

Date: May 17, 2022	Originator's files:
To: Chair and Members of General Committee	
From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works	Meeting date: June 1, 2022

## **Subject**

**Metrolinx Bus Access Agreement**

## **Recommendation**

That a By-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk or their designates to negotiate and execute a Bus Access Agreement between the Corporation of the City of Mississauga and Metrolinx for access to Metrolinx's GO Terminals by MiWay buses, including authority to execute any necessary documents, amendments or renewal agreements ancillary thereto, all in a form satisfactory to the City Solicitor.

## **Background**

Under the Metrolinx Act, Municipal Service Providers (MSPs), including MiWay, are permitted and have been using Metrolinx Terminals (i.e., GO Stations) for the purposes of dropping off and picking up customers. While the ability to do so has always been and is being practiced informally and in good faith, Metrolinx initiated the process to develop a written agreement to formalize the use of the terminals and stipulate rules and regulations regarding the terms of use. As transit agencies are expanding and services are increasing, the number of agencies sharing a terminal and the need for additional infrastructure (e.g., additional bus bays, operator only washrooms, digital signage, etc.) to support these changes were driving factors in creating this agreement.

In the summer of 2020, Metrolinx shared a draft Bus Access Agreement with all 905 MSPs to formalize the permitted uses and roles and responsibilities of the MSP at Metrolinx's terminals. The intent was to create one agreement that would be applicable for all MSPs with the only difference being the schedules, which highlighted each of the terminals that were serviced by the individual MSP. To ensure consistency in comments, capture all concerns from each 905 MSP, and provide consolidated feedback to Metrolinx, MiWay coordinated working sessions with representatives from the 905 MSPs, which included Brampton Transit, Durham Region Transit, Hamilton Street Railway, Milton Transit, Oakville Transit and York Region Transit. This method was used for the first two versions of the draft agreement.

Upon receipt of the third revision of the agreement, the 905 MSPs agreed that this version would be discussed individually by the MSP with their own internal departments (e.g., Legal, Risk, Audits, etc.) and any comments/feedback would be provided to Metrolinx directly from each 905 MSP. Each 905 MSP would then follow their own protocol in finalizing the agreement with Metrolinx and executing it.

## Present Status

To date, MiWay has reviewed and provided comments on four versions of the Bus Access Agreement. From a technical requirements and operating perspective, the majority of MiWay's comments were resolved through each of the iterations of the draft agreement and the agreement is at a state for which MiWay has no further concerns. The only remaining items to be addressed by Metrolinx are related to comments that have been provided by the City's Legal and Risk Management representatives on indemnity, liability and risk and will require further discussion between the City and Metrolinx. Current use of the GO Terminals by MiWay is maintained at status quo and will not be impacted by the timing of the execution of the agreement.

## Comments

Metrolinx is the owner and operator of all of its Terminals (i.e., GO Stations) within the City of Mississauga, as shown in **Appendix 1**, of which MiWay has the right to utilize these terminals and the facilities at these locations for transit related purposes. Metrolinx has chosen to establish a Bus Access Agreement with MiWay to clearly identify MiWay's roles and responsibilities, the terms of use, operations and maintenance responsibilities and cost sharing obligations. MiWay and Metrolinx have been cooperating in the preparation of the Bus Access Agreement and highlights of the agreement are noted below.

### ***Terms of the agreement:***

MiWay shall be provided with exclusive or shared use of platforms, layover spaces and washroom facilities, as outlined in **Table 1**, for the duration of the agreement, that is, until MiWay wishes to no longer service a specific terminal. The agreement is effective for two years after which the term will be automatically extended for perpetual 12-month periods, unless either party delivers to the other, a written notice of non-renewal at least 12 months prior to the end of the then current term.

**Table 1. Authorized Uses at GO Stations within the City of Mississauga**

GO Station	Platforms		Layovers	Public Washrooms (hours of access)
	Exclusive	Non-Exclusive		
407-Hurontario P&R*	1	-	-	n/a
Clarkson GO	5	1	-	24/7
Cooksville GO**	4	1	-	24/7
Erindale GO	3	-	-	Terminal open hours
Lisgar GO	1	-	-	Terminal open hours
Malton GO	-	1	-	Terminal open hours
Meadowvale GO	1	-	1	Terminal open hours
Port Credit GO	4	1	-	24/7
Streetsville GO	1	-	-	Terminal open hours

\*MiWay has installed an operator-only washroom trailer.

\*\*Metrolinx-owned digital signage is available for use by MiWay.

All bus stop markers at each of the stations are the responsibility of MiWay.

***Operating and maintenance responsibilities:***

Metrolinx is responsible to operate and maintain the terminals and facilities in accordance with Metrolinx standards; however, the terminals and facilities are provided to MiWay on an “as is, where is” basis.

## **Financial Impact**

There are no financial impacts resulting from the recommendation of this report .Based on the Schedules as defined in the Bus Access Agreement, no costs will be incurred by the City for use of the infrastructure and amenities at the Metrolinx Terminals. In instances where MiWay’s services extend beyond the open hours of the public washroom, MiWay provides a late night cleaning on a daily basis at a rate of \$50 per clean. A budget was established in 2021 for washroom cleaning costs in cost centre 23509 and cost element 715636 Contractor Maintenance. There is sufficient budget available for the current estimated annual cost of \$36,500.

## **Conclusion**

To clarify roles and responsibilities, terms of use and cost sharing obligations, the City and Metrolinx wish to enter into a Bus Access Agreement. This agreement has been prepared by Metrolinx with comments and feedback from the City incorporated into the document. City staff, in cooperation with Metrolinx, is recommending endorsement and execution of this Bus Access Agreement upon finalization of Agreement schedules and details.

## **Attachments**

Appendix 1: GO Terminals within the City of Mississauga



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

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