

City of Mississauga
Corporate Report



<p>Date: January 23, 2023</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Shari Lichterman, CPA, CMA, Commissioner of Corporate Services and Chief Financial Officer</p>	<p>Meeting date: February 8, 2023</p>

Subject

Committees of Council Structure Review for the 2022-2026 Term

Recommendation

That the City Clerk implement the following recommendations related to Committees of Council for the 2022-2026 Term of Council:

- a. That no changes be made to the following committees: Audit, General Committee, Planning and Development, Budget, Accessibility Advisory Committee, Environmental Action Committee, Governance, Committee of Adjustment and Election Campaign Finance Committee.
- b. That the Diversity and Inclusion Advisory Committee be retired and a Combating Racism and Hate Advisory Committee be established and that the Terms of Reference in Appendix 1 be approved.
- c. That the Mississauga Cycling Advisory Committee and Road Safety Committee be amalgamated to form a Safe Roads and Active Transportation Committee and that the Terms of Reference attached in Appendix 2 be approved.
- d. That the Traffic Safety Council be renamed the Mississauga School Traffic Safety Committee and that the Terms of Reference be updated to reflect the new name.
- e. That the Public Vehicle Advisory Committee be retired.
- f. That the Towing Industry Advisory Committee be retired.
- g. That the Mississauga Appeal Tribunal, Property Standards Committee, Committee of Revision and Incidents in City Facilities be amalgamated to form the new Mississauga Appeals and Property Standards Committee and that Legal Services staff be directed to prepare the appropriate Rules of Practice for the new Committee.
- h. That the committee membership of the Meadowvale Village Heritage Conservation District Subcommittee of the Heritage Advisory Committee be reduced from nine citizen members to 5-7 citizen members and that the Terms of Reference be updated.
- i. That a Transit Advisory Committee be established and that the Terms of Reference attached as Appendix 3 be approved.

- j. That all necessary by-law be enacted.

Executive Summary

- Advisory Committees of Council serve an important function to the city's decision making process as they include members of the public who have expertise on the subject matters, and provide opportunities for community voices to provide advice to Council.
- To ensure the Committees for the new term best serve the City's needs, a review of the committees was undertaken.
- In consultation with staff, there are opportunities to amalgamate committees to operate more effectively; retire committees due to legislated and industry changes; rename committees for better clarity and understanding of the committee's mandate; and, update committee mandates where necessary.

Background

Council establishes the governance and committee system at the start of the term, including which committees will provide advice and recommendations on specific issues affecting the City and its residents. On November 16, 2022, Council directed staff to review the current Council's committee structure for the new term of Council. The direction included reviewing options for committees related to transit/transportation and condominiums; amalgamating committees that deal with traffic or road related topics; refining committee mandates and options for retiring committees.

Present Status

Currently, 20 committees serve the City; some are legislated while others were established to advise Council on various subject matters from a community perspective. Council and its committees meet an average of 150 meetings per year.

Standing Committees: (Council Members Only)

- Audit Committee
- Budget Committee
- General Committee
- Planning and Development Committee

Advisory Committees: (Council and Citizen Members)

- Accessibility Advisory Committee
- Diversity and Inclusion Advisory Committee

General Committee	2023/01/23	3
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- Environmental Action Committee
- Governance Committee
- Heritage Advisory Committee
- Mississauga Cycling Advisory Committee
- Public Vehicle Advisory Committee
- Road Safety Committee
- Traffic Safety Council
- Towing Industry Advisory Committee

Quasi-Judicial Administrative Tribunals: (Citizen Members Only)

- Committee of Adjustment
- Election Campaign Finance Committee
- Property Standards Committee/Committee of Revision
- Mississauga Appeal Tribunal/Incidents in City Facilities Committee

The last fulsome committee structure review was undertaken in 2013 (for the 2014-2018 term) which introduced a Transportation Committee (subsequently retired); restructured some of the advisory committees to allow for broader stakeholder engagement; established criteria for the introducing new committees; and included administrative updates to committee processes.

Comments

The Standing Committee structure has served Council well and no changes are recommended.

COMMITTEES and TRIBUNALS WHERE CHANGES ARE NOT RECOMMENDED

Accessibility Advisory Committee (AAC)

This is a statutory committee in accordance with the *Accessibility for Ontarians with Disabilities Act*. The Committee advises Council on matters that identify, remove and prevent barriers faced by persons with disabilities. Subcommittees of AAC are: Facility Access Design Subcommittee, Promotion Awareness Subcommittee and Accessible Transportation Subcommittee which report back through AAC.

Environmental Action Committee (EAC)

EAC provides advice and recommendations to Council and staff on local environmental issues, including supporting the City's Living Green Master Plan, Climate Change Action Plan and Strategic Green Pillar.

Governance Committee

Governance Committee provides advice and recommendations on City policies and procedures to ensure the City is practicing good governance. Two citizen members are appointed to the Committee and provide valuable perspective to the decision-making process.

Committee of Adjustment

The Committee of Adjustment is legislated by the Planning Act and hears applications for minor variances and consents. The Committee meets weekly and in 2022, the dealt with over 800 applications.

Election Campaign Finance Committee

The Election Campaign Finance Committee is a statutory committee that is legislated by the Municipal Election Act. To meet the timelines of the Act, the Committee has been established for the 2022-2026 term. The Committee reviews applications for a compliance audit of a candidates campaign finances and determines whether an audit is warranted.

COMMITTEES WHERE CHANGES ARE RECOMMENDEDDiversity and Inclusion Advisory Committee (DIAC)

Since the last update to the DIAC Terms of Reference, there has been an increased focus globally and nationally on hate, race and equity issues. There has been an enhanced awareness and sensitivity around the specificity of Indigenous experience of racism in Canada; Anti-Black Racism; Anti-Asian hate and racism; Anti-Muslim hate (Islamophobia); hate motivated incidents impacting women particularly and violence against women generally; 2SLGBTQ+ experience of hate and discrimination; and disability rights. Council has committed to Anti-hate and Anti-racism by adopting Resolutions 207-2020 Anti-Black and Anti-Indigenous Racism; 154-2021 Anti-Muslim Hate; 155-2021 Canada Day, Mass grave confirmations; and 39-2022 UN International Decade for People of African Descent. Council also adopted recommendations from the report commissioned by the Mayor's Black Caucus entitled "*First Steps: A Community-Driven Report on Making Mississauga More Equitable for Black Communities.*"

The recommendation is to retire DIAC and replace it with a new committee named "Combating Racism and Hate Advisory Committee" and to adopt the Terms of Reference attached as Appendix 1. The Combating Racism and Hate Advisory Committee will provide insights to Council and staff on the needs of diverse, equity deserving communities in Mississauga impacted by racism and hate. The Committee will also guide staff in supporting communities in fighting racism and hate through policies, programs and services.

Heritage Advisory Committee (HAC)

Under the authority of the *Ontario Heritage Act*, HAC makes recommendations to Council to identify, conserve and preserve Mississauga's cultural heritage properties. HAC provides the opportunity for extensive review and discussion of local heritage matters related to heritage designations, heritage listing, demolition permits, education and awareness.

The Port Credit and Meadowvale Village heritage conservation districts are dealt with through subcommittees of HAC. This is a unique circumstance where the members of the Subcommittee, with the exception of the Subcommittee Chair are not members of HAC,

however the membership consists of residents who own property in the heritage conservation district (HCD). This model provides members of the community the opportunity to review and provide recommendations on heritage permit applications within the HCD boundary.

To ensure consistency between the two subcommittees and reduce issues with quorum, it is recommended that the Meadowvale Village Heritage Conservation District Subcommittee composition be changed from nine citizen members to 5-7 citizen members and that the terms of reference be updated to reflect this change.

Mississauga Cycling Advisory Committee (MCAC) & Road Safety Committee (RSC)

MCAC was created in 1993 to bring more focus on improving the City's cycling and trail network. Council approved the first Cycling Master Plan in 2010 and subsequently approved an updated Plan in 2018. The Tour de Mississauga, Phil Green Recognition Award, community rides, and subcommittees such as Network and Technical Subcommittee and Promotions and Communications Subcommittee work to create awareness of the City's on and off-road cycling infrastructure, cycling safety and active transportation. The Tour de Mississauga event has transitioned to a third party organizer. Agenda items and discussion are driven by regular updates from staff on City projects that seek to expand and improve the cycling network.

The Road Safety Committee was re-established in 2017 to promote public awareness and education for road safety initiatives and programs, promote road safety for all methods of transportation, including pedestrian, cyclist and vehicular traffic through a Vision Zero lens. Staff from Transportation and Works and Communications and external stakeholders such as the Peel Regional Police, Ontario Provincial Police, Ministry of Transportation Ontario and Region of Peel staff support the Committee. A representation from the Mississauga Cycling Advisory Committee and Traffic Safety Council serve on the committee to provide their 'home' committees perspectives during the decision-making process. The Committee has completed safety community campaigns and established a partnership with the Traffic Safety Council for the Let's Move Campaign to promote walking, cycling or other mobility devices to get to work, school or bus stop etc.

For this term of Council, it is recommended that the cycling and road safety committees be combined and create a new committee entitled the Safe Roads and Active Transportation Committee. The mandates of MCAC and RSC align with the City's active transportation mandate, which includes safety, vehicles, pedestrians, roads, cycling, etc. as people move from point to point. Combining the two committees would provide a wider perspective when advising Council and staff on the City's on-road and off-road network as well as education and awareness to the local community. The role of the newly formed Committee would be to provide advice and feedback to Council and staff on the projects and initiatives staff are undertaking to implement the various Council-approved Master Plans. The Terms of Reference for the Safe Roads and Active Transportation Committee are attached as Appendix 2.

Traffic Safety Council (TSC)

TSC is the longest-standing committee (established 53 years ago), makes recommendations, and provides advice to Council and staff on matters relating to the safety of students walking to school. The Committee meets monthly, while the Site Inspection Subcommittee conducts inspections more frequently. The site inspection subcommittee reviews warrants for crossing guards, time extensions or removal of crossing guards, while other safety inspections are performed to ensure that school walking routes are appropriate for students i.e. line paintings, repairing sidewalks etc. In 2022, TSC assisted the Active Transportation Office to launch the School Streets Pilot Project and promote active transportation as a way to get to school. TSC also collaborated with MCAC on the Let's Move campaign as another active transportation initiative for students.

TSC's mandate continues to be valuable however, the name of the committee has caused confusion therefore it is recommended that the name be changed to Mississauga School Traffic Safety Committee and the terms of reference be updated to reflect the name change.

Public Vehicle Advisory Committee (PVAC)

The PVAC recommends and provides advice to Council and City staff related to public vehicle for hire service. This industry has changed significantly with taxi's providing approximately 15% of the total number of pre-booked point-to-point transportation services in Mississauga. Prior to the introduction of Transportation Network Companies (TNCs) taxis represented 100% of these trips. Given the significant changes to the industry, the Committee only advises on a very small sector of the industry. TNC's are regulated by the Transportation Network Company Licensing By-law and have been strongly compliant with regulations related to their operation. In their four years of operation, the TNC's have made no requests to amend their By-law.

During the most recent sessions of PVAC, staff were able to complete a detailed update of the Public Vehicle Licensing By-law that removed a significant number of regulations to provide the taxi industry with a framework that allows them to compete more equitably with TNC vehicles.

Given the changes to the industry, it is recommended that the committee be retired and that staff consult with the industry as issues arise or changes are proposed to the By-law.

Towing Industry Advisory Committee (TIAC)

The TIAC was formed to provide advice and recommendation on matters relating to the towing industry. Through the Towing and Storage Safety and Enforcement Act, it is anticipated that the Province will assume full responsibility for the regulation of towing operators and owners including enforcement and training of industry members effective January of 2024. Given this change, it is recommended that the Committee be retired.

Quasi-Judicial Tribunals: Property Standards Committee, Committee of Revision, Mississauga Appeal Tribunal and Incidents in City Facilities Committee

The Property Standards Committee and Committee of Revision are statutory committees required by the *Building Code Act* and *Municipal Act*, respectively. Although these are separate

Committees, of the five (5) members appointed to the Property Standards Committee, three (3) are also appointed to the Committee of Revision. The Property Standards Committee met once during in the 2018-2022 term and 6 times during the 2014-2018 term. The Committee of Revision did not meet as no matters came before them.

The Mississauga Appeal Tribunal and Incidents in City Facilities Committee have separate mandates however the members serve on both. The Mississauga Appeal Tribunal presided over 5 hearings during the 2018-2022 term and 22 hearings from 2014-2018. The Incidents in City Facilities dealt with one matter during the same periods.

The members of these committees/quasi-judicial tribunals require a similar skill set and understanding, given the downward trend in number of matters being before these tribunals and to keep citizen members engaged it is recommended that the four Committees be amalgamated to establish a new Mississauga Appeals and Property Standards Committee which will review the following matters:

- Licensing By-laws
- Animal Care and Control By-law
- Property Standards By-law
- Local Improvement Process and the Levy of Local Improvement Taxes
- Review Ban of Individuals from Entering City Facilities

With the proposed new structure, Updated Rules of Practice and Procedure for the new Mississauga Appeals and Property Standards Committee will need to be established. The committee membership will be updated to include 10 citizen members who will attend hearings on a rotational basis, with a maximum of five citizen members per hearing.

NEW COMMITTEES

The Council Procedure By-law provides the following criteria to form a new advisory committee:

If there are no statutory requirements, the establishment of an Advisory Committee must fulfill at least five of the following criteria:

- (1) align with the City's Strategic Plan (and other Master Plans or guiding documents);*
- (2) require citizen voices or external stakeholder expertise to develop public policy or fulfill corporate mandate;*
- (3) ensure that broad subject matter is handled by multiple internal divisions and/or external stakeholders;*
- (4) include emerging issues of clear importance to the municipality;*
- (5) significantly help streamline discussion and decision-making at a Standing Committee;*
- (6) handle work that staff do not perform;*
- (7) required for the long-term (minimum of five years);*
- (8) mandate and work plan can be clearly articulated.*

On November 16, 2022, Councillors Dasko and Horneck suggested two additional committees for the new term, one to review Condominiums and the other Transit.

Condominium Advisory Committee

A condominium advisory committee does not comply with the above noted criteria and a review of other municipalities did not find any committees reporting to Council with a mandate related to condominium properties. Due to legislation (*The Condominium Act*) and condominium board authorities it would be difficult for a Condominium Committee to be effective and provide advice to Council on matters that they have control over. It is not recommended that a Condominium Advisory Committee be established.

Transit Committee

Given the City's commitment to transit and that it is one of the largest allocations of the City's budget, the introduction of a transit advisory committee as outlined in Appendix 3 is appropriate. The Transit Advisory Committee would provide stakeholder perspectives on the provision of public transit services and transit infrastructure in the City. The Committee would also provide insights and advice with respect to enhancing the customer experience on-board vehicles, at stations, terminals and stops and during interactions with front line staff. The proposed Transit Committee fulfills the requirements for a new committee and should be established.

Financial Impact

The Committees have no significant impact to the City's operating budget. Citizen member participation at meetings are voluntary with the exception of the quasi-judicial and tribunals where a small honorarium is provided. Reimbursements to citizen members for costs related to conducting committee business i.e. parking fees and site inspection mileage charges are in accordance with the Allowable Business Expenses/Reimbursement – Employee and Citizen Members of Committees and Boards Policy.

Conclusion

The review of the advisory committees and quasi-judicial committees has resulted in opportunities to make changes to some committees by updating committee names and mandates, membership composition, adding a new committee, amalgamating those with similar subject matters and retiring committees. The recommended changes will allow the committees of Council to operate more effectively and provide Council with support in their decision-making processes.

Attachments

Appendix 1: Draft Combating Racism and Hate Advisory Committee Terms of Reference

Appendix 2: Draft Safe Roads and Active Transportation Advisory Committee Terms of Reference

Appendix 3: Draft Transit Advisory Committee Terms of Reference



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