless services in many smaller and rural municipalities—challenges which FCM continues to address in its work—the next wave of innovation is upon us. Telecommunications carriers, the federal government and the CRTC are gearing up for the deployment of the first components of the fifth generation of wireless technology (or "5G")—a necessity if Canada is to remain competitive on the world stage."

The Association of Municipalities of Ontario (AMO) President, Jamie McGarvey, wrote to the Broadcasting and Telecommunications Legislative Review Panel in January of 2019 with AMO's position on 5G. In the letter, AMO identifies key issues including the municipality's role in managing the right-of-way and also advocates for universal and affordable access. Below is an excerpt from the letter dated January 11, 2019:

"Today AMO is writing in support of the submissions made to the Panel by the Eastern Ontario Wardens' Caucus (EOWC), the Eastern Ontario Regional Network (EORN), and the Federation of Canadian Municipalities (FCM). We recognize that the Acts being reviewed are matters of federal jurisdiction. However, it is important to AMO as municipal governments play a pivotal logistical role as the owners and managers of the right-of way space where telecommunication infrastructure in Canada is installed. To that end, our comments are restricted to the Telecommunications Act and Radio communication Act."

This information and the resources made available from FCM and AMO will be referenced and inform the City of Mississauga's 5G Assessment; we will not reinvent the wheel!

Staff will continue to collaborate with internal and external key stakeholders using the data and analysis to complete the 5G Assessment which will provide recommendations and opportunities for the implementation. In the interim, members of Council and 311 will be provided current information regarding 5G to assist with answering inquiries. The information will also be

published on the Smart City web site at www.smartcity.mississauga.ca/. Staff will bring back a report and the 5G Assessment to General Committee in first quarter of 2021.

Financial Impact

There are no financial impacts.

Conclusion

The introduction of 5G technologies promises to provide high-speed wireless connectivity, create economic opportunity and be the data transport for the Smart City movement globally. As a City we have an opportunity to influence the implementation of 5G being well informed and well prepared to make good decisions in a timely manner.

Attachments

Appendix 1: Region of Peel Health Report



Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Yeliz Ali, Strategic Advisor Digital Transformation, Information Technology

For Information

DATE: October 15, 2019

REPORT TITLE: **REVIEW OF POTENTIAL HEALTH EFFECTS OF EXPOSURE TO RADIOFREQUENCY ELECTROMAGNETIC FIELDS FROM 5G WIRELESS TECHNOLOGY**

FROM: Cathy Granger, Acting Commissioner of Health Services
Jessica Hopkins, MD MHScc CCFP FRCPC, Medical Officer of Health

OBJECTIVE

To inform Regional Council on the findings of Public Health's research review on radiofrequency electromagnetic field (RF-EMF) exposure from 5G wireless technology and the potential impacts on human health.

REPORT HIGHLIGHTS

- 5G refers to the next iteration (fifth generation) of wireless cellular technologies.
- Safety Code 6, administered by Health Canada, encompasses the evidence-based safety limits for human exposure to RF-EMFs in the range of 3 kHz to 300 GHz, which includes the operating frequency range of 5G and other wireless communication technologies.
- Current evidence does not identify any health impacts associated with exposures to 5G wireless technology that fall within Health Canada's Safety Code 6 requirements.
- As 5G is a new technology, specific research on its human health impacts is ongoing. However, extensive research on similar exposures around RF-EMF has not demonstrated any human health impacts associated with technology operating within Health Canada's Safety Code 6 requirements.
- Reputable health agencies worldwide have concluded that, based on available evidence, there is no scientific evidence to indicate that RF-EMFs cause negative health outcomes.
- Public Health will continue to monitor and review new evidence on potential health impacts associated with exposure to 5G wireless technology and RF-EMF.

1. Background
a) Radiofrequency electromagnetic fields

Radiofrequency electromagnetic fields (RF-EMFs), also known as radiofrequency (RF) energy, are part of the electromagnetic field (EMF) spectrum. RF-EMFs range in frequency from 3 kilohertz (kHz) to 300 gigahertz (GHz) and are emitted by various devices including navigational radar, radios, baby monitors, microwaves and wireless communication technologies such as cell phones, cordless phones, and Wi-Fi (see Appendix I for a graph of the EMF spectrum). RF-EMFs are lower in energy than ionizing EMFs, such as x-rays and gamma rays, and cannot break bonds between atoms and

molecules. In contrast, ionizing EMFs are high in energy and can break the bonds between atoms and molecules, which can damage DNA and cells.

b) 5G wireless technology

5G refers to the next iteration (fifth generation) of wireless cellular technologies that will use RF energy to transmit data. 5G is being deployed to provide people with access to greater bandwidth, higher data speeds, improved network responsiveness, and to allow for many more electronic devices to be connected to the network. 5G will initially operate in conjunction with existing 4G networks before evolving to fully stand-alone networks in subsequent releases and coverage expansions. 5G technologies will operate within the RF-EMF range, both within the low-mid band (below 6 GHz) part of the spectrum that existing cellular technologies rely on, and at a higher frequency range called the millimetre wave spectrum (30 to 300 GHz).

Millimetre waves are easily blocked by obstacles such as walls and buildings and do not travel as far as the frequencies currently used for mobile communication. To overcome this, 5G networks will need a much greater density of small cells to help improve signal coverage and to add capacity. These are physically smaller radio installations and antennas placed on structures such as streetlights, the sides of buildings, and poles that complement larger radio installations (also known as cell towers or macro cells) in improving capacity and signal coverage, particularly in highly populated urban areas with high network demand.

5G technology is not yet available to the general public in Canada but is commercially available to consumers in certain areas within Switzerland, the United States of America, South Korea and China. It is expected to launch in Canada as early as 2020.

c) Concerns with RF-EMF Exposure and Human Health

A delegation to Regional Council on June 27, 2019, raised questions about the safety of 5G wireless technology and possible health impacts. The delegate expressed concern with how 5G will operate in the higher frequency millimetre wave part of the RF-EMF spectrum, and the possible close location of small cell antennae to homes, and facilities such as daycares. These concerns mirror similar questions raised in other settings internationally.

d) The federal government's role in regulating RF-EMF

Health Canada's guideline document, titled Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz, commonly referred to as Safety Code 6 ('Safety Code') sets the exposure limits to RF-EMF to protect human health. The Safety Code outlines the evidence-based safety limits for human exposure to RF-EMFs including the portions of the RF spectrum in which 5G technologies will operate. The limits incorporate at least a 50-fold safety margin to provide a significant level of protection for the public as well as those working near RF-EMF sources. Innovation, Science and Economic Development Canada has adopted the Safety Code to protect the public against overexposure to RF-EMFs from wireless devices and antenna installations. The Safety Code is reviewed on a regular basis, most recently in 2015, to ensure that it provides protection against all known

potentially harmful health effects. The Safety Code is consistent with science-based limits used in other parts of the world including the United States, European Union, Japan and Australia.

e) Findings of past research on RF-EMF exposure from Wi-Fi in schools

In 2013, at the request of the two English school boards, Peel Public Health reviewed the research evidence on the health effects of exposure to Wi-Fi. The review found that the scientific evidence indicated that exposure to Wi-Fi was not harmful to humans. At that time, Public Health committed to monitoring and reviewing the evidence associated with exposure to Wi-Fi. In 2015, Public Health staff reviewed the Royal Society of Canada Expert Panel report, titled "A Review of Safety Code 6 (2013): Health Canada's Safety Limits for Exposure to Radiofrequency Fields". The Expert Panel found that the balance of evidence, at that time, did not indicate negative health effects from exposure to RF energy below the recommendations in the Safety Code. The Panel did note that research on many of the health effects was ongoing and that it was possible that the finding of future studies may alter this balance of evidence.

2. Findings

Public Health staff conducted a review of the research evidence on potential health effects associated with exposure to 5G wireless technology; completed an environmental scan to determine the publicly stated, evidence-based positions held by authoritative health related organizations on 5G exposure and health effects; and contacted Public Health Ontario and Health Canada to determine if either of those agencies were conducting a research review on 5G.

a) Evidence Review

A review of the literature was conducted using peer-reviewed articles on the health effects of exposure to 5G wireless technologies published from 2014 to July 2019. The literature search was built on the previous research review conducted in 2013 by Public Health staff on the health effects from Wi-Fi. Studies included in the literature review were guidelines, expert panel reports, literature reviews and human epidemiological studies.

Current evidence does not identify any health impacts associated with exposures to 5G wireless technology that fall within Health Canada Safety Code 6 requirements. 5G is a relatively new technology and no human epidemiological studies have been conducted. As a result, the research review was then focused on the health effects of exposure to millimetre waves (as 5G will operate partly in the millimetre wave range, a part of the RF-EMF spectrum currently unused for wireless communication). The best available research did not find negative impacts on human health at levels below exposure limits (i.e., Safety Code 6 or the International Commission of Non-Ionizing Radiation Protection guidelines). The research came from two expert panel reviews on RF-EMFs. The first by the Scientific Committee on Emerging and Newly Identified Health Risks (2015) from Europe, and the second from the Royal Society of Canada expert panel (2013).

b) Health Agency Reviews on RF-EMF and Potential Health Effects

Several authoritative health agencies worldwide have reviewed the evidence on the potential effects of RF-EMF on human health. Health agencies such as the International Commission on Non-Ionizing Radiation Protection and the Australian Radiation Protection and Nuclear Safety Agency have indicated that there is no established scientific evidence for an association between adverse health effects and exposure to RF-EMFs below allowable exposure limits. The World Health Organization (WHO), Public Health England and the U.S. Food and Drug Administration (FDA) have indicated that, to date, no adverse health effects have been established as being caused by RF-EMF exposure from mobile phone use or mobile phone base stations.

In 2011, the International Agency for Research on Cancer (IARC), a World Health Organization agency, categorized RF-EMF as possibly carcinogenic (Group 2B). IARC classifies carcinogenicity into categories: Group 1 for definite human carcinogens; Group 2A for probable human carcinogens; Group 2B for possible human carcinogens; and Group 3 for agents not classifiable as to its human carcinogenicity. The Group 2B category is used when a cause and effect relationship is considered credible, but where the possibility that chance, bias, or confounding factors that could explain the association cannot be eliminated with reasonable certainty. Other substances classified in Group 2B include: extremely low frequency electromagnetic fields (power line frequency), ginkgo biloba extract and talc-based body powder.

IARC classified RF-EMF in Group 2B based on limited evidence for an association between wireless phones and glioma and acoustic neuroma (two types of brain tumour). However, the evidence was mixed, and the results may not represent a true relationship because of methodological limitations such as the inability to accurately assess level of exposure to RF-EMF. Of note, RF-EMF exposure is dependent on the generation of mobile technology, and studies considered in IARC's assessment would have been based on exposures to older mobile phone technology. Newer generations of mobile phone technology emit lower RF power than those of previous generations, and therefore would result in lower RF-EMF exposure levels from mobile phones.

c) Consultations with Federal and Provincial Agencies

Public Health consulted with Health Canada in June 2019 on the current state of research and to determine their plans to review the Safety Code. Health Canada indicated that they are not planning to review the Safety Code at this time. The Safety Code was last revised in 2015 and currently includes the frequencies used for 5G technology. They also stated that they are reviewing new research evidence in this area.

In 2010, Public Health Ontario conducted a review of the research evidence on wireless (Wi-Fi) technology and health outcomes. The review found that there was no plausible evidence that would indicate that public exposures to Wi-Fi were causing adverse effects on health. Staff contacted Public Health Ontario in May 2019, and again in August 2019, to inquire about their plans to update this research review. Public Health Ontario advised staff that they were in the process of completing a research review on RF-EMFs and 5G and expect it to be finalized in the fall of 2019.

3. Next Steps

As wireless communication technologies evolve, the body of research evidence on the impact of new technologies on human health will grow. Updated research reviews and guidelines on RF-EMF exposure from Public Health Ontario, World Health Organization and the International Commission on Non-Ionizing Radiation Protection are in progress. Staff will monitor and review new research evidence on health effects and issue new guidance if appropriate.

CONCLUSION

Current evidence does not identify any health impacts associated with 5G wireless emissions that fall within Health Canada Safety Code 6 requirements. There is good quality research available on exposure to RF-EMFs, including the higher frequency millimetre waves that 5G will use. The best available research found no negative impact on human health at levels below exposure limits (i.e. Safety Code 6 or the International Commission of Non-Ionizing Radiation Protection guidelines). The review findings are consistent with various other health-related organizations such as Health Canada. Staff will continue to monitor and review new evidence related to 5G wireless technology.



Cathy Granger, Acting Commissioner of Health Services



Jessica Hopkins, MD MSc CCFP FRCPC, Medical Officer of Health

Approved for Submission:



N. Polsinelli, Interim Chief Administrative Officer

APPENDICES

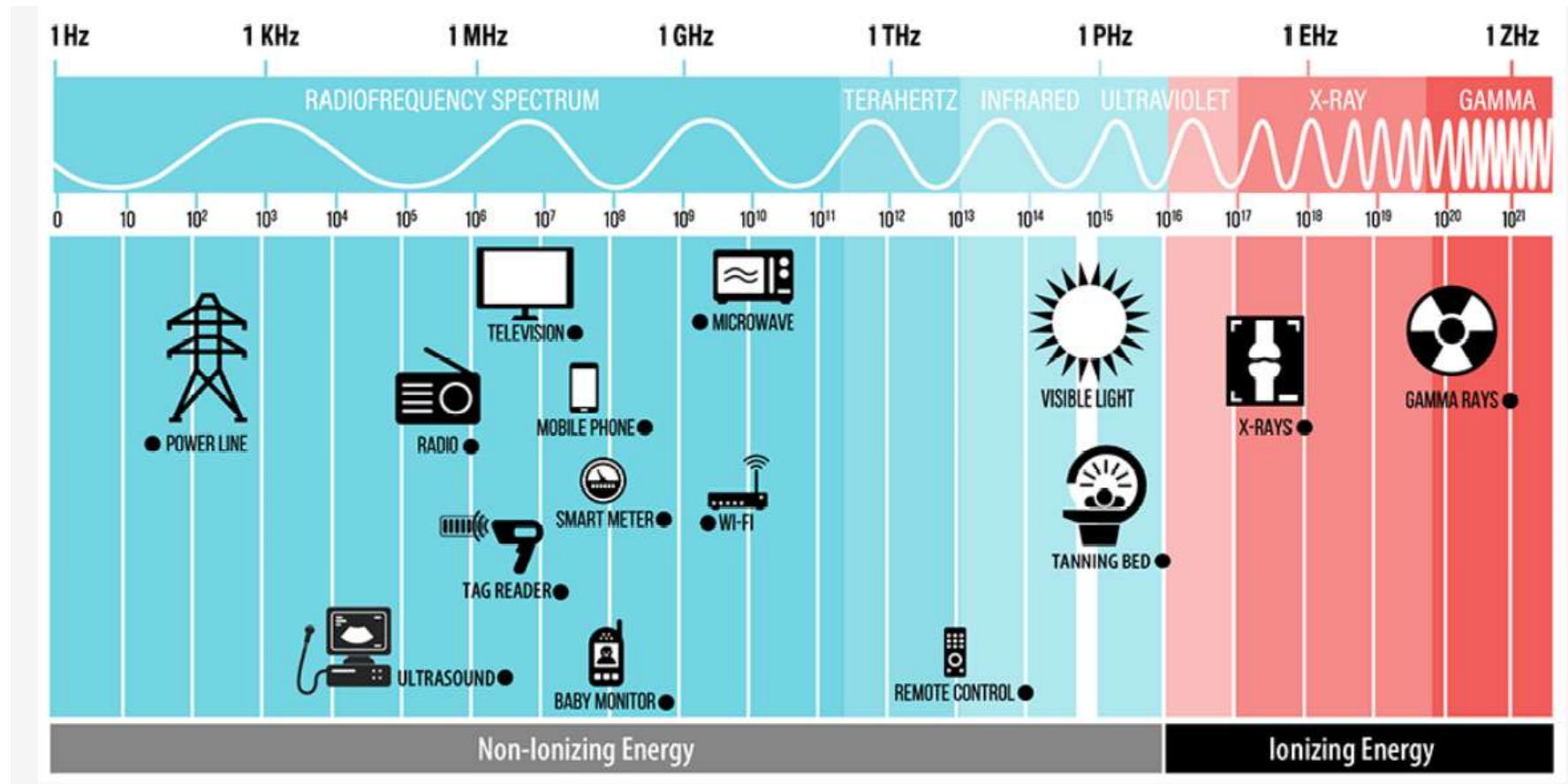
Appendix I – Examples of Energy Sources on the Electromagnetic Spectrum

For further information regarding this report, please contact Louise Aubin, Acting Director, Health Protection, extension 2479, louise.aubin@peelregion.ca.

Authored By: Michelle Ng, Analyst Research and Policy extension 2472

APPENDIX I
 REVIEW OF POTENTIAL HEALTH EFFECTS OF EXPOSURE TO RADIOFREQUENCY ELECTROMAGNETIC FIELDS FROM 5G
 WIRELESS TECHNOLOGY

EXAMPLES OF ENERGY SOURCES ON THE ELECTROMAGNETIC SPECTRUM



Source: Industry Canada. Radiofrequency energy and safety. [updated 2019 Feb. 14]. Available from: <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html#s8>

7.1-7



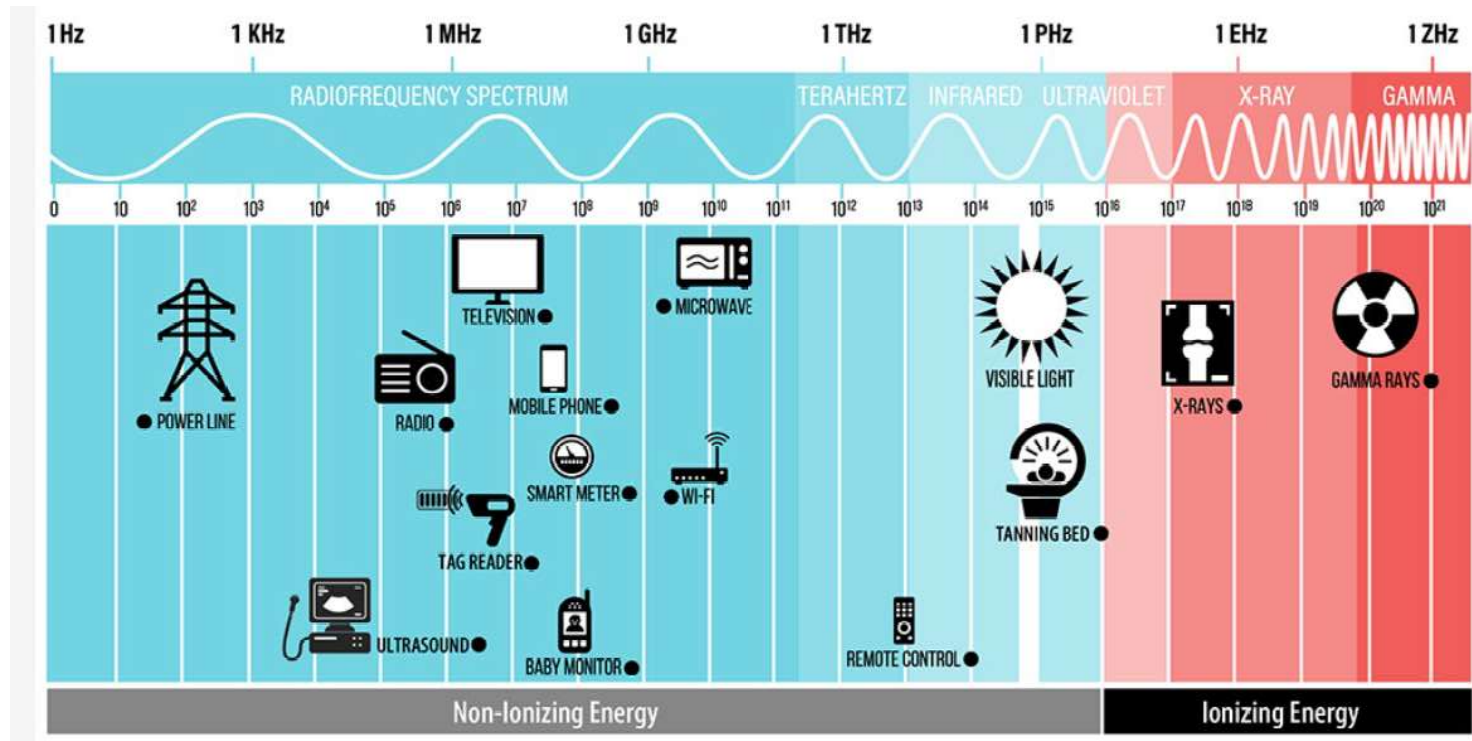
Review of potential health effects of exposure to radiofrequency electromagnetic fields from 5G wireless technology

**October 24, 2019
Regional Council**

Jessica Hopkins, MD MHSc CCFP FRCPC
Medical Officer of Health, Region of Peel

7.1-8

Radiofrequency Electromagnetic Fields (RF-EMF)



Source: Industry Canada. Radiofrequency energy and safety. [updated 2019 Feb. 14]. Available from: <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html#s8>

7.1-9

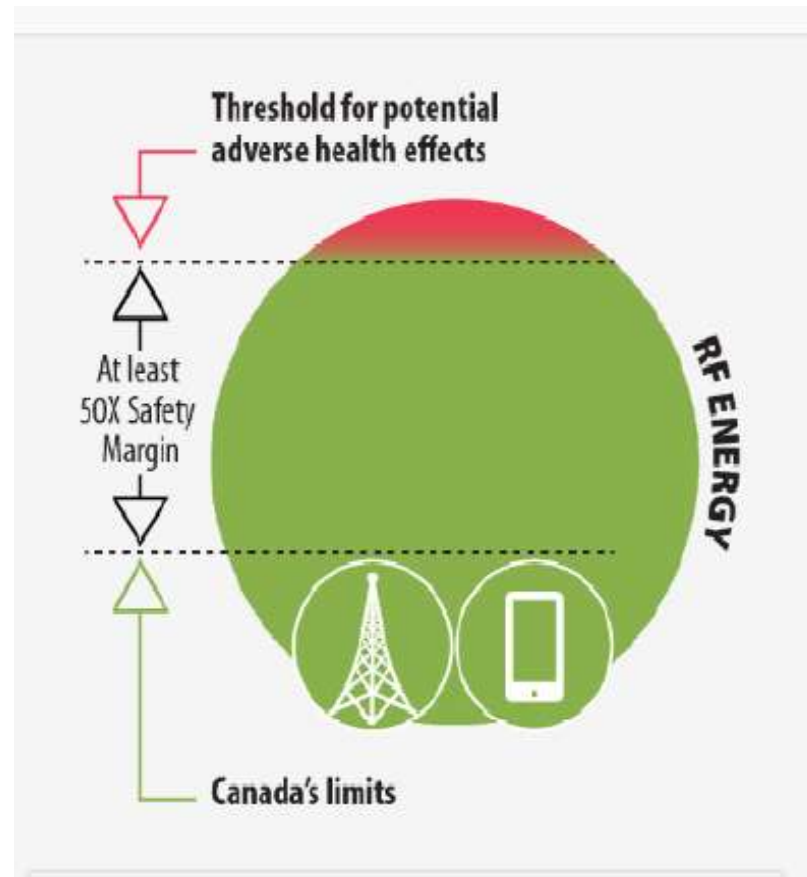
5G Wireless Technology

- The fifth generation of wireless cellular technologies that will operate:
 - within the current RF-EMF range for wireless technology (below 6 GHz), and
 - at a higher frequency range called the millimetre wave spectrum (30 to 300 GHz)
- Requires a dense network of small cells
- Expected to launch in Canada as early as 2020

7.1-10

Health Canada's Safety Code 6

- Science-based
- Consistent with other countries



Source: Industry Canada. Radiofrequency energy and safety. [updated 2019 Feb. 14]. Available from: <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html#s8>

7.1-11

Research Review: Potential Health Impacts of 5G

- Reviewed peer-reviewed literature and health and scientific agency reports published since 2014
- No 5G specific research was identified

7.1-12

Review of Potential Health Impacts of Millimetre Waves

- Expanded the review to identify relevant studies on the health effects of exposure to millimetre waves
- Two higher-quality reports found:
 - 2015 SCENIHR Opinion
 - 2014 Royal Society of Canada Expert Panel report

7.1-13

Key Findings

- Current evidence does not identify health impacts associated with exposure to 5G wireless technology that complies with Safety Code 6.
- Although 5G is new, extensive research has been conducted on similar exposures around RF-EMF, which found no human health impacts of technology that meet Safety Code 6.

7.1-14

Health-Related Organizations: Evidence-Based Positions

- Several health agencies (e.g., World Health Organization) have reviewed the evidence on the effects of RF-EMF on human health.
- **General consensus:**
Currently no convincing scientific evidence that RF-EMF below the allowable exposure limits causes negative health outcomes.

7.1-15

Next Steps

- Updated research reviews and guidelines are in progress from:
 - Public Health Ontario,
 - the World Health Organization, and
 - the International Commission on Non-Ionizing Radiation Protection
- Peel Public Health will continue to monitor and review new evidence on health impacts associated with exposure to 5G and RF-EMF.

7.1-16



Questions?



REPORT 2 - 2020

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Traffic Safety Council presents its second report for 2020 and recommends:

TSC-0024-2020

That the deputation from Erica Warsh, Project Leader, Vision Zero regarding Vision Zero Introduction be received for information.

(TSC-0024-2020)

TSC-0025-2020

1. That the warrants have not been met for the placement of a school crossing guard at the intersection of Truscott Drive and Buckby Road for the students attending St. Helen Catholic Elementary School.
2. That Traffic Safety Council be requested to re-inspect the intersection of Truscott Drive and Buckby Road in March 2021.
3. That Transportation and Works be requested to paint zebra markings on the west leg of the intersection of Truscott Drive and Buckby Road.

(Ward 2)

(TSC-0025-2020)

TSC-0026-2020

1. That the warrants have not been met for the placement of a school crossing guard at the intersection of Lakeshore Road East and Mohawk Avenue for the students attending St. James Catholic Elementary School.
2. That Transportation and Works be requested to review the timing of the signal across Lakeshore Road East and Mohawk Avenue to ensure students have adequate time to cross the road and vehicles travelling south and turning have time to make their turns.

(Ward 1)

(TSC-0026-2020)

TSC-0027-2020

That the warrants have not been met for the placement of a school crossing guard at the intersection of Artesian Drive and St. Martin Mews for the students attending St. Sebastian Catholic Elementary School.

(Ward 8)

(TSC-0027-2020)

TSC-0028-2020

1. That Transportation and Works be requested to install "No Stopping" prohibitions on the north side of Bala Drive east of Freshwater Drive, time restricted Monday - Friday, September - June, 8:00 AM - 9:00 AM and 2:00 PM - 3:00 PM. Signage to be installed from the corner prohibition at Freshwater Drive up to and including 3609 Bala Drive.
2. That the Principal of Ruth Thompson Middle School be request to advise the parents and students of the new "No Stopping" restriction on the north side of Bala Drive east of Freshwater Drive and encourage parents to use the kiss and ride to drop off students instead, once the signage is in place.
3. That Traffic Safety Coucil re-inspect the intersection of Bala Drive and Freshwater Drive in Spring 2021 to review pedestrian safety for students attending Ruth Thompson Middle School.

(Ward 10)

(TSC-0028-2020)

TSC-0029-2020

1. That Transportation and Works be requested to paint a stop bar at the stop sign on the southwest corner of Pioneer Drive.
2. That Transportation and Works be requested to install "No Stopping" prohibitions 75 feet from the stop sign north on the west side of Pioneer Drive and on Sideberry Road north side 75 feet west of the stop sign on Pioneer Drive.
3. That Transportation and Works be requested to move "No Stopping" signs at park path to be in front of Sideberry road and 25 Pioneer Drive just south of the Driveway.
4. That Transportation and Works be requested to install Corner Prohibitions on Andrea Court.
5. That Traffic Safety Council be requested to re-inspect Pioneer Drive at the Frank Dowling Park path leading to the back of Dolphin Senior Public School once signage is in place.

(Ward 11)

(TSC-0029-2020)

TSC-0030-2020

1. That the warrants have not been met for the placement of a school crossing guard at the intersection of Nahani Way and Thornwood Drive for the students attending St. Jude Catholic Elementary School and Nahani Way Public School.
2. That Transportation and Works be requested to paint zebra striped crosswalk on all four legs of the intersection of Nahani Way and Thornwood Drive.
3. That Transportation and Works be requested to move the stop sign and stop bar at the northwest corner of Nahani Way and Thornwood Drive closer to the crosswalk for the students attending St. Jude Catholic Elementary School and Nahani Way Public School.
4. That the Principal of St. Jude Catholic Elementary School be requested to advise students living on the east side of the school to cross Nahani Way at the stop sign at Thornwood Drive and Nahani Way instead of walking on the road where the sidewalk is closed for construction to access the crossing guard at Nahani Way Public School at morning school entry once the crosswalks are painted and signage is moved.
5. That the Principal of Nahani Way Public School be request to advise students living west and north of Nahani Way to cross to the south side of Nahani Way with the crossing guard to the north side of Nahani Way at morning school entry once the crosswalks are painted and signage is moved.
6. That Traffic Safety Council be requested to re-inspect the intersection of Nahani Way and Thornwood Drive for the students attending St. Jude Catholic Elementary School and Nahani Way Public School once crosswalks are painted, signage is moved and students have been advised.

(Ward 5)

(TSC-0030-2020)

TSC-0031-2020

That the memorandum dated October 19, 2020 from Megan Piercey, Legislative Coordinator entitled "2021 Traffic Safety Council Meeting Schedule" be received.

(TSC-0031-2020)

TSC-0032-2020

That the Parking Enforcement in School Zone Report for January 2020 be received for information.

(TSC-0032-2020)

TSC-0033-2020

That the Parking Enforcement in School Zone Report for February 2020 be received for information.

(TSC-0033-2020)

TSC-0034-2020

That the Parking Enforcement in School Zone Report for March 2020 be received for information.

(TSC-0034-2020)

TSC-0035-2020

That the Parking Enforcement in School Zone Report for September 2020 be received for information.

(TSC-0035-2020)

TSC-0036-2020

That the Transportation and Works Action Items List for February 2020 be received for information.

(TSC-0036-2020)

TSC-0037-2020

That Traffic Safety Council send a letter to the Province in support of the implementation of stop-arm cameras on school buses.

(TSC-0037-2020)

REPORT 4 - 2020

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Road Safety Committee presents its fourth report for 2020 and recommends:

RSC-0021-2020

That the presentation by Audrey Holt, Senior Communications Advisor with respect to the Strategic Communications Strategy for Neighbourhood Speeds, be received.

(RSC-0021-2020)

RSC-00222-2020

That the presentation by Erica Warsh, Project Leader, Vision Zero with respect to the proposed Vision Zero work plan, be received.

(RSC-0022-2020)

RSC-0023-2020

That the presentation by Matthew Sweet, Manager, Active Transportation with respect to an update on e-Scooters, be received.

(RSC-0023-2020)

RSC-0024-2020

That the verbal update and associated presentation by Angela Partynski, Technical Analyst, Region of Peel and William Toy, Supervisor, Traffic Safety, Region of Peel with respect to an update on the Region of Peel Vision Zero Task Force and Education and Awareness, be received.

(RSC-0024-2020)

RSC-0025-2020

That the verbal update and associated presentation by Anne Marie Hayes, Citizen Member, with respect to the 2021 launch of "TL2D Vision Zero Youth Network", be received and referred to the Road Safety Committee Promotional Subcommittee for further review.

(RSC-0025-2020)

RSC-0026-2020

The the verbal update by Staff Sergeant Allan Villers, Peel Regional Police with respect to the "Take the pledge", Peel Regional Police campaign be received and referred to the Road Safety Committee Promotional Subcommittee for further review.

(RSC-0026-2020)