

**SUBMISSIONS OF THE CORPORATION OF THE  
CITY OF MISSISSAUGA TO THE  
HONOURABLE GEORGE W. ADAMS, Q.C.**

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**PART I - INTRODUCTION**

Since its inception, Mississauga has had a strategic plan that guided its development (Document No. 1). This plan has been central in forming the policies and decisions that have made Mississauga the great city it is today. Three of the ten strategic statements guide the issues being dealt with in this briefing.

1. Mississauga will provide the right services, delivered in a superior way, at a reasonable cost
2. Mississauga will be governed in an open and responsive manner
3. Mississauga will be a distinct major Canadian City

**Mississauga will provide the right services, delivered in a superior way, at a reasonable cost**

As the City of Mississauga works hard to clearly define itself as a large, independent municipality, and set its own course for the next chapter in its evolution, there exist three issues of particular concern:

- Mississauga taxpayers are currently subsidizing Brampton and Caledon for programs delivered by the Region of Peel
- Duplication and overlap of services that exist between the City and the Region is additional bureaucracy and wasteful of Mississauga taxes
- Representation of the taxpayers of Mississauga at the regional level is not proportionate to the assessment base or population

These concerns have been articulated through many reports and correspondence in its 30 year history, but the City's continued evolution to a mature, large urban centre have brought these issues to a head and have spearheaded the most recent persistent efforts to have Mississauga's long standing grievances addressed.

In response to these issues, Mississauga is proposing:

1. Implementation of a revised cost sharing model where costs are allocated based on use
2. The transfer of funding and delivery of local programs to the member municipalities
3. The continuation of the regional council model for certain programs
4. Implementation of a representation-by-population model

**Mississauga will be governed in an open and responsive manner**

Of great pride to the Mayor and Members of Council is the way in which they operate to capture citizen input, both solicited and unsolicited. Whether it is the open Council meetings where anybody can speak, wide circulation to commenting agencies such as

ratepayer groups, the various public meetings held or the focus groups and independent polling that is conducted, there are many accessible channels for input and feedback.

Consistent with how Council runs the day-to-day activities, they have addressed the issues contained in this briefing in an open and responsive manner to their citizens, elected officials and the many community groups that make up this great city.

- **February 2001**-An 18-member volunteer Task Force was appointed, comprising representatives from each of the City's nine (9) wards. Members came from many professional and volunteer backgrounds. They were requested to examine and bring forward recommendations on governance in the Greater Toronto Area, including the role of Mississauga.
- **May 2002** -The Citizens' Task Force delivered their recommendations. (Document No. 2)
- **December 2002** -Brampton approved a resolution, noting that their preferred model of governance is as a standalone City of Brampton. (Document No. 7)
- **September 2002** - The City of Mississauga issued their response to the Citizens' Task Force on the Future of Mississauga. This response included a resolution "That the Province of Ontario be requested to permit the transition of the City of Mississauga to a separated city in advance of the 2006 election". (Document No. 3)
- **February 2003** - Mayor McCallion issued an update to the Citizens of Mississauga outlining the key issues. (Document No. 4)
- **January 2004** - The City of Brampton released a report prepared on their behalf by Hemson Consulting. Their analysis broadly agrees with that prepared by Mississauga and concludes in one section that "most assets have been funded by property taxes and Mississauga has for many years represented a disproportionately high share of the Region's tax base." (Document No. 8)
- **February 2004** - Council received a report from staff "Separated City Financial Analysis and Resolution". This discussed "A Financial Report to the City of Mississauga on the Transition to a Single Tier" written by Day and Day Chartered Accountants which estimated that Mississauga citizens were overpaying \$32 million annually. (Documents No. 5 & 6)
- **February 2004** - Mayor McCallion met with Premier McGuinty.
- **April 2004** - Mayor McCallion issued another update to the citizens of Mississauga, including a pledge card. (Document No. 9)
- **May 2004** - Environics conducted a statistically valid survey indicating 81% awareness and 71% support, including 47% who strongly supported the proposal. Only 12% were against. (Document No. 10)
- **June 2004** -Council received a report from staff "Citizens response to pledge cards and Environics poll". Over 20,000 pledged votes received, 99% voted in favour (Document No. 10). Many letters and motions of support were also received, including those from the four Provincial MPPs whose ridings fall wholly within Mississauga. (Documents No. 15 & 16)

- **June 2004** - Council received a report from staff “A plan to take significant steps towards separation from the Region of Peel”. (Document No. 11)
- **June 2004** - City Council endorsed amending the composition of City Council by adding two additional councillors. (Document No. 12)
- **June 2004** - Mayor McCallion met with Premier McGuinty to present the facts compiled by Mississauga and the broad public support for this direction.
- **July 2004** - Mayor McCallion met with Minister Sorbara (Document No. 18)
- **August 2004** - The Mayor and Members of Council accepted the offer to appoint a facilitator by the Province.

In summary, this matter has been before Council several times; the citizens of Mississauga have been engaged in several venues including the Citizens’ Task Force, public meetings, pledge cards and independently polled by Environics. The Mayor and Members of Council have had strong support across the spectrum of this community.

**Mississauga will be a distinct major Canadian City**

The City of Mississauga is currently the 6th largest city in Canada and 24th within Canada and the US. When examining the top twenty-five cities in Canada, the top 13 are all single tier municipalities with the exception of Mississauga. They have clearer transparency, accountability and consistency of focus on issues and how they impact their citizens.

When the large municipalities gather together to network and discuss important policy matters, Mississauga is not able to fully engage in the debate as its jurisdiction is limited by the powers conferred at the regional level. Mississauga needs a seat at the top table with the rest of the major Canadian Cities.

Mississauga is often recognized for its fiscal responsibility and unprecedented growth. It is also a net importer of labour, has been ranked the safest City in Canada for the past four years, recognized as one of the top 100 employers in Canada over the past five (5) years and is home to 57 Fortune 500 Canadian Head Offices. The City has now reached the stage where new development is slowing and the maintenance of the City is foremost on the municipal agenda. In many ways Mississauga has become a distinct major Canadian City, and the time has come to modernize the regional responsibilities to reflect this. Councillors from Mississauga need to focus on big city issues, not small town ones and certainly not have the small town vote on the big city issues.

The Mayor and Members of Council have consistently applied the same diligence to commenting on Regional issues as they have with running the City. They are well informed and have years of City and Regional Council experience (Document No. 20). The changes being proposed will be consistent with the City’s strategic plan and follow the natural evolution of a mature city. Through a series of reports and public consultations they have prepared for a future where Mississauga will be able to operate as a large city at the national level, be represented appropriately at the regional level and more efficiently provide services at the local level.

The Mayor and Members of Council of the City of Mississauga are committed to the success of this process. They have studied these issues in detail over a number of years, have consulted widely with their citizens and have prepared workable plans for the Province to assist in ensuring practical solutions that result in more efficient government are reached.

### The Process

There is one item of concern with the Terms of Reference that must be addressed. The Terms of Reference state that the definition of “consensus” will rely on the requirements of sections 188-193 and 218 of the *Municipal Act, 2001* or for other action, as defined in the relevant legislation (Document No. 21).

“Consensus” is not a defined term in the *Municipal Act, 2001*. The level of agreement required under the provisions of the Act respecting the transfer of powers between tiers are set out in section 189 respecting the transfer of power to an upper-tier municipality and section 191 respecting the transfer of power to a lower-tier municipality. Section 191 allows for the transfer of power to one or more lower-tier municipalities through passage of a by-law by a lower-tier municipality. Before such a by-law can come into force at least half of the lower-tier municipalities excluding the municipality passing the by-law must pass resolutions consenting to the transfer. Peel Region is unique in that there are only three lower-tier municipalities, therefore arguably requiring all municipalities to consent for this requirement to be met, one municipality enacting a by-law and two voting. In addition, subsection 191(2)(c) requires the council of the upper-tier municipality to pass a resolution consenting to the assumption of the power by a lower-tier municipality and, in the Region of Peel, given quorum requirements, this alone results in consensus meaning unanimity. In the Region of Peel, a majority of members representing all lower-tier municipalities is necessary pursuant to subsection 237(1)(3) of the *Municipal Act, 2001* and section III-4(a) of the Council of the Regional Municipality of Peel Procedural By-law. (Documents No. 21, 22 & 23)

Consensus therefore means unanimous approval for the requirements of the Act to be met. Given the diverse interests and positions of the three lower-tier municipalities, it will be extremely difficult if not impossible to achieve “consensus”.

It is respectfully submitted that municipal reorganization to address the need for a realignment of powers between the Region of Peel and its lower-tier municipalities, and to provide for fair representation on Peel Regional Council, must be allowed to proceed without unanimous support from all three lower-tier municipalities. It is critical that the Facilitator not only have the ability to report to the Minister on the issues under discussion as tabled in the Terms of Reference, but that the Minister have the ability to act on all of the findings of the Facilitator.

## PART II – FUNDING ISSUES

### Cost Sharing of Region-wide Services

#### Legislative Authority

Authority to levy taxes, establish tax ratios and other tax policies are set out in Part VIII of the *Municipal Act, 2001*. (Document No. 21)

#### Comments

In 2003, the Region of Peel's tax levy totalled \$518 million, for services that are supported through the municipal property tax base. Current legislation provides that regional cost or tax levy sharing among the three area municipalities (Mississauga, Brampton and Caledon) is to be, for the most part, based on weighted property assessment shares.

#### Issues

Within the Peel context, sharing the Region's tax levy on the basis of weighted property assessment is not fair because there is no link between assessment shares and the cost/benefits received from Regional services within each area municipality. In fact, for many key services, the exact opposite is true – the regional taxes levied in Mississauga for many regional services exceed the cost and benefits of providing those services.

In addition, the current system is inconsistent with the principle of “pay for say” models of governance and taxation because while Mississauga's tax levy share for most regional services has ranged from 66% to 72%, its share of seats on Regional Council was less than 48%.

#### Weighted Assessment Versus Benefits Received & User Pay

Weighted assessment is designed to be a measure of the relative wealth or ability to pay for the cost of common services delivered at the regional level. In an ideal system where the costs, service levels and benefits of regional programs are equally distributed across a regional area, tax levy shares based on property assessments would be reasonable.

However, for key regional services, there is a very unequal distribution of the benefits or quantum of regional services provided in Mississauga when compared to tax levy shares and population. The table below highlights some of these important inequities.

For the regional services shown in the table below, the costs of providing those services in Mississauga and the benefits received by our taxpayers are well below Mississauga's share of the regional tax levy (i.e., total costs).

Key Selected Indicators	Mississauga	Brampton	Caledon
Population Share (2001)	62.0%	31.9%	5.1%
Share of Regional Councilors	47.6%	28.6%	23.8%
<b>Share of Regional Tax Levy</b>	<b>65.7%</b>	<b>28.6%</b>	<b>5.7%</b>
Share of Regional Roads	32.3%	38.3%	29.4%
Share of Long Term Care Facility Costs	48.5%	40.4%	10.9%
Location of Heritage Services Facilities	0.0%	100.0%	0.0%
Land Ambulance Service Calls	59.4%	33.6%	7.0%
Share of PIL Revenues Generated *	80.8%	18.1%	1.0%

\* Payments-In-Lieu (PIL) tax revenues are used to lower the property tax levy. While Mississauga generates almost 81% of revenues, only 65.7% (i.e., the regional tax levy share) of PIL revenues flows back to Mississauga taxpayers to reduce the tax levy.

The City believes that given these inequities, a new and better way for distributing regional costs and the regional tax levy is needed in Peel. More specifically, costs and the tax levy should be shared based on a user pay or benefits received model. Precedent already exists for the sharing of regional costs based on a user pay principle:

- Regional water and sewer costs are charged to customers on a uniform rate basis regardless of location based on consumption.
- Solid Waste Management costs in Peel are shared not on weighted assessment, but instead on waste tonnages generated within each area municipality which is more reflective of the actual cost of providing services to each community.

Day & Day Chartered Accounts (November 2003) conducted a service by service study to determine the financial impact of moving towards a system of three single tier municipalities in Peel. (Document No. 5) Accordingly, the study attempts to replicate the cost and tax impacts that would occur if Mississauga, Brampton and Caledon were directly responsible for the costs of providing regional services consumed within their own boundaries (i.e., in effect a user pay model). Where direct cost information or service indicators were not available (such as policing), the study distributed costs based on population with the assumption being that population is a much better indicator or driver of program costs than weighted assessment.

The study estimates that Mississauga residents and businesses are currently “over charged” by almost \$32 million a year through the current system of regional cost sharing based on weighted assessments. In other words, if various service costs were shared on a basis that is more reflective of either the benefits received or the costs of providing service within a community, Mississauga taxpayers would keep about \$32 million a year in their own community and reduce future tax increases. The four services and one revenue source highlighted in the above table accounts for about half (\$16.3 million) of

the projected tax impact, with roads (\$10.9 million) being the single largest service inequity. Policing represents the second largest service area with an estimated savings impact to Mississauga of about \$7.5 million, annually.

Since 1998, the costs of providing social assistance and social housing services are shared amongst the GTA Regions and the City of Toronto on the basis of weighted assessment. The GTA regions (including the Region of Peel) all believe that the situation is very unfair because the City of Toronto has a much greater share of total costs when compared to weighted property assessment and thereby receives a “subsidy” from the 905 GTA Regions of about \$175 million annually. Ironically, the City of Mississauga has faced a similar inequitable situation with services delivered at the Regional level that has been allowed to exist, unaddressed, since 1974.

#### **Caledon Tax Impacts versus Demographic Realities**

The potential negative tax impacts on the Town of Caledon of restructuring have often been cited as a reason why current costing sharing arrangements in Peel must be maintained. While it is acknowledged that any realignment of costs within a two-tier government structure will result in “winners” and “losers”, the potential impacts must be kept in perspective:

- Caledon currently enjoys the lowest combined municipal taxes (town and regional services) in Peel (Caledon \$1,877, Mississauga \$1,997, Brampton \$2,390 on homes assessed at \$250,000 in 2003).
- Caledon has by far the highest median household income in Peel Region (\$84,223), and one of the highest in the GTA which is the best indicator of ability to pay.
- The projected residential tax increases estimated in the Day & Day Report of 13.3% represents \$250 a year or less than 70 cents a day.

#### **Recommendations**

Implementation of a revised cost sharing model where costs are allocated based on use, specifically:

- Roads costs should be shared based on share of regional lane kilometres (alternatively, a recommendation to transfer roads to lower-tier municipalities is made later in this document);
- Long Term Care and Heritage services costs should be shared based on location of facilities;
- Ambulance services costs should be shared on the basis of calls for service;
- Policing costs should be shared on the basis of population;
- Revenues from Payments-In-Lieu of taxes should accrue back to the area municipality in which the facilities that generate the payments are located;
- All other regional services should be examined to determine if a more equitable basis exists for sharing costs (e.g. origin of caseloads or clients served).



### PART III - REPRESENTATION

Effective January 1, 1974, the Province enacted the *Region of Peel Act*, S.O. 1973 c.60 and created the Region of Peel with the existing three area municipalities: The City of Brampton, the Town of Caledon and the City of Mississauga. The Council of the City of Mississauga was established with a nine ward structure and, pursuant to section 6(b) of the *Region of Peel Act*, all nine (9) members of Mississauga Council became members of the Council of the Region of Peel. (Document No. 22)

From the outset, section 6 of the *Region of Peel Act* established that the Peel Regional Council consist of twenty-one (21) members plus the Regional Chair with representation as follows:

- The Mayor plus all nine (9) members of Mississauga Council;
- The Mayor plus five (5) council members from Brampton;
- The Mayor plus four (4) council members from Caledon.

Total representation was divided so that Mississauga has 47.6% of the seats, Brampton has 28.6% and Caledon has 23.8%. The *Municipal Act, 2001* repealed the *Regional Municipality of Peel Act* however, pursuant to section 458 the composition of all councils as they were on January 1, 2003 are carried forward.

The growth in population in Peel is represented by the following chart:

	1974*	% of Population	2001**	% of Population
Brampton	90,400	27.4%	325,428	32.9%
Caledon	20,300	6.1%	50,595	8.2%
Mississauga	218,800	66.4%	612,925	61.9%
Peel	329,500	100.0%	988,948	100.0%

\* Interpolated from 1971 and 1976 Census of Canada data and rounded to the nearest 100

\*\* 2001 Census of Canada

Peel is the only region in the Greater Toronto Area (GTA) with such an imbalance between population and representation. As can be seen by benchmarking against other GTA regions, Peel is clearly unique and Mississauga citizens disadvantaged. (Document No. 13)

As the chart indicates, while Mississauga's population has declined from 66.4% of the Region's population to 61.9% in 2001, it has always been significantly and systematically underrepresented throughout this time period with only 47.6% of the representation on Regional Council. Mississauga's representation on Regional Council was, by legislation, established such that it would not have the majority of votes.

The councillor-to-population ratio in 2001 was 1: 68,103, and is even higher today. The City of Mississauga has reviewed its ward structure on several occasions starting on May 25, 1977 when City Council established "The Mayor's Standing Committee on Representation at City and Regional Levels". The report dated December 1979 from the Standing Committee recommended a councillor-to-population ratio of 1: 40,000.

The purpose of the Standing Committee was "to determine whether, in view of the complexity of modern municipal government, the nine (9) Ward Councillors and the Mayor could adequately represent the 270,000 citizens of Mississauga at the local level and Regional level of government". A revised nine (9) ward structure was adopted by City Council and subsequently approved by the Ontario Municipal Board on January 26, 1978 (first revision to the original ward structure).

On April 24, 1984 City Council adopted new ward boundaries to be used in the 1985 municipal election (the second revision to the original ward structure).

A further review of the ward boundaries was approved by City Council on May 4, 1986 to be in place for the 1988 municipal election. On May 13, 1987, City Council directed "that the ward boundaries not be changed for the 1988 municipal election" as it was determined that possible changes at the Regional level could not be in place for the 1988 municipal election.

On April 4, 1990 a staff report recommending a new ward boundary structure was adopted by City Council for the 1991 municipal election. In addition, City Council adopted the following resolution:

"That the necessary steps be undertaken, including amendments to the Region of Peel Act, to allow revisions to the ward boundaries in the City of Mississauga which could result in additional wards in the City".

The Ontario Municipal Board approved a new ward boundary structure for the City of Mississauga on February 1, 1991 (third revision to the original ward structure). The Ontario Municipal Board, however, recognized the need for a long term solution to the issue of additional wards in Mississauga stating that: "It is clear to the Board that no one disagrees with the need for some change to either the ward boundaries or the number of councillors, to more adequately represent the ratepayers of the City of Mississauga, both at the area municipal level and at the Regional level – the question is when should that concern be addressed?". (Document No. 24)

On June 9, 2004, City Council considered a report titled "Ward Boundaries Review" dated May 31, 2004 and adopted a Resolution 0138-2004 which, among other matters, recommended pursuing two new wards to increase the total number of wards to 11. (Document No. 12)

The 11 ward structure was preferred because it would provide an appropriate resident to councillor ratio; would provide regional representation that will eventually reflect Mississauga's population share; and would allow for the high growth wards to be re-divided to create a more equitable population distribution without affecting ward boundaries in established areas of the City. The new wards should be in the northwest portion of the City where growth has been focused over the past several years.

The separate local/Regional model of representation is not appropriate for Mississauga for a number of reasons. A move to combining two wards into one regional electoral area does not address Mississauga's concerns respecting the need for representation based on population. Mississauga's representation at the Region cannot be further diminished; the City is already under-represented. Mississauga's councillors are very active in providing leadership to committees at the Region and participating in issues as well and Mississauga's voice adds a significant value to decisions at the Region.

Implementing a model similar to that used in Brampton and Caledon would result in adding nine (9) more members to Mississauga City Council, which is not necessary or efficient. Mississauga Council is unique in that it is very stable, having several long-serving members who know their constituencies very well. Also, Mississauga is nearing the end of its urban growth phase in all but the north area where the City has already identified a need for greater representation. The City can only justify adding two new Council positions.

Mississauga cannot proceed to add two new councillors without a corresponding change in regional representation as the differences in ward boundaries would be too confusing to the general public and would create further inefficiencies and issues. The public is already frustrated trying to determine who to contact about an issue and routinely call the City on Regional issues. Now when a member of council is involved in an issue that member can address all issues for the resident, City and Regional. This is one of the strength's of the Mississauga model. To make slight changes to boundaries would create chaos and confusion and would destroy accountability.

In order that all Mississauga Councillors are also Regional Councillors (maintaining the current model) two additional representatives for Mississauga on Regional Council are required. When the composition of Regional Council is amended to add two representatives from Mississauga, the City's share of Regional Council would be 52.2%, still less than its share of the Region's 2011 projected population but comparable to the 2021 to 2041 projected population share.

Based on the current population, if regional representation reflected the population distribution, Mississauga would have 13 representatives on Regional Council, Brampton would have seven representatives and Caledon would have one representative. In the long term (year 2041), Mississauga's regional representation would be 11 based on the forecasted population distribution.

### **Recommendation**

Amend the composition of Peel Regional Council to add two additional Mississauga representatives.

In order to maintain the current model where all Mississauga Councillors are also Regional Councillors, two additional wards are required for the current Mississauga ward structure for a total of 11 wards which will allow for a more equitable distribution of population among wards in Mississauga.

## **PART IV - CREATING EFFICIENCIES**

### **General Principles**

The City of Mississauga seeks greater service delivery efficiencies based on the following principles:

- improve public service through streamlined processes and better public access;
- provide responsive and affordable services through accessible and accountable government leadership;
- achieve efficiencies in a system that captures the costs and benefits of municipal services within the same jurisdiction;
- define an appropriate balance in service delivery between local and regional strengths;
- local communities should decide local issues as they are closest to the people and best able to deliver services;
- provide consistent opportunities for public input;
- as Canada's sixth largest City and being an accountable and responsible level of government, Mississauga needs to be able to meet the challenges and opportunities it faces without unnecessary constraints.

### **Planning, Construction, Operation and Maintenance of Existing Regional Roads**

#### **Legislative Authority**

Section 11 of the *Municipal Act*, assigns highways, including parking and traffic, non-exclusively to upper-tier municipalities. In addition, Part III of the *Municipal Act, 2001* sets out specific municipal powers relating to highways. Jurisdiction over highways is also set out in section 28. Several provisions within Part III impact on the jurisdiction of lower-tier municipalities over their highways by providing authority to upper-tier municipalities to take action including adding a lower-tier highway to its system, and closing lower-tier highways that intersect an upper-tier highway. (Document No. 21)

### Comments

There are currently three (3) jurisdictions that maintain public roadways within the municipal boundaries of Mississauga; they are: Ontario Ministry of Transportation (MTO), City of Mississauga and the Region of Peel.

The City of Mississauga currently has approximately 1,850 centre line kilometres or approximately 5,500 lane kilometres of road under its jurisdiction. This includes all the sidewalks, street lighting, traffic lights, etc., associated with these roadways. Of these, over 345 centre line kilometres are classified as major roadways. Within the City of Mississauga, the Region of Peel has jurisdiction over 92 centre line kilometres of major roadways or 492 lane kilometres. Of these, at the present time, the City of Mississauga, maintains over 20 centre line kilometres on the Region's behalf on a "charge back" basis. The City has jurisdiction over and maintains all sidewalks and street lights on Regional roads.

Table 1 below illustrates the number of signalized intersections within the City of Mississauga. All of the intersections are controlled centrally through a computerized traffic control system owned and operated by the City. All work related to the operations and maintenance of the central traffic computer and the telecommunications network between the computer and the individual signals is undertaken by the City of Mississauga and charged back to the Region of Peel (and others). All maintenance of the individual signals is contracted out through a joint tender between the City, the Region and the City of Brampton.

Table 1            Signalized Intersections in The City of Mississauga

Operated by	Mississauga Intersection	Peel Intersection	MTO Intersections	Other	Total
Mississauga	422 (67%)	0	23 (4%)	3	448
Peel	0	160 (25%)	19 (3%)	3	182
<b>Total</b>	422 (67%)	160 (25%)	42 (7%)	6	630

The City undertakes all of the short, medium and long term planning for all roads under its jurisdiction. This includes commenting on development applications, undertaking road studies and environmental assessments, operation of a sophisticated transportation planning model and developing the ten-year capital maintenance and new construction programs and budget. The Region duplicates all of these functions for the roads under its jurisdiction.

The City of Mississauga seeks jurisdiction over all regional roads that currently exist within the City of Mississauga. The City already operates the majority of major roads within the City (345 of 437 centre line kilometres) and by maintaining all roads within its boundaries, improved customer service and greater efficiencies can be achieved. This is documented in the "Financial Report to the City of Mississauga on the Transition to a

Single Tier" (Day & Day), November 2003, which estimates a 5% savings or \$1.9 million annually. (Document No. 5)

The City is already set up with an integrated road maintenance and pavement management system where no additional upgrades would be required for the planning of all road related capital improvements and maintenance activities. The City already has in place all of the administrative and technical resources required to undertake the short, medium and long term planning of all roads within the City.

The City owns and operates four strategically placed Works yards so no expansion would be necessary in order to take over the regional roadway system. Conversely, the Region has no roads Works yards within Mississauga's borders. The City owns and operates the central traffic computer, undertakes all work related to the computer control of all signals in the City and is responsible for the majority of signalized intersections in the City.

The Province transferred all non-400 series type highways to the City in the early 1980's. For example, Highway 5 became Dundas Street, Highway 2 became Lakeshore Road and Highway 10 is Hurontario Street. It was recognized at that time that although these roads are major in nature, they also serve a local function and should have municipal control as far as adjacent land use planning and road capacities are concerned.

The City already operates the majority of major roads within the City boundaries (345 of 437 centre line kms.) and has the technical and administrative knowledge and resources required to seamlessly operate and maintain the roads currently under the jurisdiction of the Region. By bringing the jurisdiction under one entity, the City would offer a more efficient level of customer service and a clearer picture of who is responsible for the road system within its borders. The City of Mississauga would be able to provide a better coordination of services and better response time. There would be less administration as it is anticipated no additional administrative staff would be required to take on the small percentage of roadway that would be transferred over. Wages, equipment availability, etc., are virtually the same for both the Region of Peel and the City of Mississauga. However, on the administration side, there are definitely savings to be realized.

The Region already recognizes that the City can and does provide cost-effective services as the Region contracts to the City the maintenance of over 20% of the regional roads within the City today. It should be noted that the maintenance standards for Regional roads are similar to that of the City of Mississauga. All sidewalks on Regional roads already belong to and are maintained by the City of Mississauga. All street lighting on Regional roads is owned, operated and maintained by the City of Mississauga. All bus stops on Regional roads are placed, operated and maintained by the City. The City of Mississauga even provides a "shadow" road patrol of Regional roads and reports any problems with the Regional road system to the Region of Peel for their action.

In a recent review it was noted that the Region of Peel does at this time incur a lower cost to maintain winter works on its roads within Mississauga which is largely due to the fact

that snow clearing contracts were renegotiated on a short term basis. This saving obviously cannot be assured over a longer period of time and, as economics dictate, these responsibilities should be phased into Mississauga's operations, or the contracts could be immediately administered by the City. This review also indicated that the other costs are similar to those of the Region, many of which are contracted.

The City already has in place all of the administrative resources required to operate all of the traffic signals within the City. Rationalization of the operation of the roads and traffic control system will reduce the public's confusion and will enhance customer service related to inquiries and complaints. The public does not understand the fragmented roads jurisdiction within the City and the City is generally the first point of contact with the public.

There are currently 32.3% of Regional Roads within the City of Mississauga; however, the City pays 65.7% of the Regional Tax Levy. As a result, the Day & Day Report identified roads as being the single largest service inequity (Document No. 5). Elimination of this service inequity by the City taking over the operational and financial responsibility for all major roads within the municipality will reduce duplication and result in an overall improved level of customer service.

#### **Recommendation**

That Mississauga, Brampton and Caledon each have jurisdiction and financial responsibility over all roads within their boundaries excluding those under provincial jurisdiction.

### **Planning Processes and Approvals**

#### **Legislative Authority**

There is duplication and inefficiency in the delivery of planning services. The *Regional Municipality of Peel Act, 1973* mandated areas of regional and local planning responsibility. (Document No. 22) The *Planning Act* required that an official plan be prepared for the Region.

#### **Comments**

The purpose of the Regional Official Plan was to set a strategy for growth in Peel and act as a framework for the area municipalities' official plans. The City of Mississauga Official Plan was approved in 1981. The Regional Official Plan was not in place until 1996. With official plans in place for all three area municipalities, the Regional Official Plan in its current form is in many respects redundant.

With regard to transportation planning, the City of Mississauga undertakes short, medium and long term planning with respect to roads and transit within the City and in conjunction with adjacent GTA municipalities. This includes the operation of a sophisticated transportation planning model.



The Region duplicates these efforts in many area, including the operation of a separate transportation planning model. In many areas, e.g., transit, the Region has no mandated responsibility, but continues to undertake transportation planning activities.

### **Approval of Official Plan Amendments, Subdivisions, Condominiums and Severances**

When *The Regional Municipality of Peel Act, 1973* came into effect, approval authority of local municipality official plan amendments (OPAs) was with the Province and the authority for plans of subdivision and condominium approvals was with the Region. This was an appropriate model when Mississauga was a new municipality and on the verge of rapid development. Over time, significant development has taken place and the area municipalities have the capability to manage the demand for comprehensive, high quality and timely processing of development applications. Regional involvement in local planning has been reduced to only commenting on the impact of proposed developments on Regionally mandated services.

This was in part recognized by the Province and the Region in 2000 when the approval of local municipality OPAs was subdelegated by the Province to the Region. Subsequently, the Region exempted local OPAs from Regional approval if they conform to the Regional Official Plan. In addition, the approval of subdivisions, condominiums and land severances was subdelegated to the local municipalities in recognition that approval at the Regional level was no longer adding value to the process.

Given the evolution described above, approvals of area municipality official plans should be done in the context of a Greater Golden Horseshoe Growth Management Plan, as Regional boundaries are too narrow to adequately deal with Urban Growth issues.

### **Other Areas of Duplication**

Even though the planning authority of the Region has been significantly reduced, the Regional Planning Department continues to grow and devote significant staff resources to activities which result in duplication of efforts. (Document No. 19) Specific examples of overlap are outlined in the following chart.

PLANNING FUNCTION	EXISTING DUPLICATION
Regional Official Plan	Certain policies (e.g. aircraft noise, housing, transit, and heritage) duplicate area municipal planning policies. The Regional Official Plan should be amended to address Regional mandated areas only.
Environmental Planning	Policies in Regional Official Plan (e.g. protection of natural areas) duplicate area municipal plans. Region environmental mapping duplicates Mississauga's Natural Area Survey. Duplication by Region of the role of Conservation Authorities (e.g. natural hazards and top-of-bank staking). The Regional Official Plan should be amended to eliminate duplication in environmental policies.
Demographic and Socio-economic databases	Mississauga collects, analyses and stores information related to all demographic and socio-economic information. The Region compiles similar information from the area municipalities. This should be the function of area municipalities.



PLANNING FUNCTION	EXISTING DUPLICATION
Monitoring	Mississauga has a monitoring function in place including maintenance of several databases (e.g. employment, residential, office, retail, vacant land) and regular reporting (e.g. annual reports to City Council, population and employment forecasts). Region monitoring of this information is duplication. This should be the function of area municipalities.
Population and Employment Forecasts	Mississauga City Council has approved its own growth forecasts for several decades. Current forecasting done by the Region is duplication and could result in inconsistencies. This should be the function of area municipalities.
Transportation Planning	Mississauga does short, medium and long term planning for roads and transit within the City and in conjunction with adjacent GTA municipalities, including the operation of a sophisticated transportation planning model. The Region duplicates these efforts in many areas, including the operation of a separate transportation planning model. The Region continues transportation planning activities outside its mandate e.g. Transit. Transportation planning should be the responsibility of the local municipalities.
Special Studies	The Region undertakes special studies on issues beyond their mandate (e.g. rooming and lodging house study, housing for the elderly, accessory apartments). These studies should be the responsibility of area municipalities.

### **Inefficiencies in the Approval Processes**

Peel Planning currently acts as a coordinating body for all Regional comments on area municipal development applications. This lengthens and complicates the process. Efficiencies and more effective communication would result if the area municipalities dealt directly with the Regional departments.

### **Recommendations**

The following steps should be taken to eliminate duplication and inefficiencies in the delivery of planning services within the Region of Peel:

1. Authority and responsibility under the *Planning* Act should be transferred to lower-tier municipalities and those municipal official plans should be done in the context of a Greater Golden Horseshoe Growth Management Plan;
2. Regional comments to the local area municipalities on development applications should be limited to only areas of regional responsibility and should come directly from the operational departments and the agencies. This would result in more timely processing of development applications, elimination of duplication in planning activities and cost savings as the result of fewer staff resources being required.

## TransHelp

### Legislative Authority

Section 11 of the *Municipal Act, 2001* includes in the sphere of jurisdiction respecting transportation systems, non-exclusive authority for disabled passenger transportation systems within the jurisdiction of the Region of Peel. Consequently, this authority could be transferred to lower-tier municipalities. (Document No. 21)

### Comments

Peel TransHelp is a division of the Social Services Department of the Region of Peel. It provides services to the disabled community for the entire Region including the Cities of Mississauga, Brampton and the Town of Caledon. It is run from their head office at 3190 Mavis Road, Mississauga with a fleet of approximately 30 buses and 60 employees.

Peel TransHelp does not operate a fixed route service. Customers are required to call in to book rides, often several days in advance. These rides are provided on a first come first serve basis with a limited number of drivers and vehicles available. To help meet this demand, Mississauga Transit has introduced seven fully accessible fixed routes over the last three years. This was possible as all new conventional transit buses are equipped to “kneel” and accommodate wheelchairs. The City will continue to expand the number of fully accessible routes as new buses are introduced into the fleet. Therefore, if TransHelp was provided by the City, integration with Mississauga Transit would provide the ability to determine the optimal way to accommodate the disabled community. In addition, the TransHelp depot is located in Mississauga in proximity to Mississauga Transit.

Most transit systems in Ontario operate both conventional and specialized transit services. The only exceptions are Peel TransHelp and Oshawa Handy Transit which services most of Durham Region.

It is proposed that the Regional TransHelp service be transferred to the area municipalities to run in conjunction with Mississauga Transit. Area municipalities licence accessible taxicabs and Peel TransHelp conducts business with them. The opportunity to offer a seamless service exists. If this arrangement was established it would have the following benefits:

- Decisions on program funding and levels of service for specialized transit would now be made by City Council, in concert with similar decisions for the conventional system. Moreover, City Council will establish strategic plans, prepare long-term Capital and Operating Budgets, determine service levels, and assess performance for an overall transportation system, which would now include both the conventional and specialized systems.
- This arrangement would improve direct access by members of the special needs community to Council, to ensure their transportation needs are met.

- This arrangement would improve the integration of services between Mississauga Transit, Peel TransHelp and accessible taxicabs, which will improve customer service and lead to greater efficiencies.
- This arrangement will provide for shared access to infrastructure, systems and management resources within the City of Mississauga. In addition, it will provide opportunities to leverage existing investments in people, vehicles and equipment, technology and business processes. This in-turn will lead to increased cost efficiencies and improved service delivery methods.

### **Recommendation**

That responsibility for disabled passenger transportation systems be given to the lower-tier municipalities to be provided as part of their current bus passenger transportation systems.

## **Waste Collection Service**

### **Legislative Authority**

Section 11 of the *Municipal Act, 2001* provides that the whole sphere of waste management, except for waste collection, is exclusively within the jurisdiction of the Region. Waste Collection, therefore, could be transferred back to lower-tier municipalities. (Document No. 21)

### **Comments**

The Region of Peel historically has been responsible for waste disposal. Since 1994 the Region of Peel has taken over curb side waste collection. The City of Mississauga sells Regional blue/grey boxes in addition to selling garbage tags for additional garbage. The City of Mississauga also provides leaf collection in certain areas of the City and is partially compensated by the Region of Peel on a tonnage basis.

The City of Mississauga believes that the economies of scale have been exceeded for the Region to award one large contract to one supplier and that garbage collection on a "Mississauga only" basis is practical and economical as far as the contractual community is concerned. This was confirmed during the last tender process.

The City will also be able to provide better coordination, especially on garbage day with other operations and in particular with snow plowing operations. Also on garbage day, there can be better coordination of litter pick-up as it is a City responsibility.

At the present time, it is the local municipality that determines where most waste bins will be placed in public areas. These are found at bus stops and other high traffic areas. The pick-up of that receptacle is conducted by the Region of Peel and, as such, they will often refuse locations, causing another layer of bureaucracy and reducing service. If there are any problems with the container it is then up to the local municipality to look after the disposal of the contents.

For indiscriminate dumping cases of large magnitude, usually both jurisdictions attend. Household garbage is separated from other debris. The household garbage is disposed of by the Region of Peel, while the other debris is disposed of by the City.

The City of Mississauga believes that all of these activities can be coordinated and administered much more effectively and efficiently if under one jurisdiction.

There would be no cost impact of transferring responsibility for waste collection to the local municipalities because cost is already shared based on the difference between the prior year estimated and actual tonnage amounts.

#### **Recommendation**

That the three area municipalities (Mississauga, Brampton, Caledon) have jurisdiction over waste collection within their boundaries.

### **Heritage Services**

#### **Legislative Authority**

Section 11 of the *Municipal Act, 2001* gives jurisdiction for the sphere that includes heritage to upper-tier municipalities, non-exclusively. Consequently, jurisdiction in respect of all heritage matters could be transferred to lower-tier municipalities.

#### **Comments**

Heritage or cultural services are provided by both the Region of Peel and the area municipalities, raising the issue of duplication of service and facilities. The Region currently operates the Peel Heritage Complex which is comprised of the Art Gallery of Peel, the Region of Peel Archives, the Region of Peel Museum, the Historic Peel County Courthouse and the former Peel County Administrative Building.

The net levy cost of Peel Region heritage services was just over \$1.0 million in 2003. Despite the fact that all facilities are located within the City of Brampton, Mississauga's tax levy share for this program was about \$670,000.

#### **Recommendation**

That Mississauga, Brampton and Caledon each be responsible for actual heritage costs incurred based on services and facilities provided within their respective communities and accordingly each municipality should assess the value of ongoing financial support of heritage programs to their residents/taxpayers.

## PART V - TRANSITION

It will be important that the changes proposed in this submission and as otherwise agreed to, be carried out as smoothly as possible so that the public does not suffer service interruptions and the impact on municipal staff is minimized. One approach would be that utilized by the Province when the *Municipal Act, 2001* was enacted, and provide a twelve to eighteen month lead-in time before amendments are effective. This would also allow for necessary notice to be given to employees who may be displaced or relocated. There will be some one-time costs associated with these changes however, given that they do not represent a major reorganization like eliminating the Region of Peel, these costs should be minimal. One option would be to have all or a portion of the transition costs offset by the reserves held by the Region of Peel which are detailed under section G of the Day Report. (Document No. 5)

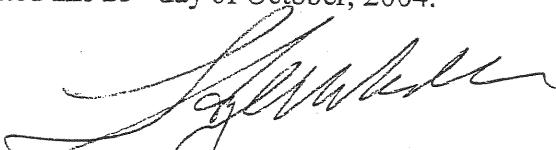
Representation on Regional Council is another matter. There is a need to proceed expeditiously with these changes so that the process set out in sections 218 and 222 of the *Municipal Act, 2001* can be completed in time for implementation by the 2006 municipal election. Accordingly, all necessary public meetings, by-laws and subsequent appeals must be completed before January 1, 2006.

The timing of this review is fortuitous because it measures with the Province's review of both the Planning Act and the Municipal Act 2001. In this respect, any changes that may be necessary as a result of this review can easily be included in the other two processes for legislative change.

In conclusion, the City of Mississauga simply seeks the status of other cities in Ontario, including cities like London, Kingston and Windsor. We are the level of government that is closest to the people, and we want to serve our residents and businesses in a manner that is most efficient and responsive to their needs.

We believe that can be best achieved through the recommendations contained in this briefing.

All of which is respectfully submitted this 25<sup>th</sup> day of October, 2004.



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HAZEL McCALLION  
MAYOR



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JANICE M. BAKER, CA.,  
CITY MANAGER (ACTING)