



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF THE CAO

*MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

Author's Name: Kevin Fox / Bill Tetler	Report Date: November 15, 2022
Author's Phone: 519 736 0012 ext. 2272 / 2251	Date to Council: December 12, 2022
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To: Mayor and Members of Town Council

Subject: Accessible On-Demand Taxicab Pilot Project

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#### 1. RECOMMENDATION:

It is recommended that:

1. The report from the Clerk and Manager of Licensing and Enforcement dated November 15, 2022, regarding Accessible On-Demand Taxi's **BE RECEIVED for information**; and,
2. Funding **BE CONSIDERED** for the Accessible On-Demand Taxi Pilot Project during the 2023 budget deliberations.

#### 2. BACKGROUND:

The Accessibility for Ontarians with Disabilities Act (AODA) includes within the Integrated Accessibility Standards Regulation (O.Reg. 191/11) the duties of municipalities with regards to accessible taxicabs (section 79). This states:

79 (1) Every municipality shall consult with its municipal accessibility advisory committee, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community.

(2) Every municipality shall identify progress made toward meeting the need for on-demand accessible taxicabs, including any steps that will be taken to meet the need, in its accessibility plan required under Part I.

On March 9, 2020, Council concurred with the recommendation of Administration and the Amherstburg Accessibility Advisory Committee in passing the following direction:

Resolution # 20200309-094  
**Moved By** Councillor Prue  
**Seconded By** Councillor Simone

That:

1. Licensing and By-law Enforcement **INVESTIGATE** a means of providing incentives, regulation, or, a combination of both, to achieve a higher proportion of accessible on-demand taxis in the Town of Amherstburg.

### **3. DISCUSSION:**

The Town of Amherstburg currently has one taxi company operating 3 taxis. The fleet has the following vehicles:

- 1 – 2013 Dodge Caravan – plate # 28
- 2 – 2014 Dodge Journey – plate # 26
- 3 – 2013 Dodge Caravan – plate # 27

The Town's current By-law 2012-114, a By-law to provide for the licensing, regulating and governing of Taxicabs, Taxicab Drivers, Taxicab Owners and Taxicab Brokers states in section 34 that one taxi plate will be issued for each 5,000 population. At this time in accordance with the 2021 Statistic Canada Census the Town's population is 23,524. Based on current legislation we are in a position to issue a maximum of 4 taxi plates until the next Census has been completed.

Under the *Accessibility for Ontarians with Disabilities Act*, the Ontario government has adopted Ontario Regulation 191/11, the *Integrated Accessibility Standards Regulation*. These require that every provider of goods and services "shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:

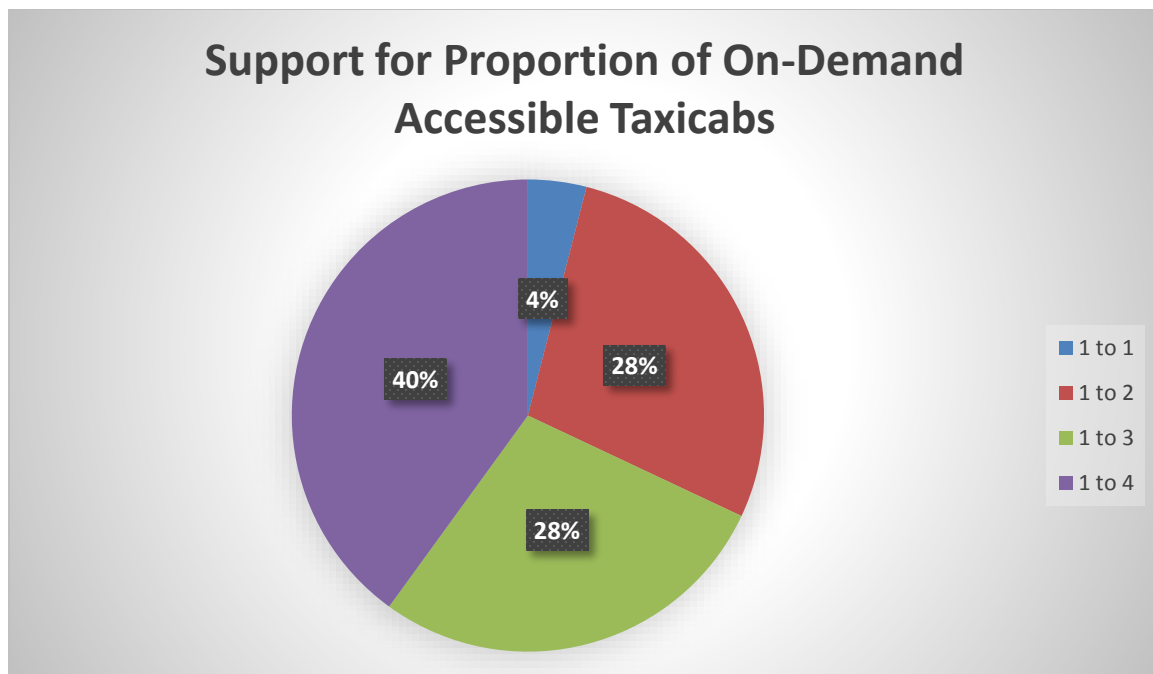
1. The goods and services must be provided in a manner that respects the dignity and independence of persons with disabilities.
2. The provision of goods or services to persons with disabilities and others must be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods or services.
3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.

Research conducted shows that procuring a used converted 2018 Dodge Caravan with 23,495 kms was selling for \$43,000 CDN (Source: Kijiji). If a business owner was to procure a new Dodge Caravan with nothing other than factory options, it would cost \$46,490 CDN (Source: Chrysler.ca) and the conversion fits to make it accessible range from \$12,995 to \$14,995 USD. By-law 2012-114 currently does not have any limitations on an age of a vehicle and/or the mileage associated with such a vehicle.

The taxi industry is a for profit business venture that we regulate for Consumer Protection and Public Safety. There currently is no obligation for these businesses to offer accessible on demand taxis. The cost of an accessible vehicle versus that of a non-accessible vehicle is substantial. Given the small population of the Town of Amherstburg versus the cost, it may not be feasible for a business owner to recoup these expenses in our market.

There are provincially funded community groups like Amherstburg Community Services (ACS) and private business owners that offer this type of service to the community, but which do not meet the standard required by the legislation with regards to providing on-demand accessible taxi service. When using these entities, typically you must book your travel in advance and it is only available during the hours noted for such services. Given these differences, the Town cannot rely on these services to have met the obligation of the *Accessibility for Ontarians with Disabilities Act*.

Further, in its consultation on the Multi-Year Accessibility Plan, the Town of Amherstburg sought feedback on the section 79 (1) proportion of accessible on-demand taxicabs.



Respondents identified that they preferred a 1:4 proportion of accessible taxicabs within the Town of Amherstburg, followed by a tie between those choosing a 1:2 or 1:3 proportion. 56% of respondents identified that they believed the Town should be taking additional steps to increase the proportion of on-demand accessible taxis, with 60% of respondents indicating they would support a municipal program designed to encourage this.

In following the Council direction, Administration reviewed comparator municipalities to see how they have addressed these concerns. A typical response was to provide some sort of financial incentive to the operator for the use of an accessible vehicle, with a number of conditions that must be met. In meeting with the proprietor of the local

service, he indicated that without financial support, the service would be unable to afford the additional expenses related to the up-front costs, insurance and maintenance expenses. The owner indicated that should financial assistance be provided he would take advantage of it.

While the legislation requires that the Town consult people with disabilities and its accessibility advisory committee on the proportion of accessible on-demand taxis, noting the steps taken to increase this proportion, it does not require that private industry meet that noted standard. This gap between the goal of the legislation and the costs to private industry to meet that goal are left to the municipality to determine.

The Amherstburg Accessibility Advisory Committee met on several occasions during the 2018-2022 term to discuss this matter and Administration and the committee agreed that in consulting on the proportion that the Town should do more than simply set a goal but it should seek a means of realistically achieving that goal. This report is designed to do that by offering Council the opportunity to consider a Pilot Project to provide a grant to any service provider, at the end of the year, for providing accessible on-demand taxi service. Should Council wish to support such an initiative the following parameters would be developed to support its successful implementation:

- Grant funds would only be available at the end of a year of service for that year and applicants must meet all eligibility criteria.
- To be eligible:
  - A service provider must have a permit for an “Accessible Plate,” as defined in the revised Taxi By-law (Specifically for use of an approved accessible vehicle or converted accessible vehicle);
  - Vehicle logs for the previous year must be submitted and shall be reviewed by the Licensing and Enforcement Division for compliance with the grant requirements in terms of availability of the vehicle;
  - Maintenance periods for the accessible vehicle must comply with the grant guidelines. Exceptions are permitted on a case-by-case basis, and must be approved by the Manager of Licensing and Enforcement to maintain pilot eligibility;
  - Drivers of designated accessible plate vehicles must have completed an Accessible Customer Service training course provided by the Town of Amherstburg.
- The grant program is based upon a 356 day enrollment. Where a proponent should enroll into the program after the start of the year, the eligible grant funding would be prorated.

#### **4. RISK ANALYSIS:**

This report is provided to share information with Council on what the Town has heard with regards to the proportion of on-demand accessible taxi services in the Town of Amherstburg. The report is also intended to provide a strategy on how the Town can achieve this proportion through the creation of a pilot project. Meeting this standard would increase the access to these services provided in our community and lower the risk that a person with a disability meets a barrier in accessing on-demand taxi services.

## **5. FINANCIAL MATTERS:**

This report is presented to Council for informational purposes when considering the request which will be included in the 2023 Budget, and as such, has no direct financial implications. However, when considering the budget issue, Council will have the benefit of an issue paper that addresses the request for funding. To answer any questions Council may have at this point, the following information is provided now for reflection during the budget deliberations.

Given that no funding currently exists for such a program, a request for funding has been included in the 2023 budget deliberations. This request proposes an increase in the transfer to the AODA Compliance Reserve Fund to account for inflationary pressures and to provide funds for up to two eligible recipients in any given year of \$10,000 each. Should both spots be taken, the proportion of accessible on-demand taxis in service would exceed the 1:4 proportion. Disbursement of funds from this reserve would be only possible through Council authorization, so where these funds are not used for the pilot project in any given year, they would remain within the AODA Compliance Reserve Fund and Council could direct their use to address any other AODA Compliance issue that may arise. In this way, the funding for the pilot program would ultimately support the increased investment in accessibility ahead of the goal of the AODA to have a fully accessible province of Ontario by 2025.

There are limited access to public funds for taxi providers seeking to upgrade their fleet to offer accessible services. Discussions with the Ministry of Seniors and Accessibility as supported by the Ontario Network of Accessibility Professionals (ONAP) have made appeals for changes to the Home and Vehicle Modification Program to include eligibility criteria for the service industry but no change has thus far been rendered.

## **6. CONSULTATIONS:**

Valerie Critchley, Chief Administrative Officer  
Senior Management Team  
Ontario Network of Accessibility Professionals  
Ministry of Seniors and Accessibility

## **7. CONCLUSION:**

This report is provided for Council's information. Council will consider funding this pilot project during the 2023 Budget deliberations. If funded, Administration would bring forward a revised By-law and formal grant guidelines for the pilot project for Council's consideration.

  
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Kevin Fox  
Clerk

## Report Approval Details

Document Title:	Accessible On-Demand Taxicab Pilot Project.docx
Attachments:	
Final Approval Date:	Dec 2, 2022

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in purple ink, appearing to read "Tracy Prince".

Tracy Prince

A handwritten signature in black ink, appearing to read "Valerie Critchley".

Valerie Critchley

A handwritten signature in black ink, appearing to read "Kevin Fox".

Kevin Fox