

AGENDA



PUBLIC VEHICLE ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

TUESDAY, APRIL 21, 2015 - 9:30 A.M.

COUNCIL CHAMBERS
SECOND FLOOR, CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1
<http://www.mississauga.ca/portal/cityhall/publicvehicleadvisory>

Members

Councillor Carolyn Parrish, Ward 5
Councillor Ron Starr, Ward 6
Al Cormier (Citizen Member)
Nabil A. Nassar (Citizen Member)
Karam S. Punian (Taxicab Drivers)
Harsimar Singh Sethi (Elected at Large)
Nirmal Singh (Taxicab Owners)
Joshua Zahavy (Limousine Owners)
(Vacant) (Taxicab Brokerages)

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

APPOINTMENT OF THE CHAIR

APPOINTMENT OF THE VICE-CHAIR

APPROVAL OF THE AGENDA

DECLARATIONS OF CONFLICT OF INTEREST

PRESENTATIONS – Nil.

DEPUTATIONS – Nil.

MATTERS TO BE CONSIDERED

1. Minutes of Previous Meeting

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

RECOMMEND APPROVAL

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

RECOMMEND APPROVAL

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”.

RECOMMENDATION

That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee, on 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.”

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".

RECOMMENDATION

That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee, on 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."

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".

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.

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.

RECOMMEND RECEIPT

7. Public Vehicle Advisory Committee - Action List

Public Vehicle Advisory Committee Action List for 2015.

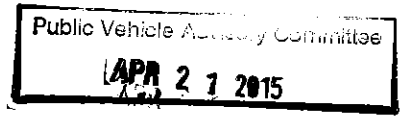
RECOMMEND RECEIPT

OTHER BUSINESS

DATE OF NEXT MEETING

Tuesday, June 16, 2015, 9:30 AM: Council Chambers, Mississauga Civic Centre, 300 City Centre Drive, Mississauga L5B 3C1

ADJOURNMENT



Minutes (DRAFT)

PUBLIC VEHICLE ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

TUESDAY, MARCH 3, 2015 - 9:33 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 (Vice-Chair)
Councillor Carolyn Parrish, Ward 5 (Arrival 9:46 a.m.)
Al Cormier (Citizen Member)
Baljit Singh Pandori (Elected at Large)
Gurvel Singh (Taxicab Brokerages)
Nabil A. Nassar (Citizen Member)
Craig McCutcheon (Limousine Owners)
Paramvir Singh Nijjar (City Area Taxicab Owners)

Members Absent:

Harsimar Singh Sethi (City Area Taxicab Drivers)

Staff Present:

Mickey Frost, Director, Enforcement
Daryl Bell, Manager, Mobile Licensing Enforcement
Karen Morden, Legislative Coordinator
Stephanie Smith, 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 - 9:33 AM

DECLARATIONS OF CONFLICT OF INTEREST - Nil

PRESENTATIONS - Nil

DEPUTATIONS

A. Dr. Dan Hara, President, Hara Associates Inc., with respect to the Taxi Plate Issuance Model Review

Dr. Dan Hara, Hara Associates Inc. provided an updated progress report regarding the taxi plate issuance model review.

Dr. Hara commented that there is now sufficient data with respect to dispatch response time to go forward with the completion of the report with a good analysis of the Mississauga market and thanked the companies who provided information, noting that data confidentiality will be protected. Dr. Hara noted the importance of the collection of data with respect to dispatch response time in relation to service quality and the ability to accurately determine if Mississauga currently has enough taxis and if there is a change to more single-shifted taxis.

Dr. Hara provided an updated proposed schedule which included consultation with the Older Adult Advisory Panel, consultation on costs of Mississauga taxi operation, the completion of a peer comparison in March 2015, the presentation of the report drafts based on the three phases of the report to the Public Vehicle Advisory Committee (PVAC) in May 2015, and the final report and recommendations completed in June, 2015.

Members sought clarification with respect to public meetings, the development of meter rates, the importance of supply and demand data from drivers, and current trends.

RECOMMENDATION

That the deputation made by Dr. Dan Hara, President, Hara Associates Inc. regarding the Taxi Plate Issuance Model be received.

Received (G. Singh)

Recommendation PVAC-0001-2015

Karam Punian, Taxicab Driver, spoke to the Taxi Plate Issuance Model report and commented that several factors should be included in the study with open public discussion and input from the public and the industry. Councillor Starr, Vice-Chair asked Dr. Hara whether these factors were part of the mandate of the report and Dr. Hara confirmed that there would be content relevant to the concerns raised in the final report.

B. Zachary Killam, CEO, Play Charging, with respect to in-taxi charging devices for smartphones

Zachary Killam, CEO, Play Charging, spoke with respect to in-taxi charging devices for smartphones.

Mr. Killam provided background information on Play Taxi Media, presented the charging dock that fits on the vehicle headrest and provided information with respect to use of the devices in taxicabs. Mr. Killam noted that his company would provide the device to taxicab drivers at no cost and that an agreement would be reached with respect to sharing advertising revenue, noting that the device is affixed with a sticker to advertise a third party company. Mr. Killam commented that the cost of installation is roughly \$30 and that the devices are installed by his company.

Daryl Bell, Manager, Mobile Licensing Enforcement noted that an amendment to the current by-law would be necessary if it is determined that in-taxi charging devices would be permitted.

RECOMMENDATION

That the deputation made by Zachary Killam, CEO, Play Charging, regarding in-taxi charging devices be referred to staff to bring back a report on in-taxi charging devices.

Referred (Councillor Parrish)

Recommendation PVAC-0002-2015

C. Amandeep Mann with respect to tint-free provisions in the Public Vehicle Licensing By-law 420-04, as amended

Amandeep Mann, taxicab driver, spoke with respect to the tint-free provisions in the Public Vehicle Licensing By-law 420-04, as amended.

Mr. Mann requested a personal exclusion to the by-law that would allow him to maintain the after-market tint on his taxicab, based on his medical condition.

Daryl Bell, Manager, Mobile Licensing Enforcement spoke to the 2014 corporate report on tint-free provisions noting that the information did not support the tinting of the windows to ensure the safety of both drivers and passengers and further added that the factory tint is acceptable and that the level of tint was determined by the manufacturers in accordance with police and enforcement departments across the country, as after-market tints are deep enough that the police are not able to see all occupants of a vehicle.

Mr. Mann commented that the in-taxi camera in his vehicle would promote safety and that he is in possession of a doctor's note from 2011 recommending that he be able to utilize after-market tint in his vehicle due to a medical condition.

Councillor Parrish and Councillor Starr advised Mr. Mann to provide medical documentation to them for review.

RECOMMENDATION

That the deputation made by Amandeep Mann, taxicab driver, with respect to tint-free provisions in the Public Vehicle Licensing By-law 420-04, as amended be received and Mr. Mann is further advised to supply medical documentation to be reviewed by Councillor Parrish and Councillor Starr.

Deferred (Councillor Starr)

Recommendation PVAC-0003-2015

MATTERS CONSIDERED

1. Minutes of Previous Meeting

1.1 Minutes of the Public Vehicle Advisory Committee meeting held on September 29, 2014

Karan Punian, Taxicab Driver, spoke with respect to the minutes of the September 29, 2014 Public Vehicle Advisory Committee meeting.

Mr. Punian commented that the full discussion on Item 3 – Mobile Licensing Enforcement Practices was not documented in detail. Mr. Punian further commented on his concerns with enforcement practices. Councillor Parrish advised Mr. Punian that Committee Meeting minutes are an anecdotal report on the gist of the conversation and are not intended to be verbatim. Mickey Frost, Director, Enforcement advised Mr. Punian to raise his concerns with respect to specific licensing enforcement situations with staff.

Approved, as amended (G. Singh)

2. Overview of Mobile Licensing Enforcement Practices for the Taxicab and Limousine Industries

Corporate Report dated February 18, 2105 from the Commissioner of Transportation and Works, entitled, "Mobile Licensing Enforcement Practices for the Taxicab and Limousine Industries".

Mickey Frost, Director, Enforcement spoke to Mobile Licensing Enforcement Practices for the Taxicab and Limousine Industries and noted that as a result of the meeting in Fall 2014 with former Mayor McCallion in attendance, Daryl Bell, Manager, Mobile Licensing Enforcement developed a rating system of contraventions to the Public Vehicle Licensing By-Law 420-04, as amended deeming them either minor or major offences and has identified how the by-law will be enforced.

Councillor Starr commented positively with respect to the report and requested that staff provide a progress update in a year's time.

RECOMMENDATION

1. That the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled "Mobile Licensing Enforcement Practices for the Taxicab and Limousine Industries" be received for information;
2. That staff provide an update to the Public Vehicle Advisory Committee in 2016.

Received (C. McCutcheon)

Recommendation PVAC-0004-2015

3. Regulation of Taxicab Mobile Applications

Corporate Report dated February 18, 2015 from the Commissioner of Transportation and Works, entitled, "Regulation of Taxicab Mobile Applications".

Mickey Frost, Director, Enforcement, spoke to the regulation of taxicab mobile applications.

RECOMMENDATION

1. That Council request the Ministry of Transportation for the Province of Ontario pass legislation and/or regulations to address taxicab mobile applications such as Uber as outlined in the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled "Regulation of Taxicab Mobile Applications".
2. That a copy of the report from the Commission of Transportation and Works,

dated February 18, 2015 entitled "Regulation of Taxicab Mobile Applications", be forwarded to the Minister of Transportation, Province of Ontario.

Approved (B. Pandori)

Recommendation PVAC-0005-2015

4. Uber Taxi

Email dated February 11, 2015 from Baljit Pandori, Elected at Large, regarding Uber Taxi.

Baljit Pandori, Elected at Large, spoke with respect to Uber Taxi and the email he sent on behalf of the Taxicab Industry in Mississauga and requested an update from staff on Uber Taxi issues.

Daryl Bell, Manager, Mobile Licensing Enforcement spoke to staff's efforts to work through the issues with Uber Taxi and noted that staff are no longer seeing Uber Taxis in Mississauga at this time but have observed "Uber X" vehicles and are working with Peel Regional Police to move forward and are continuing to monitor the mobile application. Mr. Bell further commented that under the current by-law, Enforcement staff are able to deal with Uber Taxis but are unable to issue tickets to "Uber X" vehicles as those vehicles do not have meters.

RECOMMENDATION

1. That the email dated February 11, 2015 from Baljit Pandori, Elected at Large, regarding Uber Taxi be received;
2. That the matter be referred to staff to prepare an updated report with respect to Uber and Uber X taxis.

Referred (P. Nijjar)

Recommendation PVAC-0006-2015

5. Moratorium on A-Plates

Email dated February 11, 2015 from Peter Pellier regarding a moratorium on the issuance of A-Plates.

Peter Pellier spoke with respect to his email dated February 11, 2015 with respect to a moratorium on the issuance of A-Plates and requested an amendment to the Public Vehicle Licensing By-law 420-04, as amended until such time as the review is complete.

Mr. Bell noted that A-Plates issued recently had been issued conditionally to ensure they are being used for accessible transportation with the option to revoke or suspend if it is found that they are not operating within the by-law.

Councillor Parrish inquired whether the review would address this issue and Dr. Hara deferred comment until the completion of the review currently taking place.

A motion was put forth by Al Cormier, Citizen Member to propose a three month moratorium on the issuance of A-Plates and that the five (5) current Temporary A-Plate applicants be exempt from the moratorium.

RECOMMENDATION

1. That the email dated February 11, 2015 from Peter Pellier regarding a moratorium on the issuance of A-Plates be received;
2. That a three month moratorium on the issuance of A-Plates be enacted and that five (5) current Temporary A-Plate applicants be exempt from the moratorium.

Approved (Councillor Starr)

Recommendation PVAC-0007-2015

6. Taxi Meter Rates

Email dated February 10, 2015 from Al Cormier, Citizen Member, Public Vehicle Advisory Committee, regarding taxi meter rates.

RECOMMENDATION

That the email dated February 10, 2015 from Al Cormier, Citizen Member regarding taxi meter rates be received.

Received (A. Cormier)

Recommendation PVAC-0008-2015

7. Pan Am Games

Email dated February 25, 2015 from Mark Sexsmith regarding an information session for the Pan Am Games being held at Hershey Sportzone.

Colin Patterson, Coordinator, Integrated Road Safety Program, assured the Committee that City of Mississauga staff would be in attendance at the information session held at Hershey Sportzone.

RECOMMENDATION

That the email dated February 25, 2015 from Mark Sexsmith regarding an information session for the Pan Am Games being held at Hershey Sportzone be received.

Received (Councillor Starr)
Recommendation PVAC-0009-2015

8. Appointment of New Members to the Public Vehicle Advisory Committee

Councillor Starr spoke to the appointment of new members to the Public Vehicle Advisory Committee and discussed the appointment and election process.

9. Public Vehicle Advisory Committee Elections

Letter dated March 3, 2015 from Crystal Greer, Director Legislative Services and City Clerk, to industry members regarding the 2015 Public Vehicle Advisory Committee elections.

RECOMMENDATION

That the letter dated March 3, 2015 from Crystal Greer, Director Legislative Services and City Clerk, regarding the 2015 Public Vehicle Advisory Committee elections be received.

Received (Councillor Starr)
Recommendation PVAC-0010-2015

10. Public Vehicle Advisory Committee – Action List

The Public Vehicle Advisory Committee Action List for 2015.

RECOMMENDATION

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

Received (C. Parrish)
Recommendation PVAC-0011-2015

OTHER BUSINES

Karam S. Punian, Taxicab Driver, inquired as to why the PVAC election would be held at Malton Victory Hall when it is traditionally held at the airport. Mickey Frost, Director, Enforcement confirmed that the location was chosen to ensure the integrity of the election and allow election officials to access licensing and voters list information remotely.

Gurvel Singh, Taxicab Brokerages, inquired about the recent signage at 151 City Centre Drive in the Tim Horton's parking lot stating, "No Taxi Parking" and was advised to speak with the building management as it is a private facility.

DATE OF NEXT MEETING – Tuesday, April 21, 2015 at 9:30 AM City of Mississauga, Council Chambers

ADJOURNMENT – 11:33 A.M.

DRAFT

Terms of Reference for Public Vehicle Advisory Committee

Mandate

The Mississauga Public Vehicle Advisory Committee is an advisory committee of Council established to make recommendations to the Council of the City of Mississauga to provide input and advice on policy issues affecting the taxi industry.

Objectives/Goals

The Mississauga Public Vehicle Advisory Committee shall operate according to the Procedural By-law regulating the operation of meetings of Council and its Committees. Appointed members are required to attend meetings on a bi-monthly and on an 'as required' basis to discuss policy issues affecting the taxi industry in the City of Mississauga.

Work Plan

The Public Vehicle Advisory Committee shall prepare an annual Work Plan which they will send to their parent standing committee, then to Council at the beginning of the new year, as well as a progress update at the end of the year. Committee members shall work collaboratively with City staff to devise these Work Plans to ensure that the workload is manageable and appropriately shared between the two parties. Work plans will need to be carefully crafted in order to meet the Committee's mandate and objectives, as well as the City's Strategic Plan, Master Plans, and budgetary capacity.

The work plan shall speak directly to the specific goals the committee aims to accomplish.

The work plan for the Public Vehicle Advisory Committee attempts to use the City's Strategic Plan Pillars, action items, master plans, or legislation as sub-headings to organize the committee's focus and nature of work.

The Committee shall present its accomplishments as they relate to the work plan, to Council annually.

Definitions

Not applicable

Procedures and Frequency of Meetings

The Public Vehicle Advisory Committee will meet bi-monthly (6 times per year), usually on the second Tuesday of every month, or as determined by the Committee at the call of the Chair, or at the direction of General Committee.

The dates of the meetings will be confirmed upon agreement of the Public Vehicle Advisory Committee annual work plan so as to integrate well with the plans and projects under discussion.

The Chair of the Public Vehicle Advisory Committee, in consultation with the Commissioner of Transportation and Works (or their designate), may cancel a meeting if it is determined there are insufficient items to discuss.

Membership

All members are subject to the Code of Conduct and Complaint Protocol for Local Boards.

http://www7.mississauga.ca/documents/CityHall/pdf/2014/Local_Boards_Code_of_Conduct.pdf and Corporate Policy 02-01-01: Citizen Appointments to Committees, Boards and Authorities. <http://inside.mississauga.ca/Policies/Documents/02-01-01.pdf>

The membership on the Mississauga Public Vehicle Advisory Committee shall consist of appointments by Resolution of Council for Citizen Members and Council Members and the election and appointment of Industry Members and will comprise of the following with voting rights:

Appointment of Members (by Resolution)

- 2 Councillors
- Up to 3 Citizens

Industry Members (Elected)

- 1 Representative from the Taxicab Owners (elected by Owners)
- 1 Representative from the Taxicab Drivers (elected by Drivers)
- 1 Representative from the Taxicab Industry elected (at large) by both Owners and Drivers

Industry Members (Appointed)

- 1 Representative from the Limousine Owners
- 1 Representative from the Taxicab Brokerages

The Term of Office for citizen members and Council members on the Mississauga Public Vehicle Advisory Committee shall run concurrent with the term of Council, or until successors are appointed.

Election

An election shall be held every three (3) years to elect qualified industry members to the Mississauga Public Vehicle Advisory Committee with a term of office concurrent with the term of Council. The City Clerk, or his/her designate, shall be responsible for conducting the election of the taxicab industry. The Rules

and Procedures for conducting a Public Vehicle Advisory Committee election are appended as Appendix "A".

Role of Chair

The role of the Chair is to:

1. Preside at the meetings of Public Vehicle Advisory Committee using City of Mississauga's Procedure By-law, and keep discussion on topic.
2. Provide leadership to Public Vehicle Advisory Committee to encourage that its activities remain focused on its mandate as an Advisory Committee of Council.
3. Review agenda items with the Committee Coordinator and Enforcement Office in the City.
4. Recognize each Member's contribution to the Committee's work.
5. Serve as an *ex-officio* member of subcommittees and attend subcommittee meetings when necessary.
6. Liaise with the Manager of Mobile Licensing on a regular basis.

At the first meeting of the new term of the Mississauga Public Vehicle Advisory Committee, the members shall elect, from among their number, a Chair and Vice-Chair who will not be a member of the public vehicle industry. The Chair should be a member of Council.

Role of Committee Members

The role of Committee Members is to:

1. Ensure that the mandate of Public Vehicle Advisory Committee is being fulfilled.
2. Provide the Chair with solid, factual information regarding agenda items.
3. When required, advise Council on matters relating to public vehicles for hire.
4. Notify the Committee Coordinator if they are unable to attend Public Vehicle Advisory Committee meetings to ensure that quorum will be available for all meetings.

Quorum

1. Quorum of the Public Vehicle Advisory Committee shall be reached with the presence of a majority of the appointed and elected members, at a time no later than thirty (30) minutes past the time for which the beginning of the meeting was scheduled and so noted on the agenda or notice of the meeting.

2. The issuance of an Agenda for a meeting of this Committee will be considered as notice of that meeting.
3. The presence of one (1) of the appointed Council members shall be required to establish quorum.
4. ***Members of the taxicab industry who are elected or appointed and who are unable to attend a meeting, may appoint a designate who is licensed under the same category as the absent member to attend in their place and who shall constitute quorum.***
5. The elected or appointed member of the taxicab industry must comply with the section in the Procedural By-law regarding attendance at meetings in that a member shall not miss three consecutive meetings without appointing a designate or without the consent of Council.

Subcommittees

That, as per the Procedure By-law 139-2013, a Committee of Council may establish a subcommittee which shall consist of members of the parent Committee, as may be determined by such parent Committee and any other member approved by Council.

- Sub-committees will be formed to deal with specific issues, and will make recommendations to the parent Committee. Once the specific issue is dealt with the subcommittee shall cease.
- All appointed members of the subcommittee have the right to vote.
- The Chair of the subcommittee will be appointed at the first meeting of the subcommittee.



RULES AND PROCEDURES

PUBLIC VEHICLE ADVISORY COMMITTEE ELECTIONS – 2015-2018

Elections for the City of Mississauga's "Public Vehicle Advisory Committee" will be held on Monday, March 30 and Tuesday, March 31, 2015.

The term of office of elected members to the City of Mississauga's Public Vehicle Advisory Committee will run for a four year period expiring December 31, 2018, or until a successor/s is/are appointed.

Elected citizen members of the City of Mississauga's Public Vehicle Advisory Committee will consist of:

- One (1) representative from the **TAXICAB OWNERS** (elected by the taxicab Owners);
- One (1) representative from the **TAXICAB DRIVERS** (elected by the taxicab Drivers); and
- One (1) representative from the **TAXICAB INDUSTRY ELECTED (AT LARGE)** by both taxicab Owners and taxicab Drivers, who receives the highest percentage of votes in either category.

Citizen members of the City of Mississauga's Public Vehicle Advisory Committee will consist of:

- One (1) representative from the **LIMOUSINE BROKERS, to be APPOINTED** by the limousine owners; and
- One (1) representative from the Licensed **TAXICAB BROKERS, to be APPOINTED** by the respective owners.

QUALIFICATIONS FOR PERSONS SEEKING NOMINATION TO THE CITY OF MISSISSAUGA'S PUBLIC VEHICLE ADVISORY COMMITTEE

****Please note that the person seeking nomination may nominate him/herself.**

The nominated individual must be licensed for the respective category for which nomination has been made.

To qualify for the taxicab broker position, the individual must either be the Owner, Manager, President, or a majority shareholder of a brokerage, or their designate. Such an individual is not eligible to contest election to the City of Mississauga's Public Vehicle Advisory Committee in any other category.

An individual seeking nomination for election to the City of Mississauga's Public Vehicle Advisory Committee must have been working as a Licensed Operator in the category he/she is entitled to work in the taxicab industry for an average of 40 hours per week for at least 44 weeks of the year immediately prior to elections. The number of weeks may be reduced by 3% because of vacation entitlement for each year that the individual has been licensed and has worked in the industry up to a maximum of four (4) months in any one year.

The term 'Working in the industry' will be confined to those positions within the industry as outlined in Schedule 8 of By-law 420-2004, as may be amended from time to time, the same as the acceptable positions to qualify for the taxicab Owners Priority Waiting List. These qualifications apply only to the taxicab positions on the City of Mississauga's Public Vehicle Advisory Committee.

QUALIFICATIONS FOR PERSONS VOTING AT THE CITY OF MISSISSAUGA'S PUBLIC VEHICLE ADVISORY COMMITTEE

OWNERS

1. Where an Owner holds a valid Mississauga Taxicab Driver's Licence and a valid Mississauga Taxicab Owner's Licence, he/she is entitled to vote in the Owner's category only.
2. Where the Owner of a plate has deceased and the Spouse has received an Owner's plate through the Estate, the Spouse does not have to produce a Driver's Licence and is entitled to vote in the Owner's category.

DRIVERS

1. Where a Driver holds a valid Mississauga Taxicab Driver's Licence only, he/she is entitled to vote in the Driver's Category only.

NOTE:

1. All Drivers and Owners are entitled to cast only one (1) vote.
2. If an individual no longer qualifies under 'Working in the Industry' qualifications in the category for which he/she was elected, the position on the City of Mississauga's Public Vehicle Advisory Committee must be relinquished and a vacancy declared.
3. An appointed representative must hold a valid licence in the category to which he/she was appointed.
4. The 'Working in the Industry' qualifications which were met by a nominee, must be continuously maintained during the elected member's term of office.

- 5. Designates in all categories must be licensed and must qualify in the category they are representing, with the exception of designates in the Taxicab Brokers category.

PROCEDURES

- 1. Lists will be available showing:
 - (a) Licensed Taxicab Drivers; and
 - (b) Licensed Taxicab Owners.
- 2. Nominated persons must consent to such nominations and must signify a willingness to serve on the City of Mississauga's Public Vehicle Advisory Committee if elected. Nomination forms are available from the Office of the City Clerk, 2nd Floor, Civic Centre, 300 City Centre Drive, Mississauga, ON L5B 3C1.
- 3. Completed nomination forms must be **filed** at the Office of the City Clerk, The Corporation of the City of Mississauga, 300 City Centre Drive, Mississauga, ON L5B 3C1 between the hours of 8:30 a.m. and 4:30 p.m. Monday, March 16, Tuesday, March 17, and Wednesday, March 18, 2015. Nomination forms accepted by any person other than the City Clerk and outside of the time period indicated above will be deemed invalid.
- 4. If, upon verifying the validity of the nominated person, Licensing staff confirm that the person nominated does not meet the criteria for nomination, the City Clerk will notify the person nominated that his/her nomination form will not be accepted.
- 5. Elections for the Public Vehicle Advisory Committee will be held on Monday, March 30 and Tuesday, March 31, 2015, with the term of office commencing upon the completion of the election results.
- 6. City staff working as election officials during the election process will be required to take all oaths in the presence of the City Clerk or designate.
- 7. For the purpose of this election, polling will be open on Election Days, between the hours of 10:00 a.m. and 8:00 p.m. at the following locations:

Polling Station – Monday, March 30, 2015

Malton Victory Hall - 3091 Victory Crescent, Mississauga, ON L4T 1L5

Polling Station – Tuesday, March 31, 2015

Mississauga Mobile Licensing Enforcement - 3235 Mavis Road, Mississauga, ON L5C 1T7

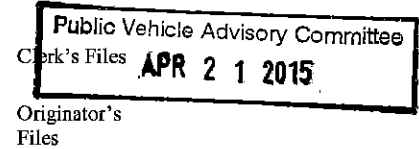
- 8. Candidates or their scrutineers may attend the polling stations at any time during the election period. **Campaigning at the poll stations will not be permitted.**
- 9. Prior to being issued a ballot at either of the aforementioned polling stations:
 - (i) all Taxicab Drivers will be required to produce their valid City of Mississauga Taxicab Driver's Licence issued prior to March 27 of the election year; and

- (ii) all Taxicab Owners voting for a representative of the taxicab industry from licensed Owners, will be required to produce both their valid City of Mississauga Taxicab Driver's Licence and valid City of Mississauga Taxicab Owner's Licence issued prior to March 27 of the election year.
10. In the event of a tied vote, a recount will be taken on the day following the final election night. Should the recount confirm a tied vote, the following will occur:
- Within five days of the Public Vehicle Advisory Committee election, the candidates or their representatives, the Manager Mobile Licensing Enforcement, and the Legislative Coordinator will meet in the Office of the City Clerk where the names of the candidates involved in the tied vote will be written on a separate sheet of paper and placed in a container. The Legislative Coordinator will draw the name of the winning candidate in the presence of the respective candidates and their representatives, the Manager Mobile Licensing Enforcement and the City Clerk.
- For clarification purposes, the remaining name(s) in the container will be drawn and shown to those in attendance at the time of the draw.
11. Results of the elections will be tabulated by City staff at the close of Polls on March 31, 2015. Candidates or one representative/scrutineer may be present during the counting of ballots.
12. Within five days following the Public Vehicle Advisory Committee election, the Legislative Coordinator of the Public Vehicle Advisory Committee shall declare, in writing, the names of those persons elected to the Public Vehicle Advisory Committee, to represent the Owners and Drivers of the Mississauga Taxicab Industry, the representative of the Limousine Owners and the representative of the Taxicab Brokers.

Results of the elections will be posted online on the Public Vehicle Advisory Committee web page on the City of Mississauga web site. Results will also be posted in the Mobile Licensing Enforcement Office and the Office of the City Clerk at the Mississauga Civic Centre.



Corporate Report



DATE: April 9, 2015

TO: Chair and Members of the Public Vehicle Advisory Committee
Meeting Date: April 21, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs**

RECOMMENDATION: That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee, on 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."

BACKGROUND: The Public Vehicle Licensing By-law 420-04, as amended, states "*No Licensed Special Accessible Taxicab Owner shall Lease his Owner's Licence or Plate*". Concerns have been raised by members of the taxi industry regarding the wording of the by-law and what actually happens with accessible taxicabs in the industry. A practice put into place by the previous mobile licensing management allowed the taxicab brokerages, who were provided with accessible plates, to lease the plates to owners of accessible vehicles. This practice had the owners of the vehicles providing the insurance, maintenance and having overall responsibility for the vehicle. The City has issued 41 accessible taxicab plates to taxicab brokerages, of which 40 are being leased. The concern for the City is that no lease agreement requirements exist for the accessible taxicab owners as required for the

regular taxicab owners and the practice of brokerages leasing the accessible taxicab plates is in violation of the by-law.

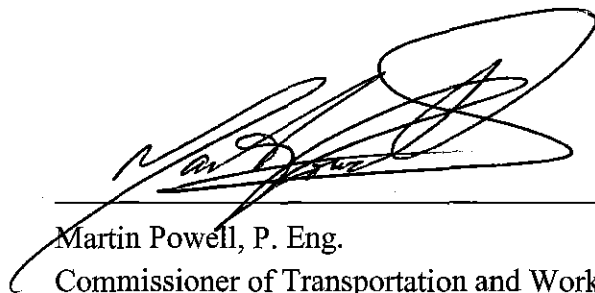
COMMENTS:

Staff reviewed the concerns of the accessible taxicab industry and the requirements of the Public Vehicle Licensing By-law 420-04, as amended. Staff recommend that the by-law be amended to ensure consistency and to address the concerns of the industry, by amending the by-law to include lease agreement requirements for brokerages of accessible taxicabs consistent with the lease agreement requirements for taxicab owners.

FINANCIAL IMPACT: This report has no financial impact on the City of Mississauga.

CONCLUSION:

Staff recommend that the Public Vehicle Licensing By-law 420-04, as amended, Schedule 7, Special Accessible Taxicab Owner, be amended to include lease agreement requirements as provided in Schedule 8, Owners and Drivers of Taxicabs.



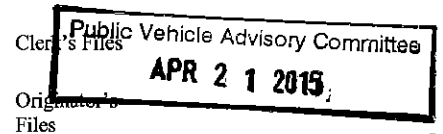
Martin Powell, P. Eng.

Commissioner of Transportation and Works

Prepared By: Daryl Bell, Manager Mobile Licensing Enforcement



Corporate Report



DATE: April 9, 2015

TO: Chair and Members of the Public Vehicle Advisory Committee
Meeting Date: April 21, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **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**

RECOMMENDATION: That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee, on 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."

BACKGROUND: The Public Vehicle Licensing By-law 420-04, as amended, Section 12 (7)(e), Grounds For Refusal To Issue Or Renew A Licence, states; *"the Licensee provide proof of proficiency in English to the Canadian Language Benchmark standard for listening/speaking competencies of Benchmark 7."* All Schedules contain the same section as the Grounds for Refusal with the exception of Schedule 3, which has an additional requirement for reading and writing. Schedule 3, Section 1(1)(b) of the by-law states; *"Every Applicant for an Airport Municipal Transportation Vehicle (AMTV) Driver's Licence shall: demonstrate a proficiency in English to the Canadian Language Benchmarks Assessment benchmark standard for listening/speaking competencies*

of a Level Seven, for reading competencies at Level Five and for writing at Level Four". Schedule 3, which additionally requires proven reading and writing competencies.

When a person fails to meet the requirements of the English Assessment, they are directed to attend The Centre for Education and Training (TCET) to obtain the required Benchmark 7. Mobile Licensing staff do not have a tool for testing, or the training to administer a test for reading and writing at a Benchmark 4 and 5, so persons applying for an AMTV Licence are directed to the TCET to obtain proof of the required Benchmark scores. Recent problems occurred when applicants were sent to the TCET for testing and were refused assistance because they were Canadian citizens. The TCET does not offer testing for Canadian citizens. The matter was further aggravated when the applicants were able to provide their Ontario Secondary School Graduation Diploma (OSSGD); which should be sufficient to prove English proficiency, but is not offered as an option under the by-law.

COMMENTS:

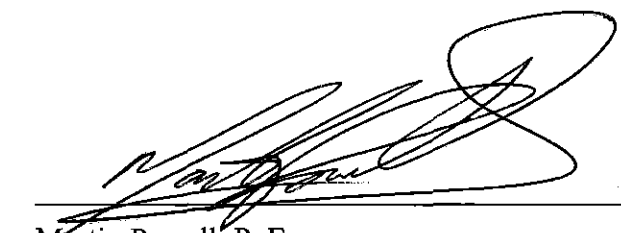
Staff reviewed the concerns of the AMTV applicants and the requirements of the Public Vehicle Licensing By-law 420-04, as amended. Staff recommend that the by-law be amended to include consistent requirements in all schedules: to allow a person to either demonstrate proficiency in the English language through in-house or TCET testing or provide proof of OSSGD or equivalent.

FINANCIAL IMPACT: This report has no financial impact on the City of Mississauga.

CONCLUSION:

Staff recommend that the Public Vehicle Licensing By-law 420-04, as amended, Schedule 3, Owners and Drivers of Airport Municipal Transportation Vehicles, be amended to state; "*the Licensee provide proof of proficiency in English to the Canadian Language Benchmark standard for listening/speaking competencies of Benchmark 7*", making it consistent with the requirements to issue and renew a licence and all of the other schedules in the Public Vehicle Licensing By-law 420-04, as amended.

It is further recommended that the by-law be amended to include an option for an applicant to provide an OSSGD or equivalent in place of taking an English Language Assessment.

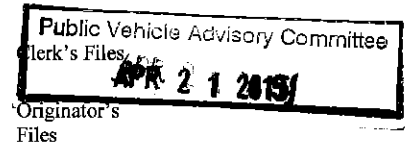


Martin Powell, P. Eng.
Commissioner of Transportation and Works

Prepared By: Daryl Bell, Manager Mobile Licensing Enforcement



Corporate Report



5

DATE: April 10, 2015

TO: Chair and Members of Public Vehicle Advisory Committee
Meeting Date: April 21, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

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

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.

BACKGROUND: Sections 102.1, 151(1) (g) and 151(5) of the *Municipal Act, 2001*, authorize municipalities to implement an Administrative Penalty System (APS) for non-compliance with any by-laws respecting licensing and parking.

Under an APS, if it is determined that a designated by-law provision has been contravened, a Municipal Law Enforcement Officer will issue a Penalty Notice to the contravener and in the case of parking by-laws to the registered owner of the vehicle plate. The Penalty Notice contains a description of the contravention and sets out the amount of the administrative penalty which becomes a debt owed to the City. The recipient of the Penalty Notice may request a review of the administrative penalty by a Screening Officer and if unsatisfied with the outcome, may request a review of the decision by a Hearing Officer. The Screening and Hearing Officers are appointed by Council and the review is conducted in a fair and impartial manner. In

an APS the Provincial Offences Court is not an available option and the decision of the Hearing Officer is final. Lengthy court delays are eradicated and the informal review process makes the system more accessible and less intimidating to the public.

At its meeting of July 3, 2013 Council approved a recommendation by staff to proceed with the implementation of an APS for the enforcement of licensing and parking by-laws in the City of Mississauga (GC # 0411-2013).

On December 11, 2013 a by-law to establish a system of administrative penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga (referred to as the Administrative Penalty By-law 0282-2013) was enacted and on June 1, 2014 the City's parking APS was launched.

On June 11, 2014 a by-law to establish a system of administrative penalties respecting licensing in the City of Mississauga (referred to as the Licensing Administrative By-law 135-2014) was enacted.

Licensing includes three enforcement areas: Animal Services (pet licensing), Mobile Licensing Enforcement (licensing related to public vehicles and mobile units) and Compliance and Licensing (business licensing). These areas will be phased into the City's APS.

In February 2015, Animal Services started to enforce the pet licensing provisions contained in the Animal Care and Control By-law 98-04, as amended, through the City's APS.

COMMENTS:

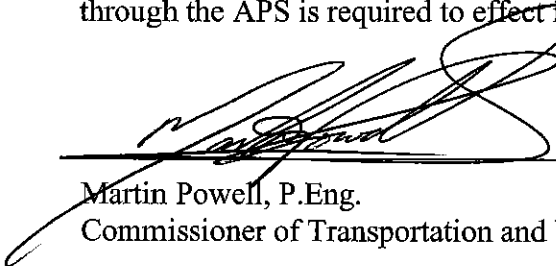
With an APS for parking and pet licensing matters now implemented, staff are proceeding to the next phase of APS implementation for mobile licensing, specifically relating to the licensing requirements contained within the Tow Truck Licensing By-law 521-04 and the Public Vehicle Licensing By-law 420-04.

The municipality is required to designate the by-laws or portions of by-laws that will be enforced through the APS. Staff will be making a recommendation to General Committee that all sections of the Public Vehicle Licensing By-law 420-04, that are the subject of a set fine order under Part I of the Provincial Offences Act will be designated for enforcement through the APS.

The City of Mississauga Public Vehicle Licensing By-law 420-04, as amended, currently references enforcement of its provisions only in accordance with the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33. Staff will be recommending to General Committee that this by-law be amended to include enforcement through the *Municipal Act, 2001*, and the City's Licensing Administrative Penalty By-law. This will allow the City to enforce the licensing requirements set out in the Public Vehicle Licensing By-law 420-04, as amended, through both the *Provincial Offences Act* and the City's Licensing Administrative Penalty By-law.

FINANCIAL IMPACT: There is no financial impact.

CONCLUSION: Council has approved the implementation of an APS for mobile licensing matters including enforcement of the licensing requirements set out in the Public Vehicle Licensing By-law 420-04, as amended. An amendment to this by-law, to include a provision for enforcement through the APS is required to effect implementation.



Martin Powell, P.Eng.
Commissioner of Transportation and Works

Prepared By: Carla Mariuz, Project Manager, APS

Public Vehicle Advisory Committee
APR 21 2015



MISSISSAUGA

City of Mississauga Memorandum

To: Chair and Members of the Public Vehicle Advisory Committee

From: Karen Morden, Legislative Coordinator

Date: April 14, 2015

Subject: 2015 Public Vehicle Advisory Committee Meeting Dates

The meeting dates for the Public Vehicle Advisory Committee have been scheduled as follows:

- Tuesday, April 21, 2015
- Tuesday, June 16, 2015
- Tuesday, September 22, 2015
- Tuesday, November 17, 2015: Committee Room D

Unless otherwise advised, all meetings will be held at 9:30 AM at the Mississauga Civic Centre, 300 City Centre Drive, Mississauga, in the Council Chambers.

Meetings may be cancelled at the call of the Chair due to insufficient agenda items or lack of quorum.

Please kindly contact me in advance of the meeting if you will be absent or late so that quorum issues can be anticipated and dealt with accordingly.

Karen Morden
 Legislative Coordinator
 Legislative Services, Office of the City Clerk
 300 City Centre Drive, Mississauga, ON L5B 3C1
 (905) 615-3200 ext. 5471
karen.morden@mississauga.ca

Public Vehicle Advisory Committee 2015 Action List

Updated: APRIL 2015

Issue	Last Discussed on	Who	Status
Accessible plates	September 11, 2012	Enforcement Office	Completed <ul style="list-style-type: none"> - Subcommittee meeting on April 29, 2013 - Subcommittee meeting on May 13, 2013 - Public meeting on June 11, 2013 - This sub-committee was completed as it was to determine the percentage of accessible taxicabs as per the requirements of the AODA which went back to PVAC.
Term of plate leases coincide with vehicle year limit	September 11, 2012	Enforcement Office	Completed
Mobile taxi application	September 11, 2012	Enforcement Office	Completed
Airport taxi's – Stickers on windshields	September 11, 2012	Enforcement Office	Completed
Advance payment in evenings	September 11, 2012	Enforcement Office	Completed
Hotel Shuttles	April 29, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Regulations of DADD drivers	October 15, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Public Meetings – Licensing of medical transfers and shuttle service vehicles.	October 15, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Parcel Delivery service	October 15, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Need for taxi stands	October 15, 2013	Enforcement Office	Completed

Public Vehicle Advisory Committee
 APR 21 2015

Public Vehicle Advisory Committee 2015 Action List

Updated: APRIL 2015

2010 and 2012 Taxicab Plate Issuance	February 4, 2014	Enforcement Office	Completed
Timing of taxicab plate renewal issuance - priority list, identification requirement	September 29, 2014	Enforcement Office	In progress
Mobile Licensing Enforcement Practices	March 3, 2015	Enforcement Office	<p>Completed Update to PVAC: 2016</p> <p>PVAC-0004-2015</p> <ol style="list-style-type: none"> 1. That the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled "Mobile Licensing Enforcement Practices for the Taxicab and Limousine Industries" be received for information; 2. That staff provide an update to the Public Vehicle Advisory Committee in 2016.
Taxicab Mobile Applications	March 3, 2015	Enforcement Office	<p>In progress</p> <ul style="list-style-type: none"> • Staff to prepare a report – Completed: March 3, 2015 <p>PVAC-0005-2015</p> <ol style="list-style-type: none"> 1. That Council request the Ministry of Transportation for the Province of Ontario pass legislation and/or regulations to address taxicab mobile applications such as Uber as outlined in the report from the Commissioner of Transportation and Works, dated

Public Vehicle Advisory Committee 2015 Action List

Updated: APRIL 2015

			<p>February 18, 2015 entitled “Regulation of Taxicab Mobile Applications”.</p> <p>2. That a copy of the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled “Regulation of Taxicab Mobile Applications”, be forwarded to the Minister of Transportation, Province of Ontario.</p>
Consultant’s Report	March 3, 2015	Enforcement Office	<p>In progress</p> <ul style="list-style-type: none"> • March 3, 2015 – Update to PVAC • June 2015 – Final Report
Issuance of Accessible Plates	March 3, 2015	Enforcement Office	<p>In progress</p> <ul style="list-style-type: none"> • March 3, 2015 – Recommendation: PVAC-0007-2015 <p>1. That the email dated February 11, 2015 from Peter Pellier regarding a moratorium on the issuance of A-Plates be received;</p> <p>2. That a three month moratorium on the issuance of A-Plates be enacted and that five (5) current Temporary A-Plate applicants be exempt from the moratorium.</p>