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## General Committee

### Date

2019/05/15

### Time

9:00 AM

### Location

Civic Centre, Council Chamber,  
300 City Centre Drive, Mississauga, Ontario, L5B 3C1

### Members

Mayor Bonnie Crombie	
Councillor Stephen Dasko	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3 (Chair)
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Dipika Damerla	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

### Contact

Stephanie Smith, Legislative Coordinator, Legislative Services  
905-615-3200 ext. 3795  
Email [stephanie.smith@mississauga.ca](mailto:stephanie.smith@mississauga.ca)

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

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**GENERAL COMMITTEE INDEX - MAY 15, 2019**1. **CALL TO ORDER**2. **APPROVAL OF AGENDA**3. **DECLARATION OF CONFLICT OF INTEREST**4. **PRESENTATIONS** - Nil5. **DEPUTATIONS**

5.1. Item 8.5 Kimberly Hanson, Resident regarding the request to purchase land and an encroachment agreement (Ward 9)

5.2. Item 8.1 Samuel Rogers, Director of Enforcement and Michael Foley, Manager, Mobile Licensing Enforcement

5.3. Item 8.6 Sarah Piatt, Acting Supervisor, Woodlands and Natural Areas

6. **PUBLIC QUESTION PERIOD** - 15 Minute Limit (5 minutes per speaker)

Pursuant to Section 42 of the Council Procedure By-law 0139-2013, as amended:  
General Committee may grant permission to a member of the public to ask a question of General Committee, with the following provisions:

1. The question must pertain to a specific item on the current agenda and the speaker will state which item the question is related to.
2. A person asking a question shall limit any background explanation to two (2) statements, followed by the question.
3. The total speaking time shall be five (5) minutes maximum, per speaker.

7. **CONSENT AGENDA**8. **MATTERS TO BE CONSIDERED**

8.1. Transportation Network Company (TNC) Licensing Pilot Project Final Report

8.2. Compensation for Taxicab Licence Owners

8.3. Parking Prohibition – Residential Roads (Ward 10)

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- 8.4. Winston Churchill Boulevard Multi-use Trail Barrier Options (Ward 9)
- 8.5. 6131 Cheega Court Encroachment (Ward 9)
- 8.6. Bee City Canada Designation
- 8.7. Joint-Use and Funding Agreement with the Peel District School Board for a new Multi-Use Sports Court at Lorne Park Secondary School, 1324 Lorne Park Road (Ward 2)
- 8.8. Designation as a City Standard Recommendation for Adobe for the supply of Adobe software products and maintenance and support services
- 8.9. Designation as a City Standard Recommendation for Commvault Systems (Canada) Inc. for the supply of Commvault products and related services
9. **ADVISORY COMMITTEE REPORTS**
- 9.1. Public Vehicle Advisory Committee Report 2 - 2019 - April 30, 2019
- 9.2. Accessibility Advisory Committee Report 2 - 2019 - May 6, 2019
- 9.3. Heritage Advisory Committee Report 5 - 2019 - May 7, 2019
10. **MATTERS PERTAINING TO REGION OF PEEL COUNCIL**
11. **COUNCILLORS' ENQUIRIES**
12. **OTHER BUSINESS/ANNOUNCEMENTS**
13. **CLOSED SESSION**  
(Pursuant to Subsection 239 (2) of the Municipal Act, 2001)
- 13.1. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: **Update from Mary Ellen Bench, City Solicitor and Gary Kent, Commissioner Corporate Services & CFO regarding "Authority to enter into agreements with the GTAA on relationship matters and to approve litigation settlements regarding Payment in lieu of taxes and stormwater charge."**
14. **ADJOURNMENT**

City of Mississauga  
**Corporate Report**



Date: 2019/05/01

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng., MBA, Commissioner of  
 Transportation and Works

Originator's files:

Meeting date:  
 2019/05/15

## Subject

**Transportation Network Company (TNC) Licensing Pilot Project Final Report**

## Recommendation

1. That the report from the Commissioner of Transportation and Works dated May 1, 2019 entitled "Transportation Network Company (TNC) Licensing Pilot Project Final Report" be approved.
2. That a by-law be enacted to provide for the ongoing regulation of TNCs as outlined in the report from the Commissioner of Transportation and Works, dated May 1, 2019 entitled "Transportation Network Company (TNC) Licensing Pilot Project Final Report".
3. That the amendments made to the Public Vehicle Licensing By-law 420-04, as amended, enacted as part of the Pilot Project be permitted to remain in force.
4. That staff provide a further report to General Committee identifying amendments to the Public Vehicle Licensing By-law 420-04, as amended, to further reduce competitive restrictions contained in the By-law.
5. That Cost Centre 22666 to be renamed to "T&W Enforcement – TNC" with an increase to the gross budget of \$1,275,000 and an increase to the revenue budget of \$1,275,000, with a net budget change of zero for 2019.
6. That the permanent regulatory framework will require the establishment of two new fees, entitled "TNC Licensing Fee" in the amount of \$20,000 annually, and a "TNC Licensing Trip Fee", in the amount of \$0.30 for each trip undertaken by a TNC driver that originates within the city, with revenues from these fees deposited in Cost Centre 22666 "T&W Enforcement – TNC".
7. That the 2019 complement for Regulatory Services be increased by 17 permanent FTEs for a revised complement of 158.9.

8. That a new capital project PN 19-093 “Office Accommodation & Space Reconfiguration” be established with a gross budget of \$100,000 a revenue budget of \$100,000 funded from “T&W Enforcement – TNC”, and net budget of \$0 for 2019.
9. That all necessary by-laws be enacted.

## Report Highlights

- The Pilot Project has concluded that TNCs can be regulated effectively.
- In 2018, there were a total of 10 million dispatched vehicle-for-hire trips reported in the city; a 7.7 million trip increase since TNCs began operating.
- The City will continue to support the taxi industry by ‘leveling the playing field’ through Public Vehicle By-law deregulation.
- Public engagement results show there was an average 92% satisfaction rate with TNCs.
- The additional resources required to effectively regulate TNCs are fully offset by licence fees collected.

## Background

On June 21, 2017, the Transportation Network Company Pilot Project Licensing By-law 93-17 was enacted, (Appendix 1 – Transportation Network Company Pilot Project Licensing By-law 93-17), which allowed for the licensing and regulation of TNCs. Amendments were also made to the Public Vehicle Licensing By-law 420-04, as amended to better align the regulatory requirements of the taxi and limousine industries with TNCs. These Public Vehicle Licensing By-law deregulations have remained in effect for the duration of the Pilot Project.

The primary purpose of the TNC Pilot Project was to assess the effectiveness of the regulatory framework from a consumer protection and public safety perspective. There were three main objectives:

### Objective One: Assess TNC By-law Compliance Rates

Compliance rates were assessed through analysis of TNC provided data, notices of contraventions, penalty notices, public complaints, verification of driver/vehicle information, field inspections and audits.

### Objective Two: Assess the Impact of the Public Vehicle By-law Deregulation

The impact of the By-law deregulation on consumer protection and public safety were assessed through pre/post comparisons of complaints, violations, driver abstracts and compliance rates of new drivers. In addition, the economic impacts of the By-law

deregulations were assessed through pre/post comparisons of dispatch taxi rates and the sale/lease value of taxi licence plates.

### Objective Three: Develop a Permanent Regulatory Framework

The findings derived from Objectives One and Two have informed the recommended permanent regulatory framework. In addition, staff consulted with industry stakeholders, engaged with community members and conducted research and benchmarking to identify additional measures for consideration in the permanent regulatory framework.

The details of how each objective was assessed can be found in Appendix 2 – TNC Evaluation Matrix. This report is based on a 12 month data set that was collected from September 1, 2017 to August 31, 2018.

## **Present Status**

There are currently three licensed TNCs operating in the city with an average of approximately 21,000 TNC vehicles operating in any given month (Appendix 3 – TNC Vehicle and Trip Distribution). The average number of TNC trips per month is 700,000. Enforcement Officers currently conduct an average of 1,000 TNC inspections per month.

## **Comments**

### Regulatory Approach

The approach to regulating TNCs differed significantly from the taxi industry. Below is an overview of the four main components of the regulatory approach during the Pilot Project:

#### 1. Decentralized Regulation Model

In this model, the licensee (TNC) was responsible for ensuring that drivers fully met the eligibility requirements of the By-law. This differed from the taxi model where the City collects and retains the documentation confirming an individual's eligibility. Under the TNC model, the licence fees were collected on a 'per trip' basis rather than the number of participants (driver, owner and brokerage).

#### 2. Field Inspections

A variety of field inspections were conducted by Enforcement Officers using inspection accounts registered with the TNC. Separate 'customer' accounts were also set up by staff to conduct inspections while posing as customers. There were five types of field inspections conducted:

- a. Standard TNC Inspection: Using a TNC provided inspection account; an Officer would request a trip through a TNC app. When the TNC vehicle arrived; the Officer would conduct an inspection and then release the vehicle.
- b. Ghost Inspection: Using a customer account, vehicles were inspected by Officers posing as TNC customers. Officers recorded any issues related to

the driver, including 'off-app' offers, which are offers for service outside of the platform in order to avoid trip fees.

- c. Bait Inspection: Officers waited in areas with higher densities of TNCs (identified through trip data) and would attempt to attract an 'off-app' offer.
- d. Mirror Ride: Two Officers would depart from the same point with the same destination at the same time. One Officer used a TNC the second a taxi; trips were compared directly for elapsed time and fare.
- e. Standard Taxi Inspection: Inspections of taxis were conducted in order to determine compliance rates in a less regulated environment.

### 3. Data Collection and Audits

On a monthly basis, TNCs were required to provide driver and trip information to Enforcement staff. These records included millions of data points identifying each pickup and drop off location, the time, driver identity and particulars about the vehicle used. This data was used to:

- Determine peak TNC activity periods (Appendix 3 – TNC Vehicle and Trip Distribution);
- Identify frequent locations of TNC activity (Appendix 3 – TNC Vehicle and Trip Distribution);
- Calculate the number of inspections required to achieve a representative sample;
- Update the field inspection database;
- Audit trip data; and
- Calculate licensing fees.

IT and Enforcement staff developed a mobile phone inspection application to assist with the field inspection of TNC vehicles. This inspection application, which used TNC provided data, allowed for a simplified in field data collection and inspection process.

An independent third party auditor's report was provided to Enforcement staff on a quarterly basis by each TNC. Staff were able to confirm that TNCs were accurately collecting and reporting information as required in the By-law.

### 4. Public Education

Public safety and consumer protection were the key messages throughout the Pilot Project (Appendix 4 – TNC Public Education Samples). TNC safety information was communicated using multimedia advertisements, social media campaigns, and engagement at community centres. Officers also provided in-person visits to establishments where high TNC usage was experienced.

## **Project Objectives**

Objectives One and Two of the Pilot Project each had sub-components with separate evaluation processes, measures, outputs and accuracy rates. The following findings and assessment provides a consolidated summary of the objectives and sub-components. (The details of all sub-

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components can be found in Appendix 2 – TNC Evaluation Matrix). Following the findings and assessment of Objectives One and Two, Objective Three was completed.

### **Objective One: Assess TNC By-law Compliance Rates**

#### **1a: Accuracy of Data – 98% Compliance**

TNCs were required to provide the City with driver and trip specific data throughout the Pilot Project. The TNC data accuracy rate was 98%, which satisfied the requirements for data accuracy.

#### **1b: Integrity and Transparency of Decentralized Regulation Model – 100% Compliance**

The TNCs displayed a high level of integrity and transparency in their dealings with Enforcement staff. When requested to do so, they removed drivers from the platform for non-compliance with the By-law 100% of the time. During the Pilot Project there were no occurrences of TNCs attempting to circumvent licensing requirements. Further, the similar results between ghost and standard inspections indicated that there was no manipulation of the pool of vehicles presented for inspection during standard inspections.

#### **1c: TNC Driver Compliance – 94% Compliance**

In total, 8,700 standard and ghost inspections were conducted during the Pilot Project. Based on the 18 required items in the standard inspection and 15 required items in the ghost inspection, the overall compliance rate was 94%. In other words, of the total 155,000 inspected items, 9,176 items were deemed non-compliant. Three requirements accounted for the majority of the non-compliant items:

- TNC identifiers;
- Physical copies of safety certificates; and
- All-weather tires

These three items are addressed further in the report under Objective Three.

#### **1d: High Risk Violations – 99+% Compliance**

Not all violations represent the same risk to public safety and consumer protection. Three high risk by-law violations were identified:

1. **Unregistered Vehicle – 99.6% Compliance**: The use of a vehicle that has not been vetted by the TNC prior to operation. While some instances were lower risk (i.e. a registered vehicle having been replaced by a rental vehicle for a brief period), there were three higher risk occurrences during the Pilot Project of unregistered vehicles that were not rentals.
2. **Unregistered Driver – 99.4% Compliance**: The use of a registered TNC driver's profile by a second driver who was not registered on a TNC platform. There were a total of three occurrences during the Pilot Project.
3. **Off-App Offers – 99.8% Compliance**: There was only one occurrence during the Pilot Project. There were also no complaints received from the public regarding this issue.

For all high risk violations noted above, the TNC was instructed to remove the user or vehicle from the platform immediately and in all instances the TNC complied.

Overall Assessment of Objective One: Assess TNC By-law Compliance Rates

Based on the compliance rates, field inspections, data collected and interactions with the licensed TNCs, it is assessed that the TNCs effectively complied with the By-law requirements throughout the Pilot Project. TNCs were responsive to requests from the licensing authority, provided timely and accurate information and were cooperative in all regards.

**Objective Two: Assess the Impact of the Public Vehicle By-law Deregulation**

**2a: Taxi Compliance Rates – 67% (Standard Inspections); 48% (Trip Sheet)**

In total, 4,434 taxi inspections were conducted and a total of 1,547 Notices of Contravention or Administrative Penalties were issued based on these inspections. This represents a compliance rate of approximately 67%. While there is a significant variance between the compliance rates for TNCs and taxis it should be noted that different methods of measurement were employed in each case. TNCs were rated on compliance with a narrow set of requirements that were evaluated individually. A similar tool was not available for the inspection of taxis.

A review of trip sheet compliance was also conducted outside the standard taxi inspection. The Public Vehicle Licensing By-law identifies in Schedule 8, Section 3 (13) that:

*Every licensed Driver shall keep a daily Trip Sheet showing:*

- (a) the name of the Driver, the date and the Taxicab owner's plate number;*
- (b) the location and time of the beginning and end of every Trip made;*
- (c) the amount of the Fare collected for each Trip;*

During the review, inspectors observed 145 hailed taxi trips or drop-offs where payment occurred. Follow-up inspections of the trip sheets were then conducted at a later date to confirm if the observed trip was reported on the trip sheet. Of the 145 records investigated, the trip in question appeared only 69 times in the drivers' trip sheet. This translates into a compliance rate of 48%.

**2b: Taxi Driver Complaint Rates – 26% Reduction**

As outlined in the Public Vehicle Licensing By-law, the City investigates complaints against taxi drivers and brokerages as a form of consumer protection. Since 2015 there has been a 26% decline in public complaints received by the City against the taxi industry (Appendix 5 – Taxi Complaint Rates 2010-2018). Although, this decrease could be attributed to decreasing ridership, it may also be an indication that customers are increasingly satisfied with the service they are receiving.

The effect of removing driver training requirements is unlikely to show any short term effect as, by far, the majority of taxi drivers operating during the Pilot Project had previously received training.

### 2c: Economic Impact on Taxi Industry – 15.3% Reduction

In 2013, prior to the introduction of TNCs, taxi brokerages reported 2.3 million dispatched trips. In 2017, taxi brokerages reported 1.95 million dispatched trips (a 15.3% decrease in dispatched taxi trips). This does not include hailed trips, which only taxis are permitted to provide. There is anecdotal evidence of a significant reduction in the number of hailed trips originating from taxi stands but this cannot be confirmed with any degree of accuracy. Current estimates from within the taxi industry indicate that there may be between two and three hundred thousand hailed trips yearly. However, in 2018, there were approximately 10 million dispatched vehicle-for-hire (TNC and taxi) trips reported (Appendix 6 – Total Dispatched Taxi and TNC Trips).

This 7.7 million increase in trips indicates that a new vehicle-for-hire market has emerged. TNCs did not simply capture 15.3% of the existing market share (350,000 trips), but rather they have capitalized on a previously untapped market that beforehand consisted of individuals walking, taking buses and using personal vehicles.

Therefore, when considering the economic impacts to the taxi industry, it is important to recognize that while there has been some loss of dispatched trips from taxis to TNCs, it only represents 3.5% of the total vehicle-for-hire market in the city.

Impacts to the taxi industry were assessed using four distinct groups:

1. Taxi Brokerages: Reductions in dispatched trips are not uniform across the brokerages. The overall reduction in dispatched trips ranges from a high of 54% to a low of 10.3% over the four year period.
2. Taxi Drivers: Drivers who lease a licence to operate a taxi have benefitted from the 80+% reduction in the cost of a lease. However, it is likely that the greatest impact that TNCs have had on taxi drivers has been the reduction in hailed trip opportunities. Accurate reporting of hailed trips is not available due to a high likelihood of systemic under-reporting of trips (See Trip Sheet review on page 6). Therefore the impact cannot be accurately assessed.
3. Taxi Users: Users have experienced generally positive impacts as they now have an additional transportation option. Mirror Ride inspections indicated that, when measured against each other, taxi and TNC trips are highly similar in both price and duration.
4. Taxi Licence Owners: There are approximately 350 individuals and companies who control the 551 taxi licences operating in the city.

The average reported selling price of a Taxi Owners Licence in 2014 was \$183,000. The average selling price in 2018 was \$18,000 which represents a reduction of 90%. This devaluation is similarly reflected in lease prices, which have decreased by 80+%.

However, the City has no way to verify the sale price of these plates because the City plays no active role in their sale, and the price reported to the City is not validated by either the City or a third party. There have been anecdotal reports that the prices paid are underreported to the City. The Plate Issuance Calculation Formula, contained in the Public Vehicle Licensing By-law, uses sale prices as a critical factor to identify when additional Taxi Owners Licences should be released into the marketplace. Under reporting the sale price would therefore have the effect of suppressing the issuance of new licences, thus reducing competition within the market place and supporting higher lease values and plate values.

### Overall Assessment of Objective Two: Assess the Impact of the Public Vehicle By-law Deregulation

The impact of deregulation on the taxi industry has been mixed:

- Brokers have been impacted negatively due to market share losses.
- Drivers who lease licences from taxi owners have benefitted from decreased costs.
- Taxi users have benefitted from the increased number of options created by TNCs and an increased availability at peak periods of demand.
- Taxi owners have been impacted negatively from the lower lease and plate values.

There were no negative impacts assessed to overall service as a result of the deregulation.

### Objective Three: Develop a Permanent Regulatory Framework

#### Pilot Project Challenges: TNC By-Law Compliance

The following three issues were identified in relation to TNC by-law compliance earlier in this report. Below are the recommended solutions for inclusion in the permanent regulations:

- TNC Identifier – 46% Compliance: The weakest compliance rate was associated with the TNC identifier requirement. The By-law required that each TNC vehicle display a decal or other identifier in an approved location. The low rate of compliance was attributed to a number of factors including:
  - a. TNC logistics in providing new drivers with the identifier;
  - b. The identifier carrying a social stigma – drivers preferred not to have an identifier when not working; and
  - c. Fear of retaliatory behaviour from members of the vehicle-for-hire industry.

The identifier provides a false sense of security and runs counter to the public safety goals of the Pilot Project. One of the key messages of the public education campaign was to instruct passengers to confirm the legitimacy of the vehicle by checking both the licence plate and the driver against the information provided through the TNC app – not the identifier (Appendix 4 – TNC Public Education Samples).

A further drawback to the use of the TNC identifier is that it may encourage street hailing which is the significant difference between taxis and TNCs. Vehicles that are easily identified as a TNC are more likely to be solicited for an 'off-app' trip.

It is recommended that the identifier requirement be removed from the By-law. This would also significantly increase the level of compliance found in TNC vehicles.

- Physical Copies of Safety Certificates – 86% Compliance: The Pilot Project required that a paper copy of the safety certificate be carried in the vehicle at all times. TNCs were compliant with the requirement 86% of the time. However, the requirement served little value because the TNCs were already verifying the safety certificate before adding the vehicle to the platform. Third party audits and inspections by staff confirmed this. Carrying a paper copy of the safety certificate served no purpose other than to confirm a requirement that could be done more efficiently through audits. The removal of the requirement would improve the compliance rate and eliminate the wasted administrative time required to rectify these contraventions.
- All-Weather Tires – 86% Compliance: All-weather tires were required from December 1<sup>st</sup> to April 30<sup>th</sup>. Non-compliance was primarily due to the following factors:
  - a. A misunderstanding of the difference between all-weather tires and all-season tires.
  - b. The dates of the requirement. New drivers starting in April did not see the need when there was no longer any snow.
  - c. The cost of the tires.

All-weather tires improve the level of public safety and it is recommended that this requirement remain in the By-law. Increased levels of driver education throughout the winter season will also address this issue.

#### Mitigating the Impacts to the Taxi Industry: Level the Regulatory Playing Field

Key to this issue is the Public Vehicle By-law that regulates far too many facets of the taxi business. While some of these regulations have served to improve safety and consumer protection, they have also drifted into issues more properly belonging to management such as:

- The deportment of the drivers operating the vehicle;
- Vehicle appearance; and
- Providing basic levels of driver training such as effective route mapping.

In 2017 staff provided the Public Vehicle Advisory Committee (PVAC) with a line-by-line review of the Public Vehicle Licensing By-law and identified 64 recommendations that would be viable to reduce regulatory demands on the industry. The proposed amendments included:

- Opening of the fare structure governing what taxis can charge for the service they provide; allowing them to provide flexibility in pricing, discounts and other incentives.
- Eliminating regulations regarding the appearance and branding of a taxi to provide potential revenue streams for owners and brokerages, such as advertising on vehicles.
- Eliminating regulations that limit taxis from entering into exclusive agreements with clients, to promote the development of a sustainable customer base.

- Eliminating regulations that should be the responsibility of taxi owners/brokerages, such as providing courteous service, to encourage them to be more responsive to customer service concerns.

To date, PVAC has provided no further input or recommendations on the content of the review. While no single by-law amendment would resolve all of the industry's challenges, it is clear that the removal of restrictive regulations could significantly increase the opportunities for the taxi industry to compete more effectively in this new market.

#### Mitigating the Impacts to the Taxi Industry: Taxi Owners Licence Value

An evaluation of the impact that TNCs have had on the value of Taxi Owners Licences is impossible to establish with certainty. The reported decrease in dispatched trips appears to be in the range of 15.3% over a four year period, while the market for vehicles-for-hire has grown four-fold. This decrease, in and of itself, would not fully address a reported reduction in licence value of approximately 90%. There is still a large amount of business activity within the taxi industry, so it is difficult to attribute losses in value to the use of the licence for the operation of a taxi. What has decreased is the speculative value of a licence in a new market with fewer barriers to entry.

There is strong evidence that the existing taxi plate issuance model has significantly under calculated the size of the vehicle-for-hire marketplace. It is also likely that no new plates will be issued in the near future. Given this uncertainty, it is recommended that no further names be added to the Priority Waiting List.

#### Community Engagement

A third party facilitator conducted engagement sessions with industry stakeholders including taxi and limousine drivers, owners and TNC drivers (Appendix 7 – TNC Community Engagement Report). Input from representatives of each licensed TNC was obtained separately by staff.

The facilitator provided a neutral setting to gain insight into what stakeholders saw as challenges moving forward regarding:

- Labour market impact of TNCs;
- Regulatory framework (e.g. appropriateness of Public Vehicle Licensing By-law amendments);
- Safety standards; and
- Pricing levels.

The feedback received highlighted the need for a 'level playing field' and a requirement for consistent enforcement of regulations. Taxi owners also proactively submitted details about plate devaluation and lost rental income since 2017; however filed lease agreements could not verify these figures as being accurate. Examples of the form submitted by taxi owners can be viewed in Appendix 8 – Taxi Plate Devaluation Form Samples. There was limited feedback from TNC drivers due to low turnout at engagement sessions.

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Additionally, an online survey was conducted to gauge the public's knowledge of, concerns with, and expectations of, TNC services in Mississauga as well as their satisfaction with the existing vehicle-for-hire services. Over 500 responses were received within a three week period (Appendix 9 – TNC Online Survey – Key Results).

Key results included:

- 92% average satisfaction rate with all TNC features vs 56% average satisfaction rate with all taxi features.
- Current users of TNCs indicated that prior to their introduction they used a variety of transportation alternatives, most commonly: 28% personal vehicle, 27% transit, 26% taxi and 15% walking/cycling.
- Only 8% of rideshare users checked the TNC Identifier before entering a vehicle (91% verified their trip via car description, licence plate, driver rating system, driver name/photo and vehicle condition).
- 36% believed that regulatory responsibilities should be shared between the City and each industry (versus 28% company-alone or 26% City solely responsible).

During stakeholder engagement sessions, there was little support identified for efforts that would further deregulate the taxi industry with mixed support for suggestions that included opening the fare structure and reducing barriers to enter the industry. Many participants were favorable towards the creation of a more 'level playing field', but not by reducing regulations on taxis, instead promoting increased regulations for TNCs.

Other proposals arising from the sessions included capping the number of TNC vehicles that would be permitted to operate in the city at any given time. This is a proposal that would likely be unacceptable to TNC operators as their business model is based on a flexible supply of service providers that can adjust quickly to peak demand.

It was also proposed that current taxi licence owners be compensated for the decreased value of their licence and that this should be funded by the City. There did not appear to be any consensus as to the value of these licences but it was evident that owners would be unwilling to sell at the current price and would be insistent on a price more reflective of peak value.

#### Jurisdictional Scan

Staff conducted a jurisdictional scan in 2017 of TNC regulations in effect for Calgary, Hamilton, London, Niagara, Oakville, Ottawa, Toronto, Waterloo, and Quebec (Appendix 10 – Jurisdictional Scan of TNC Regulations). Mississauga's regulations for TNCs were consistent with those municipalities, ensuring consumer protection and public safety.

In 2018 an additional jurisdictional scan was completed to identify the status of municipalities TNC by-law regulation, licensing requirements, data collection strategy, inspection and enforcement measures, and complaint process. Mississauga's by-law regulation and enforcement are consistent with other municipalities in most respects. However, Mississauga

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has become a leader in the internal development and use of a mobile phone inspection application to assist Officers with field inspections of TNC vehicles.

#### Permanent Regulatory Framework

The results of the Pilot Project demonstrate that the established regulatory framework is effective in ensuring consumer protection and public safety. It is therefore recommended that the Pilot Project framework be made permanent to include the following key components:

a. Decentralized Regulation Model

The decentralized model is recommended to continue. The TNCs will be responsible for ensuring that the drivers operating under their licence meet the requirements of the By-law. The fee per trip model is a suitable means to recover the costs associated with the regulation of TNCs.

b. Field Inspections

TNCs will require a higher number and frequency of field inspections due primarily to the large number of drivers (21,000 monthly). The high churn rate and higher number of novice drivers also supports the need for more inspections.

Staff have referred to the International Organization for Standardization, ISO 2859, Sampling Procedures for Inspection by Attributes, to determine the number of inspections required to produce a high degree of certainty that TNCs are compliant with the By-law. Based on the current number of TNC drivers and trips, a total of 10 full-time inspectors would be required to conduct a total of 21,000 TNC inspections annually. The Pilot Project had five full time inspectors and additional Enforcement staff were used to conduct inspections in order to meet the established targets.

This increase of inspectors will also allow for an expansion of weekend and night enforcement to address deficiencies identified in data collected during the Pilot Project. The weekend and night coverage will also improve enforcement for other licence types within the purview of Enforcement.

c. Data Collection, Audits and Analysis

Data collection and audits will continue with many process efficiencies implemented throughout the Pilot Project. However, an additional need for enhanced policy and business impact analysis was also identified during the Pilot Project. Currently, Enforcement lacks the capacity to effectively manage disruptive technologies like TNCs. Five full-time staff, as opposed to the three dedicated staff during the Pilot Project, will reside in the Policy and Strategic Support Unit of Enforcement. They will monitor and evaluate the ever changing vehicle-for-hire industry and allow Regulatory Services to better keep pace with technology driven disruptions like TNCs.

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IT and Enforcement staff developed a mobile phone inspection application to assist with the field inspections and enforcement of TNC vehicles (Appendix 11 – TNC IT Support Plan). In order to maintain a contingency for future technology driven challenges, one full time IT staff is required along with technology contingency funding to reside in the “Capital Reserve – TNC” (Account 35594).

d. Public Education

Consumer protection and public safety are recommended as the key messages and themes for the foreseeable future. The existing products and communication channels are recommended to continue along with some funding for content refresh and an added focus on all-weather tires targeted at TNC drivers. An annual operating budget of \$30,000 a year is recommended to sustain the levels delivered during the Pilot Project.

e. By-law Amendments

Removing the requirements for TNC Identifiers and hard copies of safety certificates are the two recommended changes to the By-law. These requirements created a large number of low value enforcement activities that required an initial Notice of Contravention and follow-up inspection.

f. Accessibility

Staff are currently undertaking a review of the on-demand accessible vehicle-for-hire service in the city. Options are currently being developed and will include a ‘payment in lieu of service’ model for TNCs. These options will be presented to PVAC and the Accessibility Advisory Committee in Q3 2019.

Amendments to the TNC and Public Vehicle By-law may be required and staff will bring forward a report to General Committee at the completion of the review and committee consultations.

### Summary of Recommendations Proposed in Objectives One to Three

Focus Area	Recommendation
<b>TNC By-law</b>	Remove the TNC identifier requirement.
	Remove the requirement for a paper copy of the safety certificate.
	Maintain the requirement for all-weather tires from December 1 <sup>st</sup> to April 30 <sup>th</sup> .
<b>Public Vehicle By-law</b>	Continue to work with the taxi industry to implement the 64 staff recommendations related to by-law deregulation.
	Through a report to Council in conjunction with Legal Staff, address the issue of compensation for Taxi Licence Owners.
<b>Accessibility</b>	Continue to develop an on-demand accessible vehicle-for-hire model with the Accessibility Advisory Committee.
	Implement 'payment in lieu of service' once the on-demand accessible vehicle-for-hire model has been implemented.
	Amend the TNC and Public Vehicle By-laws as required.
<b>Taxi Plate Issuance</b>	Cease adding names to the Priority Waiting List.
	Continue to work with the taxi industry to develop and revise the plate issuance model.
<b>Enforcement Operations</b>	Expand evening and weekend service levels.
	Conduct 21,000 annual TNC inspections.
	Enhance Mobile Inspection Application.
	Enhance the monitoring, analysis and planning functions within Enforcement.
	Continue public education efforts, with specific focus aimed at drivers on the importance of all-weather tires.

The implementation of the recommended framework will provide the necessary resourcing to ensure consumer protection and public safety. Further, it will allow Enforcement to operate in a more agile and adaptive manner – better prepared to respond to future technology driven disruptions in the industry.

## Financial Impact

The financial impact on the 2019 Regulatory Services Budget resulting from the adoption of a permanent regulatory framework for TNCs effective July 1, 2019 is forecast to be self-funded through licensing and trip fees revenue. The following tables identify the 2019 operating budget impact and an estimate of the annualized budget for this service.

### 2019 Permanent Staff Requests

Position	Permanent FTE	Grade	Annualized Budget	2019 Operating Budget (July 1 - Dec 31)
Manager, Policy and Strategic Support	1	G	\$128,000	\$64,000
Data Specialist	1	E	\$103,400	\$51,700
Business Analyst	2	F	\$235,200	\$117,600
Researcher	1	D	\$76,700	\$38,350
Supervisor, Mobile	1	G	\$128,000	\$64,000
Mobile Licensing Enforcement Officers (MLEO)	10	E	\$1,033,300	\$516,650
IT Application Developer	1	G	\$128,000	\$64,000
<b>Total FTE &amp; Labour Budget</b>	<b>17</b>		<b>\$1,832,600</b>	<b>\$916,300</b>

The total labour budget requested from July 1, 2019 is \$916,300, or \$1,832,600 annualized with a total increase in complement of 17 FTE. 11 FTE (10 inspectors, one supervisor) will be assigned to in-field enforcement and will permit Mobile Licensing to:

- Expand enforcement coverage into late evening and early morning hours.
- Provide improved coverage for weekends and peak periods.
- Ensure a highly visible sustained regulatory presence in a licence sector comprised mainly of “new” participants.

Five FTE will be added to provide support to Regulatory Services to address the operational and administrative requirements created by the TNCs including:

- Policy analysis, development, and interpretation.
- Research support and business planning.
- Secure data transfers, audit data, and fee remittance.

One FTE will be assigned to IT to support TNC regulation and the maintenance and development of upgrades to the TNC inspection application developed in-house.

### Summary of Proposed 2019 TNC Budget

Expense Categories	Annualized Budget	2019 Operating Budget (July 1 -Dec 31)
<b>Labour and Benefits</b>	<b>1,832,600</b>	<b>916,300</b>
Staff Training & Courses	36,000	18,000
Advertising & Promotions	15,000	7,500
Communication & Transportation	87,000	43,500
Equipment Cost & Maintenance	8,000	4,000
Inspection Costs	157,000	78,500
Materials, Supplies & Other	14,400	7,200
Chargebacks	100,000	50,000
Transfer to a Capital Reserve Fund - TNC	300,000	150,000
<b>Other Operating Costs</b>	<b>717,400</b>	<b>358,700</b>
<b>Total Gross Expenditure</b>	<b>2,550,000</b>	<b>1,275,000</b>
<b>Licensing &amp; Trip Fees - Revenue</b>	<b>-2,550,000</b>	<b>-1,275,000</b>
<b>Total Net Expenditure</b>	<b>0</b>	<b>0</b>

Other operating costs, totalling \$358,700 from July 1, 2019, or \$717,400 annualized, include public education, TNC inspection application and equipment, staff training and vehicle costs.

TNCs represent a small increase in the number of licence holders but a large increase in the amount of licensed activity within the city. TNC operations constitute millions of trips originating from all points within the city and thousands of operators offering these services. This is a new regulatory framework and it is uncertain whether the budget proposed will be a stable one. It is therefore recommended that any surpluses generated by this cost centre be automatically contributed to the Fiscal Stability Reserve and any shortfalls in this cost centre be funded from the Fiscal Stability Reserve.

A capital project for \$100,000 is being requested for office space reconfiguration for new staff supporting the TNC program. This reconfiguration work will include demolishing existing walls, new paint and carpet throughout. Office equipment includes a meeting table, mounted screen and touchdown spaces as the work stations for the new staff. The capital project will be funded by \$100,000 from the licensing fees.

The total gross expenditure from July 1, 2019 of \$1,275,000 will be fully offset by revenue generated through two licensing fees: an annual \$20,000 licence fee and a \$0.30 per trip licensing fee for each TNC trip originating within the city with revenue of \$1,245,000.

## Conclusion

The primary purpose of the TNC Pilot Project was to assess the effectiveness of the regulatory framework from a consumer protection and public safety perspective. Based on the compliance rates, field inspections, data collected and interactions with the licensed TNCs, it is assessed that TNCs effectively complied with the By-law requirements throughout the Pilot Project. TNCs have been responsive to requests from the licensing authority and provided accurate data in a timely manner.

With regards to the impacts of the Public Vehicle By-law deregulation, the evaluation indicates that these have had minimal impacts on the quality of service provided by taxis. It is recommended that staff continue to work with the taxi industry and give further consideration to the 64 staff recommendations pertaining to by-law deregulation – all of which were aimed at ‘leveling the playing field’.

The implementation of the recommended framework will provide the necessary resourcing to ensure consumer protection and public safety.

## Attachments

Appendix 1: Transportation Network Company Pilot Project Licensing By-law 93-17

Appendix 2: TNC Evaluation Matrix

Appendix 3: TNC Vehicle and Trip Distribution

Appendix 4: TNC Public Education Samples

Appendix 5: Taxi Complaint Rates 2010-2018

Appendix 6: Total Dispatched Taxi and TNC Trips

Appendix 7: TNC Community Engagement Report

Appendix 8: Taxi Plate Devaluation Form Samples

Appendix 9: TNC Online Survey – Key Results

Appendix 10: Jurisdictional Scan of TNC Regulations

Appendix 11: TNC IT Support Plan



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Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Michael Foley, Manager, Mobile Licensing Enforcement



**THE CORPORATION OF THE CITY OF MISSISSAUGA  
TRANSPORTATION NETWORK COMPANY PILOT PROJECT LICENSING  
BY-LAW 93-17**

**WHEREAS** section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "*Municipal Act, 2001*"), provides that a lower-tier municipality may pass by-laws respecting the health, safety and well-being of persons and respecting the protection of persons and property including consumer protection;

**AND WHEREAS** section 151 of the *Municipal Act, 2001*, provides that without limiting sections 9, 10 and 11 of the Act, a municipality may provide for a system of licences with respect to a business;

**AND WHEREAS** subsection 151(1)(g) of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of business licenses established by the municipality;

**AND WHEREAS** the Council for the City of Mississauga considers it necessary and desirable to introduce an eighteen month pilot project to regulate transportation network companies for the purpose of protecting the health, safety and well-being of persons and to maintain consumer protection through a system of business licences;

**AND WHEREAS** subsection 391(1) of the *Municipal Act, 2001*, provides that a municipality may impose fees and charges on persons;

**AND WHEREAS** section 436 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass a by-law providing that the municipality may enter on lands at any reasonable time for the purpose of carrying out an inspection to determine whether a by-law of the municipality has been complied with;

**AND WHEREAS** section 444 of the *Municipal Act, 2001*, provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

**AND WHEREAS** Council of The Corporation of the City of Mississauga considers it desirable and necessary to provide for a system of administrative penalties and administrative fees as an additional means of encouraging compliance with this Transportation Network Company Pilot Project Licensing By-law;

**NOW THEREFORE** the Council of The Corporation of the City of Mississauga hereby **ENACTS** as following:

## **DEFINITIONS**

1. For the purpose of this By-law:

**“Administrative Fees”** means any fees specified in the Licensing Administrative Penalty By-law and listed in Schedule “A” thereto;

**“Administrative Penalty”** means a monetary penalty as set out in Schedules “A” and “B” to the Licensing Administrative Penalty By-law for a contravention of a designated By-law; **“Applicant”** means a Person applying for a new Licence or the renewal of a Licence under this By-law;

**“Affiliation Date”** means the date an Applicant applies for a new Licence or the renewal of a Licence;

**“City”** means the municipal boundaries for the City of Mississauga OR the Corporation of the City of Mississauga;

**“Clerk”** means the Clerk of the City of Mississauga or his/her designate;

**“Council”** means the council of the City;

**“Criminal Record Check”** means a criminal record check issued by an Ontario police service as approved by the Licence Manager;

**“Driver’s Abstract”** means a driver’s abstract issued by the Province of Ontario;

**“Licence”** means the certificate issued by the Licence Manager as proof of licensing under this By-law;

**“Licensee”** means any Person licensed under this By-law;

**“Licence Manager”** means the Manager of Compliance and Licensing Enforcement Unit of the City’s Enforcement Division and includes his/her designate;

**“Licensing Administrative Penalty By-law”** means the City’s Licensing Administrative Penalty By-law 0135-2014, as amended (or its successor), being a by-law to establish a system of administrative penalties respecting those who have failed to comply with any part of a system of business licences established by the City;

**“Officer”** means a duly appointed Municipal Law Enforcement Officer by Council and includes members of the Peel Regional Police;

**“Penalty Notice”** means a notice given to a Person pursuant to section 4 of the Licensing Administrative Penalty By-law;

**“Person”** includes an individual, a corporation and its directors and officers, or partnership and their heirs, executors, assignees and administrators;

**“Safety Standard Certificate”** means a certificate that confirms that a motor vehicle complies with the equipment and performance standards prescribed by the *Highway Traffic Act R.S.O. 1990 c. H.8*;

**“Transportation Network Company” or “TNC”** means any Person who receives, relays, authorizes, facilitates, enables or communicates a request for transportation services from a passenger to a TNC Driver for compensation through a TNC App or any other comparable technology but does not include a Broker as defined according to the Public Vehicle Licensing By-law 420-04, as amended (or its successor);

**“TNC App”** means a mobile application that can be downloaded onto or accessed on a mobile phone, tablet or other digital electronic device used to connect passengers with TNC Drivers;

**“TNC Driver”** means the driver of a TNC Vehicle who is affiliated with a TNC and who has access to a TNC App to transport passengers for compensation;

**“TNC Identifier”** means a sign, decal, emblem or symbol displaying the logo or name of the TNC through which a TNC Driver is providing transportation service to passengers;

**“TNC Vehicle”** means a private motor vehicle that provides transportation services for compensation but does not include a Taxicab as defined according to the Public Vehicle Licensing By-law 420-04, as amended (or its successor);

**“Trip”** means each journey in a TNC Vehicle commencing when a passenger enters a TNC Vehicle having made a request for transportation using a TNC App and ending when that same passenger exits the TNC Vehicle;

#### **ADMINISTRATION OF THIS BY-LAW**

2. The administration of this By-law is assigned to the Licence Manager who shall perform all of the administrative functions conferred upon him or her by this By-law.
3. The Licence Manager may delegate any responsibilities conferred to the Licence Manager under this By-law.

#### **GENERAL PROHIBITIONS**

4. No Person shall:
  - (1) own or operate a TNC unless the Person is licensed under this By-law;
  - (2) represent to the public that the Person is licensed under this By-law if the Person is not so licensed;
  - (3) contravene or fail to comply with a term or condition of his, her or its Licence imposed under this By-law;
  - (4) operate a TNC while their Licence issued under this By-law is under suspension; or
  - (5) transfer a Licence issued under this By-law.

### **LICENSING EXEMPTION**

5. For greater clarity, the following Persons will be exempt from requiring a Licence to operate a TNC:
  - (1) a TNC who only facilitates “carpooling” as defined according to the *Public Vehicles Act*; and/or
  - (2) a Person that has a valid Broker’s licence according to the Public Vehicle Licensing By-law, 420-04 (or its successor) who in addition to operating as a Broker also operates using an App to provide said service.

### **APPLICATION FOR A NEW LICENCE OR A RENEWAL LICENCE**

6. An application for a new Licence or a renewal Licence shall be made to the Licence Manager using the forms provided by the Licence Manager and accompanied by the requirements prescribed by Schedule “A” of this By-law and any other information that the Licensing Manager may from time to time request.

### **REVIEW OF APPLICATION FOR A LICENCE BY THE LICENCE MANAGER**

7. The Licence Manager shall receive, process and review all applications for all new Licences and renewals of Licences under this By-law.
8. The Licence Manager shall maintain complete records showing all applications received and Licences issued.
9. The Licence Manager shall have the power and authority to:
  - (1) issue a new Licence;
  - (2) renew a Licence;
  - (3) deny the issuance of a Licence;
  - (4) revoke a Licence;
  - (5) suspend a Licence; and/or
  - (6) impose terms or conditions on a Licence.

### **ISSUANCE OF A LICENCE**

10. When an application for a new Licence or renewal of a Licence is made in accordance with section 6 of this By-law and the Applicant meets all the requirements of this By-law, the Licence Manager shall issue a Licence.
11. A Licence issued according to this By-law shall be valid for one year from the date of issue or until this By-law is repealed, whichever period is shorter.

### **CONDITIONS ON A LICENCE**

12. Notwithstanding any other provisions of this By-law, the Licence Manager may impose terms and conditions on any Licence at issuance, renewal or any time during the Licence period including but not limited to:
  - (1) requiring changes to a TNC Identifier; and/or
  - (2) any conditions that are necessary to give effect to this By-law.
13. (1) Notwithstanding any other provisions of this By-law, the Licence Manager may impose additional fees on a Licensee, by way of a notice of additional fees at any time during the term of a Licence for costs incurred by the City attributable to the activities of the Licensee.
  - (2) The notice of additional fees shall be sent to the Licensee by registered mail and shall provide the Licensee with sixty (60) days to pay the outstanding amount from the date of such notice.

### **RETURN OF THE LICENCE**

14. When a Licence has been revoked, deemed unrenovable or suspended according to section 16 of this By-law, the holder of the Licence shall return the Licence to the Licence Manager within twenty four (24) hours of service of written notice of the decision of the Licence Manager.
15. Notwithstanding section 14, the Licence Manager or Officer may enter upon the premises of the Licensee for the purpose of receiving or removing the Licence, when a Licensee has his/her Licence revoked, deemed unrenovable or suspended under this By-law.

### **GROUND FOR REFUSAL TO ISSUE/RENEW, REVOKE OR SUSPEND A LICENCE**

16. A Licence Manager may refuse to issue/renew, revoke, or suspend a Licence where there are reasonable grounds to believe that:
  - (1) an application or other document provided to the Licence Manager by or on behalf of the Applicant contains a false statement or false information; or
  - (2) the Applicant or Licensee has failed to pay any fine imposed by a court as a sentence arising from convictions for breach of a by-law enacted by the City; or
  - (3) any additional fee imposed on a Licensee as set out in section 13 remain unpaid after the due date as indicated in the notice of additional fees sent to the Licensee; or
  - (4) the Applicant or Licensee does not meet all the requirements of:
    - a. this By-law or any other City by-law, as amended; or
    - b. any other federal and provincial laws and municipal by-laws.

- (5) the financial position of the Applicant or Licensee affords reasonable grounds to believe that the Applicant or Licensee would not operate the TNC in a financially responsible manner; or
  - (6) the past or present conduct of the Applicant or Licensee, or any partner, in the case of an Applicant or Licensee which is a partnership, or of any director or officer of the corporation, if the Applicant or Licensee is a corporation, affords reasonable grounds for the belief that the Applicant or Licensee will not carry on the activity for which they are to be licensed or to continue to be licensed in accordance with any applicable law and with integrity and honesty; or
  - (7) the Applicant or Licensee has failed to pay an Administrative Penalty imposed by the City arising from a contravention of this By-law.
17. After a decision is made by the Licence Manager to refuse to issue/renew, revoke, or suspend a Licence, written notice of that decision shall be given to the Applicant or Licensee advising the Applicant or Licensee of the Licence Manager's decision with respect to the application or Licence.
18. The written notice to be given under section 17 shall:
- (1) set out the grounds for the decision;
  - (2) give reasonable particulars of the grounds; and
  - (3) be signed by the Licence Manager.

### **GENERAL REQUIREMENTS**

19. Every Licence is owned by and is the property of the City and is valid only in respect of the Person and for the TNC named therein.
20. (1) When a Licensee changes his or her name or address or any information relating to the Licence, he or she shall notify the Licence Manager within three (3) days of the change of address or any other information relating to his or her Licence and shall return the Licence immediately to the Licence Manager for amendment.
- (2) When the Licensee is a corporation, and there is any change in the following information given on the application, namely: the names and addresses of officers and directors, the location of the corporate head office, the Licensee shall report the change to the Licensing Section within three (3) days of the change, and if necessary, the Licence shall be returned immediately to the Licence Manager for amendment.

### **GENERAL POWERS OF OFFICERS - INSPECTIONS**

21. An Officer may at any reasonable time, enter upon and inspect the premises of any Licensee or a TNC Vehicle operated by a TNC Driver to ensure that the provisions of this By-law are complied with.

22. Upon an inspection, every Person shall produce all relevant Licences and permits, invoices, vouchers or like documents and all documents required to be kept and maintained under this By-law which may be removed for the purpose of photocopying and shall be returned to the Licensee or TNC Driver within forty-eight (48) hours of removal.
23. No Person shall obstruct an Officer inspecting the premises/TNC Vehicle or withhold, destroy, conceal or refuse to furnish any information or thing required by an Officer for the purpose of the inspection.
24. Where a Person contravenes any provision of this By-law, an Officer may:
  - (1) serve a written notice on the Person, advising of the contravention and directing compliance;
  - (2) direct in a written order that a thing or matter is required to be done, and in default of such matter or thing being done, the matter or thing will be done at the Person's expense by the City and the City will recover the expense by action or in like manner as municipal taxes; or
  - (3) issue a Penalty Notice.

#### **NOTICE**

25. Any notice or order required to be given or served under this By-law is sufficiently given or served, if delivered personally or sent by registered mail, addressed to the Person to whom delivery or service is required to be made at the last address for service appearing on the records of the Licence Manager.

#### **PENALTY**

26. Every Person who contravenes any provision of this By-law, when given a Penalty Notice, is liable to pay to the City an Administrative Penalty in the amount specified in the City's Licensing Administrative Penalty By-law and shall be liable to pay to the City Administrative Fees pursuant to the City's Licensing Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the City's Licensing Administrative Penalty By-law.
27. Notwithstanding section 26, every Person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, and the *Municipal Act, 2001*, as both may be amended from time to time.
28. In addition to section 27 of this By-law, any Person who is charged with an offence under this By-law in accordance with Part III of the *Provincial Offences Act* and is found guilty of the offence, is liable, in addition to any other penalties:
  - (1) if a living person, to a fine of not more than \$25,000; or
  - (2) if a corporation, to a fine of not more than \$50,000.

**MISCELLANEOUS**

29. Any section of this By-law, or any part thereof, that is found by a court of competent jurisdiction to be invalid shall be severable, and the remainder of the By-law shall continue to be valid.
30. All schedules attached to this By-law shall form part of this By-law.
31. In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context so requires.

**EFFECTIVE DATE AND TERM OF PILOT PROJECT**

32. This By-law shall be in full force and effect commencing on July 1, 2017 and shall be repealed on January 1, 2019.

**SHORT TITLE**

33. This By-law may be referred to as the Transportation Network Company Pilot Project Licensing By-law.

ENACTED AND PASSED this 21<sup>ST</sup> day of June, 2017.  
Signed by Pat Saito, Acting Mayor and Crystal Greer, City Clerk

## SCHEDULE "A"

### TNC APPLICATION REQUIREMENTS – NEW LICENCES AND RENEWALS

#### GENERAL REQUIREMENTS

1. A Person wishing to carry on the business of a TNC in the City shall apply for a new Licence or a renewal Licence by providing the Licence Manager with the following:
  - (1) a completed application in the form required by the Licence Manager;
  - (2) the name, telephone, and email contact information for the Person authorized to receive and respond on behalf of the TNC to any and all communications from the City relating to the TNC's Licence or the TNC's conduct of the business;
  - (3) payment of the applicable licensing fee as set out in Schedule "C" of this By-law;
  - (4) a TNC Identifier;
  - (5) a list of all TNC Drivers affiliated with the TNC, which list shall include the following information:
    - a. the full name of the TNC Driver; and
    - b. the year, make, model and Ontario licence plate number of the TNC Vehicle operated by the TNC Driver.
  - (6) a sworn declaration from the TNC confirming that all TNC Drivers affiliated with the TNC have provided the following to the TNC, which comply with the standards set out in this By-law:
    - a. a Criminal Record Check issued within one year of the Affiliation Date;
    - b. a Safety Standard Certificate issued within one year of the Affiliation Date for the TNC Vehicle operated by the TNC Driver;
    - c. a Driver's Abstract issued within one year of the Affiliation Date;
    - d. proof of valid ride sharing automobile liability insurance which shall include:
      - i. at least \$2,000,000 for third party liability coverage per incident
      - ii. at least \$2,000,000 of uninsured automobile coverage; and
      - iii. statutory Ontario accident benefitsand
    - e. proof of a valid driver's licence.

- (7) an insurance certificate demonstrating commercial general liability business insurance for the operations of the TNC against claims filed against the TNC with respect to bodily injury, including personal injury and death, and property damage with a per occurrence limit of at least \$5,000,000. The City must be included as an additional insured under this policy but only with respect to the operations of the TNC;
- (8) an indemnity in favour of the City from and against claims, demands, losses, costs, damages, actions, suits or proceedings that arise out of, or are attributable to, the TNC's business and services, which shall be in a form satisfactory to the Licence Manager;
- (9) a sworn declaration from the TNC confirming to the satisfaction of the Licence Manager that:
  - a. the TNC will have the ability to maintain and deliver data in the form and manner, and with the frequency, required by this By-law;
  - b. the TNC has data security measures in place to protect the personal data collected by the TNC relating to passengers and drivers; and
  - c. the TNC will ensure that every affiliated TNC Driver maintains the requirements of Schedule "B" of this By-law.and
- (10) a report from an independent third party auditor confirming that the TNC is accurately collecting the information as required by this By-law.

### **REQUIREMENTS FOR CORPORATIONS**

2. In addition to Section 1 of this Schedule "A", if an Applicant is a corporation, it must provide the following to the Licence Manager when applying for a Licence:
  - (1) articles of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or the Government of Canada; and
  - (2) a list of the legal relationship including legal names between any Persons that, acting together, carry on the business of a TNC.

### **REQUIREMENTS FOR PARTNERSHIPS**

3. In addition to Section 1 of this Schedule "A", if an Applicant is a partnership, it must provide the following to the Licence Manager when applying for a Licence:
  - (1) the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business; and
  - (2) the address and contact information of the TNC's registered business address in the Province of Ontario.

**LICENCE RENEWALS**

4. For greater clarity, a Person wishing to renew a Licence shall comply with the application requirements in this Schedule "A".

## SCHEDULE "B"

### TNC AND TNC DRIVER REQUIREMENTS

#### TNC DRIVER REQUIREMENTS

1. A TNC shall not permit a TNC Driver to have access to the TNC App to pick up passengers in the City if the TNC Driver:
  - (1) has received a criminal conviction:
    - a. within five (5) years of the Affiliation Date or at any point subsequent to his/her Affiliation Date; or
    - b. for any of the offences listed in Schedule "D" of this By-law
  - (2) has a Driver's Abstract which contains:
    - a. more than eight (8) demerit points according to the *Highway Traffic Act*, or its equivalent from outside the Province of Ontario; or
    - b. an individual *Highway Traffic Act* conviction which resulted in at least four (4) demerit points, or its equivalent from outside the Province of Ontario
  - (3) is operating a TNC Vehicle that has not obtained a Safety Standard Certificate in compliance with this By-law; or
  - (4) operates a TNC Vehicle that does not meet the automobile insurance standards as set out in section 3 of this Schedule "B".
2. TNC Drivers shall:
  - (1) affix securely in a non-discreet location, a TNC Identifier to their TNC Vehicle when operating as a TNC Driver;
  - (2) only accept a request for transportation services using the TNC App;
  - (3) not be permitted to accept any hail requests for transportation services; and
  - (4) maintain in the TNC Vehicle at all times, a Safety Standard Certificate that meets the requirements of this By-law.

#### INSURANCE REQUIREMENTS

3. For greater clarity, insurance standards acceptable according to this By-law shall:
  - (1) be applicable from the moment a request for transportation services is accepted up until the moment of the passenger drop-off;

- (2) have commercial general liability coverage for the TNC of at least \$5,000,000 inclusive per occurrence for bodily injury, personal injury including death and damage to property;
  - (3) have automobile liability insurance in the form of a ride sharing automobile liability policy as approved by the Financial Services Commission of Ontario for use by a TNC Driver that complies with subsection 1(6)(d) of Schedule “A” of this By-law; and
  - (4) both insurance required according to 3(2) and 3(3) of this section must be obtained and maintained by the TNC Driver, the affiliated TNC or any combination of the two.
4. The TNC shall give the Licence Manager at least 10 days notice in writing of any cancellation or alteration to the:
- (1) automobile liability insurance for an affiliated TNC Driver; and/or
  - (2) commercial general liability insurance for the TNC.

#### **TNC GENERAL REQUIREMENTS**

5. A TNC shall:
- (1) ensure that driver training is available for all affiliated TNC Drivers on the use of the TNC App;
  - (2) ensure that prior to the collection of any personal information, a TNC shall obtain consent from any affiliated TNC Driver for such collection and future disclosure to the Licence Manager for the purposes of investigating complaints, investigation potential breaches of this By-law;
  - (3) confirm by way of an independent third party auditor on a quarterly basis that the information provided according to section 1(10) of Schedule “A” of this By-law is accurate and true;
  - (4) ensure there is a dispute resolution process for dealing with any complaints regarding fees, customer service or any other issues arising from the TNC operations; and
  - (5) where service requested is a type which would require an accessible vehicle and the TNC is not able to provide such service, direct the person requesting such service to a Person who can provide such service.

#### **TNC PROHIBITIONS**

6. A TNC shall not:
- (1) obstruct the Licence Manager in the use of either passenger or driver accounts associated with the TNC App for use by the Licence Manager to ensure compliance with this By-law; and/or

- (2) permit, encourage or condone the acceptance of hails or the solicitation of passengers by TNC Drivers.

### **TNC APP REQUIREMENTS**

7. A TNC shall set fares to be charged to passengers transported by affiliated TNC Drivers via the TNC App subject to the following conditions:
  - (1) the fare for a Trip shall be communicated to a potential passenger clearly and transparently prior to the start of the Trip;
  - (2) the TNC Driver shall not commence the Trip until the passenger has provided electronic acceptance of the fare communicated in accordance with (1) above;
  - (3) the TNC Driver shall charge the passenger the communicated and accepted fare in accordance with (1) and (2) above; and
  - (4) a TNC shall ensure that a record is maintained of the passenger's acceptance of the fare provided.
8. A TNC shall ensure that its TNC App is based on functioning GPS technology as used by its affiliated TNC Drivers.
9. A TNC shall provide passengers with the following information via the TNC App prior to the start of a Trip:
  - (1) the TNC Vehicle make and model;
  - (2) TNC Driver's first name;
  - (3) Ontario licence plate number of the TNC Vehicle; and
  - (4) photograph of the TNC Driver.
10. A TNC shall at the conclusion of every Trip via the TNC App provide the passenger with an electronic receipt containing the following information:
  - (1) the fare charged;
  - (2) the date and end time of the Trip;
  - (3) the start and end locations of the Trip; and
  - (4) the TNC Driver's first name and provincial licence plate number of the TNC Vehicle.

### **RECORD KEEPING**

11. A TNC shall maintain a list of every affiliated TNC Driver in a readily accessible electronic format approved by the Licence Manager which shall include:
  - (1) the full name, date of birth, address and phone number of the TNC Driver; and

- (2) the year, make, model and Ontario licence plate number of the vehicle affiliated with the TNC to be operated by the Driver as a TNC Vehicle.
12. A TNC shall maintain information for all Trips completed by affiliated TNC Drivers which shall include:
  - (1) the name of the TNC Driver;
  - (2) pick up location and the destination;
  - (3) date and time the Trip started and terminated;
  - (4) length of time elapsed between the passenger's service request and the start of the Trip; and
  - (5) the fare paid for the Trip.
13. A TNC shall maintain information for all Trips that cannot be completed by an affiliated TNC Driver including for Trips where an accessible vehicle is required.
14. The records a TNC is required to maintain under the provisions of this By-law shall be maintained for a minimum of three years.
15. The TNC shall provide the Licence Manager with any information maintained by the TNC according to this Schedule "B" and shall provide said information:
  - (1) within thirty (30) days of said request; and
  - (2) notwithstanding 15(1) of this Schedule "B", within seven (7) days where the information is required by the Licence Manager for enforcement purposes.

#### **REMOVAL OF TNC DRIVER FROM TNC APP**

16. A TNC shall ensure that a TNC Driver is removed from and/or denied access to a TNC App in the event that:
  - (1) the TNC has reasonable belief that an affiliated TNC Driver does not meet the TNC Driver requirements as set out in this By-law; or
  - (2) the Licence Manager has requested that a TNC Driver be removed from the TNC App based on an investigation completed by the Licence Manager whereby the Licence Manager has determined that the TNC Driver is not compliant with this By-law.
17. No TNC Driver that has been removed and/or denied access to a TNC App according to section 16(2) of this Schedule "B" shall be re-granted access until the Licence Manager is satisfied that the TNC Driver is in compliance with this By-law.

## **TNC VEHICLE REQUIREMENTS**

18. A TNC shall not permit a TNC Driver to operate using a TNC Vehicle unless the TNC Vehicle:
  - (1) is seven (7) years old or less;
  - (2) has four doors and a maximum seating capacity of seven (7) passengers excluding the TNC Driver;
  - (3) displays the TNC Identifier when operating as a TNC Vehicle in the location approved by the Licence Manager;
  - (4) has received a Safety Standard Certificate in accordance with section 19 of this Schedule "B";
  - (5) is clean and in good repair as to its exterior and interior; and
  - (6) is equipped with
    - a. snow tires or all weather tires from December 1 to April 30;
    - b. fully functioning air-conditioning and heating system; and
    - c. seat belts plainly visible and accessible to passengers.
  
19. A TNC shall ensure that all TNC Vehicles operated by affiliated TNC Drivers are inspected at a facility approved by the Licence Manager and that a Safety Standard Certificate is received following said inspection on an annual basis.

## SCHEDULE "C"

### LICENSING FEES

1. A TNC shall pay a licence fee of \$20,000.\*
2. In addition to Section 1 of this Schedule "C", a TNC shall pay to the Licence Manager 30 cents for each Trip completed by a TNC Driver originating within the City of Mississauga.
3. For greater clarity, the amount required by Section 2 of this Schedule "C" shall be paid to the Licence Manager on the 15<sup>th</sup> of every month for Trips that took place the previous month.

**NOTE(\*)** The \$20,000 amount is based on an annual 12 month fee. Any Licence fee for a Licence issued for the period of the Pilot Project that is less than one year shall be pro rated accordingly.

**SCHEDULE “D”**

**CRIMINAL OFFENCES**

<b><u>Criminal Code Offences</u></b>	<b><u>Description</u></b>
Explosives	Using explosives; possession.
Terrorism	Providing or collecting property for certain activities; providing or making available property or services for terrorist purposes; using or possessing property for terrorist purposes; participation in activity of terrorist group; facilitating terrorist activity; instructing to carry out activity for terrorist group; instructing to carry out terrorist activity.
Firearms and weapons	Using firearms (including imitation) in commission of offence; careless use of firearm; pointing a firearm; possession of weapon for dangerous purposes; carrying weapon while attending public meeting; carrying concealed weapon; unauthorized possession of firearm; possession of firearm knowing its possession is unauthorized; possession at unauthorized place; unauthorized possession in motor vehicle; possession of prohibited or restricted firearm with ammunition; possession of weapon obtained by commission of offence; breaking and entering to steal firearm; robbery to steal firearm; weapons trafficking; possession for purpose of weapons trafficking; transfer without authority; making automatic firearm; discharging firearm with intent; causing bodily harm with intent — air gun or pistol.
Sexual offences against Minors	Sexual interference; invitation to sexual touching; sexual exploitation; sexual exploitation of person with disability; incest; making child pornography; parent or guardian procuring sexual activity; householder permitting sexual activity; corrupting children; luring a child; prostitution of person under eighteen.
Sexual offences against persons other than minors	Sexual exploitation of person with disability; incest; indecent acts; sexual assault.
Criminal Negligence	Causing death by criminal negligence; causing bodily harm by criminal negligence.
Murder	Murder; manslaughter; infanticide; attempt to commit murder; accessory to murder.
Operation of vehicles, vessels, or aircraft	Dangerous operation of motor vehicles, vessels and aircraft; flight; causing death by criminal negligence (street racing); causing bodily harm by criminal negligence (street racing); dangerous operation of motor vehicle while street racing; failure to stop at scene of accident; operation while impaired; operation while disqualified.

Harassment and threats	Criminal harassment; uttering threats; intimidation.
Assault	Assault; assaulting a peace officer.
Confinement	Kidnapping; Trafficking in persons; Hostage taking; Abduction of person under sixteen; Abduction of person under fourteen; Abduction in contravention of custody order; Abduction.
Theft over, forgery and fraud	Theft over; destroying documents of title; fraudulent concealment; theft and forgery of credit card; theft from mail; forgery; uttering forged document; drawing document without authority; fraud; using mails to defraud; arson for fraudulent purpose.
Robbery and extortion	Robbery; extortion.
Breaking and entering	Breaking and entering.
Possession of property obtained by crime	Possession of property obtained by crime; possession of property obtained by excise offences.
Arson	Arson.
Counterfeit money	Making counterfeit money.
Participation in criminal organization	Participation in criminal organization; Commission of offence for criminal organization; instructing commission of offence for criminal organization.
Trafficking	Trafficking in a controlled substance -Schedule I or II -Schedule III -Schedule IV
Importing and exporting	Importing and exporting of a controlled substance -Schedule I or II -Schedule III -Schedule IV
Production	Production of a controlled substance -Schedule I or II (except marihuana) -Schedule III -Schedule IV

### Evaluation Matrix

Specific by-law requirements and/or criteria have been established to assess each of the three project objectives.

#### Objective 1: Assess TNC Bylaw Compliance Rates

Component		Bylaw Requirements Criteria	Data Collection Process	Data Collection Frequency	Assessment Approach	Compliance Evaluation	Compliance Rate	Accept	Improve
1a.	Accuracy of Data	TNCs to provide information on a regular or on request basis	Electronic/In person	Varied	Licensed TNCs provide quarterly audit. Driver files audited by regulatory staff	$\frac{\text{Data errors in records}}{\text{Total number of records x fields checked in each record}}$	98%	X	
1b.		TNC does not disrupt accounts required to conduct inspection	Incidents of account suspension/ cancellation	Daily	Periodic disruption of access to platform were assessed	Subjective	High	X	
		TNC provides an internal mechanism for dispute resolution with passengers	Complaints received regarding unresolved disputes INFOR/311	Daily	No public complaints were received during assessment period	0 complaints received	High		
		TNC drivers removed from platform by request for failure to comply with NOC	NOC process identifies non-compliant operators	Daily	No inspection data identified restricted drivers present	0 incidents where blocked driver appears for inspection	100%		
		Licence fee is applicable to each ride originating within the City	"Ghost inspections" conducted in field using account not associated with regulatory authority	Weekly	Ghost ride data appears in Trip Data received by City	$\frac{\text{Ghost Inspections In Trip Data}}{\text{Total Ghost Inspections}}$	High		
		TNC drivers refrain from off app offers and engaging in acceptance of hailed rides	"Ghost inspections." "Bait inspections"	Periodically	One "off app" offer received during assessment period. Bait inspections identified no violations	$\frac{\text{\# Off app Offers}}{\text{Total \# Ghost Inspections}}$	99.8%		
		TNC does not manipulate data received by inspection staff	Ghost Inspections Standard Inspections	Daily	Correlation of compliance rate between Inspections		High		

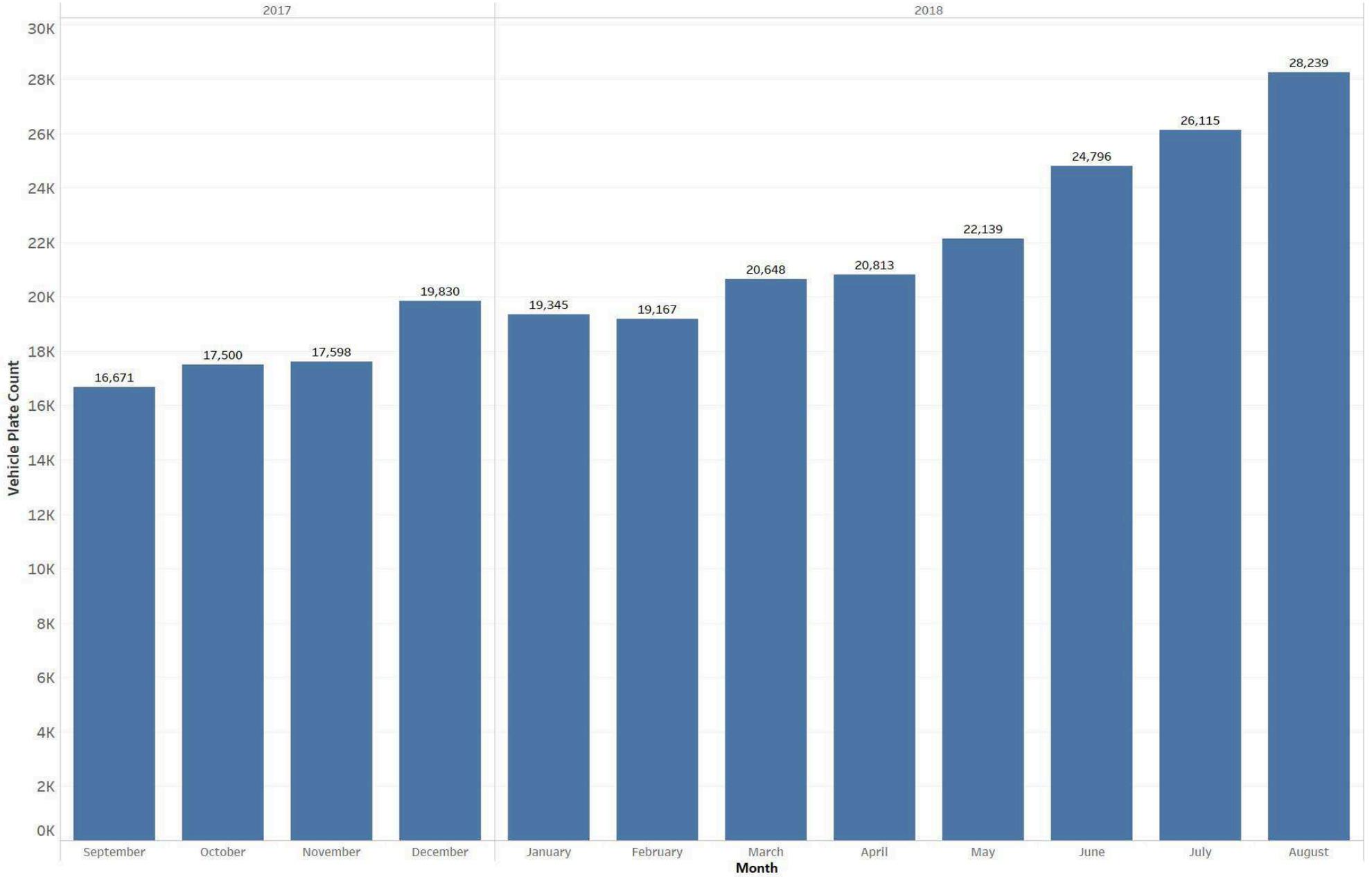
1c.	TNC Driver Compliance	TNC Drivers required to submit vehicle to periodic random inspection	Standard Inspection	Daily	Field inspection by inspector confirms that information provided by TNC is accurate and that vehicle is fully compliant	$\frac{\text{\# deficiencies found during inspection}}{\text{(Total Inspections x Inspection elements)}}$	94%	X	
		TNC drivers do not evade standard inspection request	Standard Inspection	Daily	Driver refuses inspection or leaves area after identifying presence of Officer	$\frac{\text{\# Observed evasions}}{\text{Total \# Inspection requests}}$	99.4%		
1d.	High Risk Violations	Vehicle in use required to be registered on platform and meet requirements	Standard Inspection Ghost Inspection	Daily	Identify number of unregistered vehicles observed in use	$\frac{\text{Unregistered Vehicles}}{\text{Total Inspections completed}}$	99.6%	X	
		Driver is required to be registered on platform and meet requirements	Standard Inspection Ghost Inspection	Daily	Identify number of unregistered operators	$\frac{\text{Unregistered Operators}}{\text{Total Inspections completed}}$	99.4%	X	
		All TNC trips originating in City are required to originate through the approved app. TNCs are prohibited from engaging in "hailed rides" or privately arranged rides for compensation	Ghost Inspection Bait Inspections	Periodically	Identify trends within the industry where TNC drivers are accepting or initiating hailed rides, or arranging for additional rides with current customers outside of the approved app	$\frac{\text{\#Off app offers}}{\text{Total\# of Ghost Inspections}}$	99.8%	X	

**Objective 2: Assess the Impact of the Public Vehicle By-Law Deregulation**

Component	Bylaw Requirements Criteria	Data Collection Process	Data Collection Frequency	Assessment Approach	Compliance Evaluation	Compliance rate/ rate of change	Accept	Improve
2a.	Taxi Compliance Rate	The Public Vehicle By-law contains various requirements for both the operator and the vehicle in use as a Taxicab	Inspectors conduct routine ongoing inspections of taxicabs which are entered into the Mobile Licensing Inspection Database	Daily	Individual inspector assesses compliance and may issue an NOC, APS or Part 3 depending on seriousness of the contravention	$\frac{\text{\# NOC/APS Part 3}}{\text{\# of Inspections}}$	67%	X
		Drivers are required to record each trip undertaken in a log	Inspector observes initiation or completion of fare within the City. Notes time and location in Mobile Licensing Data Base. Driver contacted at later date and log reviewed	Periodically	Non-traditional inspection procedure. Designed to evaluate compliance with regulations not typically inspected	$\frac{\text{\#of trips appearing in driver log}}{\text{\# of trips observed}}$	48%	

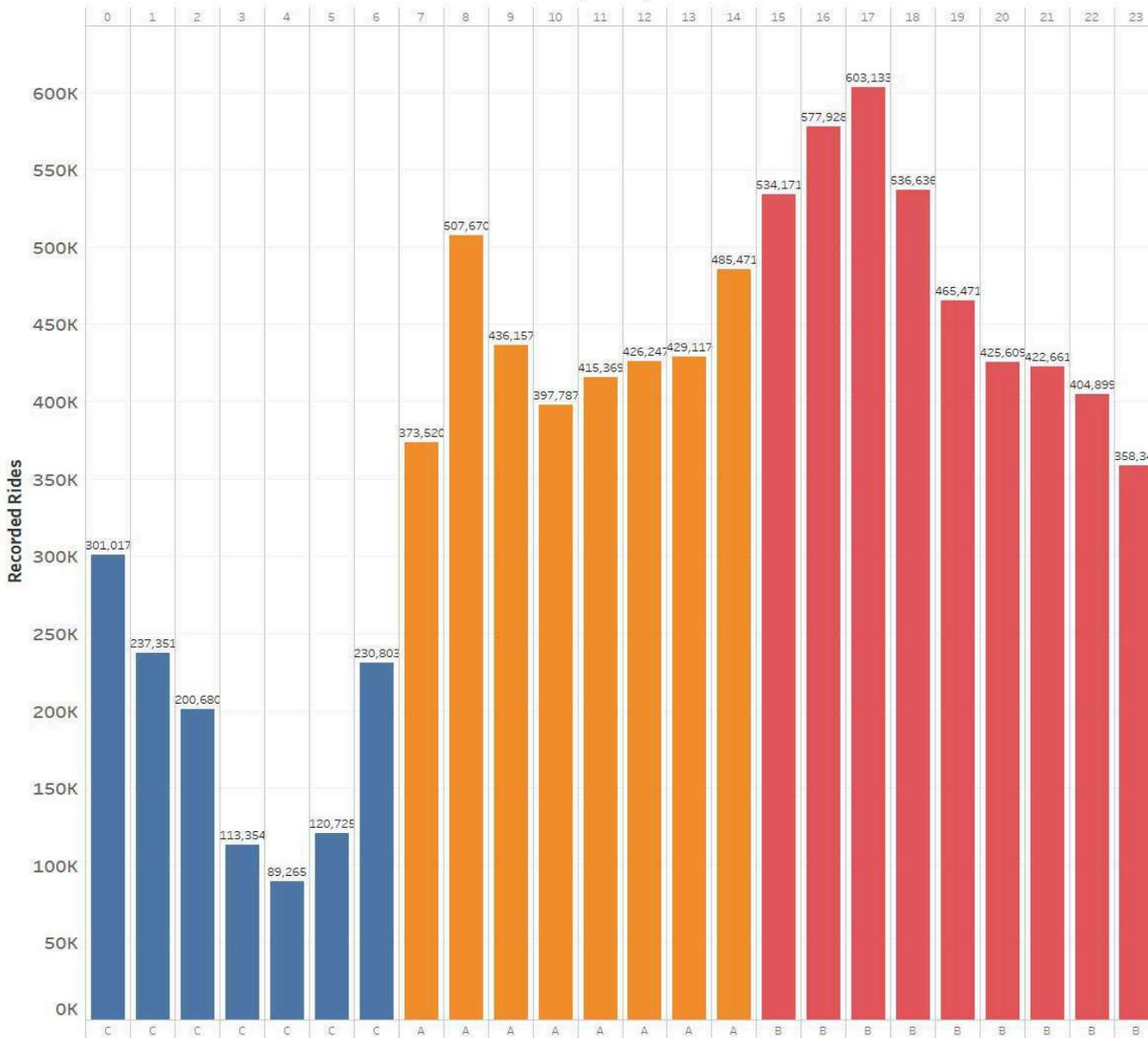
2b.	Taxicab Driver Behaviour and Complaint Rates	Public complaints regarding licensed taxicab drivers are recorded and investigated by Mobile Licensing staff	Complaints may originate from various sources including 311 / email / dispatch	Periodically	Complaints are reviewed by inspector for validity  Investigation takes place and outcomes recorded	$\frac{\text{\# of complaints received 2018}}{\text{\# of complaints received 2017}}$	8% reduction	X	
2c.	Economic Impact on Taxi Industry	Taxicab brokerages are required to provide information regarding dispatched trips	Submitted by email to Mobile Licensing Office	Monthly	Year over year comparison	$\frac{\text{\# of dispatched rides 2017}}{\text{\# of dispatched rides 2016}}$	7.7% reduction	X	
		Taxicab brokerages are required to provide information regarding dispatched trips	Submitted by email to Mobile Licensing Office	Monthly	5 Year comparison	$\frac{\text{\# of dispatched rides 2017}}{\text{\# of dispatched rides 2013}}$	16.3% reduction	X	
		Total market for dispatched rides Five year	Submitted to Mobile Licensing by TNCs and taxicab brokerages	Yearly	5 Year comparison	$\frac{\text{\# of dispatched rides 2017}}{\text{\# of dispatched rides 2013}}$	85% increase	X	
					5 Year comparison	$\frac{\text{\# of dispatched rides 2018}}{\text{\# of dispatched rides 2014}}$	177% Increase	X	
		Taxicab lease cost	Lease Information is filed with Mobile Licensing	1-3 Years	5 Year Comparison	$\frac{\text{Average lease cost 2017}}{\text{Average lease cost 2013}}$	73% decrease	X	
		Taxicab owners licence value	When sale of a taxicab owners licence takes place Mobile Licensing records the sale price reported	Periodically	5 Year comparison	$\frac{\text{Average reported sale price 2018}}{\text{Average reported sale price 2014}}$	90% decrease	X	

Monthly TNC Vehicle Count

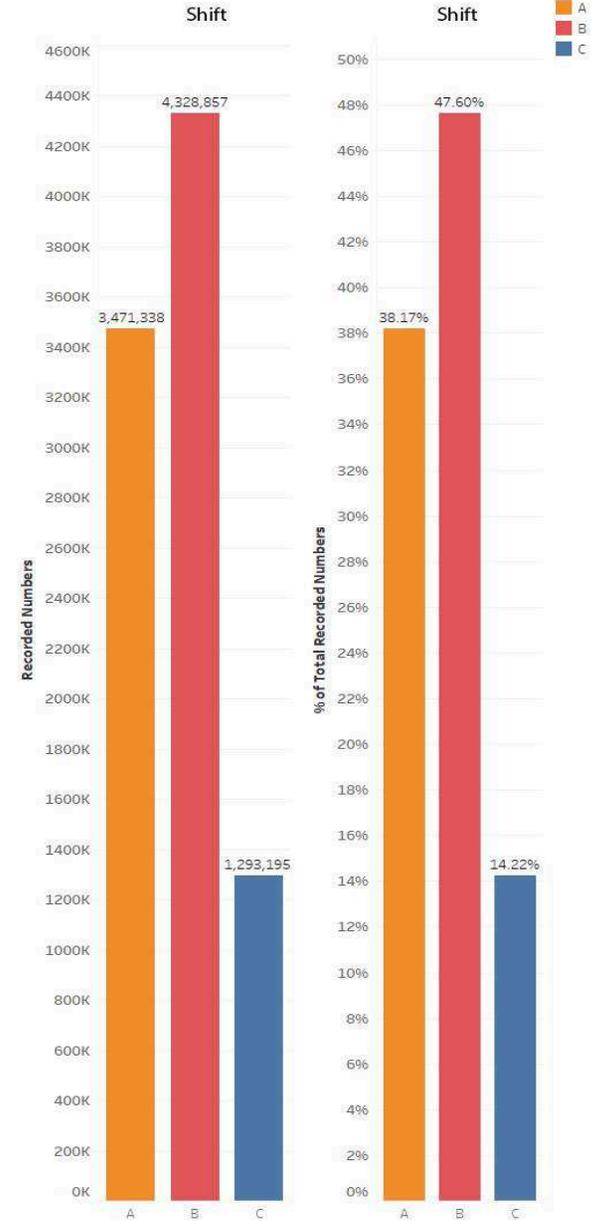


TNC Trip Distribution by Shift (Pilot Project Period)

Pickup Time by Shift (24-hour clock)



TNC Trip Distribution by Shift







# Know who you're getting a ride from

**The information on the app should match your rideshare vehicle.**

If you're concerned with your rideshare experience contact us at [tnlicensing@mississauga.ca](mailto:tnlicensing@mississauga.ca)



[mississauga.ca/tnlicensing](https://mississauga.ca/tnlicensing)





# Know who you're getting a ride from

**You must book your rideshare through the app.**

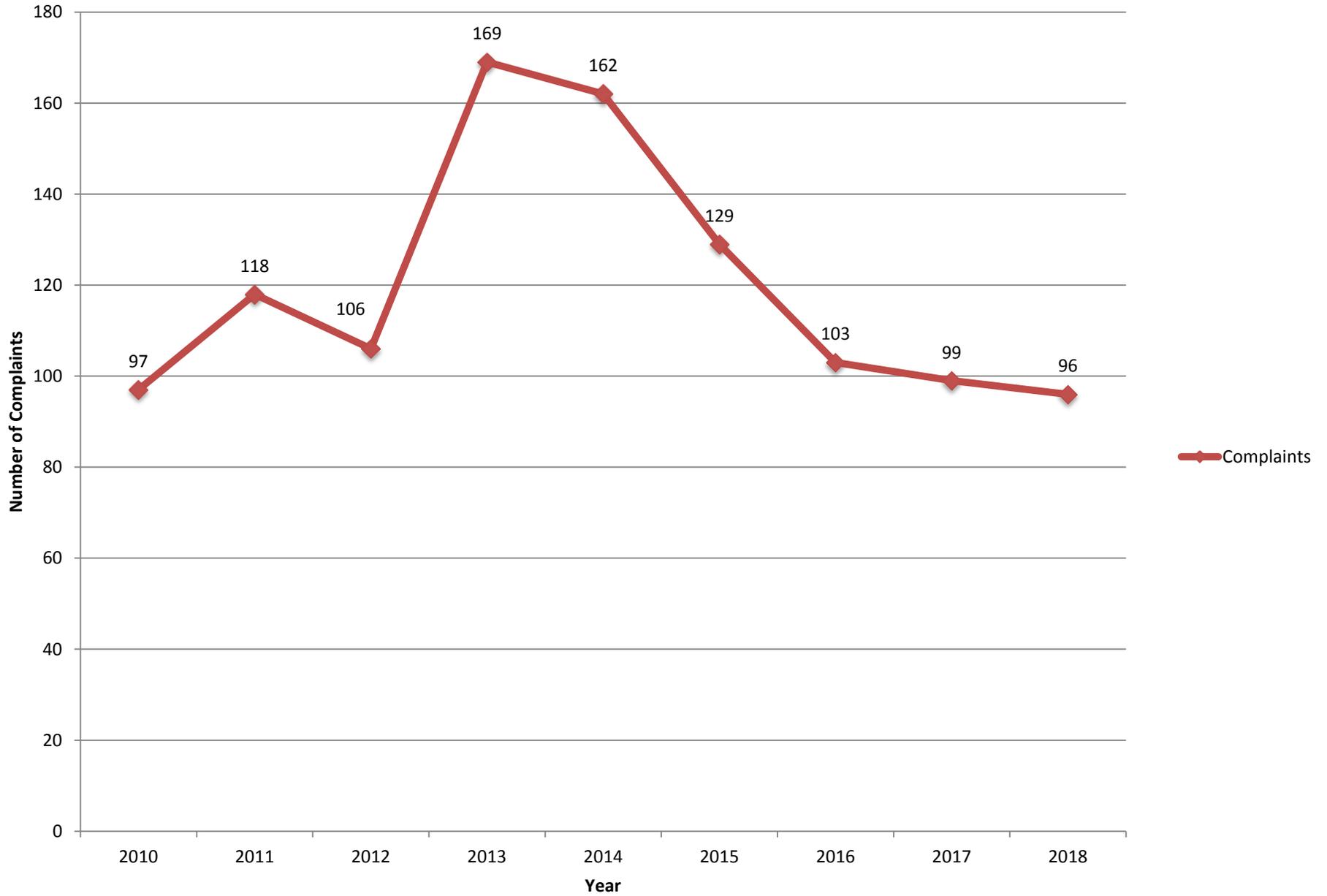
If you're concerned with your rideshare experience contact us at [tnlicensing@mississauga.ca](mailto:tnlicensing@mississauga.ca)



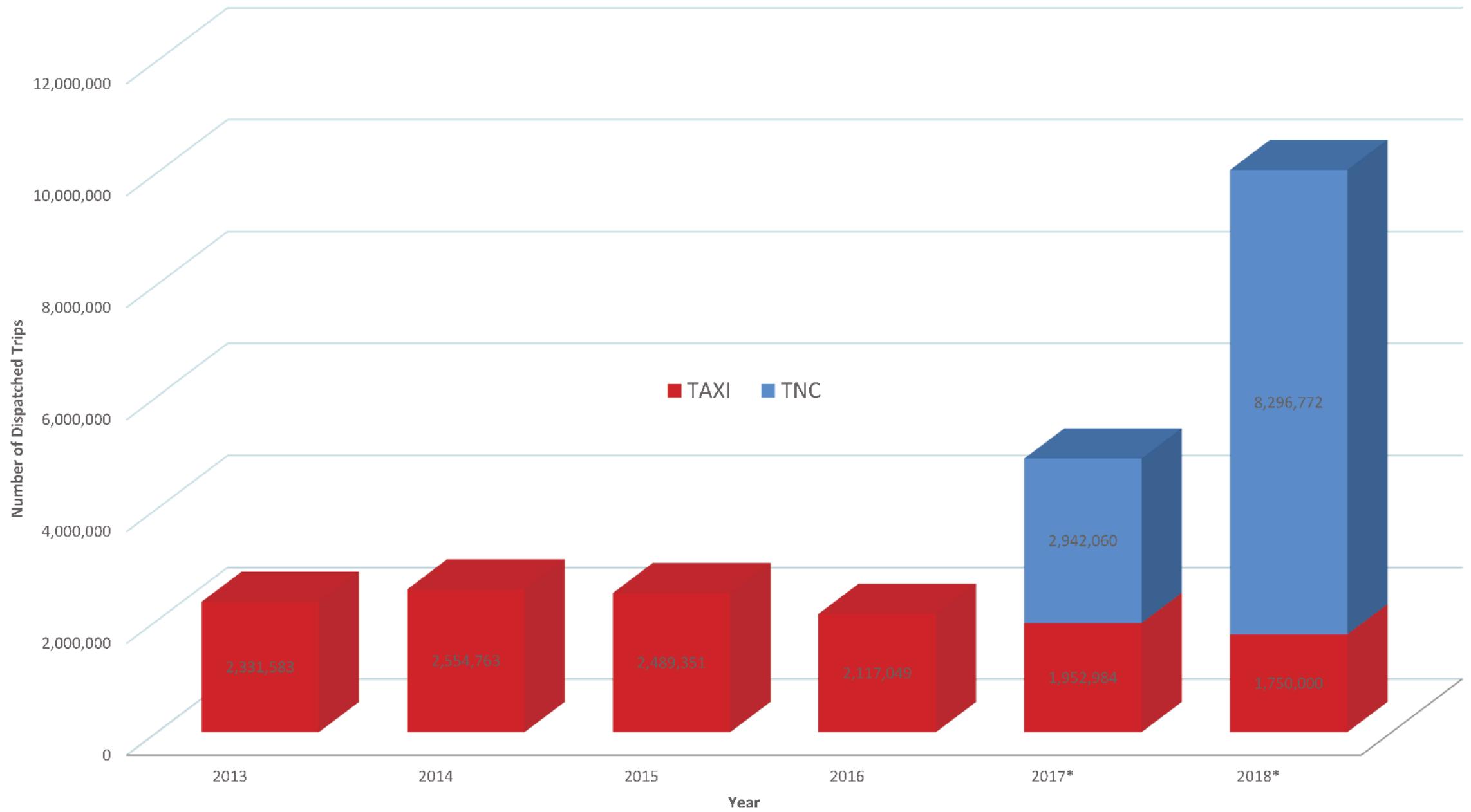
[mississauga.ca/tnlicensing](https://mississauga.ca/tnlicensing)



### Taxi Complaint Rates 2010-2018

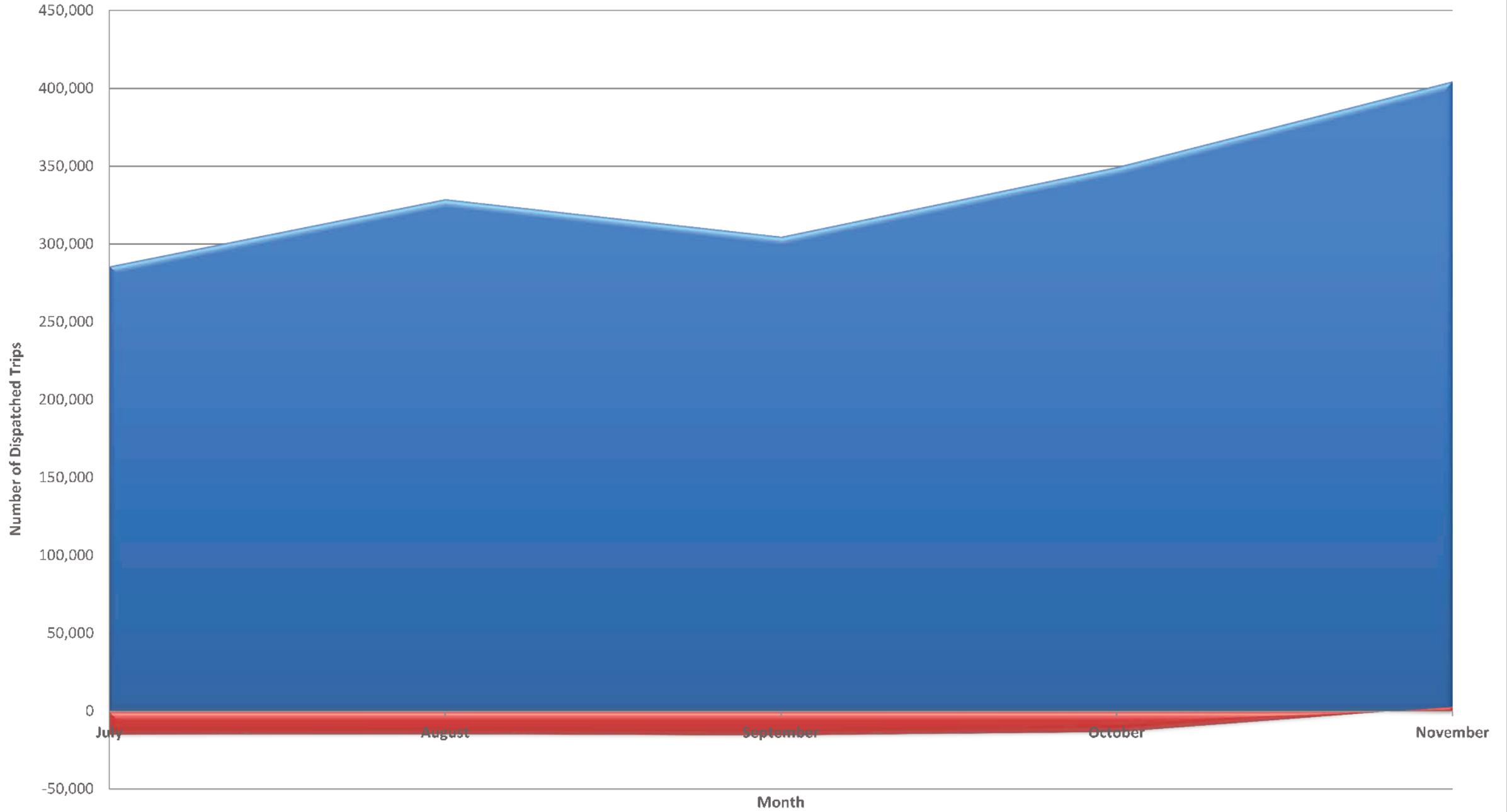


### Total Dispatched Taxi & TNC Trips



### Year Over Year Change in Dispatched Trip Volume (July-Nov)

TNC 2018 vs 2017    Taxicab 2018 vs 2017



City of Mississauga  
Transportation Network Company (TNC) Pilot Project  
**Industry Engagement Report**

December 12, 2018

Prepared by: Rebecca Sutherns, PhD CPF



# City of Mississauga TNC Pilot Project **Industry Engagement Report**

## Final Report

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## Background

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### Purpose

In July 2017, the City of Mississauga (City) launched a Transportation Network Company (TNC) Pilot Project. The pilot project introduced regulations allowing ride-sharing companies to operate legally in Mississauga until the end of 2018. It has since been extended from January 1, 2019 for an interim period not to exceed 12 months.

The purpose of this Council-approved pilot project is to assess if the regulations governing TNCs is effective in protecting consumers and ensuring public safety. At the end of the pilot project the City will make recommendations for permanent TNC regulations. In order to inform these recommendations, the City initiated a community engagement process to gather feedback from the public and industry stakeholders.

Dr. Rebecca Sutherns of Sage Solutions was hired to facilitate a series of in-person engagement sessions with industry stakeholders—taxi drivers and owners, TNC drivers, and limousine owners and drivers—to solicit feedback on the TNC Pilot Project and ideas for the future. These sessions were supplemented with a digital public survey and additional research, all of which will be used by City staff to inform recommendations to Council in March 2019.

## Methodology

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The City hosted seven industry engagement sessions for stakeholders to provide feedback on the effectiveness of Mississauga's TNC Pilot Project and offer input into a permanent bylaw. The sessions took place over a 10-day period at various times and locations in Mississauga, as noted below. The detailed meeting notes are captured in the appendices (Appendix A-D).

### Taxi Driver Sessions

**Monday, November 26**

**6:30-8:30 p.m.**

Malton Community Centre  
(18 industry stakeholders)

**Wednesday, December 5**

**1-3 p.m.**

Burnhamthorpe Community Centre  
(8 industry stakeholders)

### Taxi Owner Sessions

**Thursday, November 29**

**6:30-8:30 p.m.**

Malton Community Centre

(37 industry stakeholders)

**Monday, December 3**

**2-4 p.m.**

Mississauga Valley Community Centre  
(38 industry stakeholders)

TNC Driver Sessions

**Monday, November 26**

**2-4 p.m.**

Burnhamthorpe Community Centre  
(0 industry stakeholders)

**Wednesday, December 5**

**6:30-8:30 p.m.**

Mississauga Central Library  
(1 industry stakeholder)

Limousine Owner & Driver Session

**Wednesday, November 28**

**10 a.m.-12 p.m.**

Burnhamthorpe Community Centre  
(0 industry stakeholders)

The City provided a list of email contacts for each industry group. Sage Solutions sent an email invitation to each stakeholder group, informing them of the industry engagement sessions, the specific meeting details for their group, a poster with the details for all of the engagement sessions, and a City email address for stakeholders to provide feedback about the TNC Pilot Project. The email invitations were sent to all stakeholder groups on Tuesday, November 20. Reminder emails were also sent to each stakeholder group prior to each meeting taking place. Taxi brokerages and TNCs had requested that they send the information along to owners and drivers. Taxi drivers at the first engagement session voiced concern that no one knew about the meetings so the email reminder for the second taxi driver session was sent to the email addresses that taxi drivers provided to the City as part of the taxi licensing process.

A copy of the email invitation and reminder message sent to the stakeholder group can be found in Appendix E.

Approximately 102 industry stakeholders attended the sessions; many stakeholders also provided comments directly to the City by email and/or provided written statements at the meetings. There was some overlap in attendance across the various meetings, with some taxi owners attending multiple sessions.

The formats of the sessions varied based on attendance. At each, a representative from the City made a brief presentation to set the context and provide the history on the TNC Pilot Project. From there, for smaller gatherings, one-on-one interviews were conducted, with handwritten notes then transcribed. For medium-sized groups, Rebecca facilitated the conversation while members of her team took notes on flip charts visible to participants. For the larger sessions, the facilitators rotated to three “stations” of participants to discuss and record feedback on specific themes.

In all cases, the sessions were designed as opportunities to listen to stakeholder input. Although City staff were in attendance, these were not interactive sessions intended to clarify misconceptions. Comments were not vetted or verified, but were instead summarized and transcribed directly.

The broad themes that were probed included the following:

- Industry/labour market impact of TNCs (e.g. supply/demand changes; working conditions)
- Regulatory framework (e.g. required elements and process for obtaining a license, including insurance, waiting lists, jurisdictional limitations etc.)
- Passenger, driver and public safety (e.g. cameras, vehicle identification, driver training etc.)
- Pricing (e.g. level of regulation and consistency; presence of cash in vehicles etc.)

Participants were also asked to comment more generally on what they would like to see included in a renewed bylaw going forward.

## Industry Feedback

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The detailed notes from each industry segment have been included separately in the appendices. Because of the attendance patterns noted above, however, the thematic summary provided here primarily reflects the interests of the taxi industry. Taxi owners and drivers overlap considerably, as plate owners may drive taxis and/or may rent/lease their plates to other drivers. Taxi brokers were also in attendance at the sessions. Roles of individuals in attendance were not specified or requested at the sessions, so their feedback is blended here. There are cases where the interests of the various subgroups are clearly at cross purposes with one another (e.g. owner/operator requirements; different costs of compliance for TNCs than taxis). Those differences are reflected in these notes but did not figure prominently in the conversations, in part because TNC drivers did not attend (with one exception) and because representatives of the taxi industry tended to present a united front regardless of their specific positions within the internal industrial hierarchy.

The feedback from the single TNC driver focused largely on her personal experience using features of the Uber app. Her comments are captured in the appendices. Of note here is her

observation that there are too many TNC drivers on the road, which for her has resulted in a 50% reduction in her income since January 2018.

### Impact of TNCs on the Taxi Industry

The presence of TNCs in Mississauga was reported to have substantially affected the taxi industry. Drivers and owners cited the following impacts:

- Loss of [present and future] income due to lower demand (due to a flood in supply), which has resulted in fewer rides and in lower revenue derived from renting out plates.
- These losses are large in magnitude. They report, for example, 60% of drivers can no longer make a decent living driving a taxi. Incomes have dropped roughly 50%. Plate values have decreased about 180% from their peak, for rental and resale.
- The math no longer makes sense – for some owners, it costs more to keep a taxi on the road than they can generate monthly in plate rental fees. For drivers, they make less than minimum wage.
- For many owners, this industry disruption has led or will lead to a complete loss of their retirement income, as they were counting on living off of plate rental income.
- Transition from taxi driving as a full-time, reliable career to a part-time, precarious job and/or one that requires working very long hours to make a living wage.
- Increase in personal and family stress.
- Loss of trust in the government.
- An overall change in public discourse where Uber = good, progressive and taxi = bad, archaic.
- A need for the taxi industry to become more technologically adept.
- “You spend your life working for an honorable profession and now it is in ruins.”
- Feel “ashamed” and “embarrassed” to be in this industry now, and to have trusted the City.

### Identity: Private Industry or Public Service?

It was acknowledged that the regulatory path forward might differ depending on how the taxi industry is perceived and the City’s vision for it into the future. Up to now, taxis have been a highly regulated industry, with some private market components (e.g. leasing rates for plates). Several stakeholders referred to taxis as “a public service” like transit – positioning that would lead to different policy conclusions than if taxis are seen primarily as a private sector industry. Some cited seeing the City as “their boss” yet lacking any of the labour law provisions or employer loyalty that would protect their interests as employees. In another case, taxis were likened to a franchise, with the City as a franchise owner who should guarantee a limit on the number of competing franchise locations within a particular geography. Some see taxis as “public vehicles.” These varying understandings will lead to different policy conclusions.

## Unfair Competition

Stakeholders strongly emphasized their belief that the current situation is an example of municipally-endorsed unfair competition, where a regulated industry is competing with an unregulated one. The City has tightly regulated most aspects of the taxi industry for decades, including setting the number of vehicles, the prices, the safety features etc. The City continues to enforce those regulations with taxis, while allowing TNCs to offer a comparable service with fewer regulations. TNCs have disrupted the balance that previously allowed price regulation and regulatory costs to be aligned well enough for taxis that drivers could make a living, by being allowed to flood the market with more supply at lower costs.

Industry representatives drew on numerous analogies to make this point, including the notion that the City would not allow “just anyone” to operate a hot dog stand without a permit or pay a lower bus fare than the posted rate, or exceed fire code regulations, just because they had a fancy app that customers liked.

They also see it as unfair to have to compete with a large, well-funded multi-national corporation (i.e. Uber) that has minimal accountability locally.

## “Level Playing Field”

The primary and oft-repeated message communicated at all of the taxi sessions was the desire for a fair and level playing field in terms of the municipal regulatory framework governing taxis and TNCs. Overall, there was a sense that taxis and TNCs are “the same thing” – they provide the same service, even if they do so differently – and should therefore be treated similarly. They are all “vehicles for hire,” not “ride shares.” The same rules should apply to both. All further input should be seen through that lens of a desire for equal treatment.

## Whose Responsibility?

Not only does the industry want a level playing field, but they also want compensation for the loss in value of their municipally-regulated taxi plates. Many taxi owners feel that the City should buy back their plates, as their licenses no longer carry much value. They see that loss in value as a City responsibility, as supply and price regulation continued in one segment of the industry while not enforced in another. They also refer to the City having “set expectations” as to the value of their plates into the future, even continuing to exact payment for staying on a priority waiting list for plates after TNCs were present and regulated. They report feeling “betrayed” by the City. The City “profited from the previous model and have now abandoned it.” They are looking for a bail out, as they have seen other levels of government do in other industries (e.g. GM in Oshawa).

A few comments indicated that the brokerages/the industry itself could take greater responsibility for improving the situation – doing so should not fall completely to the municipality to do so.

## Supply Management

Members of the taxi industry spoke glowingly about the previous supply management formula used to regulate taxi supply in Mississauga, as being a gold standard around the world. They do not understand why that formula was abandoned and would like to see a return to it, as it took many factors into account when setting the supply of taxis. Even the one participating TNC driver was adamant that there are too many TNC drivers on the road. Her income is half of what it was less than a year ago, and she attributes that to an over-supply of drivers, despite growing demand for the service. They would like to reinstate [an update to] the previous system, with TNC numbers included within it, so that overall supply is managed as a sustainable percentage of the population.

Participants also mentioned concern for other negative effects of too many vehicles for hire on the road, including traffic congestion and pollution. When not in use, taxis are usually parked whereas TNCs are often driving.

Perhaps a new feature could be added to a shared app that limits the number of drivers on Mississauga roads in real time? For instance, if the app shows that there are already 1,500 drivers active, and 1,500 is the upper limit, then no new drivers can take fares until some of those existing drivers stop driving or leave the jurisdiction.

## Regional Approach

Participants felt that a cap on supply should be coordinated across jurisdictions, since TNC drivers are not geographically limited. Toronto will set the pace for the region, so Mississauga needs to stay aligned with the rest of the GTA.

Industry representatives also reported being aware of what is taking place in other jurisdictions (e.g. compensation of drivers in Montreal; supply management in Kingston via the Competition Bureau; lawsuits filed in Ottawa and Toronto).

## Specific Regulatory Requirements

Issues related to licensing requirements and safety features were frequently raised separately but are captured together here under “regulatory requirements” because responses overlapped considerably. Members of the taxi industry identified requirements they would like to see remain in place or be [re]introduced, for taxis and TNCs, for reasons of both equity across industries and safety for drivers and passengers. These included:

- Cameras – they help encourage good passenger behaviour; they help with robbery prevention; they replace need for shields. Drivers are less concerned about carrying cash when cameras are in place. They want regulations re: which type of camera (reasonable price) and who has access to the data.
- Criminal record checks should be required.

- Disclosure of vehicle usage as a “commercial car” for consumer protection upon resale
- Driver age – must be 25 to qualify for insurance.
- Driver qualifications – abstract to ensure a strong driving record.
- GPS – there were few comments offered about this.
- Insurance – seeking equity in the amount of coverage (\$2 million?), level (commercial), proof (enforced), notification of cancellation (required).
- Jurisdictional boundaries – perhaps a separate colour for each license within the region? Unless a regional system can be instituted.
- Licensing – drivers should have more than a G license. Currently taxis are licensed by their broker, the city and the province. There was some disagreement as to whether licensing should be required to happen in person.
- Social Insurance Number should be required.
- Tinted windows should not be allowed, for safety reasons.
- Training should be mandatory, including CPR, defensive driving, sensitivity training. This is especially important with an ethnically diverse workforce who may have learned to drive elsewhere. Should be affordable.
- Vehicle age – supportive of the seven-year maximum.
- Vehicle inspections should be mandatory.
- Vehicle identification – some varied opinion here. Most participants felt that TNCs need more visible identification. Some felt that taxis could have less. Some felt that better identification gives taxis a competitive advantage.
- Winter tires should be required.

Other regulations should be eased or eliminated. For example:

- Fee to stay on a priority waiting list.
- In-person payments.
- License and sticker renewal fees, particularly if no longer using the plate.
- Vehicle size requirement – not important. Should be able to request cargo space on demand, or have it required only at the airport.
- Fee payable to City when leasing a plate to someone else.
- Seizing unused plates.

Still other regulations could be changed or updated, such as:

- Manual run sheets.
- Meters vs. phone-based metering.

Some suggested that the taxi industry return to an “owner operated” model, eliminating the leasing of plates. The current leasing system was originally established and allowed by the City, and abolishing it would have a short-term negative effect on numerous owners (perhaps 40% of owners), but revamping it is seen by some as a more sustainable option that might raise the quality of the fleet and the service provided.

Many highlighted that realistic and consistent enforcement across the full vehicle for hire industry is key to whatever regulatory changes are selected.

### Pricing

Mixed opinions were expressed as to whether taxi fares should be deregulated, partially or completely. Most people want to see the industry re-regulated rather than de-regulated. They see the regulations as protective and recognize they come at a cost. They also want to avoid surge pricing. A few participants did mention being open to less tightly regulated fares, within a fairly narrow range, to increase competitiveness and compensate more fairly for challenging driving conditions such as winter storms. There was acknowledgement that TNCs are not always cheaper, but the public awareness does not match that reality.

### Access for Particular Populations

The taxi industry prides itself in providing services to populations who might otherwise struggle for access, including people with physical disabilities and seniors not comfortable using apps or even perhaps credit cards. They see maintaining affordable access to taxi services for these populations as being a City responsibility.

### Trust in City Processes

Participants indicated that turnout for these sessions would likely have been far greater if people had not already “given up” due to a lack of trust in the City and its previous policy development processes. They described the municipality as “biased,” “not adhering to its own rules or processes,” “showing a conflict of interest,” “favouring Uber,” and “demonstrating a lack of transparency.” They are suspicious and feel “misled.” They also indicated that regulatory uncertainty (e.g. continuation of pilot) makes it hard to run a viable business.

## Conclusion

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This feedback can now be combined with public survey input and other relevant data sources to inform the staff report to Council regarding recommendations for revised TNC and taxi bylaws in Mississauga.

City of Mississauga  
Transportation Network Company (TNC) Pilot Project  
**Industry Engagement Report**

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## Appendix A

### City of Mississauga

### TNC Pilot Project

### Industry Engagement: Taxi Drivers

#### Participants

Approximately 26 industry stakeholders participated in the two industry engagement sessions that took place for taxi drivers.

#### Monday, November 26

6:30-8:30 p.m.

Malton Community Centre  
(~18 participants)

#### Wednesday, December 5

1-4 p.m.

Burnhamthorpe Community Centres  
(~8 participants)

#### Welcome / Project Background

Camille McKay, TNC Project Lead for the City of Mississauga, welcomed people to the meeting, introduced Rebecca and her role in this project, and gave a brief presentation to the group to provide some background information about the TNC regulatory landscape and pilot project. Camille thanked participants for coming and encouraged them to provide their honest feedback.

At the first meeting, participants chose to have a discussion as a group rather than breaking into smaller groups. Rebecca led a discussion on identified themes and City staff were available to answer questions. At the second meeting, participants arrived at various times so the facilitators were able to have one-one-one discussions with drivers. The feedback from both meetings is captured below. (Please note: “Uber” is used when that is the term participants used. It usually refers to all TNC companies).

#### Labour Market Impacts

- Supply and demand have changed
  - Used to be in balance, now flooded with cars/drivers
  - Decrease in taxi cab calls
  - Increase in the number of hours taxi drivers are on the road to make fares
  - 17,000+ Uber drivers? 705 taxis. Needs to be a cap on the number of TNC vehicles (same as taxi).
- Too many vehicles/drivers
  - Congestion

- Driving a cab used to be a professional, full-time job and now it's a part-time, piecemeal operation
- Don't mind competition but it has to be fair – a level playing ground
- Uber drivers can resell cars for a higher amount than taxis
  - Not disclosing what it was used for
  - Consumer protection – need to disclose it was used as a ride share vehicle
- Impacting livelihood and families. Livelihoods have been taken away.
- Taxis industry has been regulated
  - Waiting list for plates
  - Limited number of taxis
  - Paid to be on the waiting list
- Brokerage has declined 40% since introduction of TNCs
- 78 plates on shelf that people are not using, yet new plates were issued
- What is the City's vision for this industry? Is this the nail in the coffin for taxis? If so, tell us.
- Industry is currently a mix of private and regulated.
- Must progress. Can't go backwards. Millennials clearly prefer Uber.
- Uber drivers don't make enough to be sustainable, after 6 months once car starts breaking down. They make 90 cents/km – costs 50 cents to run the car, Uber takes 20, so they are making 20 cents/km to drive. He's had drivers leave and come back.
- One taxi = multiple drivers, whereas one uber = one driver. (Although Uber drivers are sharing cars)
- Demand has gone up, but not enough to offset taxi losses.
- Unfair competition. Gap is too big. Taxis have no price flexibility and more regulations/costs. Even Uber's regulations aren't followed (e.g. he drove for them, made up his info, was accepted). For example, it costs \$600/month to keep a licensed cab on the road – can barely rent out the plate for that much, plus training and other expenses.
- In 1970s and 80s, drivers and owners were the same people. In late 80s, 90s, owners retired or moved on and started renting their plates – car quality and service declined. Industry went downhill. Maybe City should insist that owners are drivers? (This recommendation would harm him personally as a non-driving owner). Owner/operators take better care of vehicles.
- Retirement plans are ruined.
- "Spend your life working for an honorable profession and now it is in ruins."
- Ashamed and embarrassed to have a license since it is worthless; feel foolish and taken advantage of and shame at not being able to provide for family
- Depressed and suicidal ("I will sell my house and jump off the CN Tower!")
- Totally disillusioned with the City and don't understand what they are thinking. Is there a financial incentive for their decision?
- Feel "betrayed" as they have played by the rules and now they feel "abandoned"

- Used to be healthy respect for the competition within the taxi industry, but not anymore. More cynicism and hopelessness
- We are residents of Mississauga too and this will impact how we live in this area (ability to afford a home) and if we have any money to spend here.
- “Every day we risk our lives on the road, in the snow and ice – we drive through it all.”
- Drivers have to spend long hours on the road (12hrs +/-day) just to make enough money to get by
- Huge sacrifice for the family. Family dynamics have been impacted, taxi drivers are working longer hours in order to make up the lack of fares
  - “Once operating costs are paid, you might make \$100 for a full day – that’s less than minimum wage”
- One participant stated that he is watching his kids grow up in their beds, because every time he leaves the house, they are asleep (early in the morning), and when he comes home, they again are asleep (late in the evening). He said that his wife is raising his kids, and that makes him sad.
- Owning plates used to be a retirement plan, for someone who has no pension, etc.
  - Currently, no drivers want to rent those plates. Plate owners are paying drivers to take plates off shelves. The tables have turned.
  - No pension or benefits in this work, so had counted on money from sale of plates or rental of plates to pay for these things
  - Rental income on license plates drastically lower and not enough to support the owner in retirement
- Still paying off the cost of the plate. Took line of credit against his house. If he is unable to pay it, he will lose his house.
- It would have been better not to immigrate from Lebanon, though there was civil war, the chances were better. The family ripple effect of this has been severe.

### City’s role/Decision-making process

- Toronto will set pace for Region
- Process for City decision-making was highly suspicious
- Councillors with no understanding of how small businesses operate (and the inherent risks) are making decisions with little insight as to the intended and unintended impacts
- City is making money off all the models
- City has misled and lied to us
- City didn’t protect us and threw us under the bus for the profit of a foreign company
- We assumed City would protect our business since it regulated it so heavily and was involved in so many areas of our work. They were like our boss.
- City should compensate us for at least a portion of what we paid for plates since they allowed so much competition in the market.

- If TNC is here to stay, compensate taxi drivers for loss of investment in their license, cap the number of TNC cars on the road, and make the rules the same for everyone so it's a level playing field.
- Drivers should organize and sue the City for compensation since they didn't hold up their end of the agreement, and caused a lot of harm to many people who will likely never recover their money (due to age, skills etc.)
- Ridesharing is NOT the correct word for what TNCs are offering. (find it offensive and misleading to the public)
- City problem, the city should deal with it. They have regulated the industry from the beginning and need to step up and make amends now.
  - City should educate the public about risks of taking TNCs
  - Put same regulations on the whole industry.
  - "Big fish eat small fish here"

## Regulatory Framework

### Licensing Requirements

- Should be the same for everyone - same requirements for ALL drivers (taxi, TNC)
- "Feels like a degradation of standards in order to be competitive"
- Needs to be fair competition – which means the regulations need to match:
  - Same licensing fee. Fee to renew taxi license is very costly (\$650/yr), TNC drivers are not required to pay– the City should reduce the fee. Currently, taxis have to purchase stickers for license plates, which requires them to be renewed every year. This should be the same for TNCs.
  - Comparable number of vehicles: e.g. 700 taxis and 700 TNCs
  - Mandatory training courses - training requirements provide a sense of professionalism and quality. The time it takes to complete training courses can be lengthy as you have to wait for info to be processed etc. and the business environment has changed during this time. Should handle both technical and service elements.
  - Add in-person application process (vs. registering online to be an Uber Driver)
  - Parity in commercial insurance. Same type of insurance, including enforced proof of insurance. Taxis require commercial insurance, TNC drivers do not; significant cost difference.
  - Police background check (criminal), every year
  - Mandatory training for all drivers (some comments that this training is not valuable)
  - Medical certificates (one comment that they are likely simply to call 911)
  - Mandatory vehicle inspections
  - Annual license fee
  - Annual criminal inspection test
  - Cameras -- for everyone's protection

- Vehicle size/model (although this element was seen as less important, other than trunk size at the airport)
  - Identification – both must be clearly identifiable by enforcement and passengers. Need more for Uber (lit up dash or roof sign) and less for taxis (no more rivets in bumpers). There was considerable variation of opinion on this issue. Most wanted the same identification specifications for taxis and TNCs. Some said, “We don’t want Uber to be visible” because they will hail rides and take business.
  - Winter tires
  - Vehicle age –don’t make exceptions
  - Driver age. Uber doesn’t have a minimum age requirement for drivers, it should be the same as taxi drivers: 25 years or older (the city won’t release a taxi plate if a driver doesn’t have commercial insurance which requires that the driver be 25 yrs +). The standard is there for a reason; age regulation should be the same for all drivers for safety. Younger drivers are unsafe and cause a lot of road accidents.
  - HST number. TNC drivers should be required to register with an HST number to make it equal with taxi drivers. “TNC vehicles are not paying fair share of taxes like taxis are.”
  - Jurisdictional restrictions. Inspectors do not ask TNC drivers where they’re licensed. “Licensing has become useless.” Pick-up and drop-off jurisdictions rules apply to taxis and not Uber, so it’s not a level playing field
  - Vehicle sales. Every TNC driver should register their vehicles as “commercial car”. Currently, they are benefitting from being able to sell their cars as private.
- Not able to have taxi stands which is problematic for taxi drivers. Reinstate taxi stands

### Licensing Process/Cost

- Process – should be able to avoid individuals going to City – a few insurance companies – surely they could bill City directly? Others said: “Not difficult, just go to the City.”
- Brokerage sends report
- TNC needs to have the same process
- Uber cars should be registered
- Large financial investment to buy a license which is now worthless. Individuals savings and retirement plans are being affected by Ubers introduction into the market.
- Value of “plates” has decreased since Uber came on the scene
- Taxi plates are not being used (due to decreased demand) yet people are paying to be on a wait list for plates.

### Plates

- Why issue more plates if there are plates on the shelf? Adding 38 additional license plates made no sense. Why would they do that?

- Still have to pay license plate fees even if you aren't using the plates (due to lack of demand) which seems unfair and punitive. Still have to pay fees if you have a license but don't drive because you can't earn a living. If a taxi plate is not being used, the City still requires the driver to pay a yearly renewal fee. Renewal fee should be waived if the plate is not in use. Why does the City of Mississauga charge for license plates renewals if plate is being shelved?
- There should be stringent formulas to issue licenses
- Still getting letters to renew license and can't pay it.
- Had to wait a long time to get a license and pay on the waiting list
- If a plate owner is not driving and doesn't lease the plate within 3-6 months, the plate will be taken back by the City
- City should protect the investment made when drivers purchase a plate (valued at up to \$250,000/ plate at one time)
- City enforces regulations and should also be responsible to protect the investment
- City should compensate plate owners for their decrease in business
- City should pay back the money spent on the plate
- "There is no business and we can't find customers"
- Taxi industry cannot compete with the size of Uber (multinational company)
- Leasing agreement costs \$90 to file. Why does the City charge for everything? Lots of expenses come from extra regulations and bureaucracy from the city.
- Want fairness in processes/administration fees/regulation (so that there is a level playing field when competing with TNCs)
- City should reduce expenses for taxi drivers, so they can compete in the changing industry. Why does the city make us (plate owners) to renew the plates every 6 months?
- Currently, the city takes away the license plate if you do not find someone to lease it. Why would you take it away if the reason is that you can't find a willing driver?
  - City should be helping to protect these investments.

***Recommendation to deal with taxi plate issue:***

- City issued 700 taxi plates, only 400 are actually being used full time (lots of plates sitting around that are not being used)
- If driver is not satisfied with the "buy out" amount (E.g. the city is only offering \$45,000, but driver bought plate for \$250,000), the driver should be allowed to keep the plate but, it should be made non-transferable (to family members or friends)
- Need to cut the "middle man" so drivers deal directly with the City
- "One driver, one plate." City can then give plates to drivers with no upfront cost, but charge a monthly rental fee (rental money goes directly to the City – additional income)
- Eliminate the taxi plate waiting list
  - It costs \$200/yr. just to be on the wait list, some drivers have been waiting 20 years

- Only the plate owners are affected by the changes in the industry; the brokers and insurance companies aren't hurt because they are still collecting their fees
- The City should buy back the plates (take average of what was paid for all the plates)
  - City should buy back all license plates (at a fixed rate determined by the city)
  - Any compensation for drivers would be better than nothing
  - Quebec compensated their drivers \$42,000 for each plate. The City should do something similar as a solution.

### Number of Vehicles

- 700 taxi cabs on the road, compared to over 5000 TNC vehicles in the Mississauga area (note: this number varied in the meetings, from 5000-17,000).
- Number of vehicles allowed on the road should be equal for both taxis and TNC vehicles.
- Downtown Mississauga: there is a big problem with congestion because of Uber drivers
- Why did the City have such a serious cap on taxi vehicles in the city? If they wanted more cars to service the public, they should have given more taxi cars, instead of flooding market with TNCs.
- Want a cap on how many TNCs/vehicles are operating in the City of Mississauga
  - NYC did this recently. The City should examine how other cities have done this.
- Used to have a sophisticated supply management formula. Was it not working?

### Vehicle Requirements

- Criteria "not so important"
- Should be driver preference
  - Some prefer certain models (Camry) or engine size (V6)
- 7 years old or less
  - Like the one-year extension if car is in good condition
- Concern that there are Uber vehicles more than 7 years old
- Bring back vehicle inspection every 6 months
- "Taxis are a public vehicle" — they should be in good quality (safe and clean)
- Lack of consistency of policies.
  - Taxis needed to change their vehicles every 7 years. TNCs can drive a vehicle that is 2008 or 2010.

### Additional comments re: Insurance

- Insurance – costs taxis seven times as much. Ubers are 'ride for hire' not 'car share'
- Group insurance for taxi drivers (brokerage to negotiate better rates for drivers)
- All vehicles for hire should have 2 million in liability insurance
- Customers take a risk when riding with Uber drivers without proper insurance
- TNC uses private insurance that doesn't cover passengers, vs. taxis required to have commercial insurance)

- Dangerous for customers and they aren't even aware of it
  - Lack of education around the risks, especially with young people
- Primary concern for young people is the price, even if it's a \$5 difference in price, they will go with the cheaper option
- E.g. traveling with Air Canada or some discount airline "Uber Air" - it might be cheaper to take the discount, but how can you be sure you will arrive safely when there are no training requirements
- Uber drivers pay \$1500/ yr for insurance with an add-on of \$600 for "hop on, hop off" feature of policy to pick up extra passengers – not complete coverage to protect customer?
- Commercial insurance is required by the city for taxis - costs \$8300/yr. (with 2 drivers on the policy)
- Yet, they have no commercial insurance. It is a 'hop on, hop off', what kind of coverage is this?
  - TNC insurance is \$600/year to be covered, what does it cover?
  - Taxi drivers are paying \$8300 (\$600/month), the reason this is so expensive is because the City requires proof of 2million dollar policy.
  - Want TNC to have to be covered for the same amount (if that's what the city wants)
- Taxi drivers have started to talk to customers about insurance. Believe educating the public is really important, because people don't know they are getting into a car that can be potentially only privately insured.

### Jurisdiction

- Rules are not equal and it's not a level playing field
- Can't compete with TNC drivers that can easily cross jurisdictions and enter cities from other areas of the province, and can pick up rides on the way bac.
- Examine regulations around licensing in certain destinations (currently, you can't pick up in certain areas). This is disadvantage for taxis, because TNCs can do it anywhere.
- Jurisdictional issues (taxis) if you pick up outside area (Toronto, Brampton)
  - Can drop off but can't pick-up on the way back

### Passenger and Driver Safety

- Previous bylaws and regulations (criminal check, safety and vehicle inspections etc.) had led to driver and public safety and were good for everyone and the business.
- Not having these requirements is not good for the taxi industry
- In-car cameras were also a good safety feature for both drivers and the public
- Carrying cash is not an issue because of the cameras. Carry a maximum amount; make a deposit when over limit

- Taxi drivers are professional drivers, whatever the weather they are always on the roads, trying to be safe for passengers & for themselves too.
- TNC drivers don't have this same experience and can be unsafe on the roads due to a lack of driving experience and a lack of investment in courses, etc.
- Taxis now have apps, so no longer are they disadvantaged to TNCs (that have utilized technology before)
  - Uber makes you pay a fee when you cancel, there are no cancellation fees for taxis
  - Customers can pay on account/cash/credit (no longer is it just cash for taxis)
- Why did the City take away vehicle inspections? This is extremely important for the safety of drivers and passengers. Why would the City so easily dismiss it?
- Why did the City cancel refreshment courses? They were expensive (\$400) and would take up 8-4pm. But again, why did they make us do it for so long, and then so easily dismissed it once TNCs came in?
- Who is inspecting TNC cars? Should be the same department inspecting all vehicles (not private mechanics).
- Taxis have stickers on their vehicles (no smoking, cash/debit sticker, camera), why aren't these required of TNCs?
- Cameras need to be in all cars. This should be mandatory. They are a very important safety tool. Drivers who have cameras have kept them. Prefer that everything is recorded, gives them ease.
- Why did the City so quickly remove regulations that have been in place for a long time and for good reasons? It appears they don't really care about safety of passengers and drivers, and just want to regulate for the sake of regulation.
- Uber driver profile on the app can say they are one person, but the identity of the actual driver could be someone else
  - Safety risk for passenger
  - Responsibility is placed on passenger to assess safety of situation entering Uber vehicle (it should be the responsibility of the City to implement regulations to ensure safety).

### Government Oversight/Public Safety

- City has compromised public safety by removing some requirements and allowing less trained and skilled drivers on the road
- No level of government is stepping in to set rules about what Uber etc. can do and not do
- A highly regulated industry is now being replaced by a foreign company with no regard for competition rules in this country
- Taxi owners have played by the rules for years with the expectation that the City would protect them (as they have provided a service to city residents) and this has not happened.

- Feel like they've been thrown under the bus and that the City didn't honour their part of the contract.

## Pricing

### Rates/Fares

- Taxi fares are regulated by by-law
  - Currently unable to adjust fares to account for peak times or weather etc.
  - Can't compete with Uber in some instances
- Sometimes taxi fares are more desirable
- Have standard rates and fees for all drivers
- Mixed opinions among taxi drivers about price surging
  - Some would like the option of flexible pricing
  - Others like the fixed fares (meter rate)
- Uber drivers get friendly with customers and offer discounted rates, pay driver directly (not through Uber app)
- City should allow taxi drivers some flexibility with pricing/fares
  - i.e. Window during rush hour to charge higher prices
  - Offer lower/discounted rates during slow periods
- City should allow drivers to use meters on smart phones
- No need for meters – would be less costly for drivers if they were removed
- “Surge pricing is gouging – regulate pricing so drivers make a living and customers are well-served”
- Why does public use Uber? Cost! Public perception is that Uber is cheaper than taxis. Customers are not aware of the fine print (surge pricing; extra cost of complying with regulations).
- Cash/credit – drivers make less on credit fares (gouging by brokerages). Cash safety is offset by cameras.

### General Comments

- Extension of the pilot project by up to one year is perceived as a “betrayal” of the original process; waste of time
  - City stated that the plan is to take the recommendations to Council in March 2019. Council will then decide how to proceed.
- Concern over the impartiality of the Commission panel, panel composition and the sub-committee to committee info and decision process' perception of bias in favour of Uber and other ride-share models
  - TNC representatives on panel but no taxi representatives
- Changing or unstable city regulations and bylaws makes it uncertain and hard to plan/run a business

- Need to adopt technology to improve the taxi business
- Increasing number of cars on the road (due to Uber vehicles) is not good for the environment

### Suggestions for the Future

- App/technology to compete on convenience and safety
- GTA-wide system (expand jurisdiction and make it consistent) so that drivers can keep their cars full in multiple directions
- City should still ensure accessible taxis are available.
- Use app to cap number of TNC cars on the road in real time (i.e. if 700 allowed and 700 are active, it's a no for #701).
- Both TNCs and taxis need to change.

### Transportation Industry

- Several comments that everyone was happy with the industry (before TNCs) and that the process worked well before the bylaw was amended/relaxed.
- *If everyone was that happy with industry would TNC be as popular as they are?*
  - Undercut prices
  - No rules for TNC
    - Vehicle inspections
    - Regulations
  - Lower cost of doing business (insurance)
  - Technology
    - TNC drivers download app, get on the road
    - Taxi drivers > training, test (can take months)

### *What does it look like to have a modern transportation industry? We can't look backwards to regulate an industry moving forward.*

- Was running well. Everyone followed the rules.
- System has been successively moving forward
- Safe for drivers/public
- Taxi industry serves seniors, people that don't have smartphones or credit cards
- Consider human side
- Accessibility to some populations comes from taxis
- Technology disrupted it. New technology came suddenly and taxi industry needs to change with the times.
- Uber is like "royal family" > can do whatever they want

## Questions/Comments

At the first meeting (November 26) participants were given paper to write down questions and/or comments that they didn't get to share during the session. This feedback is captured below.

- Why were rules changed for us and not them (2)
- Why no training
- Mandatory classes thrown out (training)
- Why do they have to register with TNC and not City
- Stricter rules for Uber – the same for us (taxis)
- Wheelchair training
- Too many cars (TNC)
- Uber unsafe driving
- Why not proper identification of Uber (2)
- Must use car to transport customers only, not for private use
- Accessible vehicles
- GPS drivers (not always the best route)
- The City should ensure that TNC drivers provide proof that they have informed their personal car insurance agency that they are also driving for a TNC



## Appendix B

### City of Mississauga

### TNC Pilot Project

### Industry Engagement: Taxi Owners

#### Participants

Approximately 75 industry stakeholders participated in the two industry engagement sessions that took place for taxi owners.

#### Thursday, November 29

6:30-8:30 p.m.

Malton Community Centre  
(~37 participants)

#### Monday, December 3

2-4 p.m.

Mississauga Valley Community Centre  
(~38 participants)

#### Welcome / Project Background

Camille McKay, TNC Project Lead for the City of Mississauga, welcomed people to the meeting, introduced Rebecca and her role in this project, and gave a brief presentation to the group to provide some background information about the TNC regulatory landscape and pilot project. Camille thanked participants for coming and encouraged them to provide their honest feedback.

Participants were asked to sit at one of three stations in the room. Facilitators moved from station to station to lead the group through a discussion on identified themes. The feedback provided during this exercise is captured below.

#### Labour Market Impacts

##### General Comments/ Observations

- Everyone has been hurt (by the introduction of TNC)
- City didn't protect us/the industry
- Feel betrayed by the City and not valued
- Younger people taking TNC, not older residents
- Major decrease in demand for taxis during the holidays (which used to be peak season) since TNC
- Still seeing increase in rides/fares on the 20<sup>th</sup> and end of month due to Family Benefits and CPP payments
- Taxi industry needs to address perception of taxi industry

- Now taxi owners have much higher stress and are working way more, but making less money
  - City responsible for our sleeplessness
  - Stressful for us and our families
  - “Who will hire me now?” – need to come out of retirement
  - Decreased income affects the whole family; kids can’t continue to go to university
  - Negative impact on next generation since the plate value has decreased (not passing on a valuable asset as intended.)
- TNC drivers are compensated for costs incurred and have same/less regulations
- Taxis drivers work full time, but are competing with people who are doing it only part time, after their full time job.
  - They don’t need it like taxi drivers do
  - Makes it very difficult
  - 60% of drivers don’t make a living now, when you could before
  - Doesn’t help to increase hours because there aren’t enough people to give rides to; market is saturated
  - Must work longer hours to make the same fares
- 5 things (formula) that made Mississauga model work (Brampton, Alberta, BC, Nova Scotia, etc. all wanted to adapt their model) – a supply management formula that took into account:
  - Hotels, bars, restaurants
  - Riding of knowing population (seniors, public transport)
  - Plate value
  - Social welfare
  - \*Should implement this model
- # of vehicles, infinite slices of pie @ moment
  - Want cap on vehicles w. current population
  - Is the pie growing?
    - Pie is the same size!
    - City staff: “Actually pie much larger, different group of people”
- Uber drivers are hailing business on the street
- Karim Punian (416) 262-2600:
  - Brokerage call drop 40%
  - Income drop 50%
  - Plate value drop 180%
  - Stress increased 500%
  - Faith in city government 0%
- When GM announced layoffs the government came to offer support. The government has bailed out other sectors and they should bail out taxi drivers too.

- TNC has been based on technology which has totally disrupted the industry. Other industries have been impacted by technology (car companies and introduction of electric vehicles) and taxi industry should be compensated too.
- Concern for TNC drivers who are working full-time jobs and then driving TNC vehicles afterwards. Is there a way for the city to regulate this? Caps (or maximum number of hours) don't make sense in this situation because how do you know if the driver has already worked a full day somewhere else?
- Too many vehicles on the road contributes to pollution, impacts pedestrian safety, adds to road congestion

### Business Model

- City didn't protect the taxi industry that it helped to shape and regulate for decades
- City auctioned off license plates (knows the value of the plates before TNC)
  - Participated/encouraged previous business model and have now abandoned it
  - Profited from previous business model, made money, changed the rules with no consideration of impact on drivers and their families
- Drivers feel betrayed and angry with the City over the decision-making process and outcomes that favour TNC
- The City should compensate drivers for their investment that they bought in good faith (like help provided to auto industry etc.)
- Buying a taxi license is like buying a franchise. There should be certain expectations and rules to follow and the City hasn't. City has allowed people to buy and sell licenses like a franchise
- City has allowed competition from a unregulated Black Market with little consideration for the financial, personal and emotional impact to drivers and their families
- (Generally speaking) license plate fees and insurance should be lowered, and the flat rate model changed given the current circumstances of taxi drivers and to reflect trends current trends
- City should base the number of taxis and TNC vehicles on population numbers
- Look to City of Kingston for what's working: limited TNC vehicles (they use a ratio of taxi to TNC vehicles.) Have same rules for insurance.
- Canadian Bureau of Competition was involved in Kingston
- Look at the influence and impact of Toronto and Brampton bylaws
- How effective would a "cap" in TNC numbers be?
- Value of Uber (as a company) has increased, and the money has been taken from the taxi drivers. Uber sprinkles its profit among countries to avoid paying more tax.
- Consider tariffs on Uber
- Taxis provide a valuable service to the city, not just a business
- "Privatizing" of the industry means no quality control

## Loss of Income/ Retirement Plans

- Plate rentals (from retired drivers) are only bringing in \$100 - \$200/month vs \$1000/month previously
- Retirement plans have been “thrown out”
- No pension or benefits provided in retirement.
- Taxi drivers were counting on income from sale of plate, or rental of plate to provide ongoing income
- Drivers are coming out of retirement to drive to earn money
- Cab drivers took out 2<sup>nd</sup> mortgages and went into debt to purchase first or second plates and will never recover their investment. Especially older drivers.
- Drivers are very angry at the change in rules which seems to unduly favour TNC drivers and disregards their lifetime of work and service
- 65+ plates on the shelf
  - Used to not be allowed (90 days-seized)
  - New issued even when +/- 35 on shelf
  - Indication of people leaving industry
  - New plates – off of waiting list
    - Was \$5000, more recently \$1100
    - Cost to stay on list – why? Where does money go?

## Plate Value

- Free market model (if they increase, decrease)
  - What someone willing to pay (similar to real estate/housing)
- City is responsible for managing certain number of plates
- Plates should be returned to the City
  - Should not be allowed to be leased/re-sold by individual driver
- City allows transfer of plates, after a three year period
- City should buy back all licenses and not allow future resales (transfers) which inflates cost
- No private selling of plates
- Difficult to change the rules now
- Taxi drivers have followed rules, made a living. Can't compete with TNC drivers.
- Viewed as a municipally regulated franchise (like Tim Hortons).
  - City needs to cash out plates (at value prior to the pilot project)
- Job security > drop in plates have impacted owners of plates who were banking on renting plants

## Regulatory Framework

### Licensing Requirements

- Want regulation not deregulation of the industry
- You must be 25 years old to be a taxi driver; no age limit for TNC
- TNC should have to report their names and ID number to the City for tracking purposes
- Equal burden of expenses
  - Taxi drivers pay annual license renewal fee (\$160/year) – these fees should be waived (TNC isn't required to pay this renewal fee)
  - The city should waive taxi sticker fees as well (TNC isn't required to pay this fee)
- License plate owners should be compensated because of losses due to Uber (e.g. – compensation by city of Montreal)
- Taxis are required to have 3 forms of license: (1) broker, 2) city issued for taxi business, 3) province of ON driver's license) - all TNC drivers should also be required to get license from the city
- City should be regulating vehicle inspections for everyone
- City should regulate and enforce TNC driver behavior (same as taxi drivers – e.g. conducting business in civil manner)
- Qualifications for driving (for everyone) should be done through the city - not through individual companies
- City should check criminal records (should not be done by Uber)
- All various levels of services provided (across Uber and others – e. g Uber X, Uber Select, etc.) should be regulated under one bylaw
- Equal regulation for Uber X
- Vehicle for hire municipal boundaries should be enforced (e.g TNC driver from Toronto, should not be allowed to take business from city of Mississauga drivers)
- Criminal check should be required for TNC:
  - Should be official (e.g. obtained from police)
  - Submitted directly to the city (not through TNC company e.g. Uber)
  - Should be required yearly for everyone
- There are no rules anymore, but only TNCs can get away with everything
- 3 major violations to bylaws by City and Uber
  - Ubers have no HST number - they are not paying taxes from their rides
    - HST number should be required for everyone
  - Uber as a company has become rich and spread its earning in different countries to avoid paying taxes.
  - There is no enforcement of regulations for TNC
- Taxis should be able to drive with Uber but more flexibility with all levels
  - Currently can only drive as an 'Uber taxi'
  - Limit car to one company (e.g. "Uber taxi" not "Uber X")
- Ubers don't have to keep run sheet.
  - Taxis need to submit number of runs each month but Ubers don't have to.

- Want disclosure of # of vehicles/rides of TNC
- Re-regulate the industry
  - Either regulate the industry or compensate and de-regulate the industry (you can't do both)
  - "It only takes 3 minutes to register as an Uber driver" (vs. process to become taxi driver) – disparity
  - It's one thing to regulate, but the city needs the will to enforce regulations
  - "Taxis are subsidizing Uber" – discrimination
- Bring the old system back (e.g. Mandatory training)
  - Don't get rid of the good things just because of Uber (e.g. testing, inspections, cameras)
  - Taxi regulations are perfect right now.
- Require same insurance, license, and training standards for TNC drivers
  - Licensing should be the same across the industry (currently, \$700 for renewal fee)
  - Currently TNC only requires G license only - Standard G license is not enough for drivers
  - Compelled training for Uber
  - Driver abstract and criminal record check should be required
    - Criminal checks mandatory every year
  - Recommendation for capture option
- **Must be consistent for all, level playing field**
- Require both taxis *and* Ubers to carry unique license slip in car, with a different unique colour
- TNC drivers should be required to have SIN number to operate legally
- It took 50 years for taxi industry to get 700 plates and overnight TNC has thousands (17,000) of drivers
  - nobody is renting plates anymore
  - costs \$168 per plate for a taxi license
  - should have individual registered license for TNC - Uber pays a flat rate for an unlimited number of drivers
  - same requirements for getting license
- Feel City has violated its own bylaws, processes and procedures to benefit Uber etc.
  - City ignored advice from the Commission, specifically the advice to cap the number of TNC drivers
  - City did not follow proper process or adhere to its own rules, and should therefore compensate taxi drivers
  - Uber driver being unfairly favored. Bias from the City.
  - Feel there was a conflict of interest because there was an Uber driver on the decision-making body.
  - Feel the Mayor acted in favour of TNC

## Plate/Licensing Costs

- There are 71 taxi plates not being used (market is saturated)
- Value of plates has decreased substantially i.e. 90% to 95% lower than in 2014
- Renewal fees are too high
- Drivers still have to pay the licensing fee (yearly?) even if they aren't using the plate
- After 40 years, spending whole life working in the city, there is no income for retirement because TNC is devaluing the taxi industry
- Very concerning and has severe impacts not only the driver, but for his family as well
- Threatens livelihood and future
- Value of taxi plate is very nominal now compared to what it used to be
- Industry was very organized before and now it has become very disorganized because of TNC
- 64 years old, gone back to work full time (used to work part-time)
  - Spent 40 years working and no benefits
  - Worried about retirement
- Lost value on taxi plates (used to have market value of \$200,000, now down to \$10,000)
- City collected money off of bidding for plates
- City should compensate (Quebec returned money back to taxi drivers)
- Lots of drivers leaving brokerages because of high fees (e.g. insurance, dispatch fees - \$650 -800+/month)
- If insurance was cheaper, the brokerage fees would be cheaper
- Folks waited on priority list and wait lists for extremely long periods of time, then purchased them.
- License plates once went for: \$200,000, \$195,000, \$185,000, the last plate sold went for \$85,000 (these were auctioned off by the City of Mississauga)
- With no pensions, drivers were relying on license plates as retirement plans
  - Retirement plans based on past assumptions, aren't going to work. No residual income from sale or plate rental as planned
- Can't make a living
- Lost investment
- Want/need income from plate rental and sale of plates
- Need value of plate for retirement
- 40% of owners rent their plates — largely people who can no longer drive (65+)
  - Pushed to buy plates, now feel taken advantage of and betrayed of their promise
  - Had to pay to be on a priority list to get plates, lost that investment
- Participants stated that this is and should be managed by city regulations not industry
  - This is a City issue, as drivers are working within the City of Mississauga, thereby making it a City issue
- City encouraged people to buy plates and they did so in order to provide an income into retirement. This is not feasible.
  - The City should buy the license plates back for what they were sold for

- Plate values have decreased (like a capital asset decreasing)
- Plate rentals have decreased by 40%
- City has not treated us like other small businesses
- This industry is as deserving of a bail-out as another other industry
- City didn't manage the supply chain well
- Want City to buy back plates
  - Either TNC have plates or let taxis operate without plates
- Need an issuance formula for TNC

### Insurance

- Equal insurance policy - same level of insurance, same regulations
- TNC should be required to have commercial insurance and should be held accountable to provide proof of that insurance to the city
- If a driver cancels their insurance policy, the insurance company should report this to the city
- 2 or 3 million for insurance coverage
- City should ensure equitable commercial insurance (taxi and Uber)
- Taxi insurance rates ludicrously high, and a rate per one car
  - Uber only has to pay one insurance rate for a service in city covering any # Uber cars in area
  - Should require insurance for each individual Uber car and same rate as taxis
  - Current TNC insurance not good for passenger safety
- Current taxi insurance is fair and TNC drivers should pay same
  - Same insurance for everyone
  - 2 million for insurance is not adequate for TNC, should be increased to 7 million for customer protection
  - Proof of insurance certificate should be different colour for TNC drivers
  - Under current commercial insurance, taxi drivers under 25 cannot drive or be insured. TNC has many inexperienced & young drivers.
- Public doesn't know about how insurance for TNC works
- Want TNC to also have commercial insurance
- Insurance not covered when drivers pick up drivers not on the app. This is a safety concern too because if TNC drivers are doing rides that are not recorded, they are able to commit crimes (one TNC driver was found guilty of 4 sexual assaults on passengers, these incidents were not recorded on app, because passengers called him directly).

### Number of Vehicles

- More vehicles on the road has led to congestion. Not good for the environment
- 60,000 additional cars said to be on the roads
- City should know the number of TNCs on the road
- Cap the number of TNC drivers. Way too many right now.

- Limit the number of cars on the road for both taxi and TNC according to 1 vehicle for hire for every 1,200 people
- Whatever the regulation/limit is on vehicles, it should be equal for everyone
- Limit should be informed by supply and demand (to keep the number of TNC vehicles in check)
- There are 71,000 TNC vehicles on the road in the GTA
  - This is causing congestion and pollution issues
  - 6 tons of CO2 per car are emitted every year
- Should be a cap on number of TNC vehicles because of competitive edge
- Cap should be same as taxis at 700 – others said “equal is not realistic.”
- Lessen the gap between the number of taxis and TNC cars allowed on the road
- (Taxi drivers) know there is already a huge difference in the number (thousands compared to 700 for taxi)
- Overall number of cars should have a cap
- Suggestion is to cap TNC cars compared to number of taxis on the road (maybe 2 times the amount – 1400?)
- Taxi number limit should increase per region
  - Way too many TNC cars to compete with
  - limit the number of Uber drivers (TNC cap on number of cars on the road)
    - There is currently no limit on TNC cars
    - should limit this to same as taxis
- There are issues with traffic and congestion in the city
  - Need to manage the supply
  - Should be a quota system, TNC is flooding GTAA and taxi industry can't compete
  - TNC add to traffic and congestion, but taxis are stationary (when not on run)
- Multiple participants wanted a cap on TNC vehicles operating in Mississauga
- Want supply management in industry
- Participants stated that almost 40-50% of taxi business has been taken away by TNC

### Vehicle Requirements

- Future requirements for vehicle accessibility should apply to all (both taxi and TNC)
- Yearly vehicle inspection should be mandatory for all
- Cameras should be mandatory for all vehicles for hire (to ensure safety of driver and customer)
- Camera quality should be same for all
- Same specifications for TCN and taxi
- Size and model requirements should match taxi cars (same make, model, passenger capacity, trunk size, etc.)
- Vehicle model suggestion: 7-8 yrs old or less
- Vehicle inspection should be required twice per year for everyone
- Size/model restriction: keep same as current bylaw, but stay consistent

- There is a requirement for hybrid vehicles for airport taxis (why is this only required for taxis? – the regulation should be the same)
- Keep existing by-law
- No tinted windows (safety)
- There should be adequate space for customers (e.g. leg room)
  - stay consistent with size and model requirement (e.g. Accord or Civic)
  - keep vehicle size and model as it is now, but make same for TNC too
  - taxis are more accessible
  - no tinted windows should be allowed for TNC cars (issue of safety to public and driver)

### Vehicle Resale

- TNC vehicles should be identified as such at the time of resale, just like taxi cab vehicles

### Jurisdiction

- TNC driver can come in from anywhere to take riders, but not taxi drivers who must follow strict pick up and drop off rules. Not a fair playing field
- Unfair rules around jurisdictions make it hard to compete
- Jurisdictional consistency in requirements
  - Same regulations for everyone across municipal boundaries
  - Regional specific regulations
- Should restrict regions for Uber
  - Each geographic location has unique colour or unique car design

### Vehicle Identification

- TNC vehicles should have company decal and vehicle number written visibly on car
- Vehicles should have visible identification as to which city they belong to (e.g. Newmarket, Brampton) to differentiate
- Satisfied with current standards for vehicle ID
- Need clearer Uber identification
- No issues with taxi identification, what taxis have now is okay
- Decals important method of identification
  - # on side, back
  - Rooftop signs (the look is slightly different for each company)
- Each municipality should have a different coloured sticker
  - Put green “X” on back of vehicle, identification necessary for safety
  - TNC vehicles need to be clearly visible, and differentiated from other vehicles on road (e.g. different colours)
  - Certain colour of cars, clearly distinguishable
  - TNC logo should be on front, back, and bumper of car

- All TNC cars should have the same colour
- Identification should be outside the vehicle and be more visible

### Passenger and Driver Safety

- Everything that was removed from taxi standards during pilot, want placed back
  - It was in place for passenger safety
- Without insurance regulations, there are no safety standards with TNC

### Cameras

- Bring cameras back - should be mandatory for safety - satisfied with camera regulations
- Cameras are no longer mandatory for taxis
- Cameras that the city wanted drivers to purchase, used to cost \$1500
- In past, drivers noticed that passenger's behaviour changed when they noticed that camera sticker ('this taxi has a camera, and everything will be recorded').
- Though cameras are no longer mandatory, participants stated they kept the cameras, because they thought it was a great safety tool
- Passenger shields were utilized for safety before there was access to cameras. They were useful for safety but not practical (took up a lot of room, and made drivers feel boxed into a small space).
- Cameras replaced shields
- Safety for passengers & drivers
- Cameras encourage and instigate good behaviour
- Important for robbery prevention, especially at night time
- number one reason why robbery and assaults associated with taxis have decreased dramatically
- Sexual harassment in cars is filmed (anything that happens in taxi is filmed, with footage available for police and the city). Drivers feel that this makes it safer for drivers (allegations) and safer for passengers (so if acts happen, there is a way to follow up and prove that they occurred).
- Cameras for cars were expensive to purchase initially
- City had requirements for which camera to purchase, had to spend a certain amount of money
- Cameras were tested twice a year when vehicles were inspected for safety
- Who has access to footage? Police and City can track down videos. Drivers don't have access to footage
- Majority of cars still have cameras for safety of both passengers and drivers
- This should be regulated by city. Cameras need to be good quality.
- When no cameras in the car, it is unsafe for drivers
- Cameras are a must for all cars (taxi & TNC)

- When back doors are opened, a photo is taken (cameras capture photo of who comes in and who gets out).
- No one has access to content of cameras but the police
- Cars still have cameras
- Participants saw cameras as an important safety tool for passengers and drivers
  - Everything that happens in the cars is documented
- New cars often don't have cameras
- Cameras in cars increase safety for both passengers and drivers (this was mentioned often by multiple participants)
  - Vehicles used to have stickers that stated "cameras used in vehicle"
  - Drivers noticed behavioural changes with passengers (passengers would behave)
  - photos were taken when passengers open the back doors (in & out)
- Cameras were expensive, cost around \$1500, different/better cameras would be helpful
- Participants thought cameras created grainy photos
- Inspected every year, new lenses were expensive to replace
- New company was starting to provide cameras, which was better
  - Installers of cameras control the price (because they charge fees to install)
- Only certain cameras useful (police quality)
- Want cameras back (and for all) but at reasonable price and quality!

## Training

- Defensive driver training should be required for all new drivers (both taxi and TNC)
- Bring back mandatory training for everyone (training should include both technical and personal e.g. geographic knowledge, how to deal with people)
- Training should be the same as it was for taxis, plus any additional industry updates (we know we have to keep up with the current times) – required for all
- 1 week mandatory driver training course refresher
- Same training for all drivers
- Safety training should still be delivered by the city for all drivers
- Defensive driving (which makes the roads safer)
- Sensitivity training
  - Important for contributing to passenger and driver safety
- In the past training included: CPR, sensitivity training, defensive driving
- Sensitivity training super important for understanding accessibility & AODA requirements
- One participant stated that taxis are a social service, deal with school boards, elderly population
- Dealing with wide range of passenger's needs (from accessibility to diverse age demographics)
- Taxi drivers know how to handle mobility devices (how to fit them into the cars, and how to help folks with their devices)

- Multiple participants wanted courses for all
- Refresher courses are also important
  - How to help customers
  - How to do first-aid/CPR
  - Defensive driving
- 1 week courses in the past included: Rules and regulations, Customer service, Robbery prevention
- All courses were very helpful. Sometimes expensive.
- Criminal checks and driver training (CPR/first aid, defensive driving, sensitivity training) are also super important
  - Criminal checks from police for all drivers
  - Been a few incidents of Uber drivers committing sexual assaults.
- Multiple participants wanted to reinstate these training requirements for all drivers (TNC and taxi)
  - Concern over TNC drivers who are potentially not safe on roads (making illegal turns)
- Lots of crimes in media committed by TNC drivers
- Same driver committed multiple crimes, took police 6 months to catch him

### Accessibility

- More passenger physical accessibility (i.e. more accessible taxis)
  - Providing service to population
  - With lower fees, and subsidies by city
  - Accessible taxi plates were also subsidized by City
  - Used to be offered, exists no longer!
  - Therefore, very few accessible taxis again.
- Cater to folks with disability issues
  - Door to door service (you could lose your license by not abiding by the door to door required regulation).
  - Ex. A child or older adult get picked up, driver is responsible for their drop off and safety
  - We (taxi drivers) do all the difficult stuff, other companies (TNCs) take the cream

### Inspections

- Want mandatory safety checks & inspections for everyone (TNC & taxi)
  - Safety inspections used to occur twice a year, they are not mandatory anymore, but there is a desire for this to be reinstated.
  - This should be something that is done by city for all vehicles on the road.
  - Ex. One participant stated that TNC just go to a mechanic for these inspections, no accountability or uniform regulation around it.
- City inspections are not the same for taxis and TNCs.
  - Taxis are required to have seatbelt cutters in car

- If they don't have it, they will get a fine
- Enforcement of inspections is really important
  - Who does it?
  - Is it fair for everyone (TNC and taxi)?

### Carrying Cash

- Drivers don't hold a lot of cash anymore (a lot of transactions are now credit card and debits)
  - 80% of transactions are debit/credit cards, though cash is preferred method of payment
  - Not concerned about having lots of cash in a vehicle during a shift, because cameras have helped to make it safer for drivers and passengers
- Robbery course that was offered in past was super effective & helpful

### GPS

- GPS is often used now. But taxi drivers have good knowledge of roads and familiar with the city; which is safer than relying on only GPS.
  - TNC are GPS dependent, don't know neighbourhoods or road names

### Snow Tires

- Snow tires important for all vehicles that are driving commercially

### Other

- Uber pool option should be a concern for city transit. Uber pool does pick-ups and drop offs on hwy 10. These are unsafe pickups, because they are not door-to-door, address is not specified.

## Pricing

- Consider re-opening taxi payment “rules” to make it a level playing field
- Spending more hours on the road
- Used to have 15 – 20 riders per shift, and this has decreased to 5 or 6 fares per shift
- Most fares are under \$9
- Should the fare model be opened?
  - Want to have a meter price not flat, fixed fee
    - Meter is good and effective for traffic/congestion/weather
  - TNC drivers have flexible fees based on time of day, traffic level, weather, etc.
    - Increase fares 4X a day (peak periods) so it’s not a level playing field
  - Should taxis also have flexible pricing?
  - Changing pricing affects passengers and company – want to be fair to both
  - Taxis tried to compete by dropping prices
- TNC should follow same regulations on prices → have same pricing
  - Drivers viewed taxis and TNC under the same umbrella thereby needing same regulations
- Cultural perception that it is always cheaper to take TNC, but not actually true.
  - How to change perception of fares by the public?
- Taxi prices are restricted by current system to give best public service, like transit system. If taxis start to compete with TNC in price, then no longer a fair public service
  - Taxis and TNC should be regulated like public transit
  - Two-edged sword: bus is same fixed cost (no matter distance)
  - Are TNC drivers competing with buses?
- Should be no charge by city (currently \$80) to lease plate to somebody, especially since anybody can drive TNC car
  - Leasing/renting out license plates brings in \$100 - \$200/month and not \$1000/month before TNC was allowed
- Pricing is impacted by the number of vehicles on the road
  - There should be a maximum number of vehicles on the road
- Any new pricing model should take into consideration that:
  - Taxi drivers have experienced 40% less business, and 50% decrease in their income
  - Plate value decreased by 180%
- Is there a way to match TNC prices?
  - During peak hours they lower prices or overcharge. Lack of consistency compared to current taxi model.
- Fixed price is the model forward
  - Participants thought surge pricing is a rip off for customers (gives an illusion of being cheaper than taxis)
- TNCs increase prices whenever they want
  - Ex. It would cost \$56 fixed price to drive to downtown vs. TNC would charge \$70

- Simply cannot compete
  - Taxis have large overheads (double insurance, license plates, brokerage fees)
    - Average overhead cost per month is \$1500-\$1600
    - TNC don't have taxi plates, much lower expenses
- Willing to make change to pricing (meter starts at \$4.25, would be willing to lower to \$3.75 in the future)
- Uber Fared are paid up front while taxis fares are paid at drop off
  - If a cab is called then cancelled, no fare is paid
  
- TNC surge pricing is hurting people. Shouldn't be allowed.
- Current meter prices start at \$4.25
  - Same price for the same distance, no matter the time of day or the weather.
  - TNC increases their prices at night (sometimes x3 the cost)
- Taxis have more expenses including: dues, licenses, commercial insurance, vehicle costs, etc. A lot of these costs are to the City.
- City should advertise to city about using taxis—"Cheaper, cleaner, safer, 1 price only" (advertise on TV, newspaper)
- TNC charges more than taxis with surge pricing
- False advertising—people think taxis are more expensive (public misconception of how much taxi & TNCs rides cost)
- Does the City monitor how many rides TNC provides when demand is high?
- Participants want City to ask TNC if the public is satisfied with surge pricing?
- Want surge pricing to be regulated
- Either there is 1 rate for all vehicles or 1,000 rates (no regulations around it)
- Taxis have meter system currently that has been set by the city & companies
- Inconsistency of regulation/non-regulation pricing around certain pickups (such as the airport)
  - Lack of fairness
  - Unfair competition: small operators competing with multinational corporation
- Feels like discrimination by the city, we are all immigrants in this industry. Why is the city not supporting this industry and allowing it to be destroyed by unregulated companies?
- Want to advertise on social media
  - Invest money in app, but apps become expensive if you want them done right
- TNCs give drivers incentive to drive more (if you hit 200 rides, you will make this much...) etc. Company owners and vehicle owners don't have the capacity to do the same for their drivers. TNCs are well funded.
- Decrease in license plate value
  - City collected transfer fee on these sales, which is why they need to be part of the solution for the devaluation of license plates.
- How do we do flat rate with outside influences?

- Calculate how gas is affecting price (average amount of rate)
- When gas increased to \$1.43, it increased rate of meter
- One participant wants to lower meter? Or keep the same
- Participants mentioned they do not want surge model

## Q&A / Final Feedback

- Taxis are a regulated industry that now has to compete with non-regulated industry
- 1:1 ratio of taxi to TNC vehicles
- Premier of province, mayors, responsible for regulation
- Enforcement issue
  - Ontario Highway Traffic Act > drivers are not permitted to pick-up passengers for a fee unless licensed by a municipality (i.e. taxis); commercial insurance
  - Habits of enforcement
- Amount that taxi has decreased and the amount Uber has increased doesn't match
  - Has the pie grown?
  - Unmet demand met by new rides
  - Increase is more than the decrease
  - Market size
- How reliable is the information?
  - City is getting information from private company
  - Transparency in data
  - City (Camille) > both by-laws indicate that they submit # of rides (taxi and TNC)
  - Is info factual?
    - No trust in data (from Uber)
    - Belief that Uber tells people what they want to hear
- Yardstick formula determined how many taxis/plates should be on the road
  - Formula for supply management
- Politicians should get data, not taxi industry to create data

### *What does a more level playing field look like?*

What are the best ways to move forward?

- Uber should have licenses for drivers (from City)
- No outside drivers (within jurisdiction)
- Not over crowded with vehicles
- Calculate # of vehicles (taxis, TNC) based on population, need (supply formula)
- Supply management > multiple jurisdictions
- Not to exceed the number of taxi plates on the road (1:1 ratio, taxi:TNC)
- Same insurance requirements
- Supply formula (every factor considered – seasons, population growth, etc.)
  - Complex formula but should be used

- Eliminate plate system
  - Should be one system

### Final Thoughts

- Uber has incentives, taxis do not – should have same incentives
  - Uber guaranteed \$2500 for first 200 drives, city should give taxis same \$2500
- City has *responsibility* to compensate industry and drivers
- Concern/rumour that TNC paid \$20M to GTA
- Feels Mississauga mayor acted in favour of TNC
  - Distrust of process, don't believe city government
- Approval of renewal/stopping of license cost
  - Too much \$ and it is too time consuming
- Should charge for renewal of TNC plates
- Why has not council accepted the advice of the PUAC Staff and the 'Hurn' (?) Report that no more taxes are needed in Mississauga?
- The city regulated the price of taxi plate through the issuance model. Why is the city now attempting to distance itself from the depreciation in the value of plates as a result of the de-regulation of the supply of vehicle?
- **Importance of level playing field and same standards**
  - Best way to do this – same system as before! It was controlled and worked
- Should adapt to modern age/ "Adapt to digital age"
  - Include/update taxi app
  - Run sheets should be able to show on tablets, not on paper
    - Modernize the what we do (in the taxi industry)
  - Keep records electronic
- 3 criteria:
  1. Same insurance
  2. License plate requirement
  3. Criminal checks
- 5 recommendations were mentioned by one participant:
  1. TNC welcome in Mississauga but must follow same criteria as past Taxi Model
    - same amount of \$
    - same license, training requirements
  2. same commercial insurance
  3. same vehicle (same make and model)
  4. should have some sort of taxi plate
  5. ratio needs to be fixed (drivers said it felt like there were 700 taxis vs. 7,000 TNC vehicles on road)

Impact Statement

November 29, 2018

From the Family of Ron and Mildred Chamberlain  
Plates #s 045, 055, 101, 147, 169, 192, 222, 276, 330

I am writing with regards to the impact Uber has had on the finances and consequent lifestyle of my father Ronald Chamberlain and his family.

Ronald Chamberlain started working as a cab driver in the very early 70's. Shortly after acquiring the Skyway Taxi Company run out of Malton that eventually changed to Seven Eleven and Malton Taxi. He provided service for an under serviced community and provided employment for many people for many years.

His years of investment were meant to financially take care of him and his family in his retirement. The loss of income was felt on many levels. On top of being very disheartened by the situation, there was a dramatic effect on his lifestyle. Being the only care provider for his infirmed wife he was not able to afford the help that would and should have made a difference to them both.

Mildred Chamberlain also gave much of her life to the Taxi business. Many hours/years of sleep were lost manning a 24 hour, 7 day dispatch from their home for 7 years while still trying to raise a young family. After so many years of sacrifice it is only fitting that they should have reaped the fruits of their labours.

Prior to the loss of income, arrangements had been made to have home renovations done so that his wife Mildred Chamberlain could remain in their home. Once the reality of the situation set in these renovations were not possible. It is our belief that the stress of lack of income caused a drastic and quick decline in Ronald's health. A man who had no preexisting health issues suddenly was having chest pains and almost died from heart failure last March requiring a triple bi-pass. Stress was the only obvious factor.

Instead of being the proud father who had hoped to provide a wonderful legacy for his family he felt depressed and destroyed for the last months of his life. A gentleman among men who was always generous and did not deserve the disregard the system and the Taxi association seems to have had for him.

## Appendix C

### City of Mississauga

### TNC Pilot Project

### Industry Engagement: TNC Drivers

#### Participants

Two industry engagement sessions were held for TNC drivers:

#### Monday, November 26

2-4 p.m.

Burnhamthorpe Community Centre

#### Wednesday, December 5

6:30-8:30 p.m.

Mississauga Central Library

No industry stakeholders attended the meeting on November 26; one Uber driver (and her husband) showed up for the second meeting. The notes from Rebecca's one-on-one conversation with this driver on December 5 are captured below.

#### One-on-One Interview

##### *Notes from Rebecca's interview with Uber driver (and husband)*

- Older woman who has been driving for Uber since January 2018 (70,000 km on her vehicle since then), based in Brampton
- Loves it – good pastime, some conversation, some money, “feels like she is contributing”
- Aware of some **safety and licensing** regulations required of her:
  - Driver's license
  - Car safety check
  - Vehicle not older than 7 years
  - Annual background check
- Was not aware of winter tire regulations on TNC drivers.
- “Never felt unsafe.” Glad she has no cash and does not take hailed rides off the street. Would be willing to have a camera in her car. Thinks taxis are more unsafe for drivers (i.e. no 911 button; cash; hails).
- Likes some Uber features on the app:
  - New 911 button
  - A ‘go home’ button that allows her to find fares on the way back home from a long run into another jurisdiction
- Dislikes other features
  - GPS is unreliable
  - Highly dislikes new “express pool” because clients are not in the right places
    - Unsafe on busy streets

- Does not like being unable to see the destination until after she accepts it
  - Not paid for waiting time
  - Unsure how her pay is calculated
  - Thinks Uber has a deal with 407 as she can't avoid using it
- Drives 4:30-9:30 a.m. most days – drives people to work, the airport, hospitals, bus station, GO train station, school.
- She “earned” a “beacon light” from Uber for driving regularly, at night, with good reviews.
- **Implications on industry:**
  - Knows people who drive for multiple TNC companies – she doesn't, but has applied to DriveHer and would do both if that comes to Peel.
  - Knows truck drivers that have switched to Uber.
  - Knows that “taxis are suffering, especially at the airport” and “feels sorry for them.” Clients say taxis are too expensive – double the cost from the airport.
- “Women passengers like a female driver” – wishes the app would sort by gender – passengers would like it more. She gets lots of female passengers – “not sure if that is by design or default.”
- **Demand:**
  - “much less busy lately” – “too many drivers” – “City should limit the number of drivers”
  - Made \$1,600 at first (she said “netted \$1,600/week” but likely per month?) and is now down to \$800.
  - Fewer promotions and incentives now that Uber does not need more drivers. “Used to be non-stop.”
- Reaching Uber is hard – “Uber polite” – time consuming on the phone, if she can reach a human at all.



**Appendix D**  
**City of Mississauga**  
**TNC Pilot Project**  
**Industry Engagement: Limousine Owners & Drivers**

An industry engagement session was held for limousine owners and drivers on:

**Wednesday, November 28**

10 a.m.-12 p.m.

Burnhamthorpe Community Centre

No industry stakeholders attended this meeting.



## Appendix E City of Mississauga TNC Pilot Project Industry Engagement Session Invitation & Reminder Emails

### Email Invitation

*Sent Tuesday, November 20, 2018*

#### For Taxi Brokerage

*Brokerages to pass along details/poster to owners and drivers*

**Subject: Your Input Matters: Mississauga Transportation Network Company Pilot Project**

Good morning,

As part of its [Transportation Network Company \(TNC\) Pilot Project](#), the City of Mississauga is seeking feedback about the TNC Pilot Project Licensing by-law and current amendments to the Public Vehicle Licensing by-law. Feedback from your taxi owners and drivers will help the City make recommendations for permanent TNC regulations.

Two meetings will take place for **taxi owners** to share their feedback.

**Thursday, November 29**

**6:30-8:30 p.m.**

Malton Community Centre  
Hall A  
3540 Morning Star Dr.

or

**Monday, December 3**

**2-4 p.m.**

Mississauga Valley Community Centre  
LC Taylor Room  
1275 Mississauga Valley Blvd.

The City will also host two meetings for local **taxi drivers** to provide feedback.

**Monday, November 26**

**6:30-8:30 p.m.**

Malton Community Centre

Hall A  
3540 Morning Star Dr.  
or

**Wednesday, December 5**  
**1-3 p.m.**  
Burnhamthorpe Community Centre  
Applewood Room  
1500 Gulleden Dr.

*We would appreciate if you could pass this information along to your taxi owners and drivers and encourage them to attend.* The session details can also be found in the attached PDF poster.

If taxi owners or drivers are unable to attend one of the sessions they can send their feedback about the TNC Pilot Project to [tnclicensing@mississauga.ca](mailto:tnclicensing@mississauga.ca).

The City has posted an [online survey](#) for the public to provide feedback and encourages you to share the survey link with your customers. Please confirm if you are willing to do so. The survey will be available until December 7.

If taxi owners or drivers require a disability-related accommodation to participate fully in the session, please contact [Sage Solutions](#) 72 hours in advance.

For more information visit [mississauga.ca/tnc-project](http://mississauga.ca/tnc-project).  
[attach poster]

## Email Reminder

*Sent prior to each stakeholder session*

### For TNC Drivers

#### **Subject: Reminder: TNC session for drivers on November 26**

Good morning,

Just a reminder that the City of Mississauga is hosting a meeting Monday afternoon for **TNC drivers** to provide feedback about the TNC Pilot Project Licensing by-law and current amendments to the Public Vehicle Licensing by-law. This feedback will help the City make recommendations for permanent TNC regulations.

The meeting will take place

#### **Monday, November 26**

**2-4 p.m.**

Burnhamthorpe Community Centre

Applewood Room

1500 Gulleden Dr.

*We would appreciate if you could remind your drivers about Monday's meeting and encourage them to attend. Details can also be found in the attached PDF poster.*

A second session for TNC drivers will be held:

#### **Wednesday, December 5**

**6:30-8:30 p.m.**

Mississauga Central Library

Noel Ryan Auditorium

301 Burnhamthorpe Rd. W.

If drivers are unable to attend one of the sessions they can send their feedback about the TNC Pilot Project to [tnclicensing@mississauga.ca](mailto:tnclicensing@mississauga.ca).

For more information visit [mississauga.ca/tnc-project](http://mississauga.ca/tnc-project).

[attach poster]

### TNC Pilot Project Feedback

**Taxi Plate Value 2017:** \$200,000.00

**My Taxi Plate #** [REDACTED]

**Today:** \$ 7500.00

**Difference:** -\$ 192500.00

### My Taxi Plate Rental Income

**2017:** \$ X per month

**2019:** \$ X per month

**Lost Income for the period** \$ 0

**Total lost value/income for Taxi Plate #** [REDACTED] **during the Pilot Project:**

\$ 192500.00

**Name:** [REDACTED]

**Taxi Driver Licence: #** [REDACTED]



### TNC Pilot Project Feedback

Taxi Plate Value 2017: ~~\$200,000.00~~  
600,000.00

Taxi Plate/s # [REDACTED]

Today: \$ ~~30000.00~~

Difference: -\$ 570,000.00

### My Taxi Plate Rental Income

2017: \$ 1000.00 per month

2019: \$ 100.00 per month

Lost Income for the period \$ 2700.00 PM

Total lost value/income for Taxi Plate/s # [REDACTED] during the Pilot Project:

\$ 634800.00

Name: [REDACTED]

Taxi Driver Licence: # [REDACTED]

### TNC Pilot Project Feedback

**Taxi Plate Value 2017:**     **\$200,000.00**

**Taxi Plate/s #** [REDACTED]

**Today:**                             **\$ 8500.00**

**Difference:**                       **-\$ 191,500.00**

### My Taxi Plate Rental Income

**2017:**     **\$ 1000.00 per month**

**2019:**     **\$ 100.00 per month**

**Lost Income for the period \$ 900.00 per Month.**

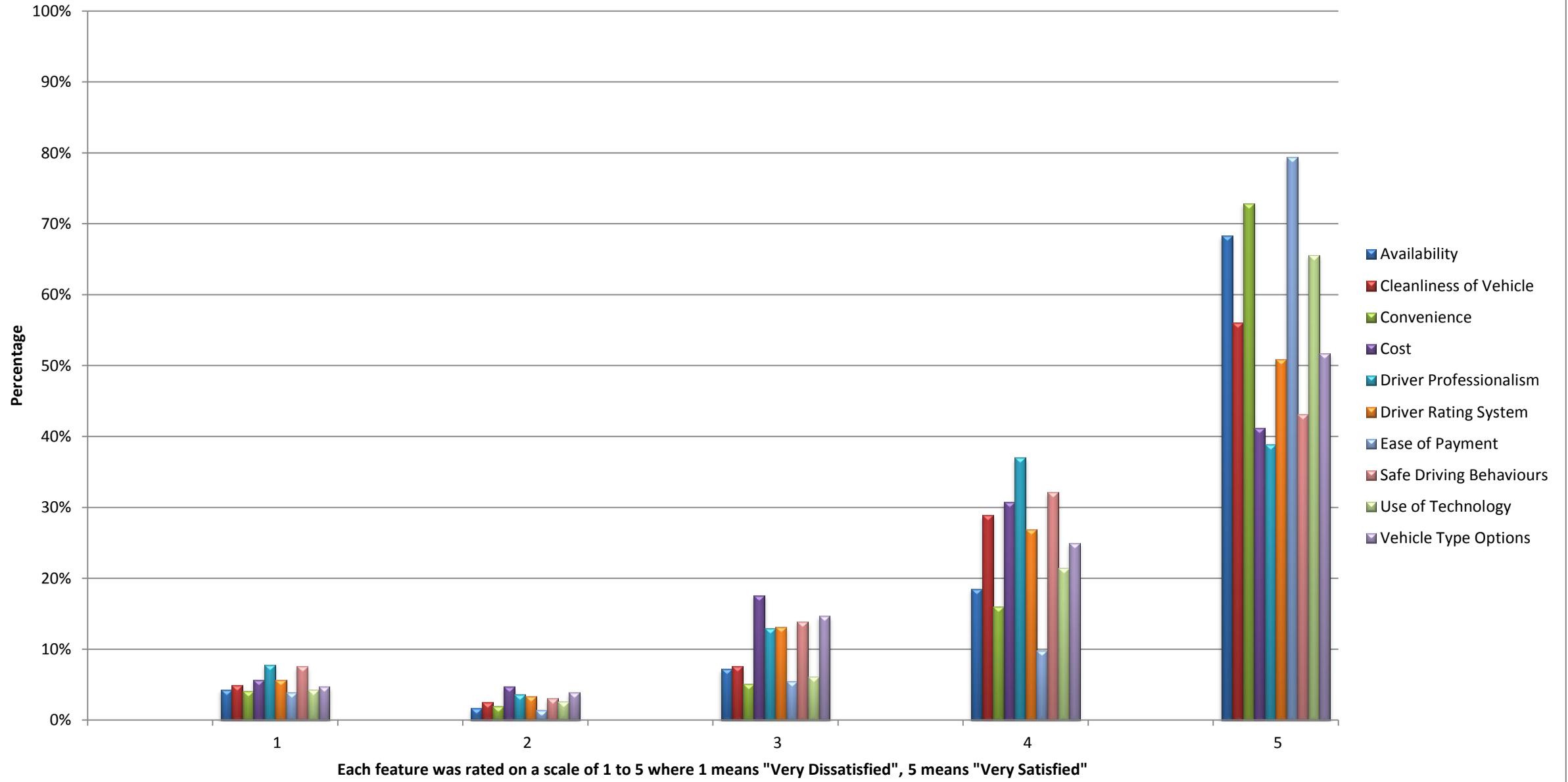
**Total lost value/income for Taxi Plate/s  
# [REDACTED] during the Pilot Project:**

**\$ 213,100.00**

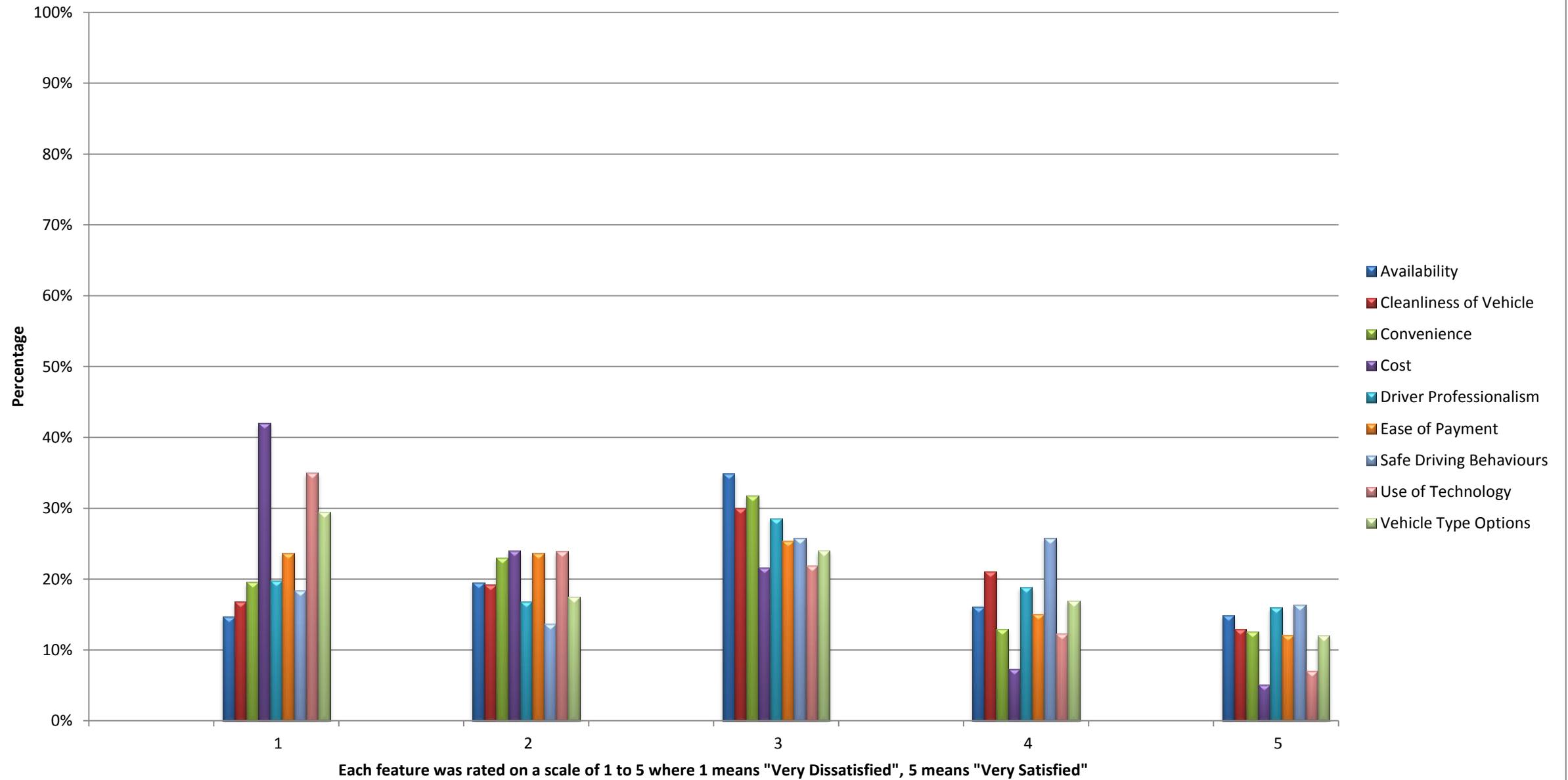
**Name:** [REDACTED]

**Taxi Driver Licence: #** [REDACTED]

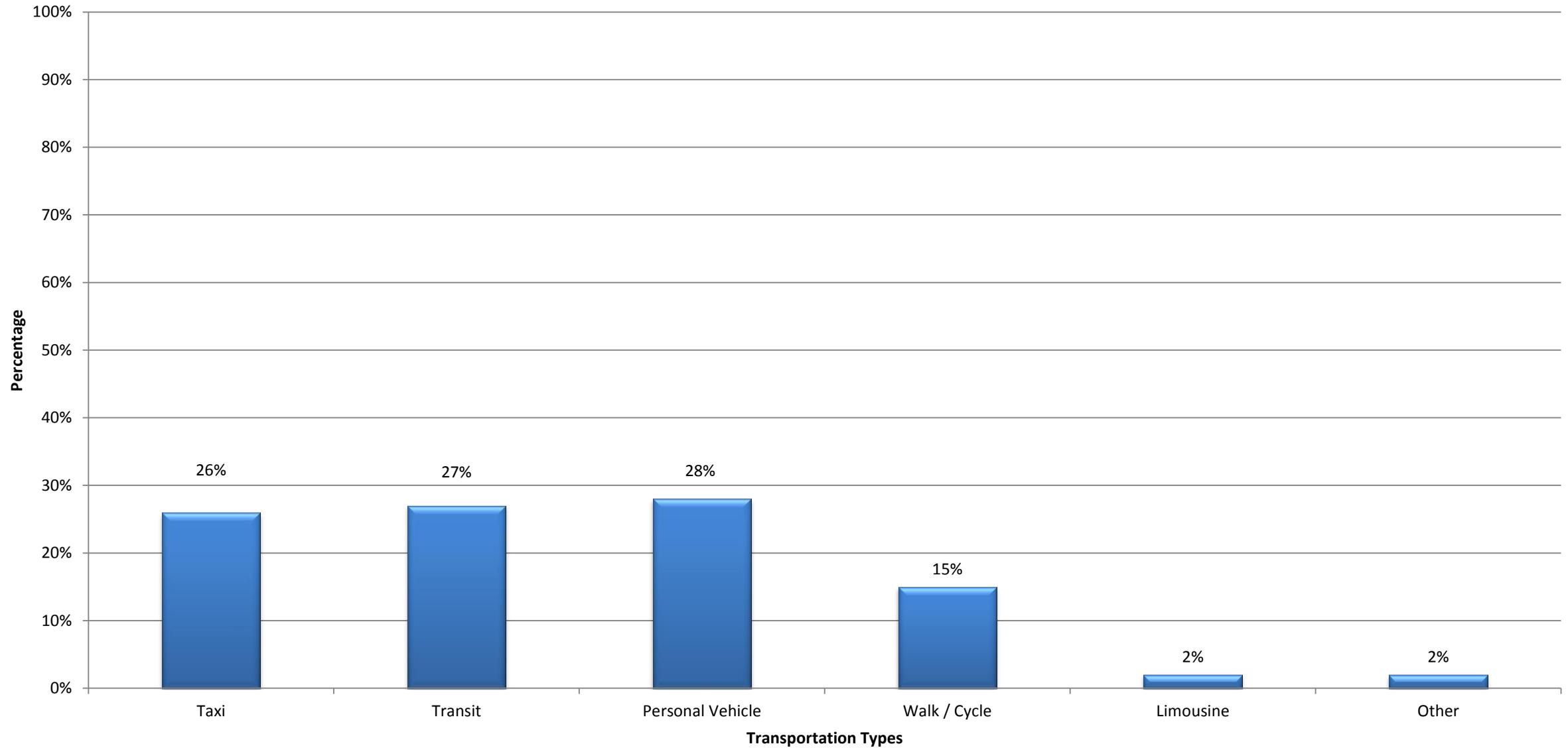
### Question: How satisfied are you with the following RIDE SHARE features?



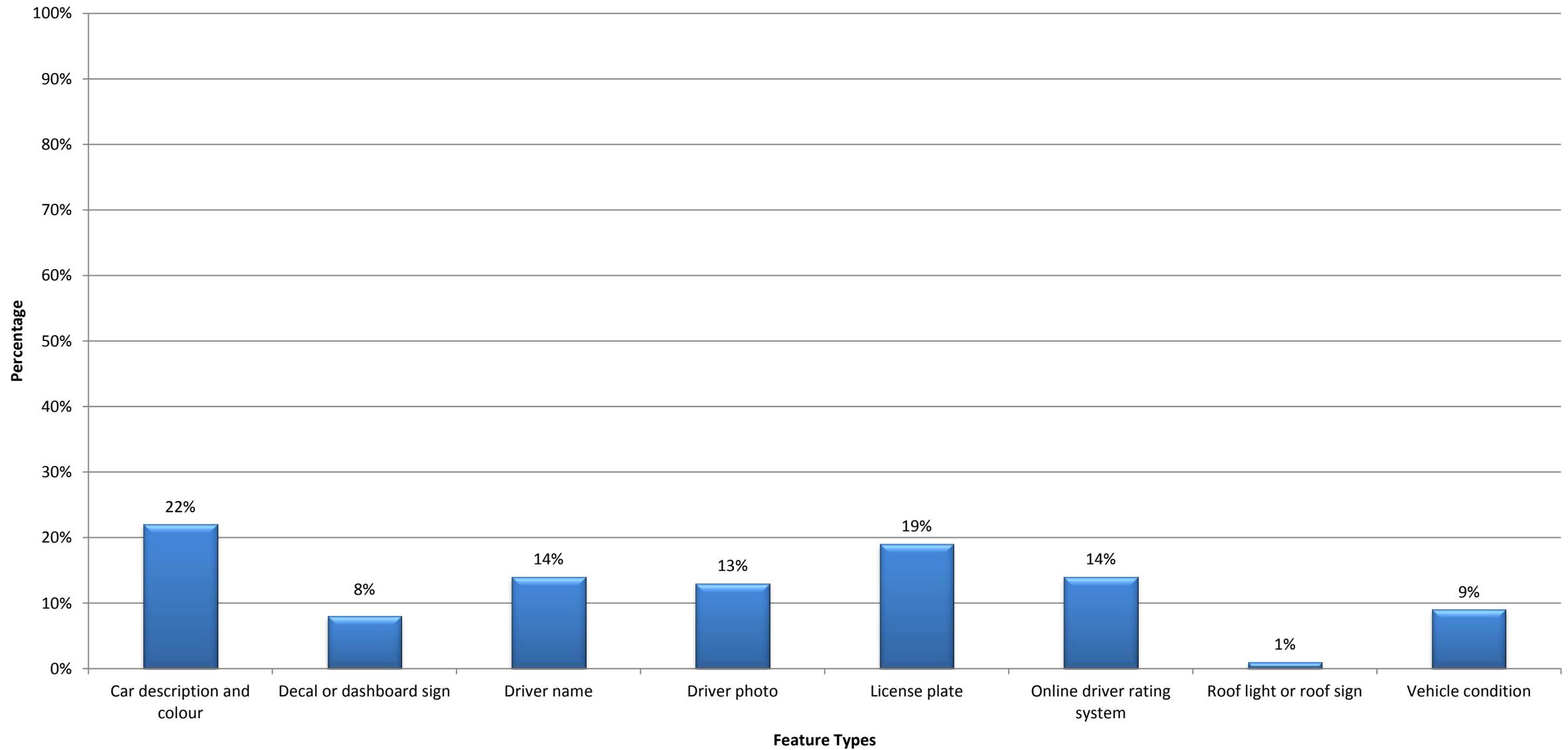
### Question: How satisfied are you with the following TAXI features?



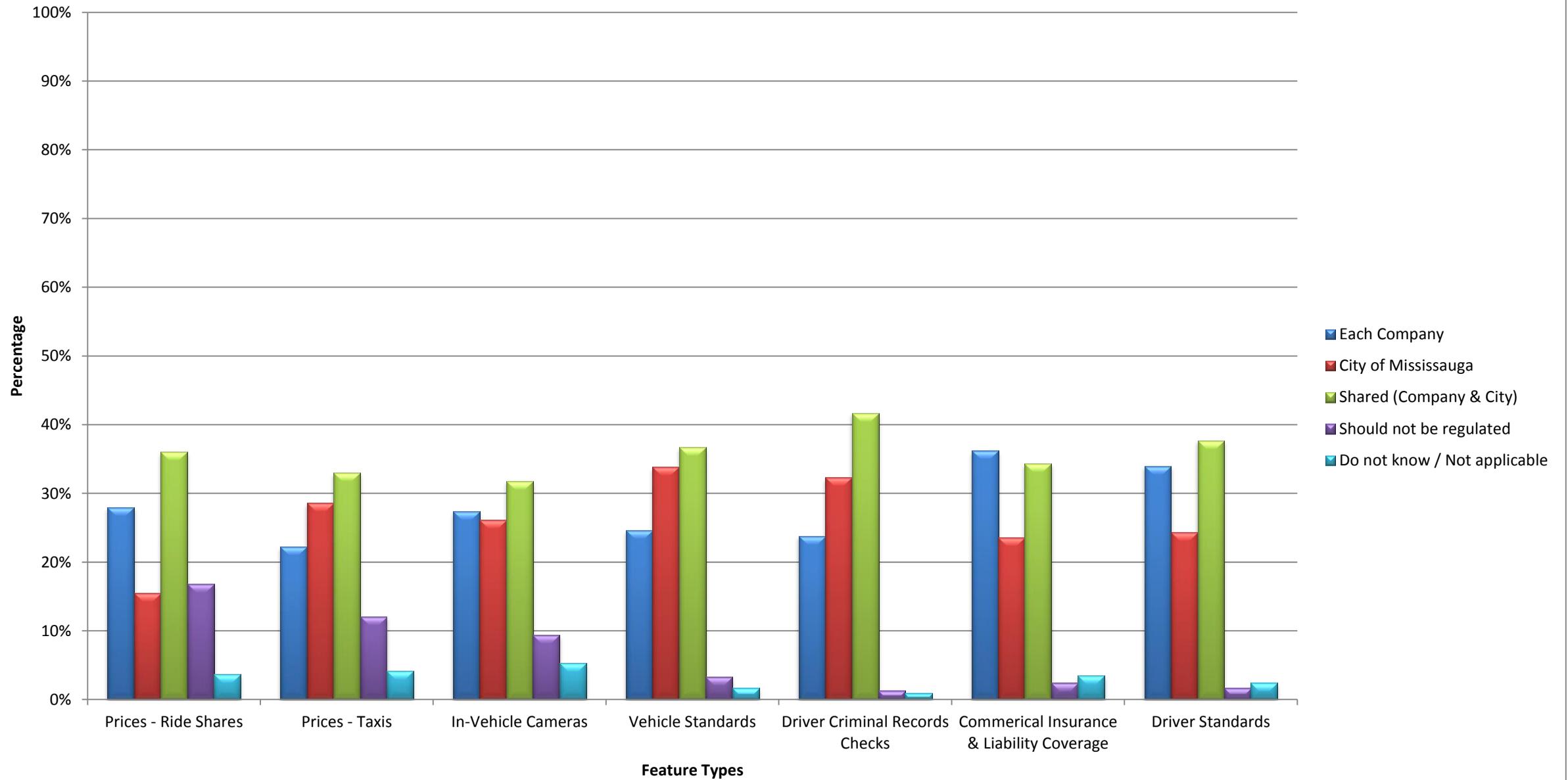
### Question: Before RIDE SHARE services (e.g. Uber, Lyft, facedrive) were available in Mississauga, what types of transportation did you use instead?



### Question: Which of the following features do you check before entering a RIDE SHARE (e.g. Uber, Lyft, facedrive) vehicle?



### Question: Whose responsibility is it to regulate the following features?



## **Jurisdictional Scan:**

# **TRANSPORTATION NETWORK COMPANY REGULATIONS IN EFFECT**

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
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<b>Who is Licensed and Licence Fees</b>	<p>Transportation Network Company (TNC) licensed by the City</p> <p>\$1,753 for the TNC and \$220 per driver or TNC driver licence \$220 or \$15 plus 20 cents per trip</p> <p>The TNC shall remit to the City 20 cents per trip quarterly</p>	<p>Personal Transportation Provider (PTP) licensed by the City</p> <p>1 to 24 vehicles \$500 25 to 99 vehicles \$20,000 Over 100 vehicles \$50,000</p> <p>The TNC shall remit to the City six cents per trip</p>	<p>TNC licensed as a broker</p> <p>1 to 100 vehicles \$500 101 to 500 vehicles \$10,000 501 to 1,000 vehicles \$15,000 1,001 plus vehicles \$50,000</p> <p>The TNC shall remit to the City 11 cents per trip on the 15<sup>th</sup> of each month</p> <p>Private Vehicle for Hire (PVFH) driver \$5 per month No fee for PVFH owner</p>	<p>TNC</p> <p>1 to 24 Vehicles \$1,000 25 to 99 Vehicles \$2,500 100 or more vehicles \$7,500</p> <p>The TNC shall remit to the City 11 cents per trip on the 15th of each month</p>	<p>TNC</p> <p>\$50,000 TNC licence fee</p> <p>The TNC shall remit to the City 11 cents per trip on the 15th of each month</p>	<p>Private Transportation Company (PTC) Licence</p> <p>1 to 24 vehicles \$807</p> <p>25 to 99 vehicles \$2,469</p> <p>100 plus vehicles \$7,253</p>	<p>PTC Licence</p> <p>PTC Application: \$20,000</p> <p>PTC fee/driver: \$15.00</p> <p>The TNC shall remit to the City 30 cents per trip quarterly</p>	<p>TNC</p> <p>1 to 50 vehicles \$150 51 to 100 vehicles \$300 101 to 150 vehicles \$600 151 to 200 vehicles \$1,200 201 to 500 vehicles \$2,400 501 to 999 vehicles \$4,800 1,000 to 2,999 vehicles \$50,000 3,000 plus \$22 per vehicle</p> <p>The TNC shall remit to the Region 20 cents per trip.</p>	<p>TNC</p> <p>TNC to pay Minister quarterly instalment</p> <p>Charge per trip based on the number of hours reported by the TNC</p> <p>Number of hrs. worked per week:</p> <p>0 to 50,000 hours per week : 0.97 cents per trip</p> <p>50,001 to 100,000 hours per week: \$1.17 per trip</p> <p>100,001 to 150,000 hours per week: \$1.33 per trip</p>	<p>TNC</p> <p>TNC Licence \$20,000.</p> <p>The TNC shall remit to the City 30 cents per trip on the 15th of each month.</p> <p>The data will be reviewed by the City with random external audits.</p> <p>The licensing of the TNC does constitute an agreement with the TNC and the City</p>
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ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
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<p><b>Private Vehicle Driver and Owner</b></p>	<p>City licence required for the TNC drivers and vehicles.</p>	<p>PTP driver and vehicle must be registered with the licensed PTP</p> <p>The PTP is required to collect and maintain driver information including Criminal Record Search (CRS), driver abstract, vehicle information and vehicle safety certificates</p> <p>The PTP is required to review and ensure the driver and vehicles are in compliance with the by-law. The City will audit</p>	<p>City licence required for the PVFH driver and a separate licence for the PVFH owner</p> <p>Licence issued with a term of three, six, nine, 12 or 24 months from the date of issuance</p>	<p>TNC registers the vehicle and driver before providing to Niagara Regional Police Services (NRPS) for approval</p> <p>No audits as they are reviewing all records.</p>	<p>The TNC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates</p> <p>The TNC is required to review and ensure the driver and vehicles are in compliance with the by-law</p> <p>The City will audit</p>	<p>The PTC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates</p> <p>The PTC is required to review and ensure the driver and vehicles are in compliance with the by-law</p> <p>The City will audit</p>	<p>City licence required for the PTC driver and vehicle.</p> <p>The City is auditing through the licensing process</p>	<p>The TNC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates</p> <p>The TNC is required to review and ensure the driver and vehicles are in compliance</p> <p>The City will audit</p>	<p>TNC must ensure that every partner-driver holds a Class 4C licence issued by the Société de l'assurances automobiles du Québec in accordance with the Highway Safety Code</p> <p>No information available on auditing.</p>	<p>The TNC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates</p> <p>The TNC is required to review and ensure the driver and vehicles are in compliance with the by-law</p> <p>The City will perform random audits</p>
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ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<b>Vehicle Identification</b>	City issued decal required.	City approved decal required.	City Private Vehicle for Hire Owners Plate required	NRPS approved decal required	City approved decal required	No requirements	City approved decal required	City licence plate hangtag on mirror with permit number required	TNC must provide every partner-driver an identification sticker to be affixed to the windshield of the TNC vehicle	City approved decal required
<b>Type of Vehicle Permitted?</b>	Four door vehicle	No restrictions	Four door vehicle Maximum seating capacity of 10 passengers and driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Less than 350,000 km Four door vehicle with seating for four people	Four door vehicle Maximum seating capacity seven passengers including the driver  Approved at the subcommittee meeting
<b>Model Year Restriction</b>	Maximum of 10 model years	Maximum of 10 model years	Maximum of eight model years Maximum of nine model years for low emission vehicles	Maximum of 10 model years	Maximum of seven model years	Maximum of 10 model years	Maximum of seven model years	No restrictions on model years	Maximum of 10 model years	Maximum of seven model years  Approved at the subcommittee meetings.

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<p><b>Mechanical Safety Certificate Required?</b></p> <p><b>Inspection Frequency?</b></p>	<p>TNC to submit a copy of a record of inspection to the Chief Livery Inspector (CLI) that indicates vehicle was inspected by a garage approved by the Alberta Motor Vehicle Industry Council, passed inspection, dated no later than 12 months from last inspection</p> <p>TNC driver to keep most recent record of inspection in TNC vehicle at all times</p> <p>Driver collects inspection certificate and submits to City</p> <p>City random on-the-road vehicle inspections</p> <p>Annual inspection certificate is required</p> <p>If the vehicle exceeds 50,000 km since last inspection bi-annual certificates are required</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis</p> <p>The TNC is required to maintain the certificates for NRPS review</p> <p>NRPS can order inspection of vehicles at their discretion</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>	<p>Ontario Safety Certificate required to be submitted to the PTC on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>	<p>Ontario Safety Certificate required to be submitted to the City on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>	<p>Province permits TNC to use certified mechanics not designated by the Province (SAAQ) provided that the mechanics follow the correct list of inspection points as provided in the regulations pertaining to safety standards on the road</p> <p>Driver must keep the certificate in the vehicle.</p> <p>Random on-the-road inspections are performed by the regulating authority</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis</p> <p>In-the-field random vehicle inspections performed by the City</p>

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<p><b>Who Collects the Data?</b></p> <p><b>How is the Information Submitted to the City?</b></p>	<p>TNC collects and maintains all data:            1) the owner licence number;            2) the driver's name and driver licence number;            3) the date and time of dispatch;            4) the address to which the vehicle is dispatched;            5) the time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>TNC provides data to the City electronically on a weekly basis</p>	<p>PTP collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>PTP provides data to the City electronically at the Licence Manager's request for audit.</p>	<p>TNC keeps a record for every vehicle for hire which includes vehicle make and model, VIN for each vehicle, vehicle owner's name and contact information and a copy of the vehicle ownership</p> <p>TNC must maintain records for six months for all trips and shall include:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;            8) geographic routing of all trips taken for a period of at least 30 days;</p> <p>The TNC shall provide to the Licence Manager on request any records for audit.</p>	<p>TNC collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>TNC to provide electronic records to NRPS for auditing and review on a weekly basis.</p>	<p>TNC collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>TNC to provide electronic records to the City at the Licence Manager's discretion for audit.</p>	<p>PTC collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>PTC to provide electronic records to the City at the Chief Licence Inspector's direction in real time.</p>	<p>PTC collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>PTC maintains driver information, trip fare (for one passenger and multiple passengers), length of trip information and geography information.</p> <p>Information downloaded electronically from PTC database to the City daily.</p>	<p>TNC collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;</p> <p>TNC to provide electronic records to the City with regional audits.</p> <p>The TNC must provide access to the data on a quarterly basis.</p>	<p>TNC to provide monthly reports/documents to the Ministry of Transport, Sustainable Mobility and Transportation to ensure all obligations under the agreement for a pilot project are being met.</p>	<p>Driver submits to the TNC            TNC collects and maintains all data:            1) owner licence number;            2) driver's name and driver licence number;            3) date and time of dispatch;            4) address to which the vehicle is dispatched;            5) time of arrival at pick up for all trips;            6) the time of arrival at the destination for all trips;            7) the fare charged for all trips;            8) geographic routing of all Trips taken for a period of at least 30 days;            TNC provides all data for trips, drivers and vehicles to the City at the City's request.            For the duration of the pilot project the TNC will submit the required data electronically to the City. The accuracy of the data will be reviewed through an external third party audit occurring at the start of the Pilot Project and quarterly thereafter.</p>

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<b>Cameras</b>	Cameras are not required for TNC vehicles	Cameras are not required for PTP vehicles	Cameras are not required for TNC vehicles	Cameras are not required for TNC vehicles	Cameras are not required for TNC vehicles	Cameras are not required for PTC vehicles	Cameras are not required for PTC vehicles	Cameras are not required for TNC vehicles	Cameras are not required for TNC vehicles	Cameras are not required for TNC vehicles
<b>Winter Tires</b>	Not required	All weather tires are required from Dec 1 <sup>st</sup> to Apr 30 <sup>th</sup>	Not required	Winter tires are required from Dec 15 <sup>th</sup> to March 15 <sup>th</sup>	Snow tires are required from Dec 1 <sup>st</sup> to Apr 30 <sup>th</sup>					
<b>Driver Medical Certificate</b>	Not required	Not required	Medical certificate is required to verifying a driver is fit to drive a motor vehicle	Medical certificate is required verifying a driver is physically fit to drive a motor vehicle and able to assist passengers  The certificate is to be submitted to the TNC and available to the City for audit.						
<b>English Assessment</b>	Not required	Not required	Not required	Not required						

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<p><b>By-law Orientation, Sensitivity and Defensive Driving Training</b></p>	<p>City trains the TNC and the TNC is required to train their TNC drivers</p> <p>No details available for the training requirements</p>	<p>Training for PTP drivers is the responsibility of the PTP and is not a requirement of the by-law</p>	<p>Training is not identified as a requirement for PVFH drivers</p>	<p>Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law</p>	<p>Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law</p>	<p>Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law</p>	<p>Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law</p>	<p>Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law</p>	<p>TNC must provide each partner-driver with training in:</p> <ul style="list-style-type: none"> <li>- Operation of the mobile app</li> <li>- Quality of services offered</li> <li>- Legal framework of the Pilot Project</li> <li>- Mechanical inspection of the vehicle</li> <li>- Transportation of persons with disabilities</li> <li>- Fiscal responsibilities of a partner-driver</li> </ul> <p>The permit holder must publish the description of the training on the permit holder's website</p> <p>City of Montreal requires the provincial training offered as a condition of obtaining the Class 4C licence</p>	<p>Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law</p>

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<b>Criminal Record Search (CRS)</b>  <b>Who Collects, Reviews and Screens</b>	<p>Required</p> <p>No third party records</p> <p>TNC driver applies for a CRS from the Calgary Police Service who submit the CRS directly to the City and the City reviews</p>	<p>Required</p> <p>No third party records</p> <p>Driver submits a CRS from the local police service to the PTP</p> <p>The PTP collects and submits to the City for review</p>	<p>Required</p> <p>Third party records accepted</p> <p>TNC collects all records for all drivers, reviews and maintains for audit by the City and an external auditor at the direction of the City</p>	<p>Required</p> <p>No third party records</p> <p>The TNC provides a list of all drivers to NRPS weekly and the police service runs a weekly check for all drivers</p> <p>NRPS performs a separate CRS check and review</p>	<p>Required</p> <p>No third party records</p> <p>Driver submits a CRS from the local police service to the TNC</p> <p>TNC collects and reviews to ensure compliance with the by-law with City audits</p>	<p>Required</p> <p>No third party records</p> <p>Driver submits a CRS from the local police service to the TNC</p> <p>TNC collects and reviews to ensure compliance with the by-law with City audits</p>	<p>Required</p> <p>Third party records accepted</p> <p>TNC reviews the record and provides to the City for review.</p>	<p>Required</p> <p>Third party records accepted</p> <p>TNC screens based on Regional criteria</p> <p>Region audits TNC records</p>	<p>Required</p> <p>Third party records accepted provided they meet the Quebec Charter of Rights and Freedoms</p> <p>TNC screens in accordance with provincial standards</p>	<p>Required</p> <p>No third party records</p> <p>TNC collects a CRS for each driver from a local police force in the City of the driver's residence</p> <p>The TNC shall review the record to ensure that the driver has a clear criminal record for five years prior to the date of application.</p> <p>Any conviction older than five years but appearing in the by-law will not be allowed to operate in the City.</p> <p>The TNC shall be responsible to collect, maintain and ensure compliance with the by-law</p> <p>The City shall audit</p>

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<p><b>Driver Abstracts/History Who Collects/Screens</b></p> <p><b>Demerit Point Reviews</b></p>	<p>Driver abstract required</p> <p>City accesses provincial driver's license database, checked by the City licensing clerks as part of the intake/application process</p> <p>Maximum 10 demerit points under the <i>Traffic Safety Act</i> are grounds to revoke the TNC driver licence</p>	<p>Driver abstract required</p> <p>The PTP drivers provide the driver abstract to the PTP</p> <p>PTP collects and reviews to ensure compliance with the by-law and City audits</p>	<p>Driver abstract required</p> <p>MTO record submitted to the City for review</p> <p>Licence Manager may refuse to issue if the TNC driver has accumulated nine or more demerit points within a three year period</p>	<p>Driver abstract required</p> <p>TNC provides a list of all drivers who will be operating on the platform to NRPS</p> <p>NRPS performs a review of the abstract and CRS</p>	<p>Driver abstract required</p> <p>The TNC drivers provide the driver abstract to the TNC</p> <p>TNC collects and reviews to ensure compliance with the by-law and City audits</p>	<p>Driver abstract required</p> <p>The TNC drivers provide the driver abstract to the TNC</p> <p>TNC collects and reviews to ensure compliance with the by-law with City audits</p>	<p>Driver abstract required</p> <p>MTO record submitted to the PTC for review</p> <p>PTC screens to ensure compliance;</p> <p>City has final approval prior to driver activation on the PTC platform</p> <p>If PTC driver's provincial driver's licence is suspended/revoked, the PTC must immediately suspend/terminate the PTC drivers account</p>	<p>Driver abstract required</p> <p>TNC drivers provide the driver abstract to the TNC, screens are based on Regions' criteria</p> <p>TNC provides the records to the Region who audits</p> <p>A TNC driver shall be denied permission to operate on the platform where the driver has:</p> <p>Been found guilty of any of the following offences in the preceding five years from the date of application:</p> <ul style="list-style-type: none"> <li>-Careless driving</li> <li>-Impaired driving</li> <li>-Racing/Stunt driving</li> <li>-Exceeding the speed limit by 50 km/hr. or more</li> </ul> <p>Accumulated six points or three or more convictions on their driving abstract within three years of date of application or had their driving licence suspended within one year of the date of application</p>	<p>Driver abstract required</p> <p>Provincial licence must be valid at time of application/renewal (includes driver screening)</p>	<p>Driver abstract required</p> <p>The TNC drivers provide the driver abstract to the TNC</p> <p>TNC collects and reviews to ensure compliance with the by-law with City audits</p> <p>A TNC driver shall be denied or removed from the platform if they have accumulated more than six demerit points for minor offences or any one conviction which carries a demerit point value of four or more demerit points</p> <p>Collected by the TNC, audited by the City.</p>

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
<p><b>Insurance</b></p> <p><b>Who Collects, Submits and Reviews</b></p>	<p>The vehicle must be insured by a policy that has been approved by Alberta Superintendent of Insurance</p> <p>\$1M third party liability \$2M when fare accepted</p> <p>TNC to provide to City</p> <p>City reviews the insurance to ensure compliance with the by-law</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for PTP or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the PTP</p> <p>The insurance records are audited by the City</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Information on the collection and auditing of insurance was not provided</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC</p> <p>The insurance records are audited by the NRPS</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC</p> <p>The insurance records are audited by the City</p>	<p>General Liability insurance (GLI) \$5 million</p> <p>Automobile insurance of \$2 million</p> <p>The Automobile Liability Insurance required shall include the NPCTF 6TN □ permission to carry paying passengers for PTC endorsement, or an equivalent endorsement or insurance acceptable to the City Clerk and Solicitor, and the insurance coverage may be obtained by the PTC driver, the PTC with which the PTC driver is affiliated, or any combination of the two acceptable to the City Clerk and Solicitor, provided that if the PTC driver fails to obtain the required coverage, or the coverage lapses, such coverage must be maintained by the affiliated PTC. Collected by the PTC, audited by the City.</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for PTC or an equivalent endorsement or insurance</p> <p>Insurance company completes form which they submit directly to City (Uber has umbrella insurance)</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC</p> <p>The insurance records are audited by the Region</p>	<p>The permit holder must have, under the Automobile Insurance Act, a liability insurance contract guaranteeing compensation for property damage caused by the automobiles used by partner-drivers when providing remunerated passenger transportation services and such contract must comply with any condition/restriction imposed by the AMF</p> <p>Remunerated transportation begins when the partner-driver connects to the permit holder's mobile application and ends when the partner-driver disconnects</p>	<p>General Liability insurance \$5M</p> <p>Automobile insurance of \$2M</p> <p>The Automobile Liability Insurance required shall include a permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC</p> <p>The insurance records are audited by the City</p>

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
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<b>Driver and Vehicle Identification</b>	Driver and vehicle identified through the mobile app.	Driver and vehicle identified through the mobile app.  Drivers are also issued an identification card.	Driver and vehicle identified through the mobile app.  Drivers are also issued an identification card.	Driver and vehicle identified through the mobile app.	Driver and vehicle identified through the mobile app.	Driver and vehicle identified through the mobile app.	Electronic licence - App.  PTC driver is issued an electronic licence which is displayed in the app, where it is made available to the customer.	Driver and vehicle identified through the mobile app.	Driver and vehicle identification was not addressed in the agreement for a pilot project.	Driver and vehicle identified through the mobile app
<b>Fare Rates and Surge Pricing</b>	TNC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	PTP can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	TNC can set rates at their discretion, however, at no time will rates be increased above the maximum approved taxicab tariffs rates	TNC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	TNC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	PTC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	PTC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	TNC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted	TNC to inform minister of basic rate change  In the event of disaster the TNC is to limit the increase to 1.5 times the regular rate	TNC can set its own fare  Consumer to decide to accept or not  Surge pricing permitted

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
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<b>Hailing</b>	TNCs are not permitted to accept hailing	PTPs are not permitted to accept hailing	TNCs are not permitted to accept hailing	TNCs are not permitted to accept hailing	TNCs are not permitted to accept hailing	PTCs are not permitted to accept hailing	PTCs are not permitted to accept hailing	TNCs are not permitted to accept hailing	TNCs are not permitted to accept hailing	TNCs are not permitted to accept hailing
<b>Accessible Service</b>	City has not addressed  A policy review is underway	TNCs are not required to provide accessible service	City licence issued for <input type="checkbox"/> Accessible Private Vehicle for Hire <input type="checkbox"/> owner and driver	No information provided	TNCs are not required to provide accessible service	No information provided	PTC is required to provide on-demand accessible service in accordance with the by-law  In the event that they are not able to provide service they are required to make alternate arrangements  In Toronto Uber entered into an agreement with a taxi brokerage to provide the service on their behalf	The issue of accessible service is under review	No information provided	TNC is required to provide on-demand accessible service in accordance with the by-law  In the event that they are not able to provide service they are required to make alternate arrangements

ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
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<b>Staffing to Address TNC Licensing</b>	No additional staff required	One full-time Municipal Law Enforcement Officer  One full-time Licensing Administrator	No information provided	No information provided	No staffing increases at this time, will review in the future	No information provided	Toronto has hired six admin staff to address the administration of licences  They also employed a team of IT staff for software development  10 additional Municipal Law Enforcement Officers were added for enforcement	No information provided	No information provided	Five full-time contract officers dedicated to the enforcement of TNCs  Two full-time contract administration staff for the reviewing of TNC records and random audits  One full-time contract Project Manager for the Pilot Project
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ISSUE	CALGARY	HAMILTON	LONDON	NIAGARA REGIONAL POLICE SERVICE	OAKVILLE	OTTAWA	TORONTO	WATERLOO	QUEBEC	MISSISSAUGA (Pilot Project)
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<b>Restrictions on Number of TNCs</b>	No restrictions on the number of TNCs	No restrictions on the number of PTPs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of PTCs	No restrictions on the number of PTCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs
<b>Estimated Number of TNC Drivers and Number of Trips Per Year.</b>	No data provided	Estimated 24,000 drivers registered with PTPs Estimated 1M trips per year	No driver data Estimated 1.5M trips per year	No data provided	Estimated 25,000 drivers registered TNCs Estimated 400,000 trips per year	No data provided	36,239 Licensed PTP drivers Average of 62,000 trips per day	2,500 registered drivers The TNC is licensed as a broker with a maximum number of drivers set at 2,999 drivers Average of 62,000 trips a month in the Region.	No data provided	No data available Estimated 6M trips per year

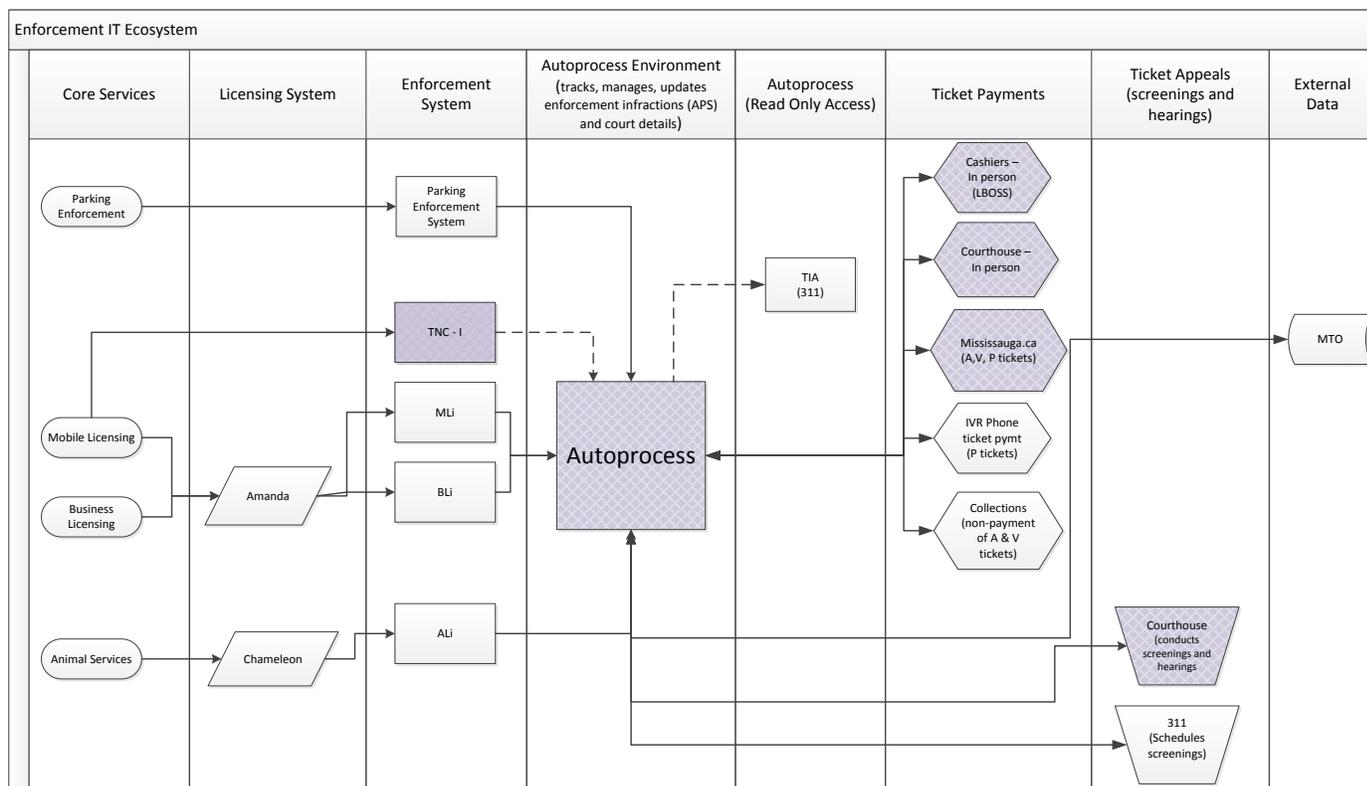
### TNC - Information Technology Support Plan

Information Technology (IT) has been working in partnership with Mobile Licensing throughout the TNC pilot project to develop the technology and associated infrastructure to support the delivery of the project objectives.

- A data sharing model that identifies controls for timely, accurate information inclusions is in place to facilitate the administration of TNC regulations
- A comprehensive database is established to store TNC transferred driver and trip data, collected inspection data, and to allow for complex data analysis
- Secure file transfer protocol connections are in place to receive and transmit TNC/City data
- An iOS app has been developed to conduct inspections, issue and print Notices of Contraventions
- Administrative and system access controls to application and database servers are in place so that data can be accessed by officers in the field seamlessly

IT will continue to support Mobile Licensing as the TNC pilot transitions to a regular and integrated part of day-to-day operations, and as new recommendations and regulations are established for this new transportation service model.

Integration of TNC operations within the Enforcement IT Ecosystem (below) will be completed in a planned and systematic approach. This work involves integrating with the current Autoprocess and payment systems under the Administrative Penalty system, and ensuring Ticket Payments and Ticket Appeals methods incorporate TNC penalties.



The building of the TNC mobile enforcement application on an iOS platform is a leading advancement for Information Technology and is unique among other municipalities who licence TNCs. Using the iOS platform allows the Enforcement Officers to conduct inspections from their city provided iPhone. As technology continues to evolve in a mobile environment, this kind of development will continue to be sought out by our business partners. Reviewing our mobile solution with a 3<sup>rd</sup> party expert will provide IT with important feedback on the application code, security and infrastructure and will also provide recommendations for future enhancements and development to ensure a scalable and secure solution that will meet future pressures and enable enforcement tools to standardize across inspection types further absorbing the impact of this service.

Transferring TNC data according to the established process requires secure file transfer and automated procedures to validate and control data accuracy. There are millions of data points that require administration, secure management, and storage. The accuracy of data, timeliness of transfer, and security protocols ensures that regulations can be monitored and enforced.

IT continues to look for opportunities to build on the success of the initial TNC application. Identified needs include development of an improved administrative portal, automating multiple processes to ensure efficiency and developing an integrated portal for drivers to report compliance with a Notice of Contravention, which will replace an email and manual update to the system.

In partnership with Mobile Licensing, IT will work to update the existing mobile inspection application to support areas identified within the Corporate Report as priorities. This includes addressing accessibility of TNCs for the public and incorporating other licence types within the application.

Changes to the Transportation Network Company By-law and continued deregulation of the Public Vehicle By-law, will result in changes to current IT systems and applications to accommodate these updates.

IT will continue to work with and support Enforcement in identifying industry disruptors and changes to the business models for TNCs or other public vehicles to ensure that Enforcement can meet its mandate of ensuring public and consumer safety.

City of Mississauga  
**Corporate Report**



Date: 2019/04/30

To: Chair and Members of General Committee

From: Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor

Originator's files:

Meeting date:  
2019/05/15

## Subject

**Compensation for Taxicab Licence Owners**

## Recommendation

That the report from the City Solicitor dated April 30, 2019 entitled "Compensation for Taxicab Licence Owners" be received for information.

### Report Highlights

- A small number of jurisdictions have attempted to address the financial impacts on the taxi industry as a result of the introduction of transportation network companies through compensation being provided to taxicab licence owners.
- The decision to compensate the taxicab industry has been made at the provincial/state level where taxis are regulated in all of the jurisdictions reviewed by staff; there are no municipalities providing compensation to the taxi industry.
- The City does not have the statutory authority to compensate the taxi industry for any loss in market value of licences. The issue of compensation for taxi licence owners cannot be addressed at the municipal level.

## Background

On March 6, 2019, the General Committee approved Recommendation GC-0104-2019 and asked staff to investigate compensation models from Quebec and other jurisdictions in consultation with Legal Services and to report back to the General Committee with further information.

Taxicab owners and operator licences are regulated in The City of Mississauga (the "City") by Public Vehicle Licencing By-law 420-04, as amended. The number of licenses issued is capped by the City and new licences are issued through a Plate Issuance Formula that attempts to

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measure growth in demand for taxi services and issue new licences when the economic indicators identify that this is required.

Taxi owners' licence plates are transferrable. This has resulted in the creation of a secondary market for owners' licences. The City does not regulate the sale or lease of taxicab owner licences in the secondary market, other than to track the reported sale price, validate that the new owner is eligible to be a licensed taxicab owner, and to retain submitted copies of leases that are entered into by owners and operators.

## Present Status

The taxi industry has advised that the emergence of transportation network companies ("TNCs") has resulted in a decline in the reported value of taxicab owner licences on the secondary market. Based on this decrease in value, taxi licence owners have requested that they be compensated for these losses by the City.

To-date, two class action lawsuits have been filed in Ontario by the taxi industry dealing with taxicab licences: The City of Ottawa and The City of Toronto. The Ottawa class action lawsuit was certified by the Ontario Superior Court of Justice in early 2018 and the Toronto class action lawsuit has not been certified. Legal Services will continue to monitor any developments in these class action lawsuits.

### Taxi Compensation models in other Jurisdictions

Only a small number of jurisdictions have attempted to address the financial impact on the taxicab industry through compensation being provided to licence owners. The taxicab industry is regulated at provincial/state level in these jurisdictions. The compensation models for the taxicab industry appear to be similar in each jurisdiction: either through a one-time payment to taxicab owners and operators, a buy-back scheme where compensation is tied to the surrender of the licence, and/or by imposing a surcharge on individual taxi and TNC trips.

It should be noted that staff could not locate any municipal jurisdiction that has provided compensation to the taxicab industry. The decision to compensate the taxi industry was made at the provincial/state level in all of the jurisdictions reviewed; no municipalities have provided compensation to the taxi industry.

### The Province of Quebec

- Announced in 2018 that \$250 million will be provided to taxi owners to compensate for the losses in permit value due to the emergence of TNCs.
- Direct compensation is based on the location where the permit was held, with a maximum amount of \$46,700 for operators with a Montreal permit and an amount of \$2,800 for a permit owner in Buckingham, Quebec.
- A further \$1000 dollars was allotted for every Quebec permit holder regardless of location.

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- In 2019, The Province of Quebec announced that compensation would be increased to a total of \$770 million by imposing a 90 cent per ride temporary surcharge on all vehicle for hire trips taking place in Quebec.

#### New South Wales (NSW), Australia

- Through a transitional assistance programme NSW will provide compensation in the amount of \$20,000 AUD (approximately \$19,100 CDN) to licence holders to a maximum of \$40,000 AUD for multiple licence holders.
- NSW will provide a further \$142 million for taxi licensees facing hardship as a result of changes to the industry.
- Compensation for taxis is being funded through a \$1 levy on all taxi and rideshare trips.
- Licence owners will retain the opportunity to engage in taxi operations after receiving compensation.

#### State of Victoria, Australia

- Introduced comprehensive reforms to the taxi industry in 2016, including compensation to taxi licence holders and also removing the distinctions between taxicabs and rideshare services.
- Part of the transition involved payments to existing taxi licence owners of approximately \$500 Million (AUD). Licence owners receive \$100,000 and \$50,000 per licence for additional licences.
- As part of the reform, taxi owners are no longer differentiated from other vehicle for hire types, creating a 'level playing field' within the industry.
- Funding for the compensation and a "Fairness Fund" to address the concerns of industry members suffering particular hardship is derived through a \$1 per trip levy, however this levy is collected from industry participants as oppose to passengers allowing business to adjust the individual levy per trip to be more representative of the trip cost.

#### State of South Australia, Australia

- Through comprehensive reforms, licence owners received compensation in the amount of \$30,000 for each licence holder. Lessees also received a weekly compensation of \$50 for up to 11 months.
- Funding for compensation was derived through a \$1 per trip levy imposed on all vehicle for hire, with an additional 20% added to the tariff on Friday and Saturday evening trips.
- Other elements of the reforms including increasing general taxi fares, deregulation of vehicle requirements and freezing the issuance of new taxi licences for a period of five years.

#### Queensland, Australia

- In 2016, the state government provided compensation to taxicab owners in the amount of \$20,000 per licence to a maximum of two licences.
- A moratorium on new taxi licences was also put in place.

State of Western Australia, Australia

- State government introduced a scheme that includes a \$120 million (AUD) buy-back of taxi plates and compensation to owners.
- A 10 per cent levy will be added to every fare charged by taxis and all ride sharing operators to a maximum of \$10.
- Taxi plate owners will be compensated depending on what they paid for the plates and how long they've owned them.

**Comments****The City's statutory power under the Act to licence taxicabs does not extend to protecting the taxi industry's economic interests.**

A municipality derives its licensing power to regulate owners and drivers of taxicabs from the Act. The Act permits a municipality to pass by-laws to provide for a system of licences with respect to a business and also to pass pay-laws with respect to taxicab owners and drivers that establish taxicab rates or fares, provide for the collection of the rates or fares, and limit the number of taxicabs or any class of them.

The City has exercised its regulatory powers under the Act through the Public Vehicle Licensing By-law 420-04, as amended, with the primary objectives being public safety and consumer protection. Any decrease in the market value of taxi owner licences in the secondary market is beyond the City's control, for which it cannot be responsible. The City's statutory powers under the Act do not extend to addressing economic issues facing the taxi industry.

**Providing compensation to taxicab licence holders would constitute 'bonusing,' which is expressly prohibited under the Act.**

The City cannot compensate the taxi industry for any decrease in market value of the licence. The Act expressly prohibits a municipality from providing direct or indirect assistance to a business through the granting of a bonus.

Despite not having the authority to do so, if the City were to provide the taxi industry with direct financial assistance as compensation for a decrease in market value of the licence, it would be in contravention of the anti-bonusing provisions in the Act. Further, it would provide the taxi industry with an undue advantage over other commercial enterprises in the City that may also experience negative changes to the market value of their products or services. The City cannot compensate businesses for financial impacts resulting from changes in market forces, as it is prohibited from granting bonuses under the Act.

**A temporary surcharge on taxi or TNC trips would constitute a tax and would not be permitted.**

The City cannot impose a surcharge on taxi/TNC trips to collect funds for the purpose of compensating the taxi industry. A municipality can only impose fees or charges for services or activities provided or done on or behalf of it.

According to case law in Ontario, there needs to be a reasonable connection between the costs of the services provided by the municipality and the amount charged. Otherwise, it will be considered a tax and outside of a municipality's statutory authority to impose fees.

A surcharge imposed by the City under this compensation model would not be for the provision of City services or activities. The sole purpose would be to raise revenues in order to compensate the taxi industry. This is not permitted under the Act, as no 'nexus' exists between the collection of a surcharge and a municipal service provided.

Further, case law in Ontario has established that municipalities do not have the power to levy indirect taxes. Adding a surcharge on each taxi/TNC trip would be an indirect tax, since the added cost would be passed on to the users of taxis and TNCs. This is not authorized under the Act.

## **Financial Impact**

N/A

## **Conclusion**

The issue of taxi compensation for the decrease in the market value of the licence cannot be addressed at the municipal level. Compensation models that were identified by staff in other jurisdictions were limited to provincial and state level governments in the Province of Quebec and Australia. The City does not have the statutory authority to compensate the taxi industry and to do so would contravene the anti-bonusing provisions in the Act and would also constitute an indirect tax, which a municipality does not have the authority to impose.



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Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor

Prepared by: Nupur Kotecha, Legal Counsel

# City of Mississauga Corporate Report



Date: 2019/04/24

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng., MBA, Commissioner of  
Transportation and Works

Originator's files:  
MG.23.REP  
RT.10.Z-56/57

Meeting date:  
2019/05/15

## Subject

**Parking Prohibition – Residential Roads (Ward 10)**

## Recommendation

That a by-law be enacted to amend Traffic By-law 555-2000, as amended, to implement a parking prohibition anytime on one side of local residential roads identified in the “Parking Plan Z-56” and “Parking Plan Z-57”, as outlined in the report from the Commissioner of Transportation and Works, dated April 24, 2019, entitled “Parking Prohibition – Residential Roads (Ward 10)”.

## Background

There have been on-going challenges with on-street parking in Ward 10. Every winter season, the Transportation and Works Department faces challenges with its winter maintenance operation, particularly on local residential roadways. Many of the neighbourhoods were designed with narrower roads and traffic calming. In many instances, existing on-street parking limits the ability of traffic to navigate the roads, including winter maintenance vehicles. When parking is utilized on both sides of some roadways by area residents during winter weather events, the ability to access these roads with winter maintenance equipment is severely hindered and in many cases, passage is completely restricted. In order to address disruption of the City's winter maintenance operation caused by on-street parking during snow events, and to address other on-going parking concerns, an action plan has been initiated by the Ward Councillor in cooperation with the Transportation and Works Department.

This report addresses the first two Phases of the on-street parking action plan:

**Phase 1:** Proactive parking enforcement and towing was implemented during 2018/2019 winter maintenance season and will continue into the 2109/2020 winter maintenance season;

**Phase 2:** Implementation of parking prohibitions on one side of identified local residential roads indicated on “Parking Plan Z-56” and “Parking Plan Z-57” (Appendices 1 and 2).

## **Phase 1**

Phase 1 consisted of a Pilot Enforcement Program that was executed from November 18, 2018 to March 19, 2019. Parking Enforcement ticketed illegally parked vehicles on a proactive basis during non-winter events and towed vehicles on a first offense basis at the request of the Works Operations and Maintenance Division (WOM), during winter events:

- A total of 2,901 Penalty Notices were issued and 25 vehicles were towed (Appendix 4)
- The larger list of identified streets in Zone 57 contributed to 65% of issued penalty notices versus 35% in Zone 56
- A minimum of one Parking Enforcement officer was assigned to the Pilot, 93% of the time
- Ticketing and towing occurred during all Significant Weather Events (except one, due to Road Safety)

Though residents had received an informational flyer announcing the Pilot Project and Parking Enforcement maintained a consistent approach issuing penalty notices throughout the winter, there was no discernable impact on resident behavior. An increased issuance of penalty notices occurred during weekend periods; however, it is unknown if this upsurge corresponds to an increased number of weekend visitors to residential neighbourhoods or enhanced resident compliance during weekdays (Appendix 5).

During the 2019/2020 winter season, Parking Enforcement will continue to support the Pilot Project with one dedicated officer, daily. Minor adjustments will be made to the towing protocol. Towing operations will continue to be coordinated in accordance with the direction of WOM. Dependent on operational staffing levels, first-offence towing operations will also be enacted to respond to priority requests, outside of winter events.

## **Present Status**

Currently, five-hour parking is permitted on both sides of the identified roads and parking is prohibited year round between 2:00 a.m. and 6:00 a.m.

## **Comments**

The City of Mississauga is responsible for snow clearing and/or salting City roads. Vehicles parked on both sides of many local residential roadways during plowing or salting operations reduce City maintenance forces ability to safely and efficiently clear these roads. In order to address these winter maintenance concerns, a parking plan was created in consultation with the Ward 10 Councillor and the Works Operations and Maintenance Division for Z areas 56 and 57

within Ward 10 boundaries. There were also a number of streets with chronic parking concerns that were also included in the parking plan Phase 2.

## **Phase 2**

Phase 2 (Appendices 1 and 2) is a plan designed to allow for one side parking to allow for increased plowing/salting operations and to address chronic parking concerns. By making these parking changes, the opportunities for proactive enforcement are greatly increased.

## **Financial Impact**

The estimated cost for the sign installation is \$75,000.00 and can be accommodated in the 2019 Current Budget.

## **Conclusion**

The Transportation and Works Department recommends implementing a parking prohibition anytime on one side of local residential roads identified in the “Parking Plan Z-56” and “Parking Plan Z-57”.

## **Attachments**

Appendix 1: Location Map – Parking Plan Z-56 (Ward 10)

Appendix 2: Location Map – Parking Plan Z-57 (Ward 10)

Appendix 3: Parking Prohibition - List of Roadways (Ward 10)

Appendix 4: Penalty Notices Issued vs. Vehicles Towed Nov 18, 2018 – Mar 31, 2019

Appendix 5: Penalty Notices - Ticket Distribution by Day/Zone



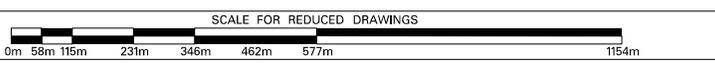
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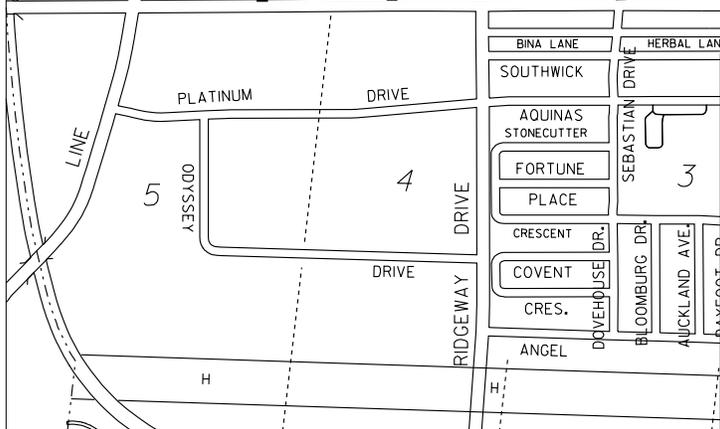
Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Ouliana Drobychevskaia, Traffic Operations Technologist

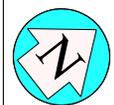


**Transportation and Works  
Traffic Mgmt & Municipal Parking  
Parking Plan Z-56 (Ward 10)**





**MISSISSAUGA**



**Transportation and Works  
Traffic Mgmt & Municipal Parking  
Parking Plan Z-57 (Ward 10)**



## APPENDIX 3

<b>ROADWAY</b>	<b>SIDE</b>	<b>BETWEEN</b>
Allcroft Road	North	Lisgar Drive and Gracefield Drive
Amber Glen Drive	East	Saratoga Way (north intersection) and Foxwood Avenue
Ancient Stone Avenue	East	Quiet Creek Drive and Candlelight Drive
Arbourview Terrace	North, East	Topaz Place (north intersection) and Topaz Place (south intersection)
Arvona Place	South, East, North (Inner Circle)	Farmcote Drive (north intersection) and Longford Drive
Avonhurst Drive	East	Windhaven Drive and Baycroft Drive
Azelia Court	South	Summer Heights Drive and the east limit of the road
Bala Drive	South (lay-bys excepted)	Churchill Meadows Boulevard and Tenth Line West
Baycroft Drive	South	Miriam Way and Lisgar Drive
Beechnut Row	South	Sapling Trail (west intersection) and Lisgar Drive
Bentridge Road	North	Saratoga Way and Amber Glen Drive
Bloomington Crescent	North, West, South (Outer Circle)	Raftsmen Cove (north intersection) and Raftsmen Cove (south intersection)
Bonnie Street	North, East	Lucy Drive and Stoney Crescent
Brinwood Gate	North	Ninth Line and Raftsmen Cove
Burdette Terrace	North	Ninth Line and Longford Drive
Candlelight Drive	South	Ninth Line and Intrepid Drive/Rayana Ridge
Candlelight Drive	North	Intrepid Drive/Rayana Ridge and Ancient Stone Avenue
Candlelight Drive	South	Ancient Stone Avenue and Churchill Meadows Boulevard
Castlegrove Court	North, East	Maple Gate Circle and the east limit of the road
Cedar Hedge Rise	South	Lisgar Drive and Alderwood Trail
Celebration Drive	East	Quiet Creek Drive (north intersection) and Candlelight Drive
Chessman Court	South, East	Swordsman Drive and the south limit of the road
Chilcot Court	East	Gracefield Drive and the north limit of the road
Churchill Meadows Boulevard	West	Eglinton Avenue West and Nightstar Drive

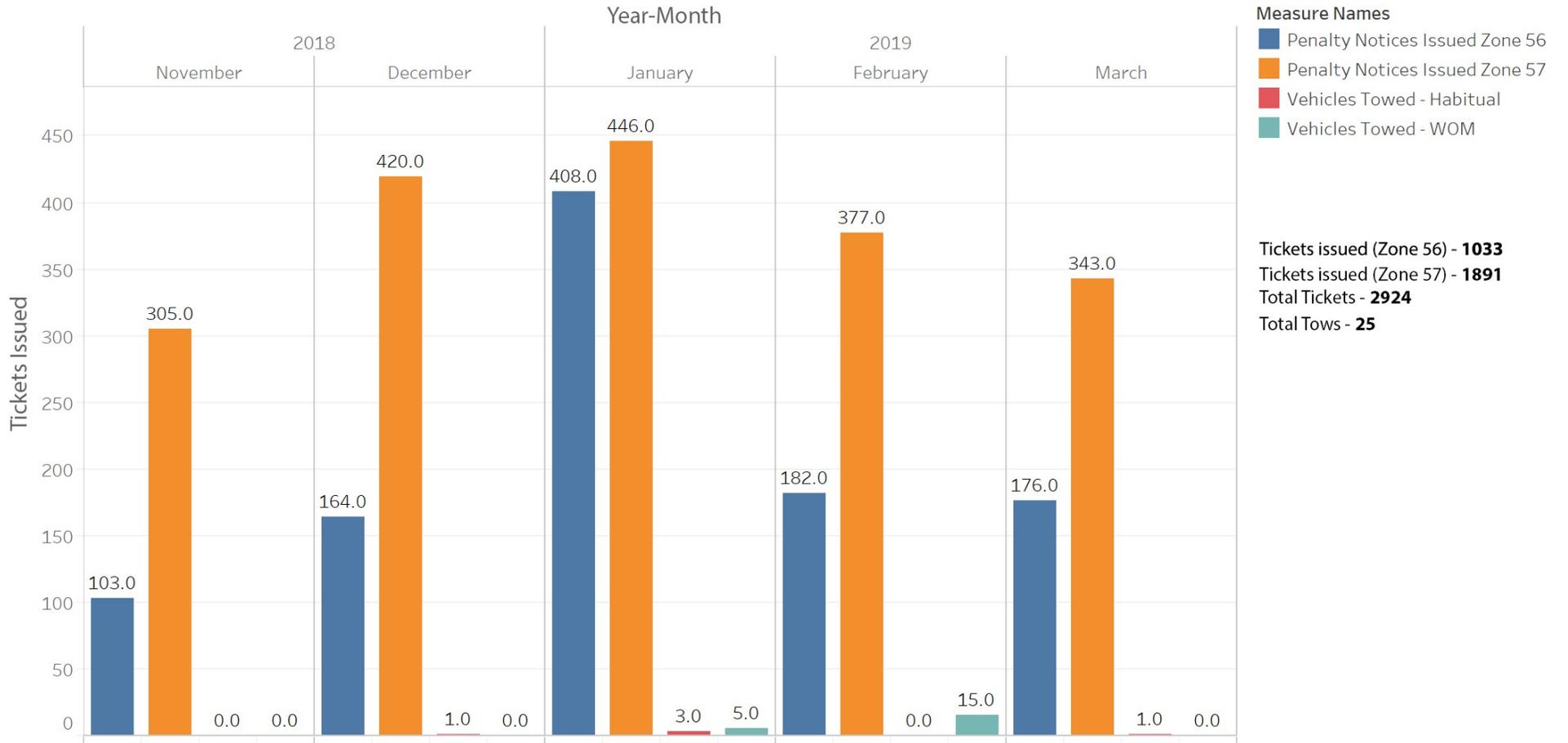
<b>ROADWAY</b>	<b>SIDE</b>	<b>BETWEEN</b>
Churchill Meadows Boulevard	East	Nightstar Drive and Skyview Street
Churchill Meadows Boulevard	West	Skyview Street and Littlebend Drive
Clover Ridge Crescent	East, North, West (Inner Circle)	Parkgate Drive (west intersection) and Parkgate Drive (east intersection)
Coachman Circle	South, East	Churchill Meadows Boulevard and Yachtsman Crossing (entire road)
Corinthian Trail	East	McDowell Drive and Lacman Trail
Deepwood Heights	South	Regatta Court/Farmcote Drive and Freshwater Drive
Dolmite Heights	West	Thomas Street and Arbourview Terrace
Doubletree Drive	East	Quiet Creek Drive and Candlelight Drive
Doyle Street	North	Fudge Terrace (west intersection) and Fudge Terrace (east intersection)
Eaglesview Drive	East	Escada Drive and Erin Centre Boulevard
Eclipse Avenue	North	Tenth Line West and Dubonet Drive
Fantasia Manor	West	Thomas Street and Arbourview Terrace
Festival Drive	East	Bala Drive and Sunlight Street
Flagstone Drive	West, South	Perennial Drive and Flagstone Drive
Flagstone Drive	West, North	Flagstone Drive and Tenth Line West
Flagstone Drive	East	Flagstone Drive and Kiwi lane
Forest Bluff Crescent	North, East, South (Outer Circle)	Lisgar Drive (north intersection) and Lisgar Drive (south intersection)
Fountain Park Avenue	South, East	Freshwater Drive and Thomas Street
Foxborough Trail	South	Glen Meadows Road and Forest Bluff Crescent
Freeman Terrace	South	Ninth Line to Churchill Meadows Boulevard
Glen Meadows Road	West	Forest Bluff Crescent (north intersection) and Forest Bluff Crescent (south intersection)
Glory Court	East, South	Allcroft Road and the east limit of the road
Gracefield Drive	South, East	Lisgar Drive and Allcroft Road/Chilcot Court
Guardian Court	West	Allcroft Road and the north limit of the road
Hampden Woods Road	West	Saratoga Way and Foxwood Avenue

<b>ROADWAY</b>	<b>SIDE</b>	<b>BETWEEN</b>
Henrietta Way	South, East	Ninth Line and Janice Drive
Honey Locust Trail	North	Sapling Trail and Lisgar Drive
Indigo Crescent	South, East, North (Inner Circle)	Lisgar Drive (north intersection) and Lisgar Drive (south intersection)
Intrepid Drive	West	Eglinton Avenue West and Candlelight Drive
Janice Drive	North, East	Ninth Line and Erin Centre Boulevard
Jenvic Grove	West	Bloomington Crescent and Thomas Street
Kellandy Run	West	Thomas Street and Arbourview Terrace
Lacman Trail	South	Ninth Line and Churchill Meadows Boulevard
Lawnhurst Court	East	Maple Gate Circle and the south limit of the road
Lila Trail	West	Thomas Street and Bala Drive
Linwell Place	East	Talias Crescent and Oland Drive
Littlebend Drive	West, South	Quiet Creek Drive and Churchill Meadows Boulevard
Longboat Avenue	East	Thomas Street and Fountain Park Avenue
Longford Drive	East	Erin Centre Boulevard and Janice Drive
Longford Drive	West	Erin Centre Boulevard and Thomas Street
Lucy Drive	East	Thomas Street and Stoney Crescent
Manatee Way	South	Ninth Line and Questman Hollow
Manatee Way	North	Questman Hollow and Yachtsman Crossing
Maple Gate Circle	West, North, East, South (Outer Circle)	Britannia Road West and Maple Gate Circle (entire roadway)
Mayla Drive	North, East	Ninth Line and Erin Centre Boulevard
Miriam Way	West	Windhaven Drive and Osprey Boulevard
Nightshade Lane	North	Sapling Trail and Lisgar Drive
Nightstar Drive	North	Intrepid Drive and Churchill Meadows Boulevard
Oland Drive	South	Talias Crescent and Farmcote Drive
Palmetto Place	North, West	Oscar Peterson Boulevard and Erin Centre Boulevard
Patron Cove	West	Thomas Street and Bala Drive

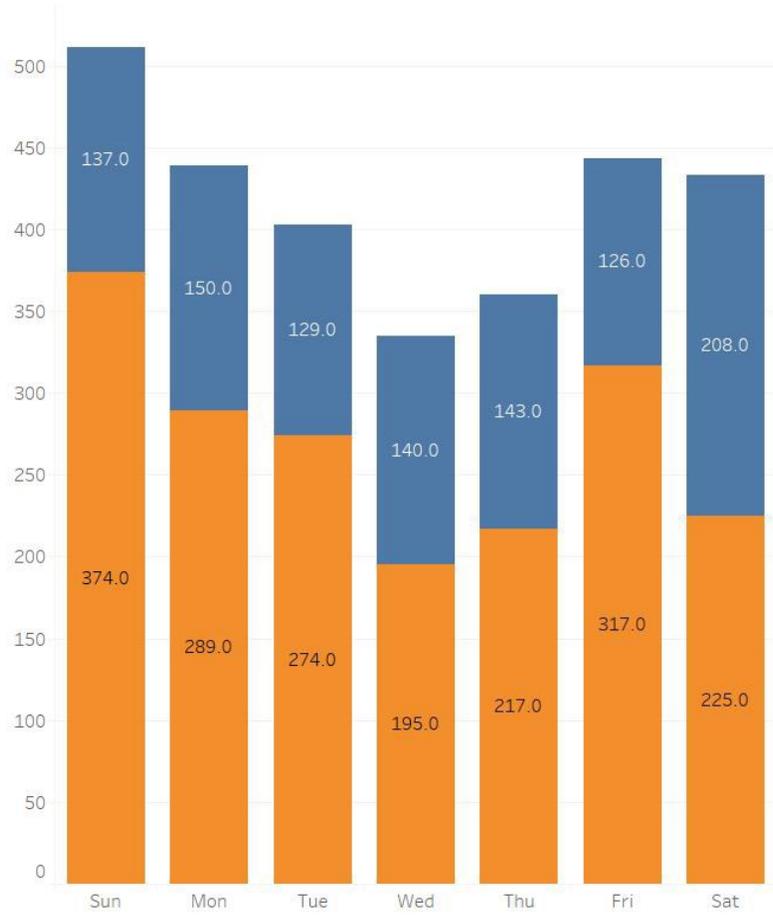
<b>ROADWAY</b>	<b>SIDE</b>	<b>BETWEEN</b>
Paul Henderson Drive	South	Trailbank Drive and Tenth Line West
Pegasus Street	East	Thomas Street and Fountain Park Avenue
Perennial Drive	East	Eglinton Avenue West and a point 205 metres northerly thereof
Ponderosa Lane	West, North	Cedar Hedge Rise and Alderwood Trail
Preservation Circle	West, North, East	Opus Lane and Perennial Drive
Questman Hollow	East	Lacman Trail and McDowell Drive
Questman Hollow	West	McDowell Drive and Manatee Way
Questman Hollow	East	Manatee Way and Coachman Circle (north intersection)
Quiet Creek Drive	South, East, North	Churchill Meadows Boulevard and Celebration Drive (south intersection)
Raftsmen Cove	West	Thomas Street and McDowell Drive
Raleigh Street	East	Thomas Street and Fountain Park Avenue
Rayana Ridge	West	Quiet Creek Drive and Candlelight Drive
Ridgepoint Way	North	Glen Meadows Road and Forest Bluff Crescent
Roadside Way	South, West	Ninth Line and Erin Centre Boulevard
Ruby Walk	West	Thomas Street and Arbourview Terrace
Sapling Trail	East, South	Beechnut Row (east intersection) and the north limit of the road
Saratoga Way	North, East, South	Amber Glen Drive and Lisgar Drive
Skyview Street	North	Ninth Line and Intrepid Drive
Skyview Street	South	Intrepid Drive and Churchill Meadows Boulevard
Snowy Owl Crescent	East, North, West (Inner Circle)	Parkgate Drive (west intersection) and Parkgate Drive (east intersection)
Spicewood Way	North	Glen Meadows Road and Forest Bluff Crescent
Stardust Drive	North	Ninth Line and Churchill Meadows Boulevard
Sunlight Street	South	Freshwater Drive and Tenth Line West
Swanson Drive	South	Miriam Way and Lisgar Drive
Swiftdale Drive	North	Longford Drive and Freshwater Drive
Swordsman Drive	East	McDowell Drive and Lacman Trail

<b>ROADWAY</b>	<b>SIDE</b>	<b>BETWEEN</b>
Topaz Place	East	Thomas Street and Arbourview Terrace
Velda Road	East	Stoney Crescent and Fudge Terrace
Watersfield Avenue	East	Thomas Street and Fountain Park Avenue
Windhaven Drive	North, East	Lisgar Dive and the south limit of the road
Winterview Court	West	Parkgate Drive and the north limit of the road
Yachtsman Crossing	East	Coachman Circle and Lacman Trail

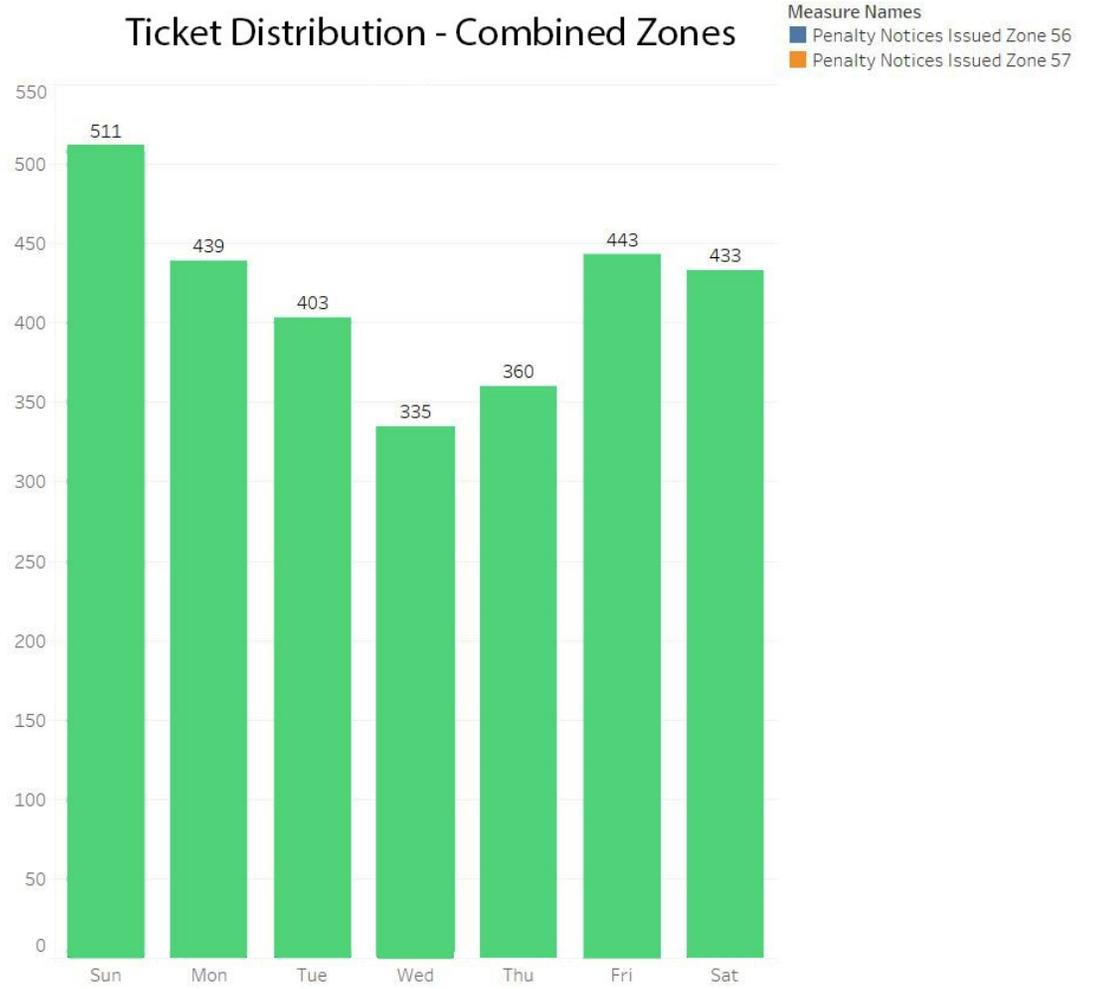
### Penalty Notices Issued vs. Vehicles Towed Nov 18, 2018 - Mar 31, 2019



### Ticket Distribution by Day/Zone



### Ticket Distribution - Combined Zones



City of Mississauga  
**Corporate Report**



Date: 2019/04/30

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of  
 Transportation and Works

Originator's files:

Meeting date:  
 2019/05/15

## Subject

**Winston Churchill Boulevard Multi-use Trail Barrier Options**

## Recommendations

1. That the Corporate Report titled "Winston Churchill Boulevard Multi-use Trail Barrier Options" dated April 30, 2019 from the Commissioner of Transportation and Works be received for information.
2. That Council provide direction to staff regarding the use of barriers along the Winston Churchill Boulevard multi-use trail between Oka Road and Aquitaine Avenue.

## Report Highlights

- The construction of a multi-use trail (MUT) on Winston Churchill Boulevard between Oka Road and Aquitaine Avenue was completed in the spring of 2018;
- Concerns were expressed by members of General Committee that in areas where the trail is situated relatively close to the road, bicycle riders are at risk of inadvertently riding off the trail and directly into vehicular traffic;
- Safety reviews found that the Winston Churchill MUT meets published design guidelines for a MUT, is considered to be safe, and would benefit from additional non-structural best practices, such as painted edge lines to better define the operating space of the trail; and
- In response to a request from the Ward 9 Councillor, staff has researched several barrier options and identified four types of barriers that would meet minimum height requirements for cyclists and offer a continuous barrier.

## Background

A multi-use trail (MUT) on Winston Churchill Boulevard was identified for the capital construction program in 2017 as part of the Public Transit Infrastructure Fund (PTIF) suite of projects,

General Committee	2019/04/30	2
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intended to improve connections for pedestrians and cyclists to the Winston Churchill transitway station. Construction of the multi-use trail between Oka Road and Aquitaine Avenue was completed in the spring of 2018.

Staff received direction at the May 2, 2018 General Committee meeting to conduct a safety review of the newly completed trail. Concerns were expressed by members of the Committee that in areas where the trail is situated relatively close to the road, bicycle riders are at risk of inadvertently riding off the trail and directly into vehicular traffic.

The City's Active Transportation Office undertook a safety review of the trail and also retained the professional services of the WSP Group to carry out an independent third-party safety review (Appendix 1). Both reviews concluded that the Winston Churchill MUT meets published design guidelines, is considered to be safe, and would benefit from additional best practices such as painted edge lines to better define the operating space of the trail. The findings from these reviews were shared with Council by e-mail on August 14, 2018.

Council endorsed the 2018 Cycling Master Plan at its July 4, 2018 meeting. The Master Plan prioritizes the safety of users, while also calling for the creation of a connected, convenient and comfortable cycling network. The studies behind the development of the Master Plan concluded that boulevard multi-use trails are among the most comfortable of all types of infrastructure on the existing cycling network and that where MUTs meet intersections, improvements such as cross rides and bicycle signals are recommended. Of all collisions involving bicycles in the four-year period reviewed (2010-2013), 90% occurred at or near an intersection.

In September 2018, staff received a request from the Ward 9 Councillor to review options for a physical barrier for sections of the multi-use trail that lack a grass boulevard between the trail and curb, and are therefore immediately adjacent to either the curb or the paved splash pad next to the curb.

Staff received direction at the March 6, 2019 Council meeting to bring the current report forward to General Committee for consideration and direction.

## **Present Status**

Work orders for enhanced pavement markings based on the findings of the initial safety review have been prepared and are in queue for implementation. These will include edge lines to increase the buffer from the road and to direct bicycle riders within the operating space of the trail. This work is expected to be completed by June 2019.

## **Comments**

Staff researched and screened a variety of barrier options, with consideration given to a number of mandatory, operational and general suitability criteria. Appendix 2 to this report outlines those options with photographic examples, and includes a matrix for each option that identifies

whether it meets the criteria listed below. Appendix 3 to this report evaluates the estimated cost of implementing each option on the sections of the Winston Churchill Boulevard trail that lack a grass boulevard between the trail and curb, and are therefore immediately adjacent to either the curb or the paved splash pad next to the curb.

The criteria used to evaluate the various barrier options were:

#### Mandatory Criteria

- Meets height requirement to fully protect bicycle riders from falling over the barrier (1.37 metres (4.5 feet) minimum); and
- Provides a continuous barrier.

#### Cost and Operational Criteria

- Capital cost; and
- Maintenance considerations.

#### Suitability Criteria

- Space requirements (e.g. width of base);
- Portability;
- Effectiveness as a visual deterrence; and
- Aesthetically conscious.

Of these criteria, the most critical are meeting the height requirement and offering a continuous barrier. Only by meeting these two criteria can any option adequately address the concern of trail users inadvertently riding off of the trail into vehicular traffic.

Four of the barrier options reviewed met both the height and continuity requirements:

- Jersey Wall
- Chain Link Fence
- Handrail Barrier
- Pipe Railing

From the perspectives of capital cost, operation and maintenance, and suitability criteria, a **pipe railing** would be the preferred barrier option.

The Mississauga Cycling Advisory Committee discussed the barrier options at their meeting on February 5, 2019. Members were generally supportive of the barrier options presented and agreed with the mandatory criteria for evaluation.

## Options

The following next steps are suggested for consideration by General Committee and Council:

1. Do not install a barrier at this time;

2. Install a barrier along the sections of the Winston Churchill Boulevard trail which are directly adjacent to the roadside curb; or
3. Install a barrier along the sections of the Winston Churchill Boulevard trail which are directly adjacent to the roadside curb or the paved splash-pad.

Option 1: Do not install a barrier

Based on the safety and design reviews conducted by staff and by third party consultants, the design of the multi-use trail meets published design guidelines and a barrier is not required.

Option 2: Install a barrier where the trail is adjacent to the curb

The installation of a pipe railing barrier along the trail sections which are directly adjacent to the roadside curb would have a capital cost of approximately \$54,000.

Option 3: Install a barrier where the trail is adjacent to the curb or the splash-pad

The installation of a pipe railing barrier along the trail sections which are directly adjacent to either the roadside curb or the paved splash-pad behind the curb would have a capital cost of approximately \$236,000.

## Financial Impact

Sufficient funds are available in the Capital Project PN 17-182 "Pedestrian and Cyclist Access to Transitway and GO Transit" to implement Options 2 or 3 as discussed in this report, which have estimated costs of \$54,000 and \$236,000, respectively. Other, more costly barrier options may require additional funding.

## Conclusion

Internal and independent safety reviews have concluded that a barrier is not warranted along the Winston Churchill Boulevard multi-use trail. If desired, several barrier options are available to provide additional protection for bicycle riders on the trail. Depending on the barrier option chosen, the implementation cost is expected to range between \$44,000 and \$955,000.

## Attachments

Appendix 1: Winston Churchill Boulevard Multi-use Trail Safety Review

Appendix 2: Barrier Options with Costing

Appendix 3: Barrier Option Cost Comparison for Winston Churchill Boulevard



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Geoff Wright, P. Eng., MBA, Commissioner of Transportation and Works

Prepared by: Matthew Sweet, B.A., C.E.T., Manager, Active Transportation

# City of Mississauga

## Briefing Note



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Date: 2018/08/14

To: Councillor Pat Saito, Ward 9

Copy: Mayor and Members of Council

From: Matthew Sweet  
Manager, Active Transportation

Subject: Winston Churchill Boulevard Multi-use Trail Safety Review

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This briefing note is in response to the direction given to staff at the May 2, 2018 General Committee to conduct a safety review of the Winston Churchill Multi-Use Trail, between Aquitaine Avenue and Oka Road. The City's Active Transportation Office undertook their own safety review and also retained the professional services of the WSP Group to carry out an independent third-party safety review of the trail.

The report provided in Appendix 1 is an overview of the safety review undertaken by staff. Appendix 2 contains the safety review undertaken by WSP Group.

Both reviews found that the Winston Churchill MUT generally meets published design guidelines for a MUT. However, some improvements have been identified to further improve the safety of the facility. These improvements include the following:

1. Add trail edge lines to increase the buffer between the road and trail where needed to direct users away from the curb
2. Add a centreline to the trail
3. Add mixed crossrides at the two driveway crossings
4. Modify the four intersections to provide bicycle signals and crossrides that have clear marked paths for cyclists and pedestrians

Staff will work to implement improvements 1 -3 immediately, and will program improvement 4 to occur in the near future. These and other safety features will be incorporated in future MUT projects.

### Attachments

- Appendix 1: Safety Review of Winston Churchill Multi-use Trail, Active Transportation Office
- Appendix 2: Design Review of a Multi-use Path on Winston Churchill Boulevard from Oka Road to Aquitaine Avenue, WSP Canada Group Limited

A handwritten signature in black ink, appearing to read 'MSweet', is written over a horizontal line. The signature is stylized and cursive.

Prepared by: Matthew Sweet, Manager, Active Transportation

SAFETY REVIEW OF WINSTON CHURCHILL BLVD. MULTI-USE TRAIL

Prepared by: Active Transportation Office  
Transportation & Works Department

Date: July 2018

## Summary

A new multi-use trail on the east side of Winston Churchill Boulevard, between Aquitaine Avenue and Oka Road, is in the final stages of construction and already in use by cyclists and pedestrians. The location of the trail is illustrated in Figure 1. The trail is in Ward 9, and connects to the existing boulevard trail to the south, and a future extension to the north.

The design of the trail is consistent with existing and upcoming multi-use trails in the City of Mississauga and the Region of Peel. When compared with guidance from modern North American guidelines, the trail width (3.0 m to 3.75 m) is within the recommended range (3.0 m to 4.1 m). The road buffer (0.75 m) is on the lower end, but still within acceptable widths (0.5 m to 1.5 m). Painted edge lines on the trail can be used to increase this buffer. A painted centreline can aid in trail organization, encouraging users to stay on one side, which reduces conflicts and swerving, and makes passing easier.

Police data previously analysed by the City of Mississauga indicates that 90% of collisions between cyclists and motorists occur at intersections (as measured from 2010 to 2013).<sup>1</sup> Many of the multi-use trails existing in the city have sections immediately adjacent to the curb or a standard splash pad (0.75 m wide concrete road buffer). Many cyclists also ride on sidewalks, many of which are immediately adjacent to the roadway. Despite this, midblock collisions are rare, and there are no recent reports in Mississauga of major injury or death occurring from cyclists falling off a curb into traffic.

Since collisions at intersections are a concern, it is recommended that improvements are made to make crossing by bicycle safer and more comfortable. In particular, crossrides should be added to four intersections and two driveways along the route, and planned for addition to all current and future trail crossings in Mississauga.



**Figure 1:** New multi-use trail on Winston Churchill Boulevard, south of Battleford Road.

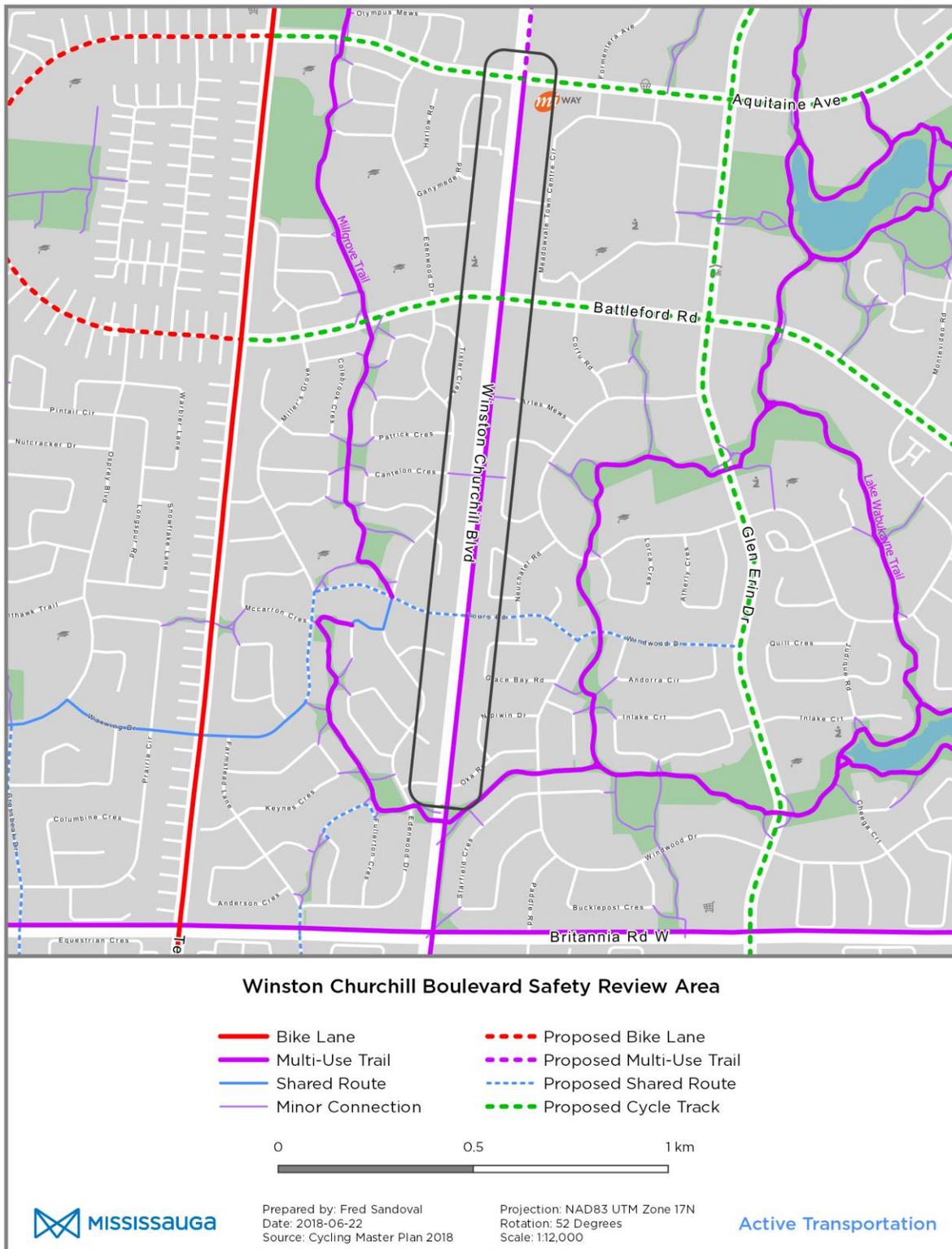


Figure 2: Winston Churchill safety review area with Cycling Master Plan 2018 cycling routes.

## Existing Trail Design and Issues

### Trail Width

The trail in most sections is 3.75 m wide. In constrained sections between Aquitaine Avenue and Battleford Road, the trail narrows to 3.0 m. In some sections, utility poles on the trail reduce the effective width to 2.6 m. These widths are all within recommended limits from current design guidance.

#### *Recommended multi-use trail widths:*

OTM (2013) <sup>2</sup> :	4.0 m (minimum: 3.0 m, constrained: 2.4 m)
TAC (2017) <sup>3</sup> :	3.0 m - 6.0m (minimum: 2.7 m)
Toronto (2015) <sup>4</sup> :	3.0 m - 4.1m (minimum: 2.7 m)
NACTO (2014) <sup>5</sup> :	3.7 m (constrained: 2.4 m)
Vélo Québec (2010) <sup>6</sup> :	3.0 m
CROW (2016) <sup>7</sup> :	Minimum 2.4 m

#### Conclusion and Recommended Action:

The current width of the Winston Churchill Blvd. trail is appropriate and no modifications are required.

### Trail Buffer

The buffer between the trail edge and the roadway varies. In some sections, there is a grass buffer at least 1.5m wide. In others, the trail is immediately adjacent to the concrete splash pad. The splash pad is 0.75 m wide, as per City of Mississauga design standards<sup>8</sup>. This width is slightly below most design guidance.

#### *Recommended buffer between curb and multi-use trail:*

OTM (2013) <sup>9</sup> :	1.0 m
TAC (2017) <sup>10</sup> :	1.0 m
Toronto (2015) <sup>11</sup> :	1.5 m
NACTO (2014) <sup>12</sup> :	0.9 m
Vélo Québec (2010) <sup>13</sup> :	0.5 m
CROW (2016) <sup>14</sup> :	1.5 m

Important consideration for trail buffers is the operating speed of the roadway and opening doors from parked cars. Motor vehicles are not permitted to park adjacent to the trail on Winston Churchill Boulevard, so that is not an issue in the review area. Despite a speed limit of 60 km/h, the 85<sup>th</sup> percentile operating speeds for the northbound traffic lanes (those adjacent to the trail) are higher, between 64 km/h and 80 km/h. Approximately 30,000 cars travel on Winston Churchill in this area daily, 7500 of those in the northbound curb lane.

#### *85<sup>th</sup> percentile operating speeds (northbound):*

At Aquitaine Avenue (2014):	75 km/h
At Aquitaine Avenue (2016):	64 km/h
At Battleford Road (2014):	78 km/h
At Battleford Road (2016):	80 km/h

Given these operating speeds, some buffer space or delineation of space is recommended between the roadway and multi-use trail users.

Note that a short section of 3.3 m wide trail at Meadowvale Town Centre Circle is immediately adjacent to the curb with no buffer. However it is adjacent to a right turn lane, which would see much slower traffic.

**Conclusion and Recommendation:**

Ensure that there is either a buffer space or delineation of space between motor vehicle traffic and trail users along all segments of the trail

Adding a Barrier or Railing to the Trail Buffer

It has been proposed that a barrier or railing be added to the 0.75 m splash pad between the road curb and the trail. This should be technically feasible, and would prevent cyclists and other trail users from falling onto the roadway should they lose control. However, this is a very rare occurrence. Despite many cyclists riding on similar multi-use trails, and narrower sidewalks adjacent to the roadways, there are no recent reports in Mississauga of death or injury from cyclists falling off a curb mid-block. In the City of Mississauga, 90% of collisions between cyclists and motor vehicles occur at intersections due to conflicts with turning traffic.

In Toronto, the death of a 5-year old cyclist on the Waterfront Trail in 2017 prompted a safety review of all similar trails in the city. This happened at a location where the trail was immediately adjacent to the roadway, on a downhill segment, where car traffic was known to travel at high speeds. In that review, it was noted that there were no records of previous injury or death at that location, despite being one of Toronto's oldest and busiest trails. There were also no other similar incidents of cyclists falling off of the trail into live traffic at any trail sections in the city.

Barriers or railings are desirable in locations where there is a concern of cyclists falling off a curb, such as on steep hills or sharp turns that are immediately adjacent to a high-speed roadway. The trail on Winston Churchill Boulevard in the review area does not have any significant grade changes or sharp turns.

**Conclusion and Recommendation:**

The design of the Winston Churchill MUT and safety history of similar trail types does not warrant the addition of a physical barrier or railing where the Winston Churchill MUT is adjacent to the curb.

Markings

The trail is not yet marked, as our practice is to wait until contractors are finished with a site prior to City staff implementing pavement markings. Contractors for the Winston Churchill MUT will be finished on site by the beginning of September, and staff will complete pavement markings shortly thereafter. In previous practice, multi-use trails in Mississauga were marked with a solid yellow line near intersections. Design guidance recommends marking trails with a centreline. This emphasizes that the trail is designed for bicycle-use, makes it clear that it is a two-way trail (not just to trail users, but motorists driving in adjacent lanes, who may turn across the trail), and encourages trail users to stay to one side, leading to easier passing, and therefore smoother traffic flow, less conflicts, and less swerving.

**Conclusion and Recommendation:**

Provide a centre line treatment along the Winston Churchill MUT

## Existing Intersection Design and Issues

### Stopping and Dismounting

Current regulations require cyclists to stop and dismount at intersections unless a crossride is present. In practice, cyclists rarely do this, as stopping and dismounting at all intersections on a route could add significant time and energy, reducing the benefits of cycling. There are five intersections in the review area: Oka Road, Tours Road, Battleford Road, Meadowvale Town Centre Circle, and Aquitaine Avenue. All these intersections should have crossrides to accommodate cyclists. Since the trail ends at Aquitaine Avenue, a crossride there should be installed with a future north trail extension. As with current practice, crossrides at signalized intersections must also have signals for bicycles. Oka Road is the only unsignalized intersection in this corridor.

### Ambiguous Crossing Path

At many of the intersections, cyclists cannot follow a straight path of travel, and may have to significantly slow down, and compete for space with pedestrians. This means that cyclists are not able to concentrate as much on the crossing, lose sight of motor traffic, and mix with pedestrians, leading to more conflicts. The intersection crossing path should be clear, and meet pedestrian and motor cross traffic close to right angles.

### Driveways

There are two driveways along the trail: 6707 Winston Churchill Boulevard, and 2900 Battleford Road (though this appears to be closed off, and thus rarely used). The trail surface through these is continuous and barrier-free. The addition of a mixed crossride, as has been done in many other similar situations in the City, would clearly indicate the crossing to both trail users and turning motor vehicles.

### Conflicts with turning traffic

Collisions with turning traffic are one of the largest causes of injury and death of cyclists. Speed and reaction time are the primary factors that determine if a collision will occur, and how much damage and injury will be caused. All the intersections along this segment of Winston Churchill have curbs with a 12 m to 15 m radius. These are generally the maximum curb radii recommended, which would accommodate turning trucks and buses.

At the Oka Road and Tours Road intersections (both residential collectors roads), this curb radius should not be necessary, as they lead into residential areas. Prior to implementing smaller radii, staff ensure that larger vehicles such as school busses, fire trucks, and garbage trucks are able to negotiate all turning movements at the intersection. These smaller radii only reduce the speed at which all vehicles can turn, but does not prevent any type of vehicle from performing turning movements. Tours Road has a bus route, but it does not turn onto Winston Churchill. These roads could have smaller radii, such as 5 m or 10 m, which would lower turning speed, and thus increase reaction time and decrease potential collision speeds between motorists, cyclists, and pedestrians.<sup>15</sup> This is consistent with newer practices, such as those from Toronto's turn radius standards.<sup>16</sup>

## Possible Trail Improvements

Several improvements with trail markings could easily be made to the Winston Churchill multi-use trail to increase safety and comfort of trail users. These are outlined in figures 3 to 6 below.



**Figure 3:** Looking north from Oka Road, on the east side of Winston Churchill Boulevard. The asphalt trail is 3.75 m wide, with a standard 0.75 m concrete splash pad as a buffer.



**Figure 4:** Conceptual graphic of edge and centre lines applied to the trail. The road buffer can be increased by moving the edge line. In this case, moving the line 0.25 m inwards results in a 1.0 m buffer, and 3.5 m wide trail.



**Figure 5:** A narrower section of trail between Meadowvale Town Centre Circle and Battleford Road. The trail is 3.0 m wide, but well buffered from the roadway by shrubs and grass. However heavier pedestrian use in this area can cause conflicts between users.



**Figure 6:** Adding a solid centreline in narrow stretches encourages users to walk and ride along the edges of the trail, instead of the middle. This makes passing easier, and leads to less conflicts between users travelling at different speeds.

### Possible Intersection Improvements

The study corridor has four signalized intersections, one unsignalized intersection, and two driveways. Figures 7 to 10 below show conceptual applications of the crossrides.



**Figure 7:** At the Tours Road intersection, cyclists legally must dismount to cross. However in practice, many ride through. The trail leads into a full curb, which is potentially dangerous for cyclists who may expect a ramp. Cyclists may use the curb cut to the left, which is very close to turning traffic, or the one to the right, in which they may lose sight of traffic by turning away from the roadway, and conflict with pedestrians in the narrow sidewalk space.



**Figure 8:** Adding a crossride with a smooth curb cut, trail markings with a stop bar, and bicycle signals makes the path clear for cyclists, and shows motorists where to expect cyclists. Reducing the curb radius of the turns would also significantly increase safety. Pedestrians have a crosswalk, which leads to less conflict between trail users, at a point where all have to concentrate on making a safe crossing.



**Figure 9:** This driveway south of Aquitaine serves the mall, stores, and a gas station, and thus has significant amounts of turning traffic.



**Figure 10:** A mixed crossride (cyclists and pedestrians share the space) shows a clear path of travel, and indicates to both trail users and motorists that this is a conflict point.

**Conclusion**

The design of the new Winston Churchill Trail is consistent with the design of other multi-use trails in the City of Mississauga. When compared to modern design guidance, the trail width is well within the recommended range, though the buffer between the trail sections immediately adjacent to the roadway is slightly narrower than generally recommended. However, available collision data suggests that there are few bicycle-motor vehicle collisions midblock, even with many multi-use trails of similar design, and that the majority of accidents happen at intersections.

From this safety review, five actions are recommended:

1. Modify the four intersections to provide crossrides that have clear marked paths for cyclists and pedestrians.
2. Add mixed crossrides at the two driveway crossings.
3. Add a centreline to the trail.
4. Add trail edge lines to increase the buffer between the road and trail where needed.
5. Explore treatments to reduce the turn radius of motor vehicles at the four intersections.

In addition to Winston Churchill Boulevard, the above recommendations should be applied to current and future multi-use trails, to increase the safety and comfort for all trail users.

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Prepared by: Fred Sandoval, Active Transportation Coordinator

c: Mayor and Members of Mississauga City Council

## Endnotes

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<sup>1</sup> City of Mississauga (2018). Cycling Master Plan.

<sup>2</sup> Ontario Ministry of Transportation (2013). Ontario Traffic Manual. Book 18 Cycling Facilities. P 115.

<sup>3</sup> Transportation Association of Canada (2017) Geometric Design Guide for Canadian Roads. Chapter 5 – Bicycle Integrated Design. P 20.

<sup>4</sup> City of Toronto (2015). Toronto Multi-Use Trail Design Guidelines. P 15-20.

<sup>5</sup> National Association of City Transportation Officials (2014). Urban Bikeway Design Guide, 2nd edition. P 46. No specific guidance for multi-use trails, width for two-way cycle tracks used.

<sup>6</sup> Vélo Québec (2010). Planning and Design for Pedestrians and Cyclists. P 39.

<sup>7</sup> CROW-Fietsberad (2016). Design Manual for Bicycle Traffic. P. 243.

<sup>8</sup> City of Mississauga (2015). T&W Road Standard No. 2240.041: Concrete Splash Pad.

<sup>9</sup> OTM (2013). P 106, 115.

<sup>10</sup> TAC (2017). P 17.

<sup>11</sup> City of Toronto (2015). P 26.

<sup>12</sup> NACTO (2014). P 46. 0.9 m converted from 3 ft.

<sup>13</sup> Vélo Québec (2010). P 80.

<sup>14</sup> CROW (2016). P 243. 1.5 m recommended specifically for roads with 60 km/h operating speed.

<sup>15</sup> National Association of City Transportation Officials (2013). Urban Street Design Guide.

<sup>16</sup> City of Toronto (2017). Curb Radii Guideline.

July 13<sup>th</sup>, 2018

Transportation and Works Department  
City of Mississauga  
300 City Centre Drive,  
Mississauga, Ontario L5B 3C  
Canada

**Attention: Mr. Matthew Sweet, Manager, Active Transportation**

**Subject: Design Review of a Multi-use Path on Winston Churchill Boulevard from Oka Road to Aquitaine Avenue**

## 1. INTRODUCTION & PROBLEM STATEMENT

The City of Mississauga has constructed a new segment of Multi-Use Path (MUP) on the east side of Winston Churchill Boulevard between Oka Road and Aquitaine Avenue in Ward 9 of the City. In June 2018, WSP Group Canada Limited ('WSP') was retained to complete a review of the MUP design of the new path segment, and to suggest potential future improvements for the Winston Churchill MUP and future MUP design and construction projects.

## 2. REVIEW APPROACH

The review was completed in a four-step process to assess the design of the MUP and to determine future opportunities for improvement. It is important to note that opportunities that have been considered are context specific due to the varying constraints along Winston Church Boulevard and the different street elements that interact with the MUP. The review approach is outlined in the next page:

1. **Field Investigation:** The WSP design review team initiated the design review with a field assessment of the recently constructed MUP along Winston Churchill Boulevard from Aquitaine Avenue to Britannia Road. During the field investigation, several photos were taken to document the current conditions and implemented design.

2. **Best Practices Overview:** Best practices for MUP design have been compiled and reviewed, including the Ontario Bikeway Design Manual, Ontario Traffic Manual (OTM) Book 18: Cycling Facilities, National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide, the City of Toronto Multi-Use Trail Design Guidelines and the City of Mississauga’s Multi-use Trail Standard (2012) and 2018 Cycling Master Plan.
3. **Tender Drawing Review:** Following the field investigation, a thorough review of the tender drawings provided by the City was conducted. A comparison between images from the field investigation and the detailed design were used to evaluate any potential opportunities to improve the design of the Winston Churchill Boulevard MUP and provide guidance for future path design projects.
4. **Opportunity Assessment:** The design drawings were compared against best practices for MUP design guidance and implementation in Ontario so as to confirm that the path meets best practices.

### 3. BEST PRACTICES OVERVIEW

The Best Practices review confirmed that Multi-Use Paths are typically 3.0 – 4.0m in width with a minimum of 2.4m in constrained areas. MTO’s Bikeway Design Manual, OTM Book 18, NACTO, and the City of Toronto’s Multi-Use Trail Design Guidelines all support 3.0 – 4.0m path width. The City of Mississauga’s Multi-Use Trail Standard (2012) in Figure 1 on the following page identifies a trail width between 3.0 and 4.5m. The City’s new Cycling Master Plan (CMP) recommends path widths that are consistent with the best practices listed above.<sup>1</sup>

Figure 2 on the following page shows example cross-sections from the MTO Bikeway Design Manual<sup>2</sup> and the Toronto MUP Design Guidelines.<sup>3</sup> OTM Book 18 recognizes that the minimum path width could be reduced to “2.4m over very short distances to avoid utility poles or other infrastructure that may be costly to relocate”.<sup>4</sup> Similarly, NACTO recommends 8ft (~2.4m) wide two-way facilities, only where the locations are constrained.<sup>5</sup>

According to the City of Toronto, “Lateral clearance areas are areas to the side of the trail surface that improve safety conditions for trail users by providing space for avoiding collisions”.<sup>6</sup> OTM Book 18 recommends that a splash strip be used to separate the curb and cyclists and notes that the typical splash strip is 1.0m wide.<sup>4</sup> The Toronto MUP Guidelines recommends that the trail be located 1.5m set back from the curb (0.6m lateral + 0.9m curb-side zone). However, the Toronto guide notes that lateral clearances may be smaller due to unique on-site constraints.<sup>7</sup> Mississauga’s 2018 CMP identifies a standard 0.75m wide splash pad which is in-line with trail design guidance in Ontario.<sup>1</sup> A minimum of 0.6m is considered acceptable.

OTM Book 18 is currently being updated, which will include detailed design guidance for MUPs. Mississauga City staff are on the Steering Committee of the OTM Book 18 update and sit on the OTC AT Committee, and will have the opportunity to engage in Multi-use Path design guidance for Ontario.

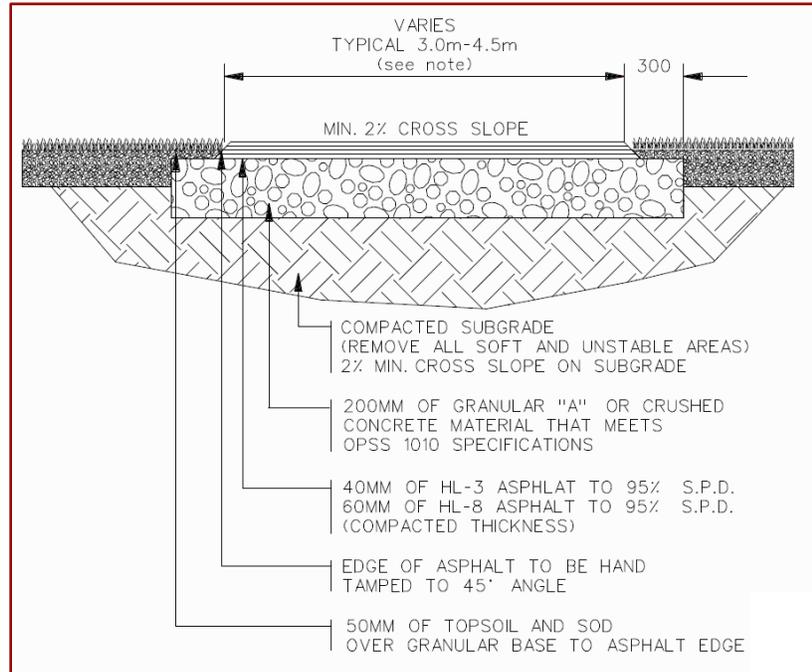


Figure 1: City of Mississauga Multi-use Trail Standard (2012)

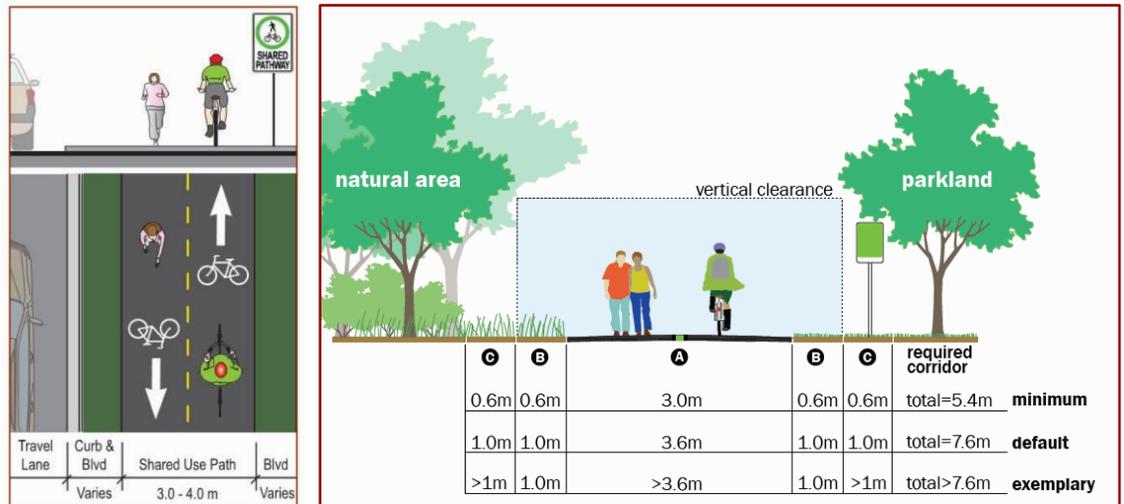


Figure 2: Shared AT Path Example Cross Sections  
(Left; MTO Bikeway Design Manual, Right; City of Toronto MUP Design Guide)

## 4. KEY FINDINGS AND SUGGESTIONS

Based on the results of our review, it is WSP's opinion that the geometric design of the MUP on Winston Churchill Boulevard from Oka Road to Aquitaine Avenue is consistent with provincial design guidance and best practices for MUP design. For all sections of the path, it meets or exceeds provincial guidance for minimum MUP width.

### **KEY DESIGN AREAS AND CONSIDERATIONS**

#### **Lateral Setback**

The setback of the MUP varies depending on the available width within the boulevard. Generally, the setback between the edge of the MUP to the road is greater than 0.6m and the setback between the edge of the MUP to a utility pole or box is 0.3m, which is consistent with best practices. In some segments of the MUP, the existing concrete splash pad was used to provide separation, which is also consistent with design best practices.

In Ontario, it is best practice to provide at least 0.6m setback away from the curb, and using physical separation such as planting medians if possible. It is acknowledged that in the review corridor, that there were several physical constraints such as utilities and property lines that affect the alignment, width and setback of the path.

It is recommended to provide a minimum 0.6m of separation between the cycling MUP and pedestrian sidewalk if there is sufficient space in the boulevard. It is important to note that there are no instances of sidewalks running parallel to the review segment of the MUP. The separation can be provided by various surface treatment such as stone pavers or impressed concrete. This best practice is identified as part of the City's 2018 Cycling Master Plan: "Design guidance generally recommends a minimum 0.3 to 0.6 m buffer between a boulevard bicycle facility and a sidewalk. The buffer can either be raised, such as a curb or planters, or flat, such as grass or textured pavement. Bricks, pavers, or textured concrete should provide a contrasting colour, as well as a tactile feature to help those with visual impairments. A crossable buffer is useful when the cycle track and sidewalk are at their minimum widths, so as to allow users to temporarily cross over if necessary. This buffer area, if wide enough, may also be used for poles and other street furniture."<sup>1</sup> This topic will also be addressed in the update to OTM Book 18.

#### **MUP Segment by Meadowvale Town Centre Circle & Winston Churchill Boulevard**

The tender drawings indicate that the MUP south of Meadowvale Town Centre Circle and adjacent to the McDonald's narrows to 3.3m from the 3.75m wide typical path segment throughout the corridor. WSP's field measurement was consistent with the tender drawings. It is acknowledged that this design consideration was influenced by the width constraints of the boulevard and property line. The path is directly adjacent to the curb along the northbound right-turn lane on Winston Churchill Boulevard. Figure 3 on the next page illustrates how the newly constructed MUP abuts the roadway curb.

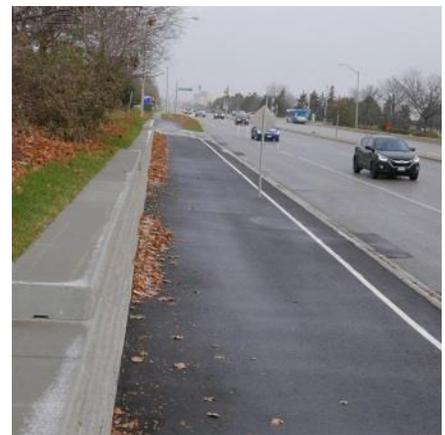
To mitigate cyclists and pedestrians straying too close to the edge of the path and the curb, WSP suggests implementing a painted edge line, offset 0.6m from the back of the

curb. This would result in an effective Multi-Use path width of 2.7m. An example is shown below in Figure 4 from York Region’s recently constructed Lake Simcoe to Lake Ontario (Lake to Lake) Trail in Richmond Hill. The painted line acts as a visual warning indicator for pedestrians to not approach too close to the edge of the road. The goal is to encourage all MUP users to stay back from the curb and to reduce the risk that a user may misjudge their position and go over the curb into a live traffic lane.

During the field investigation, it was noted that a hydro pole was located behind the fence (as noted by the red box in Figure 3). It was also noted that the toe wall in the tender drawings was not yet constructed. The soil adjacent to the path appeared to be graded and may have been an opportunity to provide additional width to the MUP. If the property behind the fence is own by the City, additional space may have been available by relocating the fence. It is acknowledged that further implementation challenges were presented given the proximity of an Enbridge gas line within the boulevard area.



*Figure 3: Winston Churchill MUP by Meadowvale Town Centre Circle*



*Figure 4: Multi-use Path on Leslie Street in Richmond Hill*

### **Intersection & Driveway Treatments**

The implemented MUP design follows the previous sidewalk alignment as much as possible. As a result, it was possible to use the existing crosswalks at the intersection. As part of the path upgrade, tactile walking surface indicators were added to the corners of intersections to comply with AODA requirements.

Legally cyclists must dismount at a crosswalk and walk through a crosswalk.<sup>8</sup> However, many cyclists may not use the crosswalk as intended and cycle through the intersection due to the inconvenience of dismounting. Anticipating this user behaviour, WSP suggests that in the future, the City consider implementing crossrides and bike signals as part of path upgrades or with future intersection improvements.

Figure 5 below is an example from the City of Toronto at Eglinton Avenue West and The East Mall that illustrates how a crosswalk and crossride could be organized at an intersection to separate pedestrians and cyclists.



*Figure 5: Crosswalk and Crossride at Intersection at the City of Toronto<sup>9</sup>*

At driveways, consideration should be given to provide indicators for motorists that they need to yield to pedestrians and cyclists. Figure 6 below shows driveway treatments that were used on York Region’s Lake Simcoe to Lake Ontario (Lake to Lake) Trail on Leslie Street in Richmond Hill. The intersections are marked by an arrow, bike and pedestrian stencils and bounded with elephant’s feet markings. Signage can be added approaching a driveway and at the exit of a driveway to warn drivers that a pedestrian or cyclist may be crossing. The Lake to Lake Trail applies the signing approach of using WC-44R (TAC), Wc-15 (OTM) and Wc-32t (OTM) signs as illustrated in Figure 6.



*Figure 6: Driveway Signage and Pavement Markings*

### Transit Stops and Shared Space

Along the Winston Churchill Boulevard corridor there are several shared spaces where transit users, pedestrians and cyclists mix. Currently the transit stops along the review corridor do not have shelters. Outside of Oka Road and Aquitaine Avenue, there are some transit stops with a shelter such as the stop at Britannia Road. The configurations of transit stops are shown below in Figure 7 and Figure 8. Where there is available space, a concrete path has been constructed adjacent to the path that provides sufficient waiting space for transit users.

Where there are higher volumes of transit users, consideration should be given to bend the path out and around the transit stop. Examples from Richmond Hill and Mississauga are shown in Figure 9 and Figure 10. This creates an island where transit users can wait for buses and reduces conflict with through travelling pathway users. This design consideration involves additional boulevard width that is not available within the review corridor.

As Mississauga grows and develops, active transportation should be increasingly integrated with transit. Design of MUPs at transit stops should also consider the type of transit in the corridor such as local buses, rapid transit and light rail as well as bike parking to support first and last mile type trips.



Figure 7: Transit stop area at Tours Road



Figure 8: Transit stop and shelter at Britannia Road on existing path section



Figure 9: YRT Transit stop at Leslie Street and Highway 7 (northwest corner)



Figure 10: MiWay Bus Stop with a separated loading platform on Burnhamthorpe Road East<sup>10</sup>

### Differential Settling

At an existing segment of path close to Britannia Road south of the review corridor, some differential settling was observed between the concrete sidewalk and the asphalt path illustrated in Figure 11 below. WSP suggests for future implementation to use a concrete base underneath the asphalt path and sidewalk to reduce differential settling. The differential settling between the MUP and sidewalk is relatively minor, but should be monitored to ensure that a significant elevation change does not occur.



*Figure 11: Differential Settling of Concrete and Asphalt*

## 5. CONCLUSION

It is WSP's opinion that the geometric design and implementation of the MUP on Winston Churchill Boulevard from Oka Road to Aquitaine Avenue is generally consistent with Ontario design guidance and best practices. It provides a major link within the Winston Churchill Boulevard corridor that will provide a comfortable and direct route for residents and visitors. The following summarizes design considerations for future MUP improvements to enhance user experience in Mississauga:

1. **Setback:** Provide more than 0.6m of separation between the edge of the MUP and roadway where there is sufficient space.
2. **Pedestrian and Cyclist Separation:** Provide a minimum 0.6m buffer between a boulevard cycling facility and a sidewalk.
3. **Treatment when path directly abuts road:** If 0.6m of separation behind the curb cannot be provided due to boulevard constraints, implement a painted edge line offset 0.6m from the curb to direct users away from the curb, but the MUP should never be less than 2.4m wide.
4. **Intersections:** Implement crossrides and bike signals at intersections to allow cyclists to legally ride through.
5. **Driveways:** Implement pavement markings and signage to better indicate to drivers to yield to pedestrians and cyclists on the MUP.
6. **Transit Stops and Mixing Zones:** Consider bending the path away from the transit stop to create a "transit island" if there is sufficient room in the boulevard.
7. **Concrete Base:** In the future, construct a concrete base under both the MUP and sidewalk to reduce differential settling.

## 6. REFERENCES

The following documents were referred to during the development of this letter:

1. Mississauga Cycling Master Plan Appendix V DRAFT (p. 17), 2018
2. MTO Bikeway Design Manual Figure 5.4 (p. 5-4), 2014
3. Toronto MUP Design Guidelines Figure 4.03 (p. 16), 2015
4. Ontario Traffic Manual Book 18: Cycling Facilities (p. 115), 2013
5. NACTO Urban Bikeway Design Guide (p. 97), 2011
6. Toronto MUP Design Guidelines (p. 23), 2015
7. Toronto MUP Design Guidelines (p. 26), 2015
8. Ontario Highway Traffic Act 144(29)
9. Mississauga Cycling Master Plan Appendix V DRAFT (p. 9), 2018
10. Mississauga Cycling Master Plan Appendix V DRAFT (p. 23), 2018

Sincerely,




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Dave McLaughlin, MES, RPP  
 National Active Transportation  
 Practice Manager & Senior Project  
 Manager - Transportation  
 Planning and Advisory




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Daniel Nalliah, B.Sc., M. Sc., P. Eng.  
 Manager, Municipal Roads  
 Transportation

**Requirements:**

- Barrier recommendation for curb-facing MUT segments at the City of Mississauga
- Current height standard for cyclist barriers is 137cm
- Options for barriers/delineators outlined below

**A. Removable Barriers**

A modular concrete or plastic barrier employed to separate lanes of traffic

Type	Evaluation	Dimensions <i>(may vary)</i>	Cost
<p><b>Water OR Sand-Filled Barriers</b></p>  <p><i>Baltimore</i></p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✗ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✓ Portable</li> </ul>	<p><b>H:</b> 90cm</p> <p><b>W:</b> 40cm</p> <p><b>L:</b> 180cm ea.</p>	<p><b>\$41,667 / 100m</b></p> <p><i>(OBW Equipment – \$750 per 1.8m unit)</i></p>

<p style="text-align: center;"><b>Concrete Jersey Barrier</b></p>  <p style="text-align: right;">San Francisco</p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✗ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✓ Portable</li> </ul>	<p><b>H:</b> 81cm</p> <p><b>W:</b> 60cm</p> <p><b>L:</b> 180cm ea.</p>	<p><b>\$200 / 4m segment</b></p> <p><i>(City Repair Contracts)</i></p>
<p style="text-align: center;"><b>Pre-Cast Curb Barrier</b></p>  <p style="text-align: right;">Winnipeg</p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✓ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✓ Portable</li> </ul>	<p><b>H:</b> 13cm</p> <p><b>W:</b> 18cm</p> <p><b>L:</b> 183cm ea.</p>	<p><b>\$4,166 / 100m</b></p> <p><i>(OBW Equipment – \$75 per 1.8m unit)</i></p> <p><b>\$86.97 per m</b></p> <p><i>(City Repair Contract - Supply and Install New Precast Concrete Bumper Blocks)</i></p>

<p style="text-align: center;"><b>Planter Barrier</b></p>  <p style="text-align: right;">Seattle</p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✗ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✗ Narrow base</li> <li>✓ Aesthetically conscious</li> <li>✗ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> &lt; 100cm</p> <p><b>W:</b> &gt; 30cm</p> <p><b>L:</b> 50cm</p>	<p><b>\$43,000 - \$53,000 / 100m</b></p> <p><i>(Crescent Garden, Ellis Planters – \$860-\$1060 per unit, 0.5m spacing)</i></p>
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**B. Bollard**

A short, vertical post

Type	Evaluation	Dimensions <i>(may vary)</i>	Cost
<p style="text-align: center;"><b>Security Bollard</b></p>  <p style="text-align: right;">Ottawa</p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✗ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✗ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> 92cm</p> <p><b>Diameter:</b> ~10 cm</p>	<p><b>\$10,000 / 100m</b></p> <p><i>(Ontario Bollards – \$1,000 per unit , 1m spacing)</i></p>

<p style="text-align: center;"><b>Self-Correcting Guide Post</b></p>  <p style="text-align: right;">Ottawa</p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✗ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✓ Narrow base</li> <li>✓ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> 92cm</p> <p><b>W:</b> 15cm</p>	<p><b>\$4,000 / 100m (5m spacing) to \$15,000 / 100m (2m spacing)</b></p> <p><i>(Powell – \$200-\$300 per unit, 2-5m spacing)</i></p> <p><i>(CycloZone - \$150 per unit, supply and install)</i></p> <p><i>(Impact Recovery Systems - \$130 per unit, supply and install)</i></p>
			

**C. Guardrails**

A strong fence intended to reduce the risk of serious accidents

Type	Evaluation	Dimensions <i>(may vary)</i>	Cost
<p style="text-align: center;"><b>Steel Guardrail</b></p>  <p style="text-align: right;"><b>Toronto</b> <i>(along Bayview – installed by Powell)</i></p>	<ul style="list-style-type: none"> <li>✗ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✗ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> 79cm</p> <p><b>W:</b> 30cm</p>	<p><b>\$10,000 / 100m - \$25,000 / 100m</b></p> <p><i>(Powell – \$100-\$250 per m)</i></p>
<p style="text-align: center;"><b>Jersey Wall</b></p>  <p style="text-align: right;"><b>New York City</b></p>	<ul style="list-style-type: none"> <li>✓ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✗ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> Optional</p> <p><b>W:</b> 30cm</p>	<p><b>\$40,540 / 100m</b></p> <p><i>(Fences Toronto – \$405 per m, used)</i></p>

**D. Fence**

Upright structure that fully encloses an area

Type	Evaluation	Dimensions <i>(may vary)</i>	Cost
<p style="text-align: center;"><b>Chain-Link Fence</b></p>  <p style="text-align: right;">Portland</p>	<ul style="list-style-type: none"> <li>✓ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✓ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> Optional</p> <p><b>W:</b> 8cm</p>	<p><b>\$8,200 / 100m</b></p> <p><i>(Fences Toronto – \$82 per m)</i></p>
<p style="text-align: center;"><b>Handrail Barrier</b></p>  <p style="text-align: right;">Paris</p>	<ul style="list-style-type: none"> <li>✓ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✓ Narrow base</li> <li>✓ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> Optional</p> <p><b>W:</b> 8cm</p>	<p><b>\$10,000 / 100m – \$20,000 / 100m</b></p> <p><i>(Fences Toronto – \$100-\$200 per m)</i></p> <p><b><i>*Must reference highest cost (as outlined above) to meet height requirement</i></b></p>

<p style="text-align: center;"><b>Pipe Railing</b></p>  <p style="text-align: right;">Brooklyn</p>	<ul style="list-style-type: none"> <li>✓ Meets height requirement</li> <li>✓ Continuous barrier</li> <li>✓ Visual deterrent</li> <li>✓ Narrow base</li> <li>✗ Aesthetically conscious</li> <li>✓ Minimal maintenance</li> <li>✗ Portable</li> </ul>	<p><b>H:</b> Optional</p> <p><b>W:</b> 8cm</p>	<p><b>\$8,200 / 100m - \$ 10,000 / 100m</b></p> <p><i>(Fences Toronto – \$82-\$100 per m)</i></p> <p><b><i>*Must reference highest cost (as outlined above) to meet height requirement</i></b></p>
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				Winston Churchill (low estimate)		
Category	Type	Cost per 100m (low estimate)	Cost per 100m (high estimate)	Cost for Curb Facing Segments (540m)	Cost for Splash Strip Segments (1,815m)	Cost for Curb Facing AND Splash Strip Segments (2,355m)
<b>A. Removable Barriers</b>	Water or Sand-Filled Barriers	\$41,667	\$41,667	\$225,001.80	\$756,256.05	\$981,258
	Concrete Jersey Barrier	\$5,000	\$20,000	\$27,000.00	\$90,750.00	\$117,750
	Pre-Cast Curb Barrier	\$4,166	\$8,697	\$22,496.40	\$75,612.90	\$98,109
	Planter	\$43,000	\$53,000	\$232,200.00	\$780,450.00	\$1,012,650
<b>B. Bollards</b>	Security Bollard	\$10,000	\$10,000	\$54,000.00	\$181,500.00	\$235,500
	Self-Correcting Guide Post	\$2,600	\$15,000	\$14,040.00	\$47,190.00	\$61,230
<b>C. Guardrails</b>	Steel Guardrail	\$10,000	\$25,000	\$54,000.00	\$181,500.00	\$235,500
	Jersey Wall *	\$40,540	\$40,540	\$218,916.00	\$735,801.00	\$954,717
<b>D. Fence</b>	Chain-Link *	\$8,200	\$8,200	\$44,280.00	\$148,830.00	\$193,110
	Handrail *	\$20,000	\$20,000	\$108,000.00	\$363,000.00	\$471,000
	Pipe Railing *	\$10,000	\$10,000	\$54,000.00	\$181,500.00	\$235,500

\* Continuous & meets height requirement

				Winston Churchill (high estimate)		
Category	Type	Cost per 100m (low estimate)	Cost per 100m (high estimate)	Cost for Curb-Facing Segments (540m)	Cost for Splash Strip Segments (1,815m)	Cost for Curb-Facing AND Splash Strip Segments (2,355m)
A. Removable Barriers	Water or Sand-Filled Barriers	\$41,667	\$41,667	\$225,001.80	\$756,256	\$981,258
	Concrete Jersey Barrier	\$5,000	\$20,000	\$108,000.00	\$363,000	\$471,000
	Pre-Cast Curb Barrier	\$4,166	\$8,697	\$46,963.80	\$157,851	\$204,814
	Planter	\$43,000	\$53,000	\$286,200.00	\$961,950	\$1,248,150
B. Bollards	Security Bollard	\$10,000	\$10,000	\$54,000.00	\$181,500	\$235,500
	Self-Correcting Guide Post	\$2,600	\$15,000	\$81,000.00	\$272,250	\$353,250
C. Guardrails	Steel Guardrail	\$10,000	\$25,000	\$135,000.00	\$453,750	\$588,750
	Jersey Wall *	\$40,540	\$40,540	\$218,916.00	\$735,801	\$954,717
D. Fence	Chain-Link *	\$8,200	\$8,200	\$44,280.00	\$148,830	\$193,110
	Handrail *	\$20,000	\$20,000	\$108,000.00	\$363,000	\$471,000
	Pipe Railing *	\$10,000	\$10,000	\$54,000.00	\$181,500	\$235,500

\* Continuous & meets height requirement

City of Mississauga  
**Corporate Report**



Date: 2019/04/16

To: Chair and Members of General Committee

From: Paul Mitcham, P. Eng, MBA, Commissioner of  
 Community Services

Originator's files:

Meeting date:  
 2019/05/15

## Subject

**6131 Cheega Court - Encroachment of City-owned Lands - Ward 9**

## Recommendation

That the Corporate Report dated April 16, 2019 from the Commissioner of Community Services entitled "6131 Cheega Court Encroachment" be received for information.

## Background

In 2013, the residents of 6131 Cheega Court applied for and were denied an encroachment agreement for a shed, wood retaining wall and chain link fence on City-owned lands. The property in question backs on to Lake Wabukayne Park. The area of encroachment falls within the ME12 (Meadowvale) area of the Mississauga Natural Areas Survey (NAS), classified as a Significant Natural Site and contributes to linkage function of Mullett Creek and is within Credit Valley Conservation's (CVC) regulated area which prohibits development and altering of watercourse and wetlands.

In addition, as the City lands are within CVC's regulated area and are adjacent to a valley slope, CVC had concerns regarding the long term stability and integrity of the valley system and as such advised that the fence should be moved back to the property line and the encroachment area was to be left to naturalize with native and common species vegetation to help to maintain the slope stability of the valley system. CVC indicated that the retaining wall located on City lands was to be removed. The storage shed was also to be removed from City lands or moved inside the property boundaries. In 2013, the City confirmed with the resident that the encroachment agreement application was denied and developed a plan to phase-in reinstatement of the City's property. The phased plan included:

- Phase 1- Surveying and re-grading of slope (resident to remove shed)
- Phase 2- Planting by Forestry staff
- Phase 3- Once planting is established, move fence

In 2014, with support of the Ward 9 Councillor's office, a CPTED report was completed by Peel Regional Police which supported the phased plan to move the fence back while enhancing planting and infill to deter access to the property in the interim. The resident complied with

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moving the shed off of City lands. The phased plan included provisions for allowing planting to mature before the encroaching fence was removed.

Realty Services contacted Forestry staff in 2018 to follow-up on the action items outlined in the re-instatement plan. Forestry staff determined that there were a number of items outstanding. In 2018 the following was completed:

- Staff contacted the resident about follow-up on re-instatement plan
- Removal of retaining logs as per original report
- Property survey completed by the City
- Multiple attempts to contact the resident to discuss phasing of the plan
- Meeting with Ward 9 Councillor after the resident declined to speak with City staff
- Review of pool enclosure certificate issued to previous homeowner
- Completion of a second CPTED report by Peel Regional Police (October 2018)
- Secondary review by CVC, confirming the original position that they do not support an encroachment agreement
- Review of incidents in surrounding park area by Security Services and Peel Regional Police (the resident expressed concerns about drinking and drug use and felt the plan would facilitate increased illegal activity)

Following a second review of the file and with input from Peel Regional Police, CVC and Legal Services, Community Services staff have concluded:

- Staff are unable to support an encroachment application at this location for the reasons outlined in the original letter to the residents dated November 4, 2013 (Appendix 1)
- The pool enclosure certificate was obtained by a previous homeowner in September 1989 with reliance on the previous property owner(s) statement that the fence was located on their property. No survey or inspection was completed at that time by City staff
- Both CVC and Peel Regional Police support the City's position to deny the encroachment application. The only change to the original reinstatement plan was no to re-grade the slope, due to the slope instability (CVC)
- Currently the property line is 1.4 meters (4.59 ft) from the interior wall of the swimming pool. The Swimming Pool Enclosure By-Law (191-11) requires it to be 1.5m (4.9ft). Therefore, when the City re-aligns the fence it will be placed at the 1.5m (4.9ft) mark and allow for the 0.5m (0.31ft) encroachment onto City property, with the fence fully located on City land
- A meeting was scheduled with the resident and the Ward 9 Councillor to discuss the revised plan. Staff were subsequently notified that the resident would be attending General Committee on May 15<sup>th</sup> to appeal the denial of the encroachment agreement.

## Comments

Legal Services has reviewed the file. Without a valid agreement in place permitting the encroachments, any encroachments remaining on City-owned lands, including the chain link fence and wood retaining wall, are prohibited under the City's Encroachment By-law 0057-2004.

Security Services reviewed the incidents in Lake Wabukayne Park between 2017 and 2018. Security completed 130 proactive patrols of the park. A total of 12 incidents were noted in these 2 years. The most common incidents were related to fishing (5) and skating (2).

Since the encroachment by-law was enacted in 2009, the City has taken back 2.2 acres of City-owned parkland with an additional 1.9 acres of parks and natural areas pending reclamation. A total of 96 encroachments have been successfully resolved for Community Services properties. The City has provided an alternative to the resident which balances the resident's concerns with the property rights of the City of Mississauga. There are several precedents in many areas of the City where encroachment agreements were denied for similar properties.

## Financial Impact

The costs to address the outstanding encroachment items would include:

- The realignment of the 1.2m (4ft) high, black chain link fence, approximately 24m (78.7ft)
- The restoration planting of the encroached area would include plant material and installation labour

The total cost to the City (approximately \$3500) to be funded from the Parks, Forestry and Environment's existing operating budget with no additional funds being requested.

## Conclusion

The City owned lands subject in this report are contained within a Significant Natural Site. City staff and CVC are unable to support an encroachment agreement at this location for the reasons set out above. A revised plan is proposed to ensure the existing pool is compliant with the Pool Enclosure By-Law and to achieve compliance with the Encroachment By-law. Staff are able to facilitate meetings with the resident to review details and timing for the phased plan.

## Attachments

Appendix 1: Letter - Encroachment Application - 6131 Cheega Court

Appendix 2: Cheega Court Map



Paul Mitcham, P. Eng, MBA, Commissioner of Community Services

Prepared by: Jodi Robillos, Director, Parks, Forestry & Environment Division

General Committee

2019/04/16

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**Corporate Services Department**  
*Realty Services*



**Mailing Address**  
City of Mississauga  
300 City Centre Drive  
MISSISSAUGA, ON L5B 3C1

**Courier Address**  
City of Mississauga  
950 Burnhamthorpe Road West, 2<sup>nd</sup> Floor  
MISSISSAUGA, ON L5C 3B4

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**Delivered By Courier & Email: [Kimberly.hanson@molsoncoors.com](mailto:Kimberly.hanson@molsoncoors.com)**

November 4, 2013

Kimberly and Winston Hanson  
6131 Cheega Court  
Mississauga, ON L5N 3Y9

Dear Mr. and Mrs. Hanson:

Re: Application for Encroachment Agreement  
6131 Cheega Court, Mississauga  
File No.: PO.16.CHE

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You recently submitted an Application for Encroachment Agreement to Realty Services seeking approval for the continued use of a shed, wood retaining wall and chain link fence on City-owned lands within the existing fenced yard at the side and rear of your property at 6131 Cheega Court. Realty Services has liaised with staff from the City's Community Services, Planning & Building and Transportation & Works Departments and Credit Valley Conservation Authority ("CVC"). Based on the comments received from these groups, the City is unable to support an encroachment agreement at this location.

Realty Services is advised by Community Services that the City lands fall within the ME12 (Meadowvale) area of the Mississauga Natural Areas Survey (NAS), classified as a Significant Natural Site and contributes to linkage function of Mullett Creek and are within CVC's regulated area which prohibits development and altering of watercourse and wetlands. The City lands are zoned OS1 – Open Space 1, which permits passive and active recreational uses and stormwater management. The zoning does not permit a storage shed and landscaping features accessory to a residential use. The on-going use of City lands represents an intrusion into the natural area, which reduces its ecological functions.

Planning & Building advised that the City lands are designated "Public Open Space" in Mississauga Official Plan. Further, the area has been identified as part of the City's Green System (Schedule 1b) and as a "Natural Area" within the Natural Area System (Schedule 3) in

the official plan. Pursuant to environmental policy 6.1.1 in this document, the City will *“Protect, enhance and restore the Natural Areas System.”* Further, Section 6.3 of the green system policies outlines that *“Preserving and enhancing these lands in their natural state is essential to the overall health and functioning of the natural environment.”*

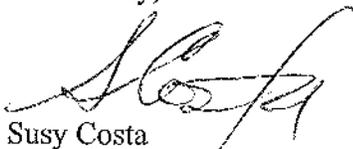
Transportation & Works advised that this property backs onto a City stormwater management facility.

In addition, as the City lands are within CVC's Regulated Area and is adjacent to a valley slope, CVC has concerns regarding the long term stability and integrity of the valley system and as such advised that the fence should be moved back to the property line and the encroachment area is to be left to naturalize with native and common species vegetation to help to maintain the slope stability of the valley system. CVC has also indicated that the retaining wall located on City lands is to be removed. The storage shed is also to be removed from City lands or moved inside the property boundaries.

In accordance with subsection 11(1) of Mississauga By-law 0057-2004 (see copy enclosed), being a By-law regulating encroachments on public lands, this is your formal notification to forthwith remove the unauthorized encroachment and restore the public lands to their former condition (including replacing vegetation), at your sole expense. Pursuant to subsection 11(2) of this By-law, if you fail to comply with the provisions of this Notice **within 30 days** of the date of this Notice, the City has the right to engage a contractor to remove the unauthorized encroachment and restore the public lands to their former condition. Should the City do this, the entire cost of removing the unauthorized encroachment and restoring the public lands will be added to your municipal tax bill and collected as outstanding taxes.

If you have any questions or comments, please do not hesitate to contact me at 905 615-3200 ext. 5432.

Yours truly,



Susy Costa  
 Project Leader, Realty Services  
 Facilities and Property Management  
 Tel: (905) 615-3200 ext. 5432  
 Fax: (905) 615-3956  
 Email: [susy.costa@mississauga.ca](mailto:susy.costa@mississauga.ca)  
 Enc.

cc: Councillor Pat Saito, Ward 9  
 P. Mitcham, Commissioner, Community Services  
 M. Powell, Commissioner, Transportation & Works  
 E. Sajecki, Commissioner, Planning & Building  
 G. Kent, Commissioner, Corporate Services and Chief Financial Officer  
 R. Sheth, Facilities & Property Management  
 K. Yerxa, Legal Services  
 S. Dickson, Legal Services  
 R. Kehar, Legal Services  
 C. Perotta, Legal Services

R. Sanderson, Realty Services  
K. Nutley, Realty Services  
D. Meehan, Transportation & Works  
D. Marcucci, Community Services  
E. Lucic, Community Services  
M. Maloney, Community Services  
D. Marques, Community Services  
G. Longmuir, Community Services  
K. Thajer, Credit Valley Conservation Authority  
A. Li, Credit Valley Conservation Authority



**THE CORPORATION OF THE CITY OF MISSISSAUGA  
ENCROACHMENT BY-LAW 57-04**

(Amended by 108-11)

**WHEREAS** the *Municipal Act, 2001*, S.O. 2001, c.25 (hereinafter the "Municipal Act, 2001") provides that a municipality may pass by-laws within the following spheres of jurisdiction: Highways, including parking and traffic on highways at section 11(1) 1; Culture, parks, recreation and heritage at section 11(1) 5 and Structures, including fences and signs at section 11(1) 7;

**AND WHEREAS** section 8 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act*;

**AND WHEREAS** section 9(1) of the *Municipal Act, 2001* provides that sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable them to govern their affairs as they consider appropriate, and (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** section 391(c) of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on any class of persons for the use of its property including property under its control;

**AND WHEREAS** section 427(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law or otherwise but has failed to do;

**AND WHEREAS** section 427(3) of the *Municipal Act, 2001* provides that the costs incurred by a municipality in doing a thing or matter under section 427(1) may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

**NOW THEREFORE** the Council of The Corporation of the City of Mississauga enacts as follows:

**SHORT TITLE**

1. This by-law shall be known and may be cited as the "Encroachment By-law".

**DEFINITIONS**

2. In this by-law,
  - (a) "**City**" means The Corporation of the City of Mississauga;
  - (b) "**City Solicitor**" means the head of the City's Legal Services Division and shall include his or her designate;
  - (c) "**Commissioner means**" (108-11)
    - (i) for lands under the jurisdiction of the Community Services Department, the Commissioner of Community Services;
    - (ii) for lands under the jurisdiction of the Transportation & Works Department, the Commissioner of Transportation & Works; and
    - (iii) in all instances other than those listed in 2(c)(i) and (ii) above, the Commissioner of Corporate Services
  - (d) "**easement**" means an interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose, but does not include an interest created by a licence;

- (e) **"encroachment"** means any type of vegetation, man-made object or item of personal property of a person which exists wholly upon, or extends from a person's premises onto, public lands and shall include any aerial, surface or subsurface encroachments;
- (i) **"aerial encroachment"** means an encroachment that is located at least .304 meters (12 inches) above the surface of public lands;
- (ii) **"surface encroachment"** means an encroachment that is located anywhere between the following: the surface of public lands to a height less than .304 metres (12 inches) and beneath the surface of public lands to a depth of not more than 2.54 centimetres (1 inch).
- (iii) **"sub-surface encroachment"** means an encroachment that is located beneath the surface of public lands to a depth exceeding 2.54 centimetres (1 inch);
- (f) **"encroachment agreement"** means a document prepared by the City allowing an encroachment on public lands and shall take either of the following two forms: (108-11)
- (i) a permit for all minor encroachments on highway land and
- (ii) an agreement for all other types of encroachments, each of which shall be signed by the applicable Commissioner or his/her authorized delegate;
- (g) **"expenses"** means any and all sums of money actually spent or required to be spent by the City, and shall include but not be limited to all charges, costs, administrative fees, HST, outlays, legal fees and losses; (108-11)
- (h) **"highway"** means a common and public highway and includes any street, sidewalk, bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway;
- (i) **"minor encroachment"** means an encroachment on a public highway deemed by the Commissioner to be of minor size and significance; (108-11)
- (j) **"owner"** means the registered owner of a parcel of property as such person is described in the records of the land registry office; (108-11)
- (k) **"person"** means an individual, partnership, association, firm or corporation, business entity or club, incorporated group or organization, federal or provincial government, crown agents, school boards and regional municipalities, to whom the context can apply in accordance with the *Interpretation Act* of Ontario, as amended, but specifically excludes the City; (108-11)
- (l) **"personal property"** means any object or item of property other than real property; (108-11)
- (m) **"premises"** means a parcel of real property under registered ownership and includes all buildings and structures thereon; (108-11)
- (n) **"public lands"** means lands owned by, leased, licensed to or under the management of the City, and shall include but not be limited to any public highway, road, street, avenue, parkway, lane, alley, square, place, viaduct or trestle, water, thoroughfare, way or bridge, park, woodland, greenbelt, storm water management facility, open space, municipal golf course or cemetery, and all parts thereof, including any surface, grassed area, boulevard, ditch, curb, gutter and sidewalk; (108-11)
- (o) **"right-of-way"** means a person's legal right, established by usage or by contract, to pass through grounds or property owned by another person; (108-11)
- (p) **"unauthorized encroachment"** means any encroachment not authorized by this by-law. (108-11)

**ENCROACHMENTS PROHIBITED**

3. (1) No person shall erect, place or maintain, or cause to be erected, placed or maintained, an encroachment of any kind on public lands, or on any right-of-way or easement in favour of the City, except where permitted to do so in accordance with this by-law.
- (2) Notwithstanding subsection 3(1), the provisions of this by-law do not apply to the following classes of encroachments:
- (a) signs, as authorized through By-law Number 54-02, as amended, (the "Sign By-Law");
  - (b) properties which are designated by by-law of the City as being of historic or architectural value or interest pursuant to the *Ontario Heritage Act*, as amended;
  - (c) a temporary encroachment arising as a result of construction, maintenance or other activity as authorized under a valid temporary permit issued by the City;
  - (d) encroachments permitted as a result of a written and signed agreement with the City, other than an encroachment agreement;
  - (e) encroachments arising as a result of a Committee of Adjustment decision permitting the owner of residential premises to widen his or her driveway, provided a curb cut permit from the City is also issued to the owner; and
  - (f) encroachments arising from surface changes made in connection with residential driveways, provided such encroachments do not breach any other municipal by-law or regulation;

**APPLICATION FOR ENCROACHMENT**

4. (1) Any person requesting authorization to erect, install or maintain an encroachment on public lands shall be required to submit an application to the City seeking permission to do so, along with payment of the non-refundable application fee.
- (2) The form and content of the application shall be as prescribed by the Commissioner from time to time, and a copy may be obtained from the City's Realty Services section.
- (3) Where an application to erect, install or maintain an encroachment has been approved, the City Solicitor shall prepare an encroachment agreement, and once the applicant has been notified in writing that the encroachment agreement is ready for execution, the applicant shall have thirty (30) calendar days to execute same and pay the applicable fees.
- (4) Where an applicant fails to pay the applicable fees or fails to execute an encroachment agreement, within the thirty (30) calendar days as prescribed in subsection 4(3), the applicant shall be deemed to have abandoned his application.

**REGISTRATION OF AGREEMENT**

5. Where the Commissioner deems it appropriate, an encroachment agreement may be registered against title to the applicant's property with the land registry office and all expenses in doing so shall be paid for in advance by the applicant.

**AUTHORITY OF COMMISSIONER**

6. The Commissioner shall have delegated authority to:
- (a) approve or reject any application submitted for an encroachment agreement; and
  - (b) impose such terms and conditions to any application and/or encroachment agreement as the Commissioner may deem appropriate; and

- c) determine whether any encroachment agreement expiring on a date after the date of enactment and passage of this by-law shall be renewed and/or extended.

#### REVOCATION

- 7. The execution of an encroachment agreement in respect of an encroachment does not create any vested right in the owner or occupant of the premises to which the encroachment is appurtenant, or in any other person, and the encroachment agreement may be revoked in accordance with the terms set out therein.

#### ACCESS TO ENCROACHMENTS

- 8. No person shall obstruct, hinder or interfere with the free access to any encroachment by an employee, officer or agent of the City.

#### DISCONTINUANCE OF ENCROACHMENTS

- 9. (1) If the owner of any premises to which an encroachment is appurtenant desires to permanently discontinue the encroachment, he shall notify the Commissioner in writing and the Commissioner shall thereafter cause a notice to be sent to the owner advising that the encroachment shall be removed or filled in and closed up, and the public lands shall be restored to their former condition by the owner at his own expense.
- (2) If the Commissioner is at any time of the opinion that a breach of the terms and conditions attached to an encroachment agreement has occurred and that the encroachment should be discontinued, or where an encroachment agreement has expired, the Commissioner may cause a notice to be sent to the owner advising that the encroachment be removed or filled in and closed up, and the public lands be restored to their former condition by the owner at his own expense.
- (3) Where an owner fails to comply with the notice described in subsection 9(1) and/or 9(2) within thirty (30) days of receipt of same, the encroachment may be removed or filled in and closed up by the City, and the public lands restored to their former condition at the expense of the owner, such expense to be recovered in full in the manner provided in section 12 below, and until the encroachment is so removed or filled in and closed up and the public lands restored to their former condition, all expenses incurred by the City in respect thereto shall continue to be paid by the owner.

#### EMERGENCY SITUATIONS

- 10. (1) If the Commissioner deems that an emergency exists or may exist as a result of any encroachment being or about to become a source of danger to the health and safety of the public, the Commissioner may,
  - (a) notify in writing the owner of the premises to which the encroachment is appurtenant, requiring the repair, removal, filling in or closing up of the encroachment and restoration of the public lands to their former condition at the expense of the owner, so that the encroachment is no longer deemed to be a source of danger or potential danger to the public by the Commissioner, and/or
  - (b) take such measures on behalf of the owner, without notice to the owner, as the Commissioner may deem necessary to remove the danger or potential danger created by the encroachment.
- (2) Where the notice described in subsection 10(1)(a) is not complied with within the time period stipulated therein, the City may repair, remove, fill in or close up the encroachment and restore the public lands to their former condition, at the expense of the owner, such expense to be recovered in full in the manner provided in section 12 below.

- (3) Where the Commissioner elects to take any action under subsection 10(1)(b), the expenses incurred by the City in so doing shall be recovered in full in the manner provided in section 12 below.

#### REMOVAL OF UNAUTHORIZED ENCROACHMENTS

11. (1) Where the City becomes aware of an unauthorized encroachment, the City may give notice in writing to the owner of the premises to which an unauthorized encroachment is appurtenant, to forthwith remove, fill in or close up the encroachment and to restore the public lands to their former condition at the expense of the owner.
- (2) Where the notice in subsection 11(1) is not complied with within thirty (30) days of the date of the notice, the City may, on behalf of the owner, remove, fill in or close up the unauthorized encroachment and restore the public lands to their former condition at the expense of the owner, such expense to be recovered in full in the manner provided in section 12 below.
- (3) Any materials or structures forming part of or attached to the encroachment and removed by the City may, at the discretion of the Commissioner, either be deposited at the owner's premises or be stored for thirty (30) days at the owner's expense, such expense to be recovered in full in the manner provided in section 12 below. Any item so stored and not claimed by the owner within the said thirty (30) day period shall be disposed of by the City in such manner as it deems appropriate.

#### RECOVERY OF EXPENSES

12. (1) All expenses incurred by the City in connection with the enforcement of this by-law shall be paid within thirty (30) days of their billing date, and in the event of failure to pay the entire amount due within the said thirty (30) days, at the discretion of the City, the outstanding balance of the invoice may thereafter be added to the tax roll as of the year in which the expenses were billed.
- (2) The City may also recover all expenses owing under this by-law by a court action as a debt due to the City.

#### INFRACTIONS AND PENALTIES

13. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to pay a fine, exclusive of costs, as provided for in the *Provincial Offences Act* of Ontario, as amended.

#### PROHIBITION ORDER

14. When a person has been convicted of an offence under this by-law,
- (a) the Superior Court of Justice, or
- (b) any other court of competent jurisdiction,

may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

#### ENFORCEMENT

15. A municipal by-law enforcement officer acting under this by-law may enter and inspect all buildings, structures or parts thereof that are subject to this by-law at any reasonable time for the purposes of determining whether there is compliance with this by-law.

#### DELEGATION OF AUTHORITY

16. The Commissioner and the City Clerk are authorized to execute and affix the Corporate Seal of the City to all encroachment agreements.

**GENERAL**

17. In this by-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine, and further, the converse of the foregoing also applies where the context so requires.

**DELETIONS TO OTHER BY-LAWS**

18. Section 10 of By-Law Number 277-96 is hereby deleted.

**EXCEPTIONS AND GRANDFATHERING**

19. (1) Sections 2 and 3 of By-Law 23-79 shall not apply to those persons who have a valid and binding encroachment agreement with the City with respect to encroachments occurring on highways.
- (2) Notwithstanding subsection 3(1), any encroachment authorized under an encroachment agreement determined by the City Solicitor to be valid and binding at the date of enactment of this by-law, shall not require further authorization pursuant to this by-law until the encroachment agreement has expired or is terminated.
- (3) Subject to subsection 19(2), this by-law shall apply to all encroachments which existed or were created before this by-law was enacted and passed.

**SEVERABILITY**

20. Where a court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

ENACTED AND PASSED this 11<sup>th</sup> day of February, 2004.

Signed by: Hazel McCallion, Mayor      Crystal Greer, City Clerk



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# City of Mississauga Corporate Report



Date: 2019/04/02

To: Chair and Members of General Committee

From: Paul Mitcham, P. Eng, MBA, Commissioner of  
Community Services

Originator's files:

Meeting date:  
2019/05/15

## Subject

**Bee City Canada Designation**

## Recommendation

1. That the City of Mississauga be designated as a "Bee City" in accordance with the Bee City Canada Program.
2. That Council consider adoption of the Bee City Canada Resolution attached as Appendix 1 to the Corporate Report dated April 2, 2019 from the Commissioner of Community Services entitled "Bee City Canada Designation" and that the signed resolution be submitted to Bee City Canada to receive official Bee City Designation.

## Report Highlights

- Bee City Canada is a collective of municipalities and organizations that are committed to improving pollinator health and habitat within their municipal/community boundaries.
- There are currently 23 Bee Cities across Canada including Toronto, Guelph and Newmarket.
- The Bee City Canada designation requires Council approval to take action to protect pollinators and their habitat.
- Existing programs including One Million Trees Mississauga, pollinator gardens and the honeybee hive on the roof of City Hall all support pollinator health and habitat restoration in Mississauga.
- By applying for this designation, the City of Mississauga would make a commitment to create healthy pollinator habitat, educate the community about pollinators and celebrate pollinators during National Pollinator Week.
- The commitments would be achieved through existing programs in the Parks, Forestry and Environment Division.
- A Communication plan would be created to share the commitments and achievements

made under the Bee City Canada designation.

## Background

Bee City Canada is a program created to engage Canadian municipalities, First Nations, schools, businesses and other organizations to take action to protect pollinators. A Bee City is part of a North American movement of cities and other groups committed to support pollinators and their habitats. The program allows cities to set an example through their commitment to create pollinator habitat and raises awareness of the benefits of programs aimed at promoting pollinator health. Cities can enhance pollinator health and habitat by eliminating harmful chemicals from the landscape, using native plants requiring less maintenance, and promoting programs to grow healthy local food. By joining the Bee City Canada community, the City of Mississauga can set an example for other municipalities and improve the physical and mental health of residents by connecting people with nature and encouraging healthy, clean food consumption.

## Present Status

### What are Pollinators?

Pollinators provide essential pollination services to plants. Plants need to be pollinated to produce seeds and fruit. Pollinators in Mississauga include birds, small mammals, and insects. Pollinators include introduced species (eg. honeybees) and native species (eg. bumblebees and solitary bees). Pollinator populations are declining due to habitat loss, pesticide use and human impacts. The Parks, Forestry and Environment Division has seen an increase in public interest in pollinator health projects in Mississauga in recent years.

### Naturalization and Community Engagement

The City is engaged in numerous activities that support pollinator health in Mississauga. Through the Natural Heritage and Urban Forest Strategy, and Urban Forest Management Plan, the City has committed to protecting and expanding our natural areas. The One Million Trees Mississauga program plants trees and shrubs that have helped increase pollinator habitat. Tree planting events under the One Million Trees program engage residents, providing an opportunity for education including how to contribute to pollinator health in their own gardens.

### Pollinator Gardens and Community Gardens

The City has thirteen existing pollinator gardens. Many of these gardens are located at community centres and are part of the community gardens operated in conjunction with local non-profit organization Ecosource. These gardens provide habitat for pollinators and create public education opportunities.

### Honeybee Hive at City Hall

In June 2018, a honeybee hive was installed on the roof of Mississauga's City Hall. The focus of this initiative is to support urban agriculture, pollination of vegetation within the downtown core

and to provide an opportunity to educate the public regarding pollinators and their role in an urban environment.

### **Bee City Canada**

There are currently 23 Bee Cities listed in Canada. The City of Mississauga has the opportunity to join those cities by showing our commitment to protecting and enhancing pollinator health and habitat. The designation requires a yearly renewal by recording and submitting the activities and achievements made under the Bee City Canada commitments.

## **Proposed Commitments to Bee City Canada**

For the City of Mississauga to become a Bee City, the following three commitments would be made to Bee City Canada.

### **Creating Healthy Pollinator Habitat**

The City will expand pollinator initiatives planting pollinator friendly plants in pollinator gardens and existing flower beds. The One Million Trees program will continue to plant native trees and shrubs to enhance pollinator habitat. Staff will continue working with residents to install solitary bee houses to support native pollinators.

### **Educate about Pollinators**

Through the educational component of the One Million Trees program, pollinator-centred content will be enhanced to educate residents about the importance of pollinators and what they can do to enhance pollinator habitat in their own backyards. Specific native trees and shrubs that benefit pollinators can be highlighted as an educational tool, as well as to give residents ideas as to what they can plant in their own gardens.

### **Celebrate Pollinators**

International Pollinator Week is the third week of June, and the City will use this week as a platform to celebrate pollinators and share the work that is being done to protect them in Mississauga. Nature walks will be hosted to educate residents about the pollinator habitat in their local parks. A social media campaign will promote the City's commitment to pollinator projects.

## **Communications**

A Communication plan would be developed to assist in sharing the commitments to pollinator health and habitat that the City is making as part of the Bee City Canada community. Social media will be the main communication tool, but materials can be developed to be used at community events and display booths. The communication plan would include additions to the existing One Million Trees communication tactics to include more messaging about pollinators.

## Strategic Plan

The Strategic Goals under the Green Pillar for Change identify the need to conserve, enhance and connect natural environments as well as to promote a green culture. Becoming the next Bee City Canada would show the City's commitment to being responsible stewards of the land as well as to lead a change in behaviour to support a responsible and sustainable approach to the environment.

## Financial Impact

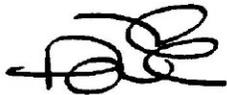
There are no financial impacts resulting from the recommendations in this report.

## Conclusion

The City of Mississauga can become the next Bee City Canada to show our commitment to protecting pollinators and their habitat. Existing programs that are underway in Parks, Forestry and Environment will support the commitments made through the designation. By joining Bee City Canada, the City can help solidify its commitment to being responsible stewards of the environment and promote activities that will improve the health of residents and the environment city-wide.

## Attachments

Appendix 1: Bee City Canada Resolution



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Paul Mitcham, P. Eng, MBA, Commissioner of Community Services

Prepared by: Sarah Pielt, Acting Supervisor Woodlands & Natural Areas



## Draft Resolution for

City of Mississauga

(Municipality or First Nation)

of Ontario

(Province or Territory)

for approval by  
City Council, Band Council  
or Appropriate Official.

Present this document to City/Band Council for approval. Send signed document, along with completed Bee City Canada Application form, to [applications@beecitycanada.org](mailto:applications@beecitycanada.org) for review and to receive official Bee City designation. If you have any questions about this process, please call Shelly Candel (647-402-0133) or Nick Savva (416-388-8856).

## Bee City Canada Resolution

**WHEREAS** the goal of Bee City Canada designation is to promote healthy, sustainable habitats and communities for pollinators;

**THAT** bees and other pollinators around the globe have experienced dramatic declines due to land fragmentation, habitat loss, use of pesticides, industrialized agriculture, climate change and the spread of pests and diseases, with serious implications for the future health of flora and fauna; and

**THAT** cities/townships/First Nation communities and their residents have the opportunity to support bees and other pollinators on both public and private land; and

**THAT** supporting pollinators fosters environmental awareness and sustainability, and increases interactions and engagement among community stewards; and

**THAT** by becoming a Bee City, the City/Township/First Nation can highlight initiatives already in place and further engage local communities in an environment of creativity and innovation which will promote a healthier life for our community;

**THAT** staff be authorized to submit the Bee City Canada Application to designate (City/Township/First Nation) as a Bee City; and

**NOW, THEREFORE, BE IT RESOLVED:**

**THAT** (City/Township/First Nation) accepts the designation and commits to the standards of the Bee City Canada Program.

Read, approved and adopted this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Municipality/First Nation

\_\_\_\_\_  
Signature of Mayor, Chief or appropriate official

\_\_\_\_\_  
Print Mayor, Chief or official's name

City of Mississauga  
**Corporate Report**



Date: 2019/04/16

To: Chair and Members of General Committee

From: Paul Mitcham, P. Eng, MBA, Commissioner of  
 Community Services

Originator's files:

Meeting date:  
 2019/05/15

## Subject

**Joint-Use and Funding Agreement with the Peel District School Board for a new Multi-Use Sports Court at Lorne Park Secondary School, 1324 Lorne Park Road (Ward 2)**

## Recommendation

1. That the Commissioner of Community Services and the City Clerk on behalf of the Corporation of the City of Mississauga be authorized to enter into a joint use agreement with the Peel District School Board for a multi-use sports court at Lorne Park Secondary School, including necessary agreements and documents ancillary thereto, all in a form satisfactory to Legal Services;
2. That \$125,000 (City's 50% cost share) be funded through existing capital PN A19330 Sports Field Maintenance, Design and Reconstruction Various Neighbourhood Parks and provided to the Peel District School Board for the capital construction of a multi-use sports court.
3. That all necessary By-laws be enacted.

## Background

In 2016, the City received a request, through the Ward 2 Councillor's office, to improve the unlit tennis court at Lorne Park Secondary School. Through an analysis of the existing tennis facilities in the service area and amenity provision standards, it was determined that there was no demonstrated need for additional tennis courts in this location.

The City held further discussions with the Peel District School Board ("PDSB") and concluded that the addition of a new multi-use sports court would offer more benefit to the surrounding community than renovating the existing tennis court. A multi-use sports court provides multi-generational opportunities for exercise and unorganised recreational games. The provision of multi-use courts across the City is supported in the Future Directions Parks and Forestry Master Plan.

In April, 2019, the PDSB approached the City with a proposal to enter into a Joint-Use Agreement for the construction and use of a multi-use sports court at Lorne Park Secondary School. The multi-use sports court would be lined for various sports purposes and include a planting buffer along the south property line between the school and an adjacent residential property. The multi-use court will not be lit. The board will undertake the project capital at a total cost of project \$250,000, of which they have asked the City to contribute 50%.

## Comments

Community Services Staff in consultation with Legal Services require authority to negotiate the joint use agreement with the PDSB. The proposal is for PDSB and the City to jointly share on a 50%/50% basis the cost of construction, maintenance, repairs and replacement of the multi-use sports court on a portion of the PDSB owned lands at Lorne Park Secondary School.

The PDSB will be responsible for the construction of the multi-use sports court to City standards. Following completion, the PDSB will have exclusive use of the multi-use sports court during school hours and the public would have use of the multi-use sports court after school hours, weekends, statutory holidays and vacation periods.

Should the PDSB and the City agree with this proposal, the PDSB will commence and conclude construction of the multi-use sports court during the summer of 2019.

## Financial Impact

Funding of \$125,000 for the City's 50% cost share portion will be funded from PN A19330 Sports Field Maintenance, Design and Reconstruction Various Neighbourhood Parks existing budget. No additional funding is required.

## Conclusion

The City has a long-term partnership with PDSB to allocate school sports facilities for community use outside of standard school operating hours. The contribution to this project ensures community access to the multi-use sports court and provides opportunities for residents to maintain a healthy active lifestyle.

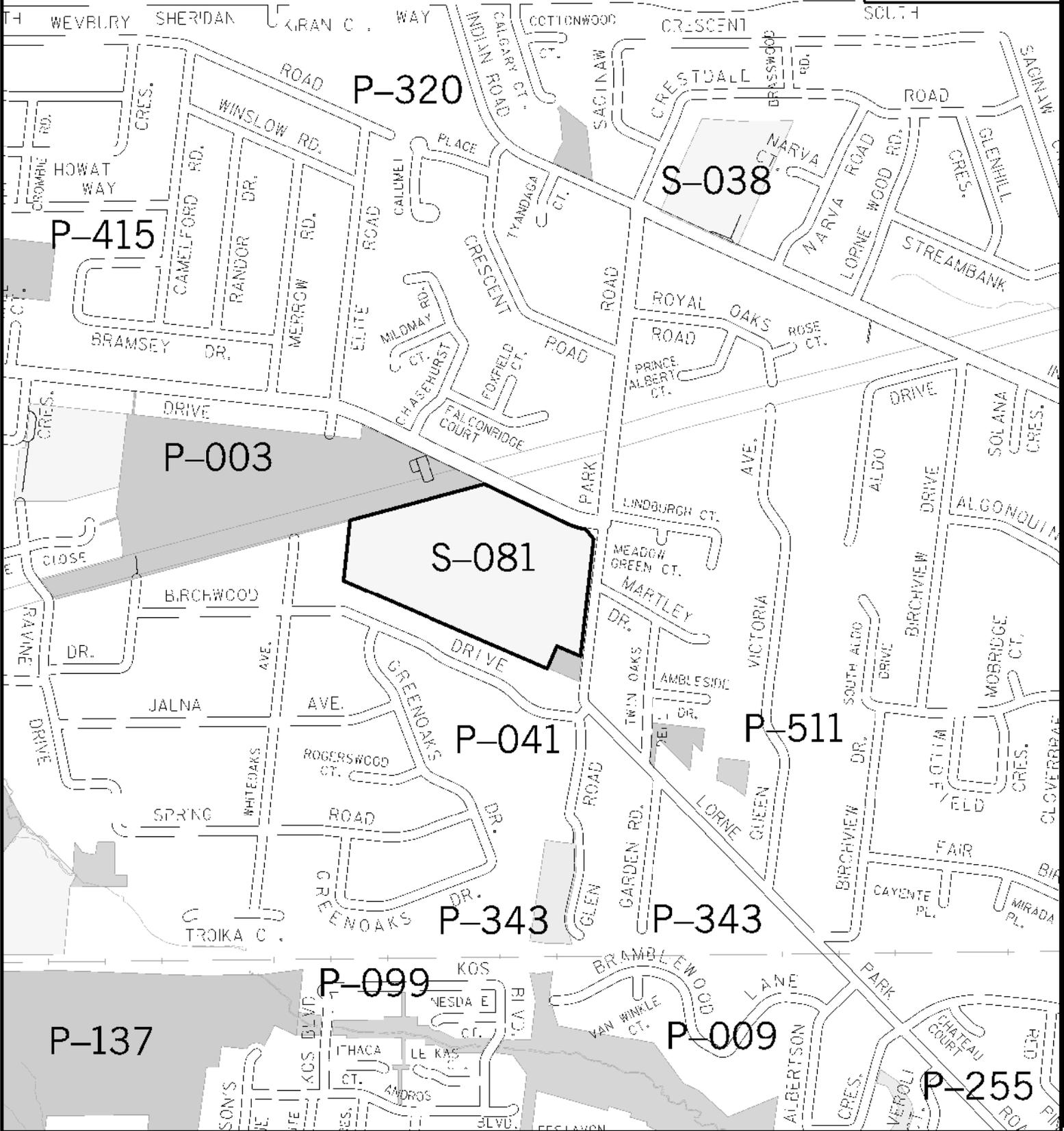
## Attachments

Appendix 1: Lorne Park Secondary School Location Map



Paul Mitcham, P. Eng, MBA, Commissioner of Community Services

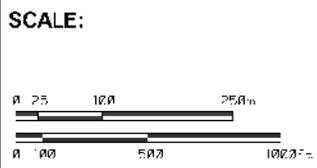
Prepared by: Jane Darragh, Parks, Forestry and Environment Division



S-081

Location of Lorne Park Secondary School (S-081)

Subject Property



City of Mississauga  
**Corporate Report**



Date: 2019/04/17

To: Chair and Members of General Committee

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of  
 Corporate Services and Chief Financial Officer

Originator's files:

Meeting date:  
 2019/05/15

## Subject

**Designation as a City Standard Recommendation for Adobe for the supply of Adobe software products and maintenance and support services**

**File Ref: PRC001390, FA.49.335-16**

## Recommendation

1. That the report from the Commissioner of Corporate Services and Chief Financial Officer dated April 17, 2019 entitled Designation as a City Standard Recommendation for Adobe for the supply of Adobe software products and maintenance and support services File Ref: Procurement PRC001390, FA.49.335-16 be received.
2. That the Purchasing Agent be authorized to utilize the Province of Ontario's Volume License Agreement (VLA) #OSS\_00522818, to initiate a competitive process for the supply of Adobe software products and maintenance and support services by Adobe authorized resellers (Fulfillment Agents).
3. That the Purchasing Agent be authorized to negotiate the inclusion of other Adobe products and services to accommodate the future growth and business requirements of the City and to execute the necessary contractual documentation to incorporate the additional Adobe products and services as part of the Adoption Agreement.
4. That the Purchasing Agent be authorized to execute the necessary contracts for the supply of Adobe software products and maintenance and support services with the Fulfillment Agent chosen through the competitive process referenced above for a three year term at the estimated amount of \$450,000.
5. That Council approve Adobe as a City Standard for a period of ten years, in accordance with the City's Purchasing By-law 374-06, as amended.

## Report Highlights

- In 2015, the Province of Ontario's Ministry of Government and Consumer Services (MGCS) established VLA # OSS\_00522818 with Adobe for eligible software products and maintenance and support services.
- The City wants to utilize the Province of Ontario's MGCS VLA with Adobe and secure a Fulfillment Agent through a competitive process for Adobe software and subscriptions, including but not limited to Document Cloud and Creative Cloud products and related support in order to provide functionality that meets the current and future needs of the City.
- It is recommended to authorize the Purchasing Agent to initiate a competitive procurement process and execute the contract and all related ancillary documents with the selected Fulfillment Agent for Adobe software products and maintenance and support services subject to successful negotiations, the City Solicitor's approval and an annual budget approval.

## Background

Adobe software includes complete PDF solutions allowing for creating, editing and signing PDFs along with suites for graphic design, photo and video editing and web development applications.

In 2017, Adobe announced end of support for Adobe Acrobat XI Pro and Adobe Reader XI signifying that Adobe no longer would provide technical support, product and/or security updates, for all derivatives of the product or product version. Similarly in 2017, Creative Suite 6 was to be replaced with Creative Cloud (CC) meaning the latest versions of applications such as Photoshop and Illustrator would only become available with a CC membership. This membership would provide users with ongoing product upgrades, step-by-step tutorials and built-in design templates.

Products traditionally offered with perpetual licenses were converted to subscription based licensing. A subscription license expires after a specific term (one year) and has to be renewed in order to refresh the expiration date of the license. The City had a requirement to renew subscriptions for Acrobat and Creative Cloud products to prevent interruption in service and negative impact on users' day-to-day business operations.

The Adobe subscriptions at the City include Acrobat Pro DC with 155 subscribers. The Creative Cloud delivers the world's leading creative desktop apps such as Adobe Photoshop (used by 90% of the world's creative professionals) InDesign and Illustrator. The subscription version of these Adobe products allows installation on multiple devices.

Use of the MGCS VLA has been made available on an optional basis to Provincially Funded Organizations such as municipalities. The Adobe VLA has been in effect since May 1, 2015 and will be renewed until April 30, 2020; however, VLA allows the term of a Purchase Order with the

General Committee	2019/04/17	3
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Fulfillment Agent chosen to extend beyond the date of VLA expiration. The rates for Adobe products are subject to discounts and enterprise wide pricing for the term of the agreement. City Staff will issue a Request for Tender (RFT) to the Adobe authorized resellers (Fulfillment Agents) to obtain firm pricing and the discount rate.

## Comments

The City will continue to make use of Adobe Acrobat Pro XI (DC's predecessor) and CS6 products (CC's predecessor), until these versions no longer satisfy the City's requirements and will eventually upgrade users to the new DC and CC products to provide functionality that meets the current and future needs of the City.

The City will subscribe to the new DC and CC products on an as needed basis for new Adobe users and will pay the annual subscription fees as required.

The shift to subscription pricing is not new and has been gradually spreading across the computing industry as the Internet has simplified software distribution. The benefit to the City is scalable licensing. The City can purchase subscriptions based on business needs and will have the ability to increase, decrease and re-assign licenses as workflow changes. Acrobat DC integrates seamlessly with Office 365, Office 2013 and Office 2010 applications as well as seamless integration with Microsoft SharePoint.

The benefits of utilizing the VLA include access to the same software licence and related terms and conditions that are more favourable than Adobe's standard software licence agreements and in addition, provide greater discounts on Adobe list prices from various authorized resellers. By utilizing the VLA, an RFT will be issued to select a single reseller. Additionally, there is a significant internal cost savings in terms of internal resource allocation as City Staff will not need to negotiate a separate legal agreement.

Not having a viable contract puts the City at risk as it would prevent City staff from using their current subscriptions and current users of the perpetual products from upgrading to the newer versions when required.

### **Purchasing By-law Authorization**

The recommendation in this report is being made in accordance with Purchasing By-law 374-06, Section 12 Schedule A, 1 (b) (vii) "It is advantageous to the City to acquire the Goods and/or Services from a supplier pursuant to the procurement process conducted by another Public Body".

Information Technology, Materiel Management and Legal Services staff will collaborate to establish the detailed requirements, negotiate the final arrangements and prepare the requisite forms including the contract agreements.

## Financial Impact

Information Technology establishes Capital requests on an annual basis, based on business requests and good state of repair, along with the operating budget that reflects yearly subscription renewals, maintenance and support.

Growth related new subscriptions will be paid out of the capital budget in the first year. Subsequent subscription renewals will be paid out of the operating budget (cost centre 22346).

The annual operating cost is estimated at \$120,000 with a projected 10-15% yearly increase factoring user growth.

Year 1	Year 2	Year 3	TOTAL
\$120,000	\$140,000 <i>(rounded up)</i>	\$160,000 <i>(rounded up)</i>	\$450,000 <i>(rounded up)</i>

All purchases of software, subscriptions and services will be subject to budget approval.

## Conclusion

This report recommends that the City utilize the Province of Ontario's MGCS VLA with Adobe to secure a Fulfillment Agent through a competitive process for the supply and delivery of various Adobe software products and maintenance and support services at competitive prices and the Purchasing Agent be authorized to initiate contract negotiations with the chosen Adobe authorized reseller (Fulfillment Agent) to execute the necessary contracts subject to the City Solicitor's approval and an annual budget approval.

## Attachments

Appendix 1: Adobe - Statement of Work




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Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Sabrina Stan, CPA, CA, IT Asset Management Specialist

### **Adobe – Statement of Work**

The following outlines Adobe software products and maintenance and support services that will be negotiated and entered into with a Fulfillment Agent through a competitive process utilizing the Volume License Agreement (VLA) # OSS\_00522818 on terms and conditions satisfactory to the City:

- Desktop, mobile and web-based creativity and design tools
- Desktop, mobile and web-based document management, PDF & e-signature tools
- Support services

City of Mississauga  
**Corporate Report**



Date: 2019/04/23

To: Chair and Members of General Committee

From: Gary Kent, CPA, CGA, ICD.D, Commissioner of  
 Corporate Services and Chief Financial Officer

Originator's files:

Meeting date:  
 2019/05/15

## Subject

**Designation as a City Standard Recommendation for Commvault Systems (Canada) Inc. for the supply of Commvault products and related services**

**File Ref: PRC001473**

## Recommendation

1. That the report from the Commissioner of Corporate Services and Chief Financial Officer dated April 23, 2019 entitled "Designation as a City Standard Recommendation for Commvault Systems (Canada) Inc. for the supply of Commvault products and related services File Ref: PRC001473" be received.
2. That Council approve Commvault Systems (Canada) Inc. as a City Standard for the supply of Commvault Complete Backup and Recovery and related services (professional services, support and training) for the term of five years in accordance with the City's Purchasing By-law 374-06, as amended.
3. That the Purchasing Agent be authorized to specify Commvault Complete Backup and Recovery and related services including maintenance and support in a competitive procurement process leveraging Commvault's authorized value added resellers channel.

## Report Highlights

- Since 2001, the City has been utilizing Commvault Backup and Recovery software to backup data from all of its production systems contained within the entire server infrastructure located in its data centres.
- The City initially purchased Commvault Backup and Recovery licenses from Commvault's certified reseller CDW following Medium Value Acquisition process.
- In 2016, through the competitive High Value Acquisition procurement process, supply of Commvault based perpetual licenses for backup and recovery was awarded to Scalar Decisions Inc. under procurement number FA.49.193-16.

- The City currently owns perpetual Commvault Data Protection Advanced (DPA) Backup and Recovery licenses for over 150TB (Terabytes) of data.
- Corporate data being backed up continues to grow at a rate of approximate 20 percent compounded annually.
- Maintaining business continuity is a top priority for the City and protecting corporate data is critically important.
- Commvault products include the latest technologies which include Ransomware protection improving the security parameters of the backup.

## Background

Ensuring the City's corporate data is securely backed up, protected and can be recovered is one the most critical functions of the Information Technology Division. Commvault Data Protection, Backup and Recovery software solutions provide enterprise-level backup and recovery for all stored data both on premises and in the cloud. Commvault Data Protection, Backup and Recovery solutions have been used at the City for several years now and have a proven track record being a robust, reliable, secure and efficient backup solution.

Commvault software is a leading enterprise backup solution providing enhanced data protection and data transfer features such as proxy-based backups, advanced transport support, hardware-agnostic media management, deduplication, compression and encryption.

Commvault software solutions allows for the backup of databases, files, applications, endpoints and virtual machines (VMs) with maximum efficiency according to data type and recovery profile. It also helps to optimize storage with deduplication, recover data rapidly and easily and leverage reports to continually improve backup and recovery processes.

## Comments

Since 2001, the City has been utilizing Commvault Backup and Recovery software to backup data from all of its production systems contained within the entire server infrastructure located in its data centres. The City's Information Technology infrastructure is comprised of physical and virtual servers, databases and file storage to support our operational and business needs for over 200 systems such as SAP, Email, Cisco Call Manager, Infor, 311 KBCity, Hastus, iBus, SharePoint, Fire CAD and Class.

The City initially purchased Commvault Data Protection Advanced (DPA) Backup and Recovery licenses from Commvault's certified reseller CDW following Medium Value Acquisition process. In 2016, through the competitive High Value Acquisition procurement process, supply of Commvault based perpetual licenses for backup and recovery was awarded to Scalar Decisions Inc. under procurement number FA.49.193-16. Currently the City has two contracts in place, Maintenance and Support Agreement with CDW for the City owned Commvault backup and

recovery perpetual licenses and License Purchase Agreement for new Commvault licenses with Scalar Decisions Inc. Both contracts are expiring in 2019.

The City currently owns Commvault DPA Backup and Recovery perpetual licenses for over 150TB (Terabytes) of data. Corporate data being backed up continues to grow at a rate of approximately 20 percent compounded annually. Commvault's DPA product is being phased out and its replacement product is now known as Commvault Complete Backup and Recovery. In order to maintain the City's current backup software and keep it current the recommendation is to convert the existing owned perpetual licenses from Commvault DPA to Commvault Complete Backup and Recovery. Maintaining business continuity is a top priority for the City and protecting corporate data is critically important. Commvault products include the latest technologies which include Ransomware protection improving the security parameters of the backup.

Public cloud is a rapidly growing technology for new infrastructure, platforms and software. Commvault Backup and Recovery solutions allow data in the cloud to be backed up and be in compliance with the City's data retention policies. Commvault's data protection solutions support all major operating systems, applications, and databases on virtual and physical servers, storage area networks (SAN), hyper-converged infrastructure (HCI), network-attached storage (NAS) and cloud-based infrastructures.

### **Purchasing By-law Authorization**

The recommendations are made in accordance with Purchasing By-law 374-06, Section 12 (3), (iii), Schedule A, 1 (a) which states that "the Goods and or Services are only available from one supplier by reason of:

(iii) the existence of exclusive rights such as patent, copyright or license and (iv) the complete item, service, or system is unique to one vendor and no alternative or substitute exists within Canada.

Information Technology, Materiel Management and Legal Services staff will collaborate to establish the detailed requirements, negotiate the final arrangements and prepare the requisite forms including the contract agreements.

### **Financial Impact**

Information Technology establishes capital requests on an annual basis, based on business requests and good state of repair, along with the operating budget that reflects yearly maintenance and support. All purchases of products and services will be subject to budget approval and will leverage a competitive procurement process through Commvault's authorized value added resellers channel that will ensure the best pricing is obtained. The estimated spend for the term over the next five years is \$1.8 million; \$814,816 from the operational budget cost centre #22344 (IT Infrastructure Services), and the remaining \$957,460 from capital project #19515 (Server Applications & Licensing). The Information Technology capital and operating

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budgets have sufficient funding and future purchases of licenses and products and services and will be subject to budget approval.

## **Conclusion**

This report recommends that Commvault Systems (Canada) Inc. be designated as a City Standard for the supply of Commvault Complete Backup and Recovery and related services (professional services, support and training) for the term of five years in accordance with the City's Purchasing By-law 374-06, as amended. This report also recommends that the Purchasing Agent be authorized to specify Commvault Complete Backup and Recovery and related services including maintenance and support in a competitive procurement process leveraging Commvault's authorized value added reseller channel.

## **Attachments**

Appendix 1: Commvault Systems (Canada) Inc. - Statement of Work



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Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Jeff Rowsell, Acting Sr. IT Manager, Infrastructure Services

**Commvault Systems (Canada) Inc. - Statement of Work**

The following list of products and services from Commvault Systems (Canada) Inc. are to be specified in the competitive procurement process through value added resellers:

- Commvault Complete Backup and Recovery
- Maintenance and support
- Professional services
- Training

Operating (Maintenance & Support on Perpetual Terabyte Licenses) – Cost Centre 22344

<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>TOTAL</b>
\$ 109,495	\$ 131,394	\$ 157,672	\$ 189,207	\$ 227,048	\$ 814,816
20% growth					
182 TB	219 TB	263 TB	315 TB	378 TB	

TB = Terabytes of data

Capital (PN19515 Server Applications & Licensing)

One-time conversion DPA licensing to Complete Backup & Recovery	\$ 153,000
Professional services	50,000
2020 (20% growth purchase of new Terabyte perpetual licenses)	101,384
2021 (20% growth purchase of new Terabyte perpetual licenses)	121,661
2022 (20% growth purchase of new Terabyte perpetual licenses)	145,993
2023 (20% growth purchase of new Terabyte perpetual licenses)	175,192
2024 (20% growth purchase of new Terabyte perpetual licenses)	210,230
<b>Total estimated 5-year capital spend</b>	<b>\$ 957,460</b>

**REPORT 2 - 2019**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Public Vehicle Advisory Committee presents its second report for 2019 and recommends:

PVAC-0010-2019

1. That the Line-by-Line Review of the Public Vehicle Licensing By-law 420-04, as amended, be received;
2. That the Public Vehicle Advisory Committee (PVAC) continue the Line-by-Line Review at their next meeting;
3. That staff incorporate comments from PVAC regarding the Line-By-Line Review into a future report to General Committee, upon completion of the review.

(PVAC-0010-2019)

PVAC-0011-2019

1. That the Public Vehicle Advisory Committee Work Plan be received;
2. That staff amend the Work Plan to reflect the current status and bring the amended document forward at the next meeting.

(PVAC-0011-2019)

PVAC-0012-2019

That the email dated April 18, 2019 from Peter Pellier, Taxi Industry with respect to the Quebec compensation package for members of the Taxi Industry, be received for information.

(PVAC-0012-2019)

**REPORT 2 - 2019**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Accessibility Advisory Committee presents its second report for 2019 and recommends:

AAC-0011-2019

That Naz Husain be appointed Chair of the Accessibility Advisory Committee for the term ending November 14, 2022 or until a successor is appointed.

(AAC-0011-2019)

AAC-0012-2019

That Carol-Ann Chafe and Asim Zaidi be appointed alternating Vice-Chairs of the Accessibility Advisory Committee for the term ending November 14, 2022 or until a successor is appointed.

(AAC-0012-2019)

AAC-0013-2019

1. That staff provide an update on the feasibility of installing a charging station for mobility devices at the City of Mississauga's Celebration Square to be implemented during the National Access Awareness Week;

2. That staff report back on installing charging stations for mobility devices and be referred to the Facility Accessibility Design Subcommittee to review further recommendations.

(AAC-0013-2019)

AAC-0014-2019

That the deputation and associated presentation by Anthea Foyer, Project Leader Smart Cities presenting on the Smart City Master Plan be received.

(AAC-0014-2019)

AAC-0015-2019

That the deputation and associated presentation by Kendall Wayow, Manager, Building Services & Operations presenting on the new handrails in the Council Chambers be received.

(AAC-0015-2019)

AAC-0016-2019

That the deputation by Keith Sheardown, Video Production Contractor, Transit Academy presenting a photo and saying thank you to the volunteers who participated in the MiWay Training Video be received.

(AAC-0016-2019)

AAC-0017-2019

That the AAC Roles and Responsibilities be received.

(AAC-0017-2019)

## AAC-0018-2019

1. That Carol-Ann Chafe, Emily Daigle, and Steven Viera be appointed to the Accessible Transportation Subcommittee of the Accessibility Advisory Committee for the term ending November 2022 or until a successors are appointed.
2. That Anita Sampson Binder, Carol-Ann Chafe and Rabia Khedr be appointed to the Corporate Policies and Procedures Subcommittee of the Accessibility Advisory Committee for the term ending November 2022 or until a successors are appointed.
3. That Carol-Ann Chafe, Emily Daigle, Clement Lowe, Steven Viera and Asim Zaidi be appointed to the Facility Accessibility Design Subcommittee of the Accessibility Advisory Committee for the term ending November 2018 or until a successor is appointed.
4. That Anita Sampson Binder, Carol-Ann Chafe, Alfie Smith, Steven Viera and Asim Zaidi be appointed to the Promotional Awareness Subcommittee of the Accessibility Advisory Committee for the term ending November 2018 or until a successors are appointed.

(AAC-0018-2019)

## AAC-0019-2019

1. That the verbal update provided by Dan Sadler, Accessibility Supervisor with respect to the Accessibility For Ontarians with Disabilities Act (AODA) be received;
2. That Dan Sadler, Accessibility Supervisor report back to a future Accessibility Advisory Committee and/or subcommittee regarding the recommendations pertaining to the Accessibility For Ontarians with Disabilities Act (AODA).

(AAC-0019-2019)

## AAC-0020-2019

That the verbal update provided by Naz Husain and Carol-Ann Chafe, Citizen Members and Members of the Region of Peel Accessibility Advisory Committee be received.

(AAC-0020-2019)

## AAC-0021-2019

That the 2019-2022 Accessibility Advisory Committee Terms of Reference be deferred to the next AAC meeting for further discussion.

(AAC-0021-2019)

## AAC-0022-2019

That the Accessibility Committee Work Plan will be deferred to the next AAC meeting for further discussion.

(AAC-0022-2019)

## AAC-0023-2019

1. That the presentation regarding Ecosource Accessible Garden Initiatives to the Facility Accessibility Design Subcommittee on March 18, 2019, be received;
2. That subject to the comments on the presentation, the Facility Accessibility Design Subcommittee is satisfied with the initiatives Ecosource is undertaking with respect to accessible gardens.

(AAC-0023-2019)

## AAC-0024-2019

1. That the presentation regarding WZMH Architects City Centre Transit Terminal Accessibility Upgrades to the Facility Accessibility Design Subcommittee on March 18, 2019, be received;
2. That the Committee recommends overhead and stand-alone pillar signing be installed at the transit terminal for way-finding purposes.
3. That subject to the comments on the presentation, the Facility Accessibility Design Subcommittee is satisfied with the initiatives WZMH Architects is undertaking with respect to transit terminal upgrades.

(AAC-0024-2019)

## AAC-0025-2019

1. That the presentation regarding Baker Turner Inc. Pheasant Run Park Expansion to the Facility Accessibility Design Subcommittee on March 18, 2019, be received;
2. That subject to the comments on the presentation, the Facility Accessibility Design Subcommittee is satisfied with the initiatives Baker Turner Inc. is undertaking with respect to the park expansion.

(AAC-0025-2019)

## AAC-0026-2019

1. That the presentation regarding the City of Mississauga's Civic Centre Great Hall Infill to the Facility Accessibility Design Subcommittee on March 18, 2019, be received;
2. That subject to the comments on the presentation, the Facility Accessibility Design Subcommittee is satisfied with the initiatives the City is undertaking with respect to the great hall infill.

(AAC-0026-2019)

**REPORT 5 - 2019**

To: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Heritage Advisory Committee presents its fifth report for 2019 and recommends:

HAC-0032-2019

That the request to alter the heritage designated property at 36 Lake Street, as per the Corporate Report from Community Services, dated April 16, 2019, be approved.

(Ward 1)

(HAC-0032-2019)

HAC-0033-2019

1. That the request to alter the heritage designated property at 58 Lake Street, as per the Corporate Report from the Commissioner of Community Services, dated April 16, 2019 be approved.
2. That if any further changes result from other City review and approval requirements, such as but not limited to building permit, committee of adjustment or site plan approval, a new heritage permit application may be required. The applicant is required to contact heritage planning at that time to review the changes prior to obtaining other approvals and commencing construction.

(Ward 1)

(HAC-0033-2019)

HAC-0034-2019

That the request to alter the heritage designated property at 26 Bay Street, as per the Corporate Report from the Commissioner of Community Services, dated April 16, 2019, be approved.

(Ward 1)

(HAC-0034-2019)

HAC-0035-2019

That the property at 3131 Merritt Avenue, which is listed on the City's Heritage Register, is not worthy of heritage designation, and consequently, that the owner's request to demolish proceed through the applicable process.

(Ward 5)

(HAC-0035-2019)

HAC-0036-2019

1. That the Memorandum dated April 8, 2019 from Megan Piercey, Legislative Coordinator with respect to details of the 2019 Ontario Heritage Conference being held from May 30 to June 1, 2019 in Goderich, be received.
2. That up to two (2) Heritage Advisory Committee members be authorized to attend the 2019 Ontario Heritage Conference, on May 30 to June 1, 2019 in Goderich, Ontario, and that the costs for registration, accommodation and travel of up to \$1,625 per attendee be allocated in the 2019 Council Committees budget.

(HAC-0036-2019)

HAC-0037-2019

1. That the Memorandum dated March 19, 2019 from Paul Damaso, Director, Culture Division entitled Heritage Designation Working Group, be received;
2. That the Draft Heritage Designation Working Group Terms of Reference dated March 19, 2019, be approved.

(HAC-0037-2019)

HAC-0038-2019

That the Memorandum dated April 10, 2019 from Paul Damaso, Director, Culture Division entitled 3650 Dixie Road (Ward 3), be received.

(Ward 3)

(HAC-0038-2019)

HAC-0039-2019

That the Memorandum dated March 15, 2019 from Paul Damaso, Director, Culture Division entitled New Rear Addition to a Listed Property: 943 Whittier Cres., be received.

(Ward 2)

(HAC-0039-2019)

HAC-0040-2019

That the Memorandum dated April 16, 2019 from Paul Damaso, Director, Culture Division entitled New Heritage Designation Plaque Design, be received.

(HAC-0040-2019)

HAC-0041-2019

That the verbal update on May 7, 2019 from John Dunlop, Supervisor, Heritage Planning with respect to the amendments to the Ontario Heritage Act, be received for information.

(HAC-0041-2019)