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DATE: 17 January 2000

TO/DEST: Co-ordinator, Transit Services Committee

FROM/EXP: General Manager

SUBJECT/OBJET: **REQUEST TO OPERATE A SHUTTLE SERVICE-
APOLLO MANAGEMENT SERVICES**

DEPARTMENTAL RECOMMENDATION

That the Transit Services Committee recommend that the Transit Commission authorize the General Manager to enter into an agreement on behalf of the Commission whereby Apollo Management Services Ltd. will be allowed to operate a shuttle bus service taking only Via Rail crew members to and from the Ottawa train station and the WelcomINN Hotel and Chimo Inn Hotel.

BACKGROUND

The Commission has the exclusive franchise to operate a passenger transport service within the Urban Transit Area. This franchise, granted under the *Regional Municipality of Ottawa-Carleton Act*, applies with some exceptions to all transportation of passengers for reward except taxi service.

The Commission has, for a number of years, authorized some passenger transport services to operate where the service does not compete with existing OC Transpo services. On 18 September 1996, the Commission considered a proposed policy to determine where and when these services would be authorized and the conditions of authorizations. Staff were directed to return to the Commission with a report setting out criteria to ensure that the services would not compete with existing OC Transpo services or taxi services. In the intervening period, the Ministry of Municipal Affairs and Housing released a draft new Municipal Act under which the scope of the transit franchise and the manner for its enforcement would have been altered.

Consideration of the new policy was put on hold pending the results of these reforms. The introduction of this legislation has been substantially delayed; however, discussion of the legislation is expected to resume this year.

DISCUSSION

Apollo Management Services Ltd. (“Apollo Management”) manages the WelcomINN at 1220 Michael Street in Gloucester. It has entered into an arrangement with Via Rail Canada to provide accommodation for Via Rail employees during their layovers in Ottawa. As part of the arrangement, Apollo Management has agreed to provide a shuttle service between the train station, the WelcomINN and the neighbouring Chimo Hotel.

The Region’s Legal Department has been consulted and has indicated that the authority of the Commission is required in order to operate this service. Although the service is said to be complementary to Via Rail, it is clearly being provided either to obtain or retain hotel business. Based on existing court decisions defining a taxi, the eight-passenger van proposed to be leased and used by Apollo is too large to be a taxi and comes within the size of vehicle covered by the Commission’s exclusive franchise. Apollo Management has written to the Commission requesting authorization to operate this service.

Apollo Management proposes to operate an average of five trips per day seven days a week. The number of trips will depend in part on the number of trains running each day. Times of trips are subject to change based on train schedules but are expected to leave the train station at between 12:30 p.m. and 1:00 a.m. and leave the hotels at between 4:30 a.m. and 3:00 p.m. Train crews will be required to arrive at the train station early to prepare trains for departure. Only Via Rail employees would be permitted to use this service and direct routes between the two points would be required.

STAFF COMMENT

OC Transpo does not operate a direct service between the train station and the WelcomINN. Passengers would be required to transfer at the St. Laurent Station (if bus service is available) or walk to or from the St. Laurent Station and the hotel. Walking this distance of over one kilometre and crossing St. Laurent Boulevard would not be practical for a person carrying luggage. Via Rail crews do not currently use public transit because it is not compatible with their schedules. Therefore, staff is of the opinion that the operation of this service would not compete with existing OC Transpo service.

The operation of the shuttle service would also provide Via Rail with a guarantee of available transportation services for train crews at all times necessary to ensure rapid shuttling of crews between the hotels and the train station.

POTENTIAL COMMISSION AUTHORIZATION

Should the Commission authorize the operation of this service, Apollo Management would be required to enter into an agreement which would include the following conditions:

- stipulate the type of vehicle to be used, the specific routes to be used by the shuttle and restriction of use to Via Rail employees;
- require that a copy of a current Safety Standards Certificate for the vehicle be provided to the Commission;
- require proof of liability coverage of \$5 million for the carrier, the Commission and the Region;
- require that the carrier indemnify the Commission and OC Transpo from any liability arising from the operation of the service; and
- be for a term of one year, renewable yearly.

PUBLIC CONSULTATION

Public consultation is not required for this matter.

FINANCIAL IMPLICATIONS

Approval of this matter will have no financial implications or impact to OC Transpo.

*Approved by
Gordon Diamond*