

Council

Date

March 29, 2017

Time

9:00 a.m.

Location

Council Chamber, 2nd Floor Civic Centre
300 City Centre Drive, Mississauga, ON L5B3C1

13. **CORRESPONDENCE**

13.1. *Information Items*

13.1.2. Email dated March 24, 2017 from Peter Pellier, Taxi Industry with respect to the Public Vehicle Licensing By-law 420-04, as amended.

13.1.3. Email dated March 27, 2017 from Al Moore, Toronto Taxi Industry containing articles related to Uber.

13.2. *Direction Items*

13.2.1. Memorandum dated March 27, 2017 from Douglas Meehan, Acting Director of Enforcement in response to Council's direction to provide further information with respect to Medical Certificates, Criminal Record Searches, and Driver Records for the regulation of Transportation Network Companies during the Pilot Project.

16. **MOTIONS**

16.6. To enable the City of Mississauga to make written submissions to the Province of Ontario to express concerns in respect of Bill 68.

17. **INTRODUCTION AND CONSIDERATION OF BY-LAWS**

- 17.9. A by-law to authorize the execution of a Trench Rescue Services Agreement between The Corporation of the City of Burlington and The Corporation of the City of Mississauga.

GC-0151-2017/ March 22, 2017

- 17.10. A by-law to authorize the operation of City bank accounts for the Mississauga Spectator Arena Complex and to repeal By-law 0457-2003, with respect to the Hershey Centre.

GC-0159-2017/ March 22, 2017

21. **CLOSED SESSION**

Pursuant to the *Municipal Act*, Section 239(2):

- 21.3. Personal matters about an identifiable individual, including municipal or local board employees: **Citizen Appointment to the Environmental Action Committee.**

From: [peter_d_pellier](#) [REDACTED]
To: [Mayor Bonnie Crombie](#); [Jim Tovey](#); [Karen Ras](#); [Chris Fonseca](#); [John Kovac](#); [Carolyn Parrish](#); [Ron Starr](#); [Nando Iannicca](#); [Matt Mahoney](#); [Pat Saito](#); [Sue McFadden](#); [George Carlson](#)
Cc: [Geoff Wright](#); [Daryl Bell](#); [Karen Morden](#); [Sacha Smith](#); [newsroom](#)
Subject: UBER - CALLING A SPADE A SPADE
Date: 2017/03/24 10:55:00 AM

THE MAYOR & MEMBERS OF COUNCIL:

From the get go, members of the taxi industry have argued that Uber is a taxi service, as reflected in the Public Vehicle Licensing By-Law, and not the 'ridesharing/transportation network company' it purports to be. Based on the 2017 federal budget which, effective July 1st, subjects each and every Uber fare to the HST, it appears the Government of Canada agrees with us.

By treating Uber as a taxi service, the feds are sending a clear signal to provincial and municipal governments. No longer must the sleight of hand, propagated by Uber's relentless marketing campaign, that it is not a taxi service, be accorded credence.

Notwithstanding the 7-4 vote at GC in favour of creating a separate licensing category for Uber, along with preferential treatment, the time has come to abandon myth, and instead embrace reality.

If Uber wishes to operate legally in Mississauga, let it do so in conjunction with the Capture Option. Anything less would be a grave disservice to the people of Mississauga who look to you for informed leadership, as well as an affront to the City's cabbies.

Thank you.

PETER D. PELLIER

From: [A M](#)
To: [Karen Morden](#)
Subject: Submission For The March 29, 2017 Meeting Of Council
Date: 2017/03/27 8:11:27 AM
Attachments: [File 001 The Case Against Too Many Taxis In A Jurisdiction.docx](#)
[File 002 A Better Alternative Than Ride-Sharing Companies And Unlicensed Taxis.docx](#)
[File 003 UBER001-- The Disturbing Links Between Uber And 10 Downing Street.docx](#)
[File 004 UBER002 -- Raw Deal Turns Uber Drivers Into Modern-Day Sharecroppers.docx](#)
[File 005 UBER003 -- Uber Is In The Sub-Prime Leasing Business.docx](#)
[File 006 UBER004 -- Uber Is Stealing Your Data.docx](#)
[File 007 UBER005 -- The Problem With Autonomous Taxis.docx](#)

Good Morning Karen:

I have attached five files that I would like to be added to the agenda for Wednesday's meeting of council

Al Moore



THE CASE AGAINST TOO MANY TAXIS IN A JURISDICTION
SUBMITTED FOR THE MARCH 29 MEETING OF MISSISSAUGA COUNCIL (2017

Prior to 1982 taxi trips in Toronto-based taxis were cheaper than in almost every other major North America city (*executive summary, 1982 Currie, Coopers & Lybrand report to the Licensing Commission*).

That all changed in 1982, during the worst recession since the Great Depression, when Metro councillors changed the by-law and started issuing taxi licences at an unprecedented rate.

Since then, as a direct result of a massive oversupply of taxis, the taxi-riding public in Toronto have been overcharged to the tune of hundreds of millions of dollars for the privilege of riding in sub-standard taxis.

Fast forward to 2010, and an article by Shannon Kari, in the Globe and Mail, showed that a 5 kilometre taxi trip cost 45% more in Toronto than in New York City and Chicago. Other reports, in other publications, showed that taxi trips in Toronto were among the most expensive among the world's major cities.

When asked why that was so, Councillor Howard Moscoe replied that it was very expensive to operate a taxi and that the main reason for such high meter rates was that there were too many cabs on the road.

Councillor Moscoe's answer was correct, but he was short on details and never offered up the information that he was the driving force behind the issuing of most of those surplus taxis.

When asked the same question, by the same reporter, Councillor Denzil Minnan-Wong indicated that taxi fares had to be high so that drivers could earn a fair wage.

Councillor Minnan-Wong's answer was also correct, but his words were very carefully chosen because he also knew that there was a massive oversupply of taxis for the available business, 1,400 of which were Ambassador Taxi licences that were issued as the direct result of the 1998 Taxi Review that he headed up.

Not one of those Ambassador Taxi Licences was issued to satisfy any public need in 1998 (see file 1998-002 at www.torontotaxireform.com for details);

not one of them was necessary to satisfy any public need in 2014 (see file 2011-002 at www.torontotaxireform.com for details); and

not one of them will be required to satisfy any public need as of the 2026 census (see file 2011-006 at www.torontotaxireform.com for details).

Whenever there is an oversupply of taxis in a jurisdiction, meter rates have to be raised to compensate for the increased costs associated with the purchasing and maintenance of the unnecessary vehicles and the loss of income that occurs when too many drivers are sharing a finite amount of money. If meter rates are not increased to compensate for the oversupply, the quality and safety of the fleet will be compromised.

Based on a ratio of one taxi for every 850 residents, there was an oversupply of some 1,575 licensed taxis for the available business in Toronto as of the 2011 census, and taxis were and still are so expensive that many people can't afford to use them.

The reason for that oversupply is that, since 1982, Metro Toronto and the City of Toronto have been using Toronto's taxi industry to generate income for the city by issuing taxi licences that are not needed to satisfy any public need and charging the recipients of those licences exorbitant one-time issuing fees and exorbitant licence renewal fees every year.

Over the decades, stakeholders have frequently expressed the opinion that Toronto's taxi industry lost a lot of business, both people and parcels, because taxis were no longer affordable for many people and the price differential between parcels delivered by a taxi and a courier service was too great, but there was no valid way to quantify an amount. Now, thanks to Mayor John Tory and his allies on council, there is.

While he was campaigning to be mayor of Toronto, Tory never once mentioned the taxi industry or Uber, but as soon as he was elected he proclaimed that Uber and services like it were here to stay, and, as mayor, he intended to see that they

did because he liked the technology, the taxi-riding public deserved a cheaper option to sky-high taxi fares, and it was high time that the city's regulatory system got in touch with evolving consumer demands in the 21st century.

In fact, Tory and every other member of council were shown how to give the public all of the things he spoke of, and a lot more to boot, by making a few changes to the existing taxi industry. They declined.

Those changes, which would have included the option to order a taxi by means of an Uber-like app, can be seen in file 004 at www.stopuber.net.

In December of 2016, under the *Municipal Freedom of Information and Protection of Privacy Act*, I requested the following information:

- 1) How much Uber was paying the City of Toronto per trip dispatched; and
- 2) How much that amounted to, by month, since that agreement came into force.

Once I had that information I was able to calculate that if Toronto had the proper number of taxis for the available business, and Uber was prohibited from operating in Toronto, as should be the case, each of Toronto's taxis could be taking in as much as \$115,270 more, on average, per annum.

That amount will be higher if adjusted to reflect the number of Standard Taxis that are single shifted, and it will be higher still if the limousine industry were to be reregulated, which it should be.

Any councillor, regardless of jurisdiction, who wishes an explanation with respect to the aforementioned \$115,270 can obtain my contact information from staff in either Mississauga or Toronto.

With those monies to hand, Toronto could have had one of the best and one of the most affordable taxi industries in the U.S and Canada, as was the case between 1953 and 1982, before councillors started "improving it". Prompt service would have been the norm; the cost of taking a taxi could have been greatly reduced; the income of shift drivers and owner drivers could have been greatly increased; cab owners and fleet operators could have been providing

much better vehicles, all of which could have been wheelchair accessible and available at regular taxi prices; and there would have been 1,575 fewer licensed taxis and up to 5,000 fewer Uber taxis polluting the air and clogging up traffic in Toronto and Mississauga every day.

If council had embraced the recommendation proposed in file 004 at www.stopuber.net Toronto's taxi industry could have been the gold standard for taxi industries everywhere. Unfortunately, they didn't.

With the added income that they would have been earning drivers could have returned to working a five-day, fifty-hour work week, which would have greatly improved their quality of life and opened shifts for people who were between jobs or needed to supplement their income.

Simply put, the City of Toronto will be taking in between \$6,000,000 and \$8,000,000 a year by allowing Uber to operate in Toronto, but that decision, by council, has cost cab owners over one billion dollars with respect to the monies that they have invested in their taxi licences; the "pensions" of retired owner-drivers have been slashed by over 50%; fleet operators are having trouble finding drivers to cover their cars; the income of owner-drivers and shift drivers has been slashed by around 50%, and both the federal and provincial governments are taking in less money from HST payments.

In return, Uber is taking hundreds of millions of dollars out of the country every year. Those monies should be spent in Ontario, by Ontarians, thereby supporting Ontario businesses, not stuffed into the bank accounts of foreign millionaires and billionaires.

Finally, and, just in case anyone missed the point of this file, taxi fares in Mississauga will have to be increased dramatically to offset the damage done to the industry by Uber's presence, which, in turn, will drive more people to Uber, which, in turn, will necessitate another meter increase... until Uber is the only one standing.

A BETTER ALTERNATIVE THAN RIDE-SHARING COMPANIES AND UNLICENSED TAXIS

Cab owners, shift drivers and lessees who are affiliated with a brokerage are only dispatched orders from that specific brokerage, so someone could call their company of choice during a peak demand period and wait for 20 or 30 minutes, while, during that time period, a taxi that is affiliated with a different company is sitting idle around the corner.

The following recommendations will ensure that the public receive the fastest possible taxi service at any hour of the day.

- 1) If necessary, the by-law should be changed such that taxi trips can only be dispatched to taxis that are currently licensed by the City of Mississauga.
- 2) The by-law should be changed such that only one of the so-called technology companies is allowed to dispatch orders to taxis that are licensed to operate in Mississauga.
- 3) The city should put out a tender for an established technology company that wishes to provide the public with a cell phone app that can connect them to the nearest vacant taxi which is licensed to operate in the City of Mississauga, regardless of its brokerage affiliation. A limit, possibly 4%, would be placed on the fee or commission that the winning company could charge to dispatch an order.

The contract would/could be for a period of 5 years, and a new tender would be put out 6 months prior to the expiration of the contract.

If the city felt the need to do so they could charge the winning bidder a fee of, for example, 25 or 30 cents for each order dispatched. That fee would be paid to the city by the technology company from its dispatch fee.

Only one company should be granted the contract because multiple companies will have a detrimental effect on service times; and, to be perfectly clear, no other technology company should be permitted to dispatch trips to taxis within the City of Mississauga.

The winning company should not be a taxi brokerage or a fleet operator, and neither brokers nor fleet operators should be allowed to bid on the contract. Rather, the service provided would be an adjunct to the services provided by the existing taxi brokerages and it should be mandated that every taxi that is associated with a brokerage should be required to service those orders.

Any technology company that operates in violation of the by-law should be given a cease and desist order. If they continue to operate in violation of that order they should be served with an injunction; which, if ignored, could result in a jail sentence.

Any person caught driving an unlicensed taxi in the City of Mississauga should be prosecuted.

The above recommendation will reduce pollution and traffic congestion by removing as many as 5,000 Uber taxis from the streets of Mississauga and Toronto on any given day, and ensure the viability of the taxi industries in those cities going forward.

UBER'S LINK TO 10 DOWNING STREET

As the title indicates, this article deals with a very disturbing connection between Uber, the British Prime Minister, and others in positions of great power in the U.K..

If such a thing can happen in the U.K it can happen anywhere and might explain how Uber has managed to force its way into so many jurisdictions in spite of strong initial opposition by a majority of local politicians and by-laws that were enacted to protect the taxi-riding public and ensure the viability of the local taxi industry in those jurisdictions.

How else is it possible to explain how Uber was allowed to continue to operate in Toronto, Mississauga and other jurisdictions until such time as the local by-laws were changed to accommodate Uber's every wish and need.

There's a foul stench in the air in Toronto, Mississauga and other jurisdictions in Ontario, and it isn't rotting fish.

To access the article copy and paste the following link into your address bar.

<http://www.dailymail.co.uk/~/article-4347676/index.html#i-b99068b3eea1acd9>

If that doesn't work or the file keeps "hanging up" copy and paste the following line into the Google search box:

Daily Mail, Cameron, Osborne, their glamorous chum and the great Uber stitch-up

UBER'S CAR LEASING PROGRAM TURNS ITS DRIVERS INTO MODERN-DAY SHARACROPPERS

To see what a parasitic company Uber really is please read the post by Sara Leberstein, Senior staff attorney, National Employment Law Project.

To do so coy and paste the following line into the Google search box:

RAW DEAL: UBER'S CAR LEASING PROGRAM TURNS IT'S DRIVERS INTO MODERN-DAY SHARECROPPERS, SARAH LEBERSTEIN

UBER IS IN THE SUB-PRIME LENDING BUSINESS

This posting, by Chris Tomlinson of the Houston Chronicle, adds credence to the widely-held believe that Uber is a predatory company.

To access the article copy and paste the following line into the Google search box.

Uber is in the sub-prime lending business, Chris Tomlinson.

UBER IS STEALING YOUR DATA

If you value your privacy you should read the following article on Uber.

To access the article copy and paste the following line into the Google search box.

Uber's data-sucking Android app is dangerously close to malware [updated], Buster Hein

THE PROBLEM WITH AUTONOMOUS TAXIS

It had been my intention to write an article explaining the economic challenges associated with autonomous taxis until I came across the following article posted by Maryann Keller, Principle of Maryann Keller and Associates.

For information on Maryann Keller do a Google search for: Maryann Keller & Associates, Automotive Strategy Consulting.

To read her article copy the link below and paste it into the address bar on your computer.

<https://www.linkedin.com/pulse/who-owns-cars-move-autonomous-vehicle-ride-sharing-maryann-keller>

If that doesn't work copy the following line and paste it into the Google search box.

Who owns the cars? The billion dollar problem with autonomous taxis, Maryann Keller

City of Mississauga
Memorandum



Date: 2017/03/27

To: MC

CC: LT; Geoff Marinoff; Mary Ellen Bench; Mickey Frost; Michael Foley; Daryl Bell; Karen Morden

From: Douglas Meehan

Subject: TNC Memorandum Update – Council March 29, 2017

Madam Mayor and Members of Council:

At the General Committee Meeting held on March 22, 2017 staff were directed to investigate and provide further comment on three issues that were identified in the report from the Commissioner of Transportation and Works, dated March 8, 2017 and entitled “Transportation Network Company (TNC) Licensing Pilot Project”.

Staff have reviewed these issues and wish to provide the following information:

Medical Certificates

Staff have reviewed this requirement in greater depth with City of Mississauga legal counsel who have identified that the collection of this type of data for municipally licensed drivers is no longer appropriate. As such, Enforcement staff believe it necessary to remove the requirement for TNC drivers to supply a medical certificate from the proposed Pilot Project.

Further to this, the Public Vehicle Licensing by-law 420-04, will be amended further to remove the requirement to supply a medical certificate as a condition of licensing for taxi cab and limousine drivers.

Other licensing by-laws that currently include the requirement to supply a medical certificate will be reviewed, and should amendments be required, they will be brought forward in a separate report to Council at a later date.

Criminal Record Searches

Staff have contacted the Coburg police service who have elaborated on their process for conducting criminal record searches. Staff identify that there are differences between the searches done through the Coburg Police third party system. However, Uber uses a pass/fail system where an applicant must have a record absent of convictions to pass.

The Public Vehicle Licensing By-law allows for licensing to occur in cases where an applicant has registered convictions of less serious nature that are more than five years of age.

As a result, it is the position of staff that the system of criminal records searches in use by Uber provides an acceptable level of consumer protection.

It is also staff's position that the current requirement contained in the Public Vehicle Licensing By-law not be amended to adopt a similar system, as an attempt to achieve an identical standard may trigger currently licensed Mississauga taxi drivers to no longer be eligible for a licence as the TNC criminal record search standard is more restrictive.

Driver Records

Staff have reviewed this issue and sought input from regulatory authorities in other jurisdictions. At this point Enforcement staff are confident that an increase in the number of demerit points deemed acceptable for participation in the Pilot Project to eight will not significantly impact public safety.

The Public Vehicle Licensing By-law will be further amended to provide the equivalent regulation to taxi and limousine drivers.

During the Pilot Project staff will collect as much data as possible to identify trends in violations among both TNC and taxi drivers to determine whether the change in requirements results in any deterioration in driver performance.



Douglas Meehan

Acting Director, Enforcement
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[City of Mississauga](#) | Transportation and Works Department
Enforcement Division



Please consider the environment before printing.

WHEREAS on November 16, 2016 the Province of Ontario introduced Bill 68 being *An Act to amend Various Acts in Relation to Municipalities*;

AND WHEREAS Bill 68 will amend the *Municipal Act, 2001*, *Municipal Conflict of Interest Act*, *Municipal Elections Act*, *Planning Act* and other statutes, an overview of which is provided in the report of the City Solicitor to Governance Committee titled “Bill 68, the *Modernizing Ontario’s Municipal Legislation Act, 2016*” dated February 21, 2017;

AND WHEREAS the City of Mississauga supports provisions in Bill 68 that amend the *Municipal Act, 2001* to add a definition of “meeting”, open up new exceptions to the open meeting requirements and allow for electronic participation in meetings; that broaden penalties under the *Municipal Conflict of Interest Act*; expand the City’s investment options and recognize a municipal role in responding to climate change;

AND WHEREAS the City of Mississauga has concerns regarding other amendments to the legislation and in particular those respecting the *Municipal Conflict of Interest Act* and the Integrity Commissioner;

NOW THEREFORE BE IT RESOLVED:

1. That the City of Mississauga make written submissions to the Province of Ontario in respect of Bill 68, expressing the following concerns:
 - expanding the jurisdiction of the Integrity Commissioner to allow the Commissioner to initiate investigations without a complaint is too broad a power and should be eliminated. Also, it conflicts with the advisory role of the Integrity Commissioner;
 - jurisdiction of the Integrity Commissioner to refer conflict of interest matters to the Courts and jurisdiction to assign penalties under the *Municipal Conflict of Interest Act* needs clarification. This is a significant authority that must be set out clearly;
 - jurisdiction of the Integrity Commissioner to delegate authority also needs clarity;
 - these concerns are heightened because the amendments place significant authority into the hands of an Integrity Commissioner, and do not regulate in any way, the qualifications necessary to be an Integrity Commissioner and provide no criteria or standards to regulate persons acting as an Integrity Commissioner;

- the legislation should reflect provisions in the *Members Integrity Act* that provide that complainants act with proper intentions and clearly authorize the Integrity Commissioner to dismiss complaints determined to be frivolous and vexatious;
 - changes to the *Municipal Elections Act* that increase maximum campaign contributions limits that can be made by a candidate or a spouse but do not address how these limits will be applied to a Regional Chair need to be amended;
 - clarify how the changes to the self/spouse contribution limits are impacted, if at all, by the value of supplies candidates may have from previous elections.
2. That a copy of this resolution be forwarded to the Association of Municipalities of Ontario (AMO), local MPPs and Peel Region municipalities.