

Minutes



PUBLIC VEHICLE ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

TUESDAY, APRIL 21, 2015 - 9:37 A.M.

COUNCIL CHAMBERS

SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

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

Members

Members Present:

Councillor Ron Starr, Ward 6 **(Chair)**
Councillor Carolyn Parrish, Ward 5 **(Vice-Chair)**
Al Cormier (Citizen Member)
Nabil A. Nassar (Citizen Member)
Baljit Pandori (Taxicab Brokerages)
Karam S. Punian (Taxicab Drivers)
Harsimar Singh Sethi (Elected At Large)
Nirmal Singh (Taxicab Owners)
Joshua Zahavy (Limousine Brokers)

Staff Present:

Mickey Frost, Director, Enforcement
Daryl Bell, Manager, Mobile Licensing Enforcement
Carla Mariuz, Project Manager, APS
Karen Morden, Legislative Coordinator

Contact: Karen Morden, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 5471 Fax 905-615-4181
karen.morden@mississauga.ca

CALL TO ORDER

Karen Morden, Legislative Coordinator, Office of the City Clerk, called the meeting to order at 9:37 AM.

APPOINTMENT OF THE INTERIM CHAIR

Ms. Morden, Legislative Coordinator, Office of the City Clerk, advised that due to the Committee not having completed Member appointments, a call for an Interim Chair would take place. Ms. Morden called for nominations for appointment to the office of the Interim Chair of the Public Vehicle Advisory Committee (PVAC) for the term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Karam Punian, Taxicab Drivers, nominated Councillor Carolyn Parrish for appointment to the office of the Interim Chair for PVAC and Councillor Parrish accepted the nomination.

Al Cormier, Citizen Member, nominated Councillor Ron Starr for appointment to the office of the Interim Chair for PVAC and Councillor Starr accepted the nomination.

No further nominations were received.

A vote was called and Councillor Starr received the majority of votes.

RECOMMENDATION

That Councillor Ron Starr be appointed Interim Chair of the Public Vehicle Advisory Committee for a term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Approved (A. Cormier)

Recommendation PVAC-0012-2015

APPOINTMENT OF THE INTERIM VICE-CHAIR

Ms. Morden called for nominations for appointment to the office of Interim Vice-Chair of the Public Vehicle Advisory Committee (PVAC) for a term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Nabil Nassar, Citizen Member, nominated Councillor Carolyn Parrish for appointment to the office of Interim Vice-Chair of PVAC and Councillor Parrish accepted the nomination.

No further nominations were received.

RECOMMENDATION

That Councillor Carolyn Parrish be appointed Interim Vice-Chair of the Public Vehicle Advisory Committee for a term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Approved (N. Nassar)

Recommendation PVAC-0013-2015

Councillor Starr took over the meeting as Chair.

DECLARATIONS OF CONFLICT OF INTEREST – Nil.

PRESENTATIONS - Nil

DEPUTATIONS – Nil

Councillor Starr advised the Committee that a staff person, Rachel Treadgold, Senior Policy & Program Advisor, from the Ministry of Transportation was present in the audience and was available to answer questions with respect to the Pan Am/Para Pan Am Games being hosted in Mississauga.

A brief discussion ensued between Members and staff with respect to ensuring that all vehicles that are providing service at the Games are licensed by the City. Daryl Bell, Manager Mobile Licensing Enforcement, noted that practices had been reviewed to ensure this and that they would be working with Peel Regional Police to also enforce this. Harsimar Singh Sethi, Elected At-Large, suggested signs be posted to advise passengers to use licensed taxicabs only and Mr. Bell noted that he would share that suggestion.

Al Cormier, Citizen Member inquired whether the demand for accessible transportation during the Para Pan Am Games would impact regular users of accessible transportation such as Transhelp. Ms. Treadgold noted that they are working closely with MiWay and Transhelp to ensure the availability of accessible transportation and that they are currently developing a “Call One” service to ensure this.

MATTERS CONSIDERED1. Minutes of Previous Meeting

- 1.1 Minutes of the Public Vehicle Advisory Committee meeting held on March 3, 2015.

Approved (A. Cormier)

2. Review and Approval of the Public Vehicle Advisory Committee Terms of Reference

Review and approval of the Public Vehicle Advisory Committee Terms of Reference.

Karen Morden, Legislative Coordinator briefly outlined the amendments to the Terms of Reference for the Public Vehicle Advisory Committee (PVAC). Ms. Morden noted that a further amendment was imminent with respect to Committee quorum and the ability of Industry Members, whether elected or industry-appointed; to appoint a designate in their absence and further commented that the ability to do so is an anomaly to other Committees of Council and is not within Council Procedure By-law 139-13.

Discussion ensued amongst Industry Members who were in support of continuing to allow the appointment of designates due to their possible occasional inability to attend due to work commitments and the importance of having the entire industry representative positions represented at each meeting.

Al Cormier, Citizen Member suggested a compromise allowing Industry Members to appoint a designate in their absence, without voting rights.

Peter Pelier, Taxicab Industry suggested that one of the industry members that ran in the PVAC election but was not elected could be a regular designate and could be required to attend all meetings.

There was a general consensus that the Committee was in support of Mr. Cormier's suggestion.

RECOMMENDATION

That the Terms of Reference for the Public Vehicle Advisory Committee be referred back to staff to determine best practices with respect to committee quorum and report back to PVAC at the June 16, 2015 meeting.

Referred (A. Cormier)

Recommendation PVAC-0014-2015

3. Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs

Corporate Report dated April 9, 2015 from the Commissioner of Transportation and Works entitled, “Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs”.

Mickey Frost, Director, Enforcement and Daryl Bell, Manager, Mobile Licensing Enforcement spoke to the subject report and noted that the amendment effectively brought the By-law in line with the existing practice in the industry and would incur the same fees as are currently required.

Al Cormier, Citizen Member inquired as to whether a decision on this matter should wait until after receiving the consultant’s report. Mr. Frost noted that the consultant’s report may require amendments to the by-law and will be done so accordingly, notwithstanding current practices.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works, dated April 9, 2015 and entitled, “Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs”, be received.

Received (A. Cormier)

Recommendation PVAC-0015-2015

4. Amendments to the Public Vehicle Licensing By-law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles

Corporate Report dated April 9, 2015 from the Commissioner of Transportation and Works entitled, “Amendments to the Public Vehicle Licensing By-Law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles”.

Mr. Bell briefly explained the provisions of the current practice with respect to English language speaking and listening and noted the difficulty with having taxicab drivers who hold Canadian Citizenship tested through Adult Education services due to Adult Education’s mandate. Mr. Bell clarified that the requirements will only include speaking and listening English language requirements and would remove the written requirement portion.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works dated April 9, 2015 and entitled “Amendments to the Public Vehicle Licensing By-law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles”, be received.

Received (N. Nassar)

Recommendation PVAC-0016-2015

5. Amendments to Public Vehicle Licensing By-law 420-04, as amended, to enable enforcement through the Administrative Penalty System

Corporate Report dated April 10, 2015 from the Commissioner of Transportation and Works entitled, “Amendments to Public Vehicle Licensing By-law 420-04, as amended, to enable enforcement through the Administrative Penalty System”.

Mr. Frost spoke to the report and explained that the implementation of the Administrative Penalty System (APS) was in response to concerns from the industry. Mr. Frost noted that the implementation simplified processes and allowed for an impartial, objective resolution, providing an easier appeal process and more timely resolution.

Carla Mariuz, Prosecutor, Legal Services explained the Administrative Penalty System and noted that it consists of a two tier review process with first tier screening by screening officers who have been in place since June 2014 and currently deal with animal services, animal control and parking administration and, if the complainant is dissatisfied with the outcome of the first tier screening, the ability to appeal the decision.

Karam Punian, Taxicab Drivers noted his opposition to the Administrative Penalty System and inquired as to whether other municipalities are using this system and requested clarification with respect to the ability to appeal. Ms. Mariuz commented that Oshawa, Vaughan and Brampton have implemented the APS with success and clarified the APS noting the two level process of review, that Provincial legislation dictates the process and that the system allowed for a fair decision.

Nabil Nassar, Citizen Member inquired as to the process if it involved both the *Municipal* and *Provincial Acts*. Mr. Frost advised that Municipal penalties are dealt with by the APS and that Provincial penalties will continue to follow the Provincial process. Mr. Frost further commented that under the APS there will be no difference other than that the APS issues a penalty notice and not a Provincial fine.

Councillor Parrish noted that the Committee had previously received a report addressing the classification of minor/major offenses and the associated warning system from the Enforcement Division and commented on the improvements to the system the APS would provide.

Mr. Frost advised that Council has approved the Administrative Penalty System for licensing and parking matters and that the Public Vehicle Licensing By-law 420-04, as amended, clearly lists and defines all infractions and corresponding infraction rates.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works, dated April 10, 2015 and entitled “Amendments to Public Vehicle Licensing By-law 420-04, as amended, to enable enforcement through the Administrative Penalty System” be received for information.

Received (N. Nassar)

Recommendation PVAC-0017-2015

6. Public Vehicle Advisory Committee 2015 Meeting Dates

Memorandum dated April 14, 2015 from Karen Morden, Legislative Coordinator, regarding the 2015 meeting dates for the Public Vehicle Advisory Committee.

Members briefly discussed the meeting time and noted that a 10:00 a.m. start time would be preferred in future.

RECOMMENDATION

1. That the memorandum dated April 14, 2015 from Karen Morden, Legislative Coordinator, regarding the 2015 meeting dates for the Public Vehicle Advisory Committee be received for information;
2. That all future meetings of the Public Vehicle Advisory Committee be scheduled to begin at 10:00 a.m.

Received (H. S. Sethi)

Recommendation PVAC-0018-2015

7. Public Vehicle Advisory Committee - Action List

No discussion took place on this item.

RECOMMENDATION

That the Public Vehicle Advisory Committee Action List for 2015 be received for information.

Received (B. Pandori)

Recommendation PVAC-0019-2015

OTHER BUSINESSUpdate on Uber X

Baljit Singh Pandori, Taxicab Brokerages inquired as to whether staff had an update with respect to Uber X and discussion ensued amongst the Members and staff.

Members expressed concerns regarding the operation of ridesharing services in Mississauga and the limitations of the Public Vehicle Licensing By-law to enforce penalties on drivers.

Mr. Bell advised that there are no further details on Uber practices at this time, that staff are continuing to enforce the by-law and that Municipal Law Enforcement do not have the authority to enforce Provincial laws or the Highway Traffic Act as the police are responsible for Provincial enforcement matters. Mr. Frost noted that Legal is pursuing an injunction on Uber X to stop services, as is the City of Toronto.

Councillor Parrish noted that recent news reports indicated that Uber had joined with Loblaws stores in Toronto, offering a free ride to and from the grocery store, without penalty from Toronto enforcement.

A member of the audience from the taxicab industry addressed the Committee with respect to ridesharing companies and commented that the problem is bigger with the existence of mobile applications and that industry members had met with Peel Regional Police who advised them that off-duty officers were being employed to the airport to go after “scoopers”.

Councillor Starr commented on the need to partner with the Province to bring about change.

Mr. Punian suggested the possibility of creating a Regional by-law that would penalize anyone driving people without the appropriate licence.

Councillor Parrish suggested that staff could design a messaging postcard affixed with the City of Mississauga logo, self-addressed to the Premier of Ontario with respect to the regulation of taxicab mobile applications. Discussion and agreement ensued amongst members.

RECOMMENDATION

1. That staff design and print a messaging postcard affixed with the City of Mississauga logo, self-addressed to the Premier of Ontario with respect to the regulation of taxicab mobile applications;
2. That upon completion the postcard be sent for review and approval to the Public Vehicle Advisory Committee;
3. That staff distribute the postcard to taxicab brokerages to distribute to taxicab drivers and taxicab passengers for signature;
4. That the signed postcards be collected at the City and forwarded en masse to the Premier of Ontario.

Referred (Councillor Parrish)
Recommendation PVAC-0020-2015

DATE OF NEXT MEETING – Tuesday, June 16, 2015 at 10:00 AM, City of Mississauga, Council Chambers

ADJOURNMENT – 11:38 A.M.