

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

## The Regional Municipality of Durham

### MINUTES

#### DURHAM REGION TRANSIT EXECUTIVE COMMITTEE

Wednesday, July 8, 2020

A regular meeting of the Durham Region Transit Executive Committee was held on Wednesday, July 8, 2020 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 1:30 PM. Electronic participation was offered for this meeting.

#### 1. Roll Call

Present: Commissioner Collier, Chair  
Commissioner Barton, Vice-Chair  
Commissioner Anderson attended the meeting at 1:33 PM  
Commissioner Bath-Hadden  
Commissioner Carter  
Commissioner Drew  
Commissioner Mulcahy attended the meeting at 1:42 PM  
Commissioner Pickles  
Regional Chair Henry

**\* all members of Committee, except Regional Chair Henry, participated electronically**

Also

Present: Commissioner Crawford attended the meeting at 1:41 PM  
Commissioner Kerr attended the meeting at 1:42 PM

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer  
W. Holmes, General Manager, Durham Region Transit  
J. Austin, Deputy General Manager, Business Services, Durham Region Transit  
D. Beaton, Commissioner of Corporate Services  
M. Binetti, Transportation Service Design, Durham Region Transit  
B. Bridgeman, Commissioner of Planning & Economic Development  
S. Danos-Papaconstantinou, Commissioner of Social Services  
L. Fleury, Legislative Officer, Corporate Services – Legislative Services  
L. Hatch, Marketing, Durham Region Transit  
A. Haynes, Administrative Assistant, Durham Region Transit  
J. Hunt, Director of Legal Services, Corporate Services – Legal Services  
R. Inacio, Systems Support Specialist, Corporate Services – IT  
Dr. Kyle, Commissioner and Medical Officer of Health  
T. Lavery, Manager, Corporate Communications  
A. McKinley, Deputy General Manager, Maintenance, Durham Region Transit

A. Naeem, Solicitor, Corporate Services – Legal Services  
C. Norris, Deputy General Manager (Temp), Operations, Durham Region Transit  
S. Penak, Committee Clerk, Corporate Services – Legislative Services  
S. Pollock, Coordinator Communications, Durham Region Transit  
S. Siopis, Commissioner of Works  
N. Taylor, Treasurer, Durham Region Transit, and Commissioner of Finance  
G. Williams, Director, Corporate Communication  
N. Prasad, Committee Clerk, Corporate Services – Legislative Services  
C. Tennesco, Committee Clerk, Corporate Services – Legislative Services

**2. Declarations of Interest**

There were no declarations of interest.

**3. Adoption of Minutes**

Moved by Commissioner Barton, Seconded by Regional Chair Henry,  
(25) That the minutes of the regular Durham Region Transit Executive  
Committee meeting held on Wednesday, June 3, 2020, be adopted.

CARRIED

**4. Delegations**

**4.1 Gordon Glibbery, Ajax resident, re: Appropriate content for bus shelter advertising**

Gordon Glibbery appeared before the Committee regarding a recent advertisement posted on the bus shelters and if the Region and Durham Region Transit (DRT) are being politically neutral in what it considers appropriate content for bus shelter advertising. Mr. Glibbery displayed the advertisement posted in the DRT bus shelters and stated he feels the content amounts to political attack ads.

G. Glibbery stated that the Region's and DRT's branding is very clear on the bus shelters. He noted that when looking at branding a person also sees a connection between the message and the Region. He stated he does not see anything indicating a distance between the Region and the message.

G. Glibbery recognized that a third party maintains the bus shelters in terms of cleaning the shelters and the posting of advertisements in the bus shelters based on the Canada Content guidelines; and, the Provincial, Regional and Municipal bylaws.

G. Glibbery asked whether there is a process in place to guide DRT's and the Region's policies regarding content appropriateness, and if so, would it be possible for him to see these; if DRT does not provide guidelines outside of what exists to a third party contact, would that be something to consider; if there is a third party contract would it be subject to a Freedom of Information request; and

since Pattison is a third party contract, are they following DRT's and the Region's guidelines and rules?

Mr. Glibbery stated that in his opinion it's not appropriate for advertising on a bus shelter, clearly marked with DRT and the Region's logos, to be saying something either in favour of or against a government. He questioned whether this advertisement would be posted in a Regional building and noted the bus shelter is an extension of the Region, by branding, and that this matter should be looked at transparently and in the spirit of fairness.

[Further discussion ensued on this matter later in the meeting. See Item 7. B) on pages 5 and 6 of these minutes.]

## 5. Presentations

### 5.1 Christopher Norris, Deputy General Manager (Temp), Operations; and Michael Binetti, Transportation Service Design, Durham Region Transit, re: Ridership Recovery Initiative Updated Transit Network

C. Norris and M. Binetti, Durham Region Transit, provided a PowerPoint presentation on Transforming the Transit Network Ridership Recovery. C. Norris advised that the presentation provides an overview of DRT's current situation; the projected ridership; and an update on the transit network. A copy of the presentation was provided in the Agenda.

Highlights of his presentation included:

- Service levels during pandemic
  - Level 1 Service Reduction
  - Level 2 Service Reduction
  - 2020 New Service Plan (Phase A, B, C)
- Current Situation - Ridership
  - April to June 2019 and 2020 weekday boardings by hour Graph
  - Ridership Projection - assumptions
  - Ridership Projection - approach
- Updating the Transit Network - Principals
  - Provide flexibility in trip making
  - Service Delivery
  - Transforming the Transit Network – service delivery
  - Phase A Map: Frequent, Grid, Limited and On Demand Routes
  - Rural Area Map: Services
  - Phase B Map: Frequent, Grid, Limited and On Demand Routes
    - Local routes introduced where demand warrants
    - Frequency increases to Frequent and Grid Services

The Committee viewed the YouTube video “Tim Horton’s Experience” which recognized the dedicated essential transit staff who proudly serve our community, along with those working on the front lines every day.

Chair Collier advised that Commissioner Carter and himself, along with staff, attended the event in the City of Oshawa and he thanked Tim Hortons and the DRT Marketing and Communications team for this opportunity to recognize our front line workers.

## 6. Correspondence

There were no correspondence items to be considered.

## 7. Reports

### A) General Manager’s Report – July 2020 (2020-DRT-13)

---

Report #2020-DRT-13 from B. Holmes, General Manager, Durham Region Transit, was received.

B. Holmes provided an overview on the key performance indicators including the drop in ridership; the DRT service Recovery Plan; the changes in the ridership patterns and AM and PM peaks; and the transformation of the DRT network frequency to provide flexibility for customers travelling within the Region.

Discussion ensued regarding the current level of DRT’s Sunday services being offered; and, the challenges being faced by the Personal Support Workers (PSW) and the transit customers who rely on the regular Sunday services, prior to the pandemic.

Commissioner Kerr questioned the projected timeline for DRT to move to full Sunday service levels. B. Holmes explained that the DRT’s travel patterns have changed since pre-COVID-19; a phased approach will be applied to re-introduce service revenue hours; an On Demand service will be implemented in the areas with low ridership to provide connections to the frequent local network services in August 2020; and that the growth in revenue hours will be dependant on increased ridership. C. Norris advised that the On Demand services will provide an opportunity for flexible all day travel rather than the current Level 2 services being offered.

B. Holmes and C. Norris also responded to questions with respect to where the On Demand service zones will be offered; how this service will be managed; trips booked in advance; will the On Demand services utilize a regular size bus; and how would a PSW get from one client to the next client when taking transit.

Moved by Commissioner Bath-Hadden, Seconded by Commissioner Mulcahy,  
(26) That Report #2020-DRT-13 of the General Manager, Durham Region  
Transit, be received for information.

CARRIED

B) Durham Region Transit Advertising Policy (2020-DRT-14)

---

Report #2020-DRT-14 from B. Holmes, General Manager, Durham Region  
Transit, was received.

Detailed discussion ensued regarding DRT's current advertising policy, including prohibited ads as outlined in Attachment #1 of the Report. B. Holmes responded to questions regarding whether the opportunity exists for Staff and/or TEC to approve all the advertising prior to it being posted on the bus shelters; and, does staff feel that the advertisement displayed by the delegate was in contravention of the DRT Advertising Policy.

B. Holmes provided a brief overview of the July 2009 Vancouver Supreme Court's decision related to the Vancouver Transit Authority prohibiting political advertising and the Court's ruling that the Vancouver Transit Authority's decision violated the right to freedom of expression in the Canadian Charter of Human Rights. A. Naeem explained that based on the 2009 Supreme Court's decision the transit advertising space must be publicly accessible and provide equal opportunities for everyone to advertise; these points would also apply to the political ad being review today. He advised that the process for reviewing ads is based on a subjective analysis of the parameters outlined in the DRT Advertising Policy.

A. Naeem responded to questions regarding whether the advertisement brought to the Committees' attention contravenes the DRT Advertising Policy; and the decision made by the Supreme Court of Canada.

Detailed discussion ensued with respect to the need for the wording within DRT's Advertising Policy to be clear, concise and consistent so that the expectations are understood. In response to a question, A. Naeem confirmed that for the purpose of a Municipal election, election advertising on Transit is permitted 25 days prior to the voting day.

B. Holmes advised that the ad in question is no longer in circulation and that in lieu of Mr. Glibbery's complaint, staff did evaluate the ad based on the DRT Advertising Policy and deemed that the ad was not contrary to the Policy.

E. Baxter-Trahair responded to a question regarding whether the potential exists to prohibit any member of any level of government to advertise on transit. She advised that any advertising could be nuanced one way or the other to sway the opinion; and, that the Supreme Court's ruling on political advertising is very clear.

Discussion ensued regarding the timelines for the Durham Region Transit Advertising Policy to be considered. It was suggested that this item be referred back to staff to review the language and bring a Report back, along with additional legal advice on the Supreme Court's ruling pertaining to political advertising, to the Committee at the September 9, 2020 TEC meeting.

Moved by Commissioner Carter, Seconded by Commissioner Barton,  
(27) That Report #2020-DRT-14 of the General Manger of Durham Region Transit be referred back to staff.

CARRIED

C) Durham Region Transit U-Pass Agreement Update (2020-DRT-15)

Report #2020-DRT-15 from B. Holmes, General Manager, Durham Region Transit, was received.

Moved by Commissioner Pickles, Seconded by Commissioner Barton,  
(28) That the General Manager of Durham Region Transit and the Commissioner of Finance, be authorized to:

- A) Execute, in response to the unanticipated impacts of the COVID-19 pandemic, an amendment to the existing U-Pass Agreement with Durham College, Ontario Tech University and Trent University to suspend participation in the U-Pass agreement without prejudice for the Summer 2020 semester;
- B) Execute, in response to the unanticipated impacts of the COVID-19 pandemic, an amendment to suspend participation of Durham College and Ontario Tech University, and Trent University should a written request be received in a timely manner, from the existing U-Pass agreement without prejudice for the Fall 2020 semester; and
- C) Report back to the TEC through the 2021 Budget and Business Planning process on next steps with respect to the U-Pass Agreement.

CARRIED

**8. Advisory Committee Resolutions**

There were no advisory committee items to be considered.

**9. Confidential Matters**

There were no confidential matters to be considered.

**10. Other Business**

- 10.1 Email from a Clarington resident regarding the Changes to the PRESTO Card and the Durham Region Transit One Fare Agreement with Metrolinx

Commissioner Anderson advised that he received an email from a constituent upset about changes to the fares and impact to the One Fare agreement between DRT and GO Bus. The constituent noted that her son works in Whitby and takes the GO Transit Bus from Bowmanville to Oshawa and then transfers to Whitby from the Bus Depot. When he purchased his new DRT adult fare on the PRESTO card (\$117 per month) and boarded the GO Bus, he was notified that he needed to pay an additional \$14 a day for the GO Transit Bus from Bowmanville to Oshawa. The constituents' main concern is with the timing of the change, due to COVID-19 shutdowns and people losing their jobs. The constituent would like to know why the change to the fare now, ultimately making it harder financially for people to get to work.

B. Holmes advised that these issues are a result of the DRT fare resumption on July 2<sup>nd</sup>; DRT moving to the PRESTO Card, eliminating the paper passes; and the One-Fare Agreement, that applies to the Route 90 bus service from Bowmanville to Oshawa. He explained that the One-Fare Agreement provided for DRT customers to display to the GO Bus operator their transfer or paper pass, without any additional costs. PRESTO does not support One Fare. DRT is currently working with Metrolinx for a temporary solution until DRT enters Phase A, at which time the DRT Route 902 service from Bowmanville to Oshawa will be in place and residents will be able to travel between Bowmanville and Oshawa on DRT. The Route 902 will provide frequent services along Highway #2 from Bowmanville into Oshawa. B. Holmes advised he would email this information to Commissioner Anderson.

At the request of the Chair, B. Holmes provided an update on the future scheduled services east along Highway #2.

#### 10.2 PRESTO Cards for Distribution

---

B. Holmes advised that staff still have 1,200 of the 4,600 free PRESTO Cards available at the DRT Point of Sale locations for distribution to the residents of Durham. He advised that paying by PRESTO saves the customers money compared to paying by cash; \$0.75 per trip, or \$10 for every 14 rides, and PRESTO includes a two hour transfer.

#### 10.3 Eligibility Review of Specialized Services Clients Registered Prior to January 2015

B. Holmes advised that the eligibility review of Specialized Services clients registered before January 2015 will begin in July. He explained that currently all applications are based on the Accessibility for Ontarians with Disabilities Act (AODA) eligibility criteria, and the review will ensure fairness and equity for all customers using specialized services.

10.4 Update on Passengers Wearing Non-Medical Masks on Durham Region Transit Buses

---

B. Holmes advised that staff completed an impromptu review of the number of passengers wearing masks and found that approximately 55 per cent of DRT passengers are wearing masks when taking transit. Based on the recommendations from the Ministry of Transportation, the DRT policy "Passenger expectations in response to COVID-19" requires passengers to wear a mask or face covering at all times while using DRT services.

**11. Date of Next Meeting**

The next regularly scheduled Durham Region Transit Executive Committee meeting will be held on Wednesday, September 9, 2020 at 1:30 PM in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**12. Adjournment**

Moved by Regional Chair Henry, Seconded by Commissioner Mulcahy,  
(29) That the meeting be adjourned.

CARRIED

The meeting adjourned at 2:48 PM

Respectfully submitted,

---

S. Collier, Chair

---

Committee Clerk