



## City of Hamilton

# ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES REVISED

**Meeting #:** 20-007

**Date:** December 8, 2020

**Time:** 4:00 p.m.

**Location:** Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Alicia Davenport, Legislative Coordinator (905) 546-2424 ext. 2729

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**1. APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR FOR 2021**

**2. APPROVAL OF AGENDA**

(Added Items, if applicable, will be noted with \*)

**3. DECLARATIONS OF INTEREST**

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1. November 10, 2020

**5. COMMUNICATIONS**

5.1. Correspondence from Chris Schafer, Bird Canada, respecting Item 7.4(a)  
- Ban of Electric Scooters from Public Property (City Wide)

Recommendation: Be received and referred to the consideration of Item 7.4(a) - Ban of Electric Scooters from Public Property (City Wide).

- 5.2. Correspondence from Staff Sergeant Jo-Ann Savoie, Hamilton Police Service, respecting Item 7.4(a) - Ban of Electric Scooters from Public Property (City Wide)

Recommendation: Be received and referred to the consideration of Item 7.4(a) - Ban of Electric Scooters from Public Property (City Wide).

- \*5.3. Correspondence from Michelle Martin, HSR, respecting Virtual Transit Accessibility Public Consultation Event

Recommendation: Be received.

## 6. WRITTEN DELEGATIONS

## 7. CONSENT ITEMS

- 7.1. Built Environment Working Group Update

- 7.1.a. Built Environment Working Group Meeting Notes - November 3, 2020

- 7.2. Housing Issues Working Group Update

- 7.2.a. Housing Issues Working Group Meeting Notes - October 20, 2020

- 7.2.b. Housing Issues Working Group Terms of Reference

- 7.2.c. Accessible Housing (City Wide)

- 7.3. Outreach Working Group Update

- \*7.3.a. Outreach Working Group Meeting Notes - October 5, 2020

- 7.4. Transportation Working Group Update

- 7.4.a. Ban of Electric Scooters from Public Property (City Wide)

- 7.4.b. HSR / ATS/ DARTS Passenger Policies for Persons with Disabilities (City Wide)

- \*7.4.c. Acoustic Vehicle Alerting System Requirement for Electric Scooters (City Wide)

7.5. Strategic Planning Working Group Update (no copy)

**8. STAFF PRESENTATIONS**

**9. DISCUSSION ITEMS**

9.1. Reduction in ACPD's Transportation Working Group & Built Environment Working Group Memberships (no copy)

9.2. ACPD Working Group Support (no copy)

9.3. ACPD Working Group's Terms of Reference (no copy)

9.4. Update on COVID-19 and Persons with Disabilities (no copy)

9.5. Sidewalk Snow Removal for Persons with Disabilities (no copy)

**10. NOTICES OF MOTION**

**11. MOTIONS**

**12. GENERAL INFORMATION / OTHER BUSINESS**

12.1. Accessibility Complaints to the City of Hamilton (no copy)

12.2. Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update (no copy)

12.3. Presenters List for the Advisory Committee for Persons with Disabilities

12.4. Review of Advisory Committee for Persons with Disabilities Outstanding Business List (deferred from the November 10, 2020 meeting)

12.4.a. Outstanding Business List Item 2017-B - Correspondence from Tom Hunter, CityHousing Hamilton, respecting a Smoke Free Living Policy

12.4.b. Outstanding Business List Item 2018-B - Snow and Ice By-law No. 03-296

- 12.4.c. Outstanding Business List Item 2018-E - Correspondence from the Wheelchair and Scooter Safety Working Group respecting a Draft Stranded Wheelchair Proposal from DARTS
- 12.4.d. Outstanding Business List Item 2018-F - Correspondence from Anne McArthur, Public Works, respecting an Accessibility Review of City Hall
- 12.4.e. Outstanding Business List Item 2018-D - Correspondence from Ali Sabourin, HSR, respecting Automated Pre-Boarding Announcements on HSR Vehicles
- 12.4.f. Outstanding Business List Item 2019-D - Correspondence from the IT Service Desk respecting the Feasibility of a Document Sharing Portal
- 12.4.g. Amendments to the Advisory Committee for Persons with Disabilities Outstanding Business List

### **13. ADJOURNMENT**



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH  
DISABILITIES  
MINUTES 20-006**

**4:00 p.m.**

**Tuesday, November 10, 2020**

**Due to COVID-19 and the Closure of City Hall,  
this meeting was held virtually.**

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**Present:** A. Mallet (Chair), P. Kilburn (Vice-Chair), S. Aaron,  
P. Cameron, M. Dent, L. Dingman, A. Frisina,  
S. Geffros, J. Kemp, T. Manzuk, C. McBride,  
M. McNeil, T. Murphy, K. Nolan and T. Nolan

**Absent**

**with regrets:** J. Cardno and M. Sinclair

**Also Present:** J. Bowen, Supervisor, Diversity and Inclusion  
J. Savoie, Hamilton Police Service

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**THE FOLLOWING ITEMS WERE REFERRED TO THE  
GENERAL ISSUES COMMITTEE FOR CONSIDERATION:**

- 1. Correspondence from Alex Wilson respecting Resignation  
from the Advisory Committee for Persons with Disabilities  
(Item 4.1)**

**(McNeil/Kilburn)**

That the correspondence from Alex Wilson respecting his Resignation from the Advisory Committee for Persons with Disabilities, be received ***and that the Selection Committee be reconvened to review the original applications submitted for ACPD during the initial 2018-2022 recruitment process.***

**CARRIED**

**2. Curb Cuts (Added Item 6.1(a))**

**(T. Nolan/K.Nolan)**

WHEREAS, the City of Hamilton has in the past approved Barrier Free Pedestrian Pathway guidelines for the construction of new or retrofitted sidewalks;

WHEREAS, these guidelines have previously been accepted by City Council as recommended by City staff for application only in Business Improvement Areas (BIAs);

WHEREAS, this restriction as adopted by City Council upon the recommendation of staff and inclusion in a City regulation that restricts the installation of urban braille to the Business Improvement Areas only, causing a restriction for independent access by persons with disabilities in the City of Hamilton;

WHEREAS, the policy that restricts the installation of urban braille to the Business Improvement Areas is contrary to Ontario Human Rights standards, the Accessibility for Ontarians with Disabilities Act and the City of Hamilton's policy statement on Hamilton being the best place in Canada to raise a child; and,

WHEREAS, the application of Barrier Free Pedestrian Pathway guidelines are arguably not being properly followed

in all City new or retrofitted sidewalk and related construction projects;

**THEREFORE, BE IT RESOLVED:**

- (a) That the Advisory Committee for Persons with Disabilities (ACPD) respectfully request that City Council direct the appropriate staff to work directly with the members of the ACPD to review the Barrier Free Design Guidelines and update them to be fully compliant with the AODA regulations respecting public spaces;
- (b) That every effort be undertaken to surpass the minimum requirements outlined in the Design of Public Spaces Standard of the AODA in the review of the Barrier Free Pedestrian Pathway guidelines;
- (c) That the City of Hamilton policy respecting the use of Barrier Free Pedestrian Pathway guidelines and the restriction of the installation of urban braille to the Business Improvement Areas be updated to ensure that accessible pedestrian pathways be common practice across the entirety of the City when new or retrofitted sidewalk construction is undertaken; and,
- (d) City staff be directed to consult with members of the City's Advisory Committee for Persons with Disabilities any time questions by City staff may arise during the construction of any new or retrofitted sidewalks.

**CARRIED**

**3. Covered Vaults (Added Item 6.1(b))**

**(T. Nolan/K.Nolan)**

WHEREAS, the City of Hamilton, over the past few years, has been subject to the construction of underground utility vaults by multiple utility companies;

WHEREAS, there are no federal, provincial or municipal regulations regarding the location and closure of such underground vaults;

WHEREAS, the coverings used for these vaults vary according to the utility responsible for each vault individually;

WHEREAS, there is no uniformity of the coverings used for each and every vault;

WHEREAS, these vault covers cause a hazard for persons with disabilities, especially during the winter months where these vault covers become slippery due to snow and ice buildup;

WHEREAS, these vault covers are uneven and not level with sidewalk surfaces causing a tripping hazard for persons with disabilities; and,

WHEREAS, vault covers have sharp corners which pose a hazard for persons who rely upon the assistance of mobility devices;

**THEREFORE, BE IT RESOLVED:**

- (a) That the Advisory Committee for Persons with Disabilities respectfully request that City Council direct the appropriate City staff to develop standards for vault cover design in consultation with the Advisory Committee for Persons with Disabilities;



- (b) That the standards developed for vault cover design be communicated to all utility companies constructing new vaults in the City of Hamilton;
- (c) That the City of Hamilton require all new vaults to be outfitted with the City's vault cover design;
- (d) That all existing vault covers not in compliance with the new standards be retrofitted within a timely manner; and,
- (e) That the standards developed for vault cover design be shared with other municipalities, and the provincial and federal governments for their consideration and possible adoption.

**CARRIED**

**4. International Day of Persons with Disabilities Photo Opportunity Event (Added Item 6.3(a))**

**(Frisina/Mallett)**

WHEREAS, the Hamilton sign will be lit up in purple for the International Day of Persons with Disabilities on December 3<sup>rd</sup>;

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities purchase purple face coverings for Committee members for a photo opportunity event in front of the Hamilton sign on December 3<sup>rd</sup>, at a total cost not to exceed \$200, to be funded from the Advisory Committee for Persons with Disabilities 2020 approved budget for conferences and related travel expenses; and,

- (b) That the Advisory Committee for Persons with Disabilities be permitted to reach out to local media outlets to request coverage of the International Day of Persons with Disabilities photo opportunity event on December 3<sup>rd</sup>.

**CARRIED**

**5. Establishment of an Ad Hoc Strategic Planning Working Group (Item 10.1)**

**(Manzuk/Kilburn)**

WHEREAS, a Working Group is needed to discuss planning strategies;

THEREFORE, BE IT RESOLVED:

- (a) That a Strategic Planning Working Group of the Advisory Committee for Persons with Disabilities be established on an ad hoc basis for the remainder of the 2018 – 2022 Term of Council and be comprised of the following Members:
- (i) Patty Cameron
  - (ii) Aznive Mallett
  - (iii) Paula Kilburn
  - (iv) James Kemp
  - (v) Mark McNeil
  - (vi) Tom Manzuk

**CARRIED**

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised that there were no changes to

the agenda.

### **CHANGES TO THE ORDER OF ITEMS:**

That the following items be moved up on the agenda to be considered immediately following the Approval of Minutes of the Previous Meeting:

- 7.1 HSRnow Trip Planning Tools
- 7.2 HSR Accessible Transportation Services Proposed Amendment to DARTS Bag Limit Policy
- 7.3 PRESTO for DARTS Clients
- 7.4 HSR Proposal for Public Consultation about HSR and Accessible Transportation Accessibility, Adapted to COVID Precautions

#### **(McNeil/Dingman)**

That the agenda for the November 10, 2020 meeting of the Advisory Committee for Persons with Disabilities be approved, as amended.

**CARRIED**

#### **(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

#### **(c) APPROVAL OF MINUTES (Item 4)**

##### **(i) October 13, 2020 (Item 4.1)**

#### **(Geffros/Kemp)**

That the minutes of the October 13, 2020 meeting of the Advisory Committee for Persons with Disabilities, be approved, as presented.

**CARRIED**

**(d) STAFF PRESENTATIONS (Item 7)**

**(i) HSRnow Trip Planning Tools (Item 7.1)**

Jay Adams, Senior Project Manager of Customer Experience, addressed Committee respecting HSRnow Trip Planning Tools, with the aid of a presentation.

**(Cameron/Kilburn)**

That the presentation, respecting HSRnow Trip Planning Tools, be received.

**CARRIED**

**(ii) HSR Accessible Transportation Services Proposed Amendment to DARTS Bag Limit Policy (Item 7.2)**

Michelle Martin, Senior Project Manager of Transit Customer Loyalty, addressed Committee respecting HSR Accessible Transportation Services Proposed Amendment to DARTS Bag Limit Policy, with the aid of a handout.

Mark Mindorff, CEO/Executive Director of DARTS Transit, was also present and assisted in answering questions of Committee on this matter.

**(Kilburn/Aaron)**

That the presentation, respecting HSR Accessible Transportation Services Proposed Amendment to DARTS Bag Limit Policy, be received.

**CARRIED**

**(iii) PRESTO for DARTS Clients (Item 7.3)**

Michelle Martin, Senior Project Manager of Transit

Customer Loyalty, addressed Committee respecting PRESTO for DARTS Clients, with the aid of a handout.

Mark Mindorff, CEO/Executive Director of DARTS Transit, was also present and assisted in answering questions of Committee on this matter.

**(McNeil/Cameron)**

That the presentation, respecting PRESTO for DARTS Clients, be received.

**CARRIED**

**(iv) HSR Proposal for Public Consultation about HSR and Accessible Transportation Accessibility, Adapted to COVID Precautions (Item 7.4)**

Michelle Martin, Senior Project Manager of Transit Customer Loyalty, addressed Committee respecting HSR Proposal for Public Consultation about HSR and Accessible Transportation Accessibility, Adapted to COVID Precautions, with the aid of a handout.

**(T. Nolan/K. Nolan)**

That the presentation, respecting HSR Proposal for Public Consultation about HSR and Accessible Transportation Accessibility, Adapted to COVID Precautions, be received.

**CARRIED**

**(e) WRITTEN DELEGATIONS (Item 5)**

**(i) Written Delegation from Chris Schafer, Bird Canada, respecting Item 6.4(c) - Motion on Ban of Electric Scooters from Public Property (City Wide) (Item 5.1)**

**(Frisina/Cameron)**

That the Written Delegation from Chris Schafer, Bird Canada, respecting Item 6.4(c) - Motion on Ban of Electric Scooters from Public Property, be received and referred to the consideration of Item 6.4(c).

**CARRIED**

For further disposition of this matter, refer to Item (f)(iv)(c).

**(f) CONSENT ITEMS (Item 6)**

**(i) Built Environment Working Group Update (Item 6.1)**

T. Nolan has replaced P. Kilburn as Chair of the Built Environment Working Group.

For further disposition of this matter, refer to Items 2 and 3.

**(ii) Housing Issues Working Group Update (Item 6.2)**

**(a) Housing Issues Working Group Meeting Notes - February 18, 2020 (Item 6.2(a))**

**(Kilburn/Dingman)**

That the Housing Issues Working Group Meeting Notes of February 18, 2020, be received.

**CARRIED**

**(b) Housing Issues Working Group Meeting Notes - September 15, 2020 (Item 6.2(b))**

**(McNeil/Kemp)**

That the Housing Issues Working Group Meeting

Notes of September 15, 2020, be received.

**CARRIED**

**(iii) Outreach Working Group Update (Item 6.3)**

The Outreach Working Group met for the first time on October 5, 2020. A. Frisina took on the role of Chair of the Outreach Working Group.

For further disposition of this matter, refer to Item 4.

**(iv) Transportation Working Group Update (Item 6.4)**

**(a) Transportation Working Group Meeting Notes - February 25, 2020 (deferred from the October 13, 2020 meeting) (Item 6.4(a))**

**(McNeil/Kilburn)**

That the Transportation Working Group Meeting Notes of February 25, 2020, be received.

**CARRIED**

**(b) Transportation Working Group Meeting Notes - September 22, 2020 (Item 6.4(b))**

**(McNeil/Aaron)**

That the Transportation Working Group Meeting Notes of September 22, 2020, be received.

**CARRIED**

**(c) Ban of Electric Scooters from Public Property (Added Item 6.4(c))**

**(McNeil/Kilburn)**

That the following motion respecting the Ban of Electric Scooters from Public Property, be referred back to the Transportation Working Group for further discussion and review:

WHEREAS, the Advisory Committee for Persons with Disabilities was requested by Council to give our advice regarding whether they should allow rental electric scooters (also known as e-scooters or kick scooters) to operate in the City of Hamilton;

WHEREAS, the Transportation Working Group of the Advisory Committee for Persons with Disabilities has researched the impact of permitting the operation of electric scooters in other cities, including Montreal, Calgary and Ottawa;

WHEREAS, it is the opinion of the Advisory Committee for Persons with Disabilities that electric scooters pose a serious danger to persons with disabilities. Allowing unlicensed, untrained people of varying ages and maturity levels to operate silent, high speed vehicles without regulation is an unnecessary safety risk to all pedestrians, but it is of particular concern to seniors and the disabled as they might not see or hear them, nor would they be able to move out of the way quick enough to avoid injury;

WHEREAS, rental electric scooters do not require a docking station and their congestion, abandonment and improper



parking in dense urban areas can cause serious issues such as blocked sidewalks, curb cuts, business entrances, wheelchair ramps, etc. and pose a serious obstruction or tripping hazard when they are left on the ground, especially for persons with vision loss;

WHEREAS, other Canadian cities such as Montreal and Toronto have implemented a ban on the use of electric scooters in their communities;

WHEREAS, the province of Ontario has permitted Ontario cities to self-determine whether to permit electric scooters on its roads and sidewalks;

WHEREAS, there are no provincial regulations in place, especially for commercially rented electric scooters, regarding the use of electric scooters on roads and sidewalks apart from an age limit of 16 years to operate;

WHEREAS, electric scooters can run at a speed of close to, or in excess of, 30km/hour posing a significant safety risk to persons with disabilities particularly those with mobility or sensory disabilities;

WHEREAS, there are no provincial regulations requiring operators of electric scooters, particularly rental electric scooters,

to possess either a license or insurance to operate;

WHEREAS, the province does not require operators of electric scooters, especially rental electric scooters, to undertake any specific or regulated training in order to own or operate an electric scooter; and,

WHEREAS, other disability advisory committees in the Province of Ontario have recommended a ban on the use of electric scooters, particularly rental electric scooters, on municipal sidewalks and roadways because of their risk to safety of others, particularly persons with physical and sensory disabilities;

**THEREFORE, BE IT RESOLVED:**

That the Advisory Committee for Persons with Disabilities for the City of Hamilton respectfully recommends that City Council ban the use of electric and rental electric scooters on all City roads, sidewalks, pathways and in all other areas of the City until such time that electric scooters, particularly rental electric scooters, and their operators are trained, licensed, insured and are fully and completely regulated by the province of Ontario in the same manner as any other motor vehicle in the province of Ontario.

**CARRIED**

**(g) DISCUSSION ITEMS (Item 8)****(i) Update on COVID-19 and Persons with Disabilities (deferred from the October 13, 2020 meeting) (Item 8.1)**

At the September 8, 2020 Advisory for Persons with Disabilities (ACPD) meeting, the Committee authorized T. Nolan and T. Manzuk to delegate at the General Issues Committee on behalf of ACPD respecting all matters related to the COVID-19 pandemic & its impact on persons with disabilities, including recommendations for improved policies & procedures.

T. Nolan and T. Manzuk indicated that they are still in the process of collecting feedback from Committee members, but will send out a comprehensive list of feedback that they have received to date.

**(T. Nolan/Manzuk)**

That the discussion respecting an Update on COVID-19 and Persons with Disabilities, be received.

**CARRIED****(h) MOTIONS (Item 10)**

A. Mallett relinquished the Chair to P. Kilburn.

**(ii) Advisory Committee for Persons with Disabilities 2020 Virtual Holiday Dinner (Item 10.2)**

A. Mallett withdrew the following Motion respecting an Advisory Committee for Persons with Disabilities 2020 Virtual Holiday Dinner since the Committee would

prefer to review holiday dinner plan options when permitted to return to in-person meetings:

WHEREAS, Citizen Advisory Committees have been permitted to meet virtually during an emergency when attending in-person is not possible; and,

WHEREAS, the Advisory Committee for Persons with Disabilities typically hosts a holiday dinner each year and would still like to observe this practice virtually by having a meal delivered to the personal addresses of all Committee members;

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities host a virtual holiday dinner for Committee members immediately following the December 8, 2020 meeting by having a meal delivered to the personal addresses of each Committee member, at a total cost not to exceed \$700, to be funded from the Advisory Committee for Persons with Disabilities 2020 approved budget for refreshments.

A. Mallett assumed the Chair.

**(i) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(T. Nolan/McNeil)**

- (a) That the following items be deferred to the December 8, 2020 Advisory Committee for Persons with Disabilities meeting due to time constraints:

- (i) Accessibility Complaints to the City of Hamilton (Item 11.1)
- (ii) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update* (Item 11.2)
- (iii) Presenters List for the Advisory Committee for Persons with Disabilities (Item 11.3)
- (iv) Review of Advisory Committee for Persons with Disabilities Outstanding Business List (deferred from the September 8, 2020 meeting) (Item 11.4)

**CARRIED**

**(j) ADJOURNMENT (Item 12)**

**(Kemp/Cameron)**

That there being no further business, the Advisory Committee for Persons with Disabilities be adjourned at 6:26 p.m.

**CARRIED**

Respectfully submitted,

A. Mallet, Chair  
Advisory Committee for  
Persons with Disabilities

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk



Sent via email: <alicia.davenport@hamilton.ca>

November 17, 2020

% Ms. Alicia Davenport, Staff Liaison  
Advisory Committee for Persons with Disabilities  
City of Hamilton  
71 Main St W.  
Hamilton, ON  
L8P 4Y5

**RE: Motion 7.4(a) Ban of Electric Scooters from Public Property (City Wide)**

Dear Advisory Committee for Persons with Disabilities,

In my government relations role at Bird Canada, I have been following the important work of your Advisory Committee, including your most recent meeting on November 10, 2020. As I am not currently permitted to make a delegation virtually to your Advisory Committee, I submitted a written submission and watched the Advisory Committee proceedings on the City of Hamilton's YouTube channel. I provide the following comments on your most recent 10th Advisory Committee meeting as it related to electric scooters (e-scooters).

As I noted in my previous correspondence to your Advisory Committee dated November 4, 2020, Bird Canada Inc. is a first KM / last KM, electric scooter sharing company dedicated to bringing affordable, environmentally friendly transportation solutions to Canadian municipalities. Bird Canada provides shared e-scooter services in Edmonton, Calgary, and most recently this summer in Ottawa.

**What is a Municipally Regulated Shared E-scooter Program?**

Shared e-scooter programs in Canada are regulated provincially and municipally with robust regulatory frameworks in place (see below for more information). A municipal shared e-scooter program is offered to cities at no direct cost to the City.

A municipal shared e-scooter program enables local residents to simply download a free app onto their smartphone, locate a shared e-scooter, scan the QR Code located on the shared e-scooter via the smartphone app to unlock the e-scooter, ride the shared e-scooter to their local destination where they would lock the e-scooter via the app and park it in compliance with local municipal regulations, ready for the next rider.

To date, regulated shared e-scooter programs are present in over 100 cities globally and in Canada, e-scooter share operations have existed in cities across the country, including



Kelowna, Calgary, Edmonton, Waterloo, Ottawa, and Montreal. A number of other Ontario municipalities are at various stages of regulatory development towards shared e-scooter pilot programs including Mississauga, Brampton, Windsor, London, and Waterloo (Waterloo Region).

### Why Municipally Regulated Shared E-scooters?

A municipally regulated shared e-scooter program is beneficial to cities because it:

- Encourages “Mode Shift”: Shared e-scooters provide local residents with a choice to not take a personal car which contributes to traffic congestion. (In [Calgary](#), 1 in 3 shared e-scooter trips replaced a car trip).
- Reduces Greenhouse Gas Emissions: Shared e-scooters are [electric and do not emit greenhouse gas emissions](#) like cars do.
- Facilitates Socially Distant Open-air Transportation: During COVID-19, shared e-scooters provide an alternative transportation choice for local residents that a host of cities, including San Francisco, have deemed "[essential](#)".
- Facilitates First and Last KM Connections with Public Transit: During the 2019 Montreal shared e-scooter program, city staff [reported](#) that 27% of e-scooter trips started or ended at public transit (metro stations).

It is important to note that private (personally owned) e-scooters are increasingly present in cities like Hamilton. These are not shared e-scooters that are regulated by cities and offered by companies like Bird Canada. Private (personally owned) e-scooters have increased in numbers throughout 2020 likely as a result of the current COVID-19 pandemic and the desire for local residents to find alternative modes of transportation that are open air and socially distant.

As was the case with Uber and ride hailing, one can decide to ultimately try and ban e-scooters, while the number of local residents riding private (personally owned) e-scooters continues to grow. Or, cities can introduce regulations for private (personally owned) and shared e-scooters to advance public safety.

### City of Toronto and E-scooters

In October 2019, Toronto City Council passed the following [Motion re E-Scooter Oversight and Management](#). Please see below for the language of the Motion.

It should be noted that the intention of this Motion was to put in place a temporary ban on the use of e-scooters in Toronto until such time as a regulatory framework could be adopted and implemented. Thus, Toronto does not intend to ban e-scooters in the City outright, but in fact plans to regulate them as [evidenced by the direction](#) given by the Infrastructure and



Environment Committee (and ultimately Council) to city staff to develop a regulatory framework to regulate e-scooters in April 2019.

In fact, during Council debate on the Motion outlined below, “The City Clerk advised that the intention of the Committee recommendation [that Council approved] is to put in place a temporary regulation that prohibits the use of these scooters.” [Emphasis added]. See here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.IE7.13>

Likewise, Councillor Pasternak (Chair of the City of Toronto’s Infrastructure and Environment Committee) noted in a [letter](#) to the Committee on the Motion below that the ban on e-scooters is only “until such times as staff report back with a program to enable the oversight and management of e-scooters”. According to the letter:

In light of the Province's accelerated timeline to establish the e-scooter pilot, it is recommended that the Infrastructure and Environment committee direct staff to develop the necessary programs to enable the IE7.13 oversight, management and regulation of e-scooters on the streets of Toronto during the Province's proposed pilot project. This would build on the direction given by this committee on April 25, 2019 in [IE4.5 Proposed Regulatory Framework for Scooters, Cargo, and E-assist Cycles](#), which directed staff to report back with a regulatory framework in the fourth quarter of 2019.

The recommendations below seek to provide parameters related to safety and accessibility until such time as staff report back with a program to enable the oversight and management of e-scooters.

City of Toronto: [Motion re E-Scooter Oversight and Management](#)

1. City Council direct the General Manager, Transportation Services, in consultation with the Executive Director, Municipal Licensing and Standards, the Medical Officer of Health and the Toronto Parking Authority, to report to the appropriate Committee in the fourth quarter of 2019 on a program to enable the oversight and management of e-scooters on City roadways, including the possibility of adding electric scooters to the bike share fleet as a way of managing e-scooters in the public right-of-way, with the goal of ensuring a safe and accessible transportation network for all users during the proposed 5-year Provincial pilot project.
2. City Council prohibit the use of e-scooters on City sidewalks and pedestrian ways, and prohibit any person from parking, storing or leaving an e-scooter on any street, sidewalk and pedestrian way.
3. City Council authorize the City Solicitor to introduce the necessary Bills directly to Council to amend the requisite City By-laws or Municipal Code Chapters to give effect to City Council’s decision in Part 2 above, and authorize the City Solicitor to make any





necessary clarifications, technical amendments, or By-law amendments as may be identified, in consultation with the General Manager, Transportation Services.

## Province of Ontario and Municipal Regulatory Frameworks for Shared E-scooters

The Province of Ontario and municipalities with shared e-scooter programs have robust regulations in place to govern shared e-scooters. I encourage the Advisory Committee and it's Transportation Working Group to click the links in this section and review the exhaustive regulations in place provincially and for example, in the Ottawa shared e-scooter pilot.

In short, it is not accurate to say there are no regulations in place with respect to shared e-scooters. In fact, as outlined below, there are extensive regulations in place provincially and municipally for shared e-scooter programs in Ontario.

The province's [pilot regulations](#) for e-scooters has an array of regulations concerning the operation of e-scooters (i.e. no double riding), the e-scooter equipment itself (i.e. weight, etc.), etc. Other sections of the provincial regulations for cities that permit e-scooters locally include:

- Where electric kick-scooters permitted
- Roadway use
- Safe operation
- General rules re operation
- Equipment
- Operator to stop for police officer
- Duty to report accident

Municipal programs for shared e-scooters (permit agreements) in cities such as Kelowna, Calgary, Edmonton, and Ottawa have extensive regulations in place for shared e-scooter programs. For example, in Ottawa, each shared e-scooter operator permitted by the City, has a signed binding agreement with the City of Ottawa. Bird Canada's agreement with the City of Ottawa for the provision and operation of shared e-scooter services can be viewed [here](#).

General information on Ottawa e-scooter rules:

<https://ottawa.ca/en/parking-roads-and-travel/cycling/e-scooters>.

[Bird Canada's agreement with the City of Ottawa for the provision and operation of shared e-scooter services](#) is almost 30 pages of regulatory requirements that cover a thorough host of various mandated regulatory requirements including but not limited to:

- Fees and Securities (pg. 3)
- Parking of shared e-scooters (pg. 5)
- Removal of shared e-scooters (pg. 7)
- COVID-19 related sanitation (pg. 8)



- Communication and Education (pg. 8)
- Non-performance (of contractual obligations) (pg. 9)
- Data Reporting to the City (pg. 10)
- Indemnity (pg. 10)
- Insurance (pg. 11)

### **Provincially and Municipally Regulated Shared E-scooter Program vs. Privately Owned E-scooters**

The Ontario e-scooter pilot regulations permit municipalities to allow shared e-scooters and/or privately owned e-scooters. Municipalities have to pass a by-law(s) to opt into the provincial e-scooter pilot.

Municipal shared e-scooter programs are subject to extensive regulatory requirements (see above). On the other hand, private/personally owned e-scooters possess inherent risks. As one example, the risk with private or personally owned e-scooters is that it is more challenging to regulate things like speed because privately sold e-scooters are sold at various maximum speeds or are mechanically changed to go faster after purchase.

On the other hand, with a municipally regulated shared e-scooter program, the City can through a permit/agreement with the shared e-scooter company, mandate shared e-scooters travel at certain speeds (max 20 km/h) in addition to mandating geo-fenced no park zones, slow down zones and/or no ride zones. These can all be enforced through a permit from the City. Enforcing these things against private or personally owned e-scooters is challenging.

Recall that geo-fencing technology is mandated under municipally regulated shared e-scooter programs to enhance safety (this geo-fencing does not impact private (personally owned) e-scooters which makes them inherently less regulated). Examples of geo-fencing mandated in under Ottawa's regulated shared e-scooter program:

- **Slow Down Zones:** Most Canadian cities have set scooters to a maximum of 20 km/h and some cities have implemented slow down zones for highly pedestrianized areas of the City so that scooters travel slower in these zones (i.e. 15 km/h in Calgary and 8 km/h - 15km/h in Ottawa).
- **No Ride Zones:** Some cities have established no rides zones where upon entering the zone the scooter slows down gradually and stops safely to discourage riding. For example, Ottawa has mandated this for the Parliamentary Precinct, Byward Market, and all National Capital Commission pathways in the City to prevent shared e-scooters from being ridden on these pathways (NCC does not permit e-bikes currently as well).



Sincerely,

A handwritten signature in black ink that reads "Chris Schafer".

**Chris Schafer**

Vice President, Government Affairs

Bird Canada

(647) 389-8052

[www.birdcanada.co](http://www.birdcanada.co)

## 5.2

**From:** Jo-Ann H. Savoie <[JSavoie@hamiltonpolice.on.ca](mailto:JSavoie@hamiltonpolice.on.ca)>  
**Sent:** November 20, 2020 3:24 PM

Alicia and Madame Chair

As an outstanding action item from our last meeting, I have prepared the following report. I have been invited to the Transportation working group next week however I am unable to attend. If you could ensure members of the Transportation Committee also get a copy if different from this group. I still have calls out to both Ottawa and Waterloo, however I thought I would provide some background and context.

In regards to E-Scooters for the City of Hamilton, this is what I have learned.

A report is currently being written by city staff, however it has not been finalized (the report is going forward to council Dec 7th). Through discussions, it is my understand staff are recommending to **wait until an operating framework and regulations have been established before permitting**. Which is a good thing. This is the same stance the City of Toronto has taken.

In January 2020, the Province of Ontario (the Province) announced that it would begin a five-year pilot program which would permit E-Scooters on municipal roads throughout the Province, if a municipality passed a by-law to “opt-in”. The five-year pilot launched January 1, 2020, under *Ontario Regulation 389/19* attached under the *Highway Traffic Act*, R.S.O. 1990, c. **H.8 section 228 (HTA)** with the goal of evaluating the use of E-Scooters by evaluating their ability to safely integrate with other vehicle types and determine whether existing rules of the road are adequate.

Under this pilot, the City has the option to pass a by-law to permit E-Scooters on roads, trails, sidewalks, bike lanes, and in public parks. If the City does not pass such a by-law, E-Scooters remain prohibited in that jurisdiction.

There has been some uptake on the pilot by other jurisdictions. Both Ottawa and Windsor have adopted by-laws to allow E-Scooters, while Toronto has delayed adoption in order to ensure an operating framework is put in place allowing for safe operations and enforcement prior to the introduction of commercial operators. Outside of Ontario, E-Scooter programs have been implemented in Calgary, Edmonton, and Montreal has since banned. See chart below.

<b>City</b>	<b>Approach to Regulating E-scooters</b>
Toronto (ON)	The use and parking of e-scooters is currently prohibited. A July 2020 staff report recommended further measures be put in place to ensure safe operations and enforcement prior to the introduction of commercial operators.
Ottawa (ON)	In June 2020, the City of Ottawa “opted in” to the provincial pilot and approved a one-year trial with the participation of a private service provider(s) and with a maximum initial shared fleet size of 600 e-scooters. Three commercial providers are currently operating in designated geographic areas.
Waterloo Region (ON)	Pilot from 2018-2019 on private property (Laurel Trail and University of Waterloo), next steps are unknown

Correspondence from Staff Sergeant Jo-Ann Savoie, Hamilton Police Service,  
respecting Item 7.4(a) - Ban of Electric Scooters from Public Property (City Wide)

Page 3 of 5

<b>City</b>	<b>Approach to Regulating E-scooters</b>
Windsor (ON)	Amended Traffic By-law in 2020 to allow individual personal e-scooters on the road, prohibited on sidewalks and park trails
Calgary (AB)	Pilot from July 2018 – October 2019, resuming in 2020 with a permit, allowed on sidewalks prohibited on the road
Edmonton (AB)	Permit issued in 2019, prohibited on sidewalks
Kelowna (BC)	Permit issued under the bike share permit program, limited to the Okanagan Rail Trail
Montreal (QC)	Pilot in 4 of its 19 boroughs, banned in 2020

Under the British Columbia Provincial *Motor Vehicle Act*, e-scooters not permitted on roadway or sidewalk.

From a mobility perspective, E-Scooters provide a convenient and cost-effective solution for facilitating “first-mile, last-mile” connections, including trips to access transit. Broader benefits include reduced auto dependence, reduced air pollution, and reduced greenhouse gas emissions. E-scooters are also very space efficient. Challenges with E-Scooters include user safety, pedestrian safety, parking on sidewalks, and abandoning of scooters, particularly with the introduction of a large number of scooters, which may be the case with commercial operations. In Ontario, there is also uncertainty around responsibilities for enforcement and lack of clarity on liability and collision reporting.

As more programs have been launched, and commercial operators and municipalities gain experience and develop ways to

mitigate issues, many of the early challenges with E-Scooters are diminishing. Notwithstanding this, staff are recommending a staged approach. Staff recommend a by-law be approved to permit E-Scooters to operate on municipal roads and designated pathways, throughout the City during the Province of Ontario's five-year pilot, but that this apply to personal scooters only until such time as a regulatory system is put in place for commercial operators. A conservative approach is being adapted whereby E-Scooters would be allowed to operate generally where bicycles are currently permitted, and not be allowed on sidewalks or in City parks except where specifically designated.

Of note under the pilot is section : **Duty to report accident**

**12.~(1)~**Where an electric kick-scooter is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, the operator of the electric kick-scooter shall forthwith report the accident to a police officer and furnish him or her with the information concerning the accident as may be required by the officer under subsection (2).

(2)~A police officer receiving a report of an accident, as required by this section, shall secure from the person making the report, or by other inquiries where necessary, the particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and the other information that may be necessary to complete a written report concerning the accident and shall forward the report to the Registrar within 10 days of the accident.

(3)~The report of a police officer under subsection (2) shall be in the form that is approved by the Minister.

I have spoken with our Traffic Department and they have had meetings with By-law. If the City was to adopt there is an expectation by City by-law Police will enforce. For the purposes of reporting the e-scooter is identified as a vehicle but not a motor vehicle. The Ministry would be collecting data on accidents involving an e-scooter that involve another motor Vehicle but only if: the collision resulted in a fatality, injury to one or more persons, and/or resulted in property damage exceeding \$2000 in total.

I have requested a report to see if we have had any calls for service in regards to e-scooters. Our Records Management System does not classify e-scooter as of yet so I had to manually mine the data to see if I could sort through and find e-scooter. We do not have any reports at this time.

If the City is to adopt, our Traffic branch will work with our Computer Services to create an e-scooter category so we can run reports, and provide training to police officers on the new procedures.

I hope this report meets your expectations. Also, if there was something specific you were hoping for that I did not cover please advise.

Jo-Ann  
Staff Sergeant Jo-Ann Savoie, DBA  
Quality Assurance PDD  
Hamilton Police Service  
1227 Stone Church Rd. E.  
Hamilton ON L8W 2C6  
(905) 546-8948  
cell (905) 869-3107  
e-mail: [jsavoie@hamiltonpolice.on.ca](mailto:jsavoie@hamiltonpolice.on.ca)



Français

**ONTARIO REGULATION 389/19**

made under the

**HIGHWAY TRAFFIC ACT**

Made: November 6, 2019

Filed: November 27, 2019

Published on e-Laws: November 27, 2019

Printed in *The Ontario Gazette*: December 14, 2019**PILOT PROJECT - ELECTRIC KICK-SCOOTERS****Definitions**

1. (1) In this Regulation,

“electric kick-scooter” means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the kick-scooter and one at the rear,
- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and
- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour; (“trottinette électrique”)

“public park” means a provincial park or land designated by a municipality for use as a park. (“parc public”)

(2) An electric kick-scooter is deemed not to be a motor vehicle under the Act.

(3) Despite subsection (2), any municipal by-law that governs or prohibits the operation of a motorized vehicle applies to an electric kick-scooter unless the by-law provides otherwise.

**Pilot project re electric kick-scooters**

2. A pilot project to evaluate the use and operation of electric kick-scooters is established.

**Prohibition**

3. No person shall operate an electric kick-scooter on a highway, sidewalk, trail, path or walkway or in a public park or exhibition ground unless,

- (a) such operation is permitted by and in accordance with this Regulation; and
- (b) where the highway, sidewalk, trail, path, walkway, public park or exhibition ground is under the jurisdiction of a municipality, such operation is permitted by and in accordance with a municipal by-law.

**Where electric kick-scooters permitted**

4. (1) Subject to subsection (2), a person may operate an electric kick-scooter on a roadway or on the shoulder of a highway.

(2) An electric kick-scooter shall not be operated on,

- (a) those parts of the controlled-access highways described in Schedule 1 to Regulation 627 of the Revised Regulations of Ontario, 1990 (Use of Controlled-Access Highways by Pedestrians) made under the Act;
- (b) those parts of the controlled-access highways described in Schedule 1 to Regulation 630 of the Revised Regulations of Ontario, 1990 (Vehicles on Controlled-Access Highways) made under the Act; or
- (c) any highway to which access by pedestrians or bicycles is prohibited under any Act, regulation or municipal by-law.

**Roadway use**

5. (1) Where bicycle lanes are provided on a highway, an electric kick-scooter shall only be operated in the bicycle lanes.

(2) Despite subsection (1), where the highway is located in a tunnel or underpass, an electric kick-scooter may be operated on a sidewalk in the tunnel or underpass rather than the bicycle lane except where such operation is prohibited by municipal by-law.

(3) Where bicycle lanes are not provided on a highway or where the operation of electric kick-scooters in bicycle lanes is prohibited by municipal by-law, an electric kick-scooter shall only be operated,

- (a) if there is a shoulder on the highway, on the shoulder as close to the right edge of the shoulder as possible; or
- (b) if there is no shoulder on the highway, on the right side of the roadway as close to the edge of the roadway as possible.

#### **Application of the Act**

6. (1) Parts II, IV, VI and X.3, sections 179 and 199 and subsection 214 (2) of the Act do not apply to the operation of an electric kick-scooter or to a person who operates an electric kick-scooter.

(2) Sections 140 and 144 of the Act apply to an electric kick-scooter as if the electric kick-scooter were a bicycle.

(3) When an electric kick-scooter is being operated on a sidewalk, trail, path or walkway or in a public park or exhibition ground, the provisions of the Act, other than the Parts and sections listed in subsection (1), apply to the operation of the electric kick-scooter and to the operator of the electric kick-scooter as if the electric kick-scooter were a bicycle and the operator a cyclist.

(4) When an electric kick-scooter is being operated on a roadway or on the shoulder of a highway, the provisions of the Act, other than the Parts and sections listed in subsection (1) or the provisions listed in subsection (2), apply to the operation of the electric kick-scooter and to its operator as if the electric kick-scooter were a bicycle and the operator a cyclist.

#### **Safe operation**

7. (1) The operator of an electric kick-scooter shall keep a safe distance from pedestrians and other users of the roadway, shoulder, sidewalk, trail, path, walkway, public park or exhibition ground at all times and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is insufficient space for the pedestrian or bicycle and the electric kick-scooter to pass.

(2) An electric kick-scooter shall not be operated on a sidewalk, trail, path or walkway or in a public park or exhibition ground at a speed that is markedly greater than the speed of the pedestrians who are proximate to the electric kick-scooter.

(3) Every electric kick-scooter shall be equipped with a bell or horn which shall be kept in good working order and sounded whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.

(4) When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every electric kick-scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear.

(5) The lamps referred to in subsection (4) may be attached to the electric kick-scooter or may be carried or worn by the operator on his or her person.

(6) An electric kick-scooter shall not be operated in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.

#### **General rules re operation**

8. (1) No person under the age of 16 years shall operate an electric kick-scooter.

(2) No person operating an electric kick-scooter shall carry any other person thereon.

(3) No person operating an electric kick-scooter shall tow another person, vehicle or device.

(4) No person operating an electric kick-scooter shall attach himself or herself to another electric kick-scooter, vehicle or device for the purpose of being drawn or towed.

(5) No person operating an electric kick-scooter shall operate it in any position other than while standing at all times.

(6) No cargo may be carried on an electric kick-scooter.

(7) No person operating an electric kick-scooter shall leave it in a location that is intended for the passage of vehicles or pedestrians.

#### **Equipment**

9. (1) An electric kick-scooter shall have one or more electric batteries that are the sole source of power to the motor.

(2) An electric kick-scooter shall not have,

(a) a seat, surface or structure that could be used as a seat;

(b) pedals attached to it;

(c) a basket attached to it;

(d) wheels with a diameter of more than 430 millimetres; or

(e) any structure to enclose the electric kick-scooter.

(3) The weight of an electric kick-scooter, including the weight of the battery but otherwise unladen, shall not exceed 45 kilograms.

(4) The battery and motor of an electric kick-scooter shall be securely fastened to the electric kick-scooter to prevent them from moving while the electric kick-scooter is in motion.

(5) All electric terminals on an electric kick-scooter shall be completely insulated and covered.

(6) An electric kick-scooter shall not be modified after its manufacture in any way that may result in increasing its power or its maximum speed beyond the limits set out in the definition of “electric kick-scooter”.

(7) The motor of an electric kick-scooter shall cease to propel the electric kick-scooter forward if the accelerator is released or the brakes are applied.

(8) The braking system of an electric kick-scooter must be capable of bringing the electric kick-scooter, while being operated at a speed of 24 kilometres per hour on a clean, paved and level surface, to a full stop within nine metres from the point at which the brakes were applied.

(9) An electric kick-scooter and all of its components shall be maintained in good working order at all times.

#### **Helmets**

**10.** A person who is under 18 years old shall wear a helmet that complies with the requirements of subsection 104 (1) or (2.1) of the Act when operating an electric kick-scooter.

#### **Operator to stop for police officer**

**11.** Every operator of an electric kick-scooter shall stop when required to do so by a police officer and shall, on the demand of the police officer,

(a) surrender his or her driver’s licence, if he or she has one and has it in his or her possession, for reasonable inspection by the officer; or

(b) provide the officer with his or her correct name, address and date of birth.

#### **Duty to report accident**

**12.** (1) Where an electric kick-scooter is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, the operator of the electric kick-scooter shall forthwith report the accident to a police officer and furnish him or her with the information concerning the accident as may be required by the officer under subsection (2).

(2) A police officer receiving a report of an accident, as required by this section, shall secure from the person making the report, or by other inquiries where necessary, the particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and the other information that may be necessary to complete a written report concerning the accident and shall forward the report to the Registrar within 10 days of the accident.

(3) The report of a police officer under subsection (2) shall be in the form that is approved by the Minister.

#### **Reports to Minister**

**13.** Any municipality in which electric kick-scooters are being used shall, if requested by the Minister, report to the Minister on the use of electric kick-scooters in the municipality, or on any aspect of such use as may be specified by the Minister.

#### **Revocation**

**14.** This Regulation is revoked on the fifth anniversary of the day it is filed.

#### **Commencement**

**15. This Regulation comes into force on the later of January 1, 2020 and the day it is filed.**

Français

Back to top

**Ministry of Transportation**

Road User Safety Division

87 Sir William Hearst Avenue  
 Room 191  
 Toronto ON M3M 0B4  
 Tel.: 416-235-4453

**Ministère des Transports**

Division de Sécurité Routière

87, avenue Sir William Hearst  
 bureau 191  
 Toronto ON M3M 0B4  
 Tél. : 416-235-4453



**MEMORANDUM TO:** Marc Bedard  
 Assistant Deputy Minister  
 Public Safety Division

**FROM:** Kevin Byrnes  
 Assistant Deputy Minister  
 Road User Safety Division

**SUBJECT:** **New Pilot Project Regulation under the Highway Traffic Act to Permit Electric Kick-Style Scooters (also known as E-Scooters) on Ontario's Roads**

The purpose of this memorandum is to advise the policing community across the province about a new 5-year pilot program that allows e-scooters on road subject to a municipal by-law.

Effective January 1, 2020, a new pilot regulation made under the Highway Traffic Act (HTA), [O. Reg.389/19: Pilot Project - Electric Kick-Scooters](#) establishes a pilot project to allow the use of electric kick-style scooters (e-scooters) on Ontario's roads (see Attachment for Regulation).

Under the pilot, the province has set out the broad rules and requirements for e-scooters such as helmet requirements and minimum age. It is now up to the municipalities to pass by-laws and develop operating parameters for e-scooter companies and riders to allow their use and determine where they can operate most safely in their municipality.

Municipalities should clearly define where e-scooters can park (e.g. setting up designated parking locations). The regulation also requires that e-scooters should not be left in a location that is intended for the passage of vehicles and pedestrians. This will help prevent them from being left on the road and sidewalk obstructing traffic or being a nuisance to road users.

The pilot is intended to assess these vehicles over a period of five years in order to examine their ability to safely integrate with other vehicle types and road users.

The authority to conduct such pilot projects is provided under section 228 of the HTA. This pilot authority has been used previously for e-bike, segway, three-wheeled vehicles, low speed vehicles and autonomous vehicle pilots.

### **Pilot Project Framework – effective January 1, 2020**

- 5-year pilot;
- Permitted by municipal by-law;
- Minimum operating age 16;

- Maximum power output 500W and can provide a maximum speed of 24 km/h;
- Maximum weight 45kg;
- No passengers allowed;
- No baskets allowed;
- Bicycle helmet required for those under 18 years old;
- No pedals or seat allowed;
- Must have 2 wheels;
- Must have horn or bell;
- Must have one white light on front, one red light on rear and reflective material on sides;
- Must have brakes: on both wheels if tire diameter is greater than 150 mm, otherwise, must have a brake on at least one wheel;
- Maximum wheel diameter 17 inches;
- All HTA rules of the road will apply to the operation of e-scooters similar to bicycles;
- Not allowed on controlled access highways.

Anyone that contravenes the conditions of the pilot can be charged under HTA s. 228(8), which states that every person who contravenes a pilot regulation is liable to a fine of not less than \$250 and not more than \$2,500, on conviction. All other existing HTA rules of the road and penalties also apply to the operation of e-scooters.

I would ask that you please bring this memorandum to the attention of the appropriate members of your service. If members of the law enforcement community would like to discuss these changes, they may contact Ryan Bailey at 416 894-7910 or [ryan.bailey@ontario.ca](mailto:ryan.bailey@ontario.ca).

Thank you for your assistance in communicating this change.



Kevin Byrnes  
Assistant Deputy Minister  
Road User Safety Division

Attachment: [Highway Traffic Act Regulation 389/19: Pilot Project - Electric Kick-Scooters](#)

## Added Item 5.3

**From:** Michelle Martin <Michelle.Martin@hamilton.ca>

**Sent:** December 8, 2020 2:06 PM

**To:** Alicia Davenport

**Subject:** INFORM | communication from ATS for ACPD meeting today

Hello Alicia:

I apologize for the short notice and if this is not possible please let me know. I would like to take the opportunity, via this email, to provide an interim update to the ACPD respecting our virtual Accessibility Public Consultation Event (we had presented our plan for the event to the November 10 ACPD meeting).

Prior to the video, we solicited feedback and questions from various channels including by phone, email and comment cards, and the Engage Hamilton platform. We announced the plan in the Hamilton Spectator, all HSR social media channels, to some key community contacts, and, as you know, to the ACPD. We have not had a lot of uptake, and we are hoping to get the word out a little more.

Due to some technical difficulties around captioning, we were later than planned (we had targeted last week) posting the video meeting we recorded to respond to feedback to date. However, as of yesterday, it is posted on YouTube, on the City of Hamilton page, here:

<https://www.youtube.com/watch?v=icjWvU1Mld0&feature=youtu.be>

Topics discussed on the video include:

- Welcome messages from the Director of Transit and the Manager of Customer Experience & Innovation

- Reflections on Transit's accessibility priorities over the last year
- Accessibility activities for the HSRnow trip planning tools, including the new mobile app
- Project updates on (Re)envision the HSR
- Scheduling of DARTS trips
- Feedback and complaints processes
- COVID response procedures
- Ending the sale of paper tickets and passes, and switching to PRESTO

The link is also available on the Engage Hamilton platform. We are continuing to gather feedback now that the video is posted. For this round, we will gather feedback until December 18, in anticipation of presenting a summary to ACPD in January.

Michelle

*The City of Hamilton encourages physical distancing and increased handwashing. Learn more about the City's response to COVID-19 [www.hamilton.ca/coronavirus](http://www.hamilton.ca/coronavirus)*

**Michelle Martin** (she/her)  
**Senior Project Manager – Transit Customer Loyalty**  
Customer Experience & Innovation  
Transit (HSR), City of Hamilton  
905-546-2424 ext. 2765



**Thank you!**

Thousands of you have told us how to make transit your first choice.

Find out what's next, visit: [hamilton.ca/reenvision](http://hamilton.ca/reenvision)

## 7.1(a)

### **ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES Built Environment Working Group Meeting Notes**

Tuesday, November 3, 2020  
Virtual Webex Meeting

Present: Paula Kilburn, Tom Manzuk, James Kemp, Shahan Aaron, Patty Cameron, Tim Nolan

#### 1. Selection of Chair

Tim was appointed

#### 2. Terms of Reference

Reference the AODA where appropriate 'delete item 12

All else is good

#### 3. Curb Cuts

No standard application of urban braille across the city – there appears to be different types of curb cuts in different locations.

There needs to be consistency.

Urban braille is installed only at BI?A locations which is problematic and ACPD has addressed this with Council in the past.

Need a motion at ACPD respecting curb cuts and urban braille installation

#### 4. Vaults

Vault issues similar to curb cuts. No uniform application or design of vault covers. Regardless they pose problems for persons with disabilities including sharp corners, raised edges and slippery surfaces especially during the winter with ice and snow.

Need a motion to Council on this matter

#### 5. Presentation list

Tom to send out by week's end the list of presenters committee would like to invite



## 6. Capital Projects

Need to get this list from Jessica

Tim to follow up with Jessica

## Seven 7. December 03 International Day of the Disabled

Hamilton sign out front of City Hall to be lit up in purple that day

Will be a request to bring ACPD members together for a photo op out front of the sign that day

Paula working on getting purple masks for all ACPD members to wear for photo

Paula to ask ACPD to cover cost of masks with budget

## 8. Barrier – Free Guidelines

No update of late. Staff were to revise and review with BEWG more than 2 years ago.

Tim to follow up with Jessica

## 9. Inventory of Public Washrooms

Beach front washroom was to be made accessible and become standard for all other accessible public washrooms across the City.

Status unknown.

Tim to follow up with Jessica.

## 10. Deficiency List

What is the status of the list from the capital projects list. Do we get to check off anything as satisfactorily complete?

Some items from the list include Tim Horton's field, McNab Street bus terminus, Battlefield house, Bernie Morelli Senior's Centre, City Hall, Waterdown Recreation Centre, Hamilton housing 600 Stonechurch Rd. East

Tim to follow up with Jessica.

**Built Environment Working Group Meeting Notes  
November 3, 2020**

**Page 3 of 3**

**11. City Hall**

Related to item 10 above, staff to meet with BEWG in January to review status of City Hall upgrades

Paula to send to Tim list of City Hall issues and who is to attend the January meeting.

Tim to follow up with Jessica to ensure this is still a go.

**12. Audible Pedestrian Signals**

Need a list from staff regarding what signals to be upgraded.

Need to review list of recommendations from CNIB.

Tim to follow up with Jessica.

**13. Other**

Tim to check with ACPD to ask if any members wish to join the BEWG

**Next Meeting**

Tuesday, December 01, 2020 at 4:00 P.M.

Meeting details and agenda will be sent prior

## 7.2(a)

### **ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES Housing Issues Working Group Meeting Notes**

Tuesday, October 20, 2020

Virtual Webex Meeting

10:00a.m. – 12:00p.m.

Those in attendance: James Kemp, Paula Kilburn, Jayne Cardno, Tom Manzuk, Anthony Frisina, Lance Dingman

Also Present: Taline Morris, Robert Semkow

Those Absent: Michele Dent, Mary Sinclair, Sophie Geffros

1. Welcome and introductions
2. Agenda was approved.
3. Sept 22 minutes approved
4. Terms of Reference: We discussed the TOR draft drawn up by the chair. It was refined and a second draft will be presented for approval or further refinement at the next meeting.
5. Motion to Housing and Homelessness: We discussed the possibility of opening a dialogue with the Housing and Homelessness Committee or at the very least, draft a motion of support regarding the need for change and improvements to Residential Care Services. Paula unofficially reached out to the Chair of Housing and Homelessness and they did not seem too receptive about the idea of working together. It was decided to make it a more general motion regarding housing for the disabled
6. Accessibility Guidelines for Sensory Loss: We discussed the information package sent to us from DeafBlind Ontario Services regarding modifications to the home for a number of different needs. It is closer to the idea of Universal Design. We will ask them to attend a future HWG meeting so we can learn more before bringing Universal Design to Council. Chair has already made

**Housing Issues Working Group Meeting Notes  
October 20, 2020****Page 2 of 2**

some notes in accordance with the suggestions provided: Technology in Housing, Built in WiFi, Engagement IT technology, Parity with the Abled.

7. Presenters List: We discussed possible future presenters: Shelter program physicians: Dr. Miles St. Jean, Dr. Tim Oshea; Paul Johnson, Brian Krebs
8. Other Business: We discussed the sample letter regarding universal accessible housing. We also briefly discussed a motion that Jayne put forth regarding homelessness. I will add it to next month's discussion.
9. Adjournment

## 7.2(b)

Advisory Committee for Persons with Disabilities  
**Housing Issues Working Group**  
**Terms of Reference**  
Last Updated: November 2020

### **Vision Statement**

Everyone can live independently, with stability, equality, dignity and respect.

### **Mandate**

To advise Council on the following issues:

1. Identifying and pursuing the removal of barriers to housing;
2. Preventing the creation of new barriers in housing;
3. Defining the needs of the disabled in the accessible housing system in order to be more inclusive;
4. Highlighting deficiencies in the accessible housing system and seeking solutions to address them;
5. Anticipating accessible housing needs for the future.
6. Making Housing in Place with services recognizing equality.

### **Mission Statement**

We are a voice for the needs of the disabled in order to provide stable and accessible housing for all citizens.

# 7.2(c)

## CITY OF HAMILTON

### MOTION

Advisory Committee for Persons with Disabilities: December 8, 2020

**MOVED BY J. KEMP**.....

**SECONDED BY** .....

#### **Accessible Housing (City Wide)**

WHEREAS, the need for accessible affordable housing is at a crisis level;

WHEREAS, more than twenty two percent of Canadians have a disability;

WHEREAS, anyone can be born with a disability which can afflict them without warning, at any time in their lives and anyone of any age can be struck by illness or accident which creates a temporary or lasting disability;

WHEREAS, there is currently no law requiring that housing be accessible. The *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) does not mention housing;

WHEREAS, the Ontario Building Code only requires that 15% of new apartments be “visitable”, not accessible enough to live there;

WHEREAS, both the AODA and the Ontario Building Code are in contravention of the Canadian Charter of Rights and Freedoms,

the Ontario Human Rights Code and United Nations Convention on the Rights of Persons with Disabilities. Barrier free housing is a human right;

WHEREAS, Hamilton does not need to wait for the provincial government to make changes to the laws. Change can be made at the municipal level by mandating universal design in all future City projects or any new development built with tax dollars and / or land made available by the City, and through agreements with developers. All new and renovated Hamilton community housing units must also be made accessible;

WHEREAS, the current Housing Unit Modification Guide focuses mainly on addressing the issues of people with mobility devices like wheelchairs, power chairs and scooters for example; there is a need to revise the current guide to include the needs of other disabilities, both visible and otherwise, in what is called Universal Accessible Design. This can include things like high contrast paint jobs in kitchens and bathrooms to make it easier for the visually impaired, audible and visible alarms as well as door bells, tuned so as not to trigger seizure disorders, and textured switches to name a few;

WHEREAS, the extra cost of incorporating universal design is less than one percent more when planned from the design stage. It is the renovation of existing housing that is costly; and,

WHEREAS, making all new housing accessible will reduce the City's costs for future long term care and residential care facilities by providing more independent living choices;

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities respectfully recommends that the City of Hamilton make all future and retrofitted housing accessible; and,
- (b) That the Advisory Committee for Persons with Disabilities respectfully recommends that the City of Hamilton expand its Housing Unit Modification Guide to incorporate universal design in order to address the accessibility needs of those not yet represented.



## 7.3(a)

### **ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES Outreach Working Group Meeting Notes**

Monday, October 5, 2020

Virtual Webex Meeting

4:30p.m. – 6:30p.m.

Those Present: Anthony Frisina, Tom Manzuk, Paula Kilburn,  
James Kemp

1. Anthony was nominated by James as chair. Paula seconded.
2. Discussed terms of reference; Interface for the community, education for the community
3. Discussed the future dates for meetings. We decided that the 4:30 slot was open on the third Tuesday of the month. As housing meets in the morning, this shouldn't create a problem until we are able to meet at city hall at which point, we will have to revisit it.
4. We discussed pamphlets and logos
5. We discussed a photo op in front of the Hamilton sign including possibly a flag or sign but with everyone wearing a purple shirt on December the 3<sup>rd</sup>.
6. Adjournment

# 7.4(a)

## CITY OF HAMILTON

### MOTION

**Advisory Committee for Persons with Disabilities: December 8, 2020**

**MOVED BY T. NOLAN.....**

**SECONDED BY K. NOLAN.....**

#### **Ban of Electric Scooters from Public Property (City Wide)**

WHEREAS, the Advisory Committee for Persons with Disabilities was requested by Council to give our advice regarding whether they should allow rental electric scooters (also known as e-scooters or kick scooters) to operate in the City of Hamilton;

WHEREAS, the Transportation Working Group of the Advisory Committee for Persons with Disabilities has researched the impact of permitting the operation of electric scooters in other cities, including Montreal, Calgary and Ottawa;

WHEREAS, it is the opinion of the Advisory Committee for Persons with Disabilities that electric scooters pose a serious danger to persons with disabilities. Allowing unlicensed, untrained people of varying ages and maturity levels to operate silent, high speed vehicles without regulation is an unnecessary safety risk to all pedestrians, but it is of particular concern to seniors and the disabled as they might not see or hear them, nor would they be able to move out of the way quick enough to avoid injury;

WHEREAS, rental electric scooters do not require a docking station and their congestion, abandonment and improper parking in dense urban areas can cause serious issues such as blocked sidewalks, curb cuts, business entrances, wheelchair ramps, etc. and pose a serious obstruction or tripping hazard when they are left on the ground, especially for persons with vision loss;

WHEREAS, other Canadian cities such as Montreal and Toronto have implemented a ban on the use of electric scooters in their communities;

WHEREAS, the province of Ontario has permitted Ontario cities to self-determine whether to permit electric scooters on its roads and sidewalks;

WHEREAS, there are no provincial regulations in place, especially for commercially rented electric scooters, regarding the use of electric scooters on roads and sidewalks apart from an age limit of 16 years to operate;

WHEREAS, electric scooters can run at a speed of close to, or in excess of, 30km/hour posing a significant safety risk to persons with disabilities particularly those with mobility or sensory disabilities;

WHEREAS, there are no provincial regulations requiring operators of electric scooters, particularly rental electric scooters, to possess either a license or insurance to operate;

WHEREAS, the province does not require operators of electric scooters, especially rental electric scooters, to undertake any specific or regulated training in order to own or operate an electric scooter;

WHEREAS, other disability advisory committees in the Province of Ontario have recommended a ban on the use of electric scooters, particularly rental electric scooters, on municipal sidewalks and roadways because of their risk to safety of others, particularly persons with physical and sensory disabilities; and,

WHEREAS, the term e-scooter (rented or owned) refers to vehicles typically intended for transportation, and not mobility due to disability, so power wheelchairs and mobility scooters (3- or 4-wheel devices) do not fall within the scope of this motion;

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities for the City of Hamilton respectfully recommends that City Council ban the use of electric and rental electric scooters on all City roads, sidewalks, pathways and in all other areas of the City until such time that electric scooters, particularly rental electric scooters, and their operators are trained, licensed, insured and are fully and completely regulated by the province of Ontario in the same manner as any other motor vehicle in the province of Ontario.

# 7.4(b)

## CITY OF HAMILTON

### MOTION

**Advisory Committee for Persons with Disabilities: December 8, 2020**

**MOVED BY T. NOLAN.....**

**SECONDED BY K. NOLAN.....**

#### **HSR / ATS / DARTS Passenger Policies for Persons with Disabilities (City Wide)**

WHEREAS, the City of Hamilton as the municipality with oversight and obligation for delivery of accessible transportation services according to *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) regulations (O. Reg. 191/11: INTEGRATED ACCESSIBILITY STANDARDS);

WHEREAS, AODA regulations require that organizations and municipalities establish policies respecting the needs of persons with disabilities (O. Reg. 191/11: INTEGRATED ACCESSIBILITY STANDARDS);

WHEREAS, the Advisory Committee for Persons with Disabilities has worked with Accessible Transportation Services (ATS) of the Hamilton Street Railway (HSR) over the past 17 years to formulate accessible passenger policies in support of passengers with disabilities and the ATS and Disabled and Aged Regional Transportation System (DARTS) services;

WHEREAS, these policies have been approved by Council in years previous;

WHEREAS, there have been many staffing changes in the HSR and ATS and member changes on the ACPD since these policies were last reviewed by City Council and these changes reflect differing and new ways of thinking about accessible transportation services delivery to persons with disabilities in the City of Hamilton;

WHEREAS, there is a commitment within AODA and ODA legislation that the province of Ontario be fully accessible by the year 2025; and,

WHEREAS, the effect of the Covid-19 virus upon the delivery of transportation services to persons with disabilities throughout 2020 and its effect upon passengers with disabilities, ATS, DARTS and the HSR has been significant;

THEREFORE, BE IT RESOLVED:

- (a) The Advisory Committee for persons with Disabilities respectfully request that City Council direct staff of the HSR and ATS to work directly to review and amend the full slate of existing policies, and compose a full slate of new policies in compliance with AODA requirements;
- (b) That these policies upon their completion be forwarded to City Council for review and adoption;
- (c) That HSR and ATS staff fully assist ACPD in this policy review and composition including staffing and resource allocation; and,
- (d) That these policies be reviewed by the HSR and ATS staff in consultation with ACPD regularly, and at the very least every 5 (five) years in order that these policies remain current.

# Added Item 7.4(c)

## CITY OF HAMILTON

### MOTION

Advisory Committee for Persons with Disabilities: December 8, 2020

**MOVED BY J. KEMP** .....

**SECONDED BY** .....

#### **Acoustic Vehicle Alerting System Requirement for Electric Scooters (City Wide)**

WHEREAS, e-scooters are a nearly silent form of transportation due to the electric motor and the low speeds at which they operate;

WHEREAS, pedestrians, in particular, persons with visual impairment and those with mobility devices, rely on their ability to hear traffic and to react in time to avoid collisions;

WHEREAS, it has been proven that electric engines need to reach speeds over 20 kph before they become audible enough to hear at a relatively safe distance. This is close to the top speed of e-scooters;

WHEREAS, the technology exists to artificially produce sound on electric vehicles in order to mitigate the risk to pedestrians, especially those with visual impairments and mobility issues. These devices can reproduce engine sounds through a variety of means, i.e. resonator tubes, fan created noise makers and more comical sound makers; and,

WHEREAS, these devices are relatively low cost and can be fitted on to E-scooters either pre- or post- manufacture;

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities respectfully recommends that Hamilton City Council require acoustic vehicle alerting systems to be installed on all e-scooters (Kick Scooters) that operate within the City of Hamilton.



## 12.3

### **Advisory Committee for Persons with Disabilities (ACPD) Presenters List as of December 2, 2020**

The following is a listing of invited presenters for future Advisory Committee for Persons with Disabilities meetings:

- (a) **Invitee:** Donna Skelly, MPP Flamborough-Glanbrook  
**Issue:** Listening to Ontarians with Disabilities: The Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*  
**Date Action Initiated:** March 12, 2019, Advisory Committee for Persons with Disabilities Report 19-002, Item (f)(v)  
**Status:** Ongoing - See Item 2019-C on Outstanding Business List for reference.
  
- (b) **Invitee:** General Manager of Healthy and Safe Communities (or their designate)  
**Issue:** Impact of a potential change to the Ontario Disability Support Program's definition of disability and Hamilton Health Teams on persons with disabilities  
**Date Action Initiated:** January 14, 2020, Advisory Committee for Persons with Disabilities Report 20-001, Item 6  
**Status:** Considered Complete - Bonnie Elder (Director of Ontario Works) attended the Advisory Committee for Persons with Disabilities meeting on October 13, 2020. See Item (d)(i) in Advisory Committee for Persons with Disabilities Report 20-005 for reference.
  
- (c) **Invitee:** Project Manager of CityLAB Hamilton (or their designate)  
**Issue:** Overview of the CityLAB Hamilton program, including information related to current projects.

Advisory Committee for Persons with Disabilities Presenters List  
Page 2 of 2

**Date Action Initiated:** January 14, 2020, Advisory Committee for Persons with Disabilities Report 20-001, Item 6

**Status:** Considered Complete – Patrick Byrne (Project Manager of CityLAB Hamilton) attended the Advisory Committee for Persons with Disabilities meeting on October 13, 2020. See Item (d)(ii) in Advisory Committee for Persons with Disabilities Report 20-005 for reference.

# 12.4

## Advisory Committee for Persons with Disabilities (ACPD) Outstanding Business List as of December 2, 2020

### 2016-A

**Issue:** Update of the 2006 Barrier Free Design Guidelines

**Date Action Initiated:** June 14, 2016 (Item 8.2)

**Resolution:** That financial and administrative resources be put forward by Public Works, in consultation with CityHousing Hamilton, to update the 2006 Barrier Free Design Guidelines and that those guidelines include updated requirements for accessible housing within City owned and operated housing facilities.

**Status:** Ongoing - An update has been requested from relevant Staff. Awaiting response.

### 2016-B

**Issue:** Housing Services and City of Hamilton's Barrier Free Design Guidelines

**Date Action Initiated:** September 13, 2016 (Item 4(i))

**Resolution:** That Housing Services staff be directed to adhere to the City of Hamilton's Barrier Free Design Guidelines and consult with the Advisory Committee for Persons with Disabilities for any future housing renovations and new construction projects.

**Status:** Considered Complete - See Report HSC19001 respecting Response to the Advisory Committee for Persons with Disabilities (ACPD) Inquiries on Housing Issues (Item 10.1 on the Healthy & Safe Communities Committee meeting agenda for January 17, 2019)

### 2016-C

**Issue:** Request for an Accessibility Audit Update from Housing Services

**Date Action Initiated:** September 13, 2016 (Item 4(ii))

**Resolution:** That staff be directed to prepare an update to the Advisory Committee on Persons with Disabilities on all accessibility audits completed to date by ACPD, including City

Hall, MacNab Street Terminal, Stoney Creek Recreation Centre, Battlefield House and Park, Westmount Recreation Centre, Waterdown Civic Centre, 690 Stone Church Road West and Tim Horton's Field, with dates, outcomes and outstanding items found in each audit.

**Status:** Ongoing - Jessica Bowen (Supervisor of Diversity and Inclusion, Human Resources Division) to provide the requested update.

### **2017-A**

**Issue:** Locations of Accessible Washrooms in City Owned Facilities

**Date Action Initiated:** August 8, 2017 17-007 (Item 5.2)

**Resolution:** That staff be directed to provide an inventory of accessible public washrooms in City owned facilities, to be made available to the public

**Status:** Ongoing - The Energy Fleet & Facilities Management Division of the Public Works Department is in the process of preparing an inventory. Target completion date is 2022.

### **2017-B**

**Issue:** Smoke Free Policy for Social Housing

**Date Action Initiated:** Dec. 12, 2017 (Added Item 9.1)

**Resolution:** That Public Health Services staff be directed to investigate the feasibility of establishing a smoke - free policy for all social housing in Hamilton

**Status:** Considered Complete - See Item 11.4(a) respecting correspondence from Tom Hunter, CityHousing Hamilton.

### **2018-A**

**Issue:** Snow Removal Processes and Policies

**Date Action Initiated:** February 13, 2018 18-002 (Item 7.2)

**Resolution:** That staff be directed to work on a solution for

snow clearing and work with members of the Advisory Committee for Persons with Disabilities to develop a plan for the Winter 2018/2019.

**Status:** Considered Complete - See Report PW19022(a) respecting Sidewalk Snow Removal (Item 7.1 on the General Issues Committee meeting agenda for February 13, 2020)

### **2018-B**

**Issue:** Review of Snow and Ice By-law No. 03-296

**Date Action Initiated:** April 10, 2018 18-004 (Added Item 11.5)

**Resolution:**

- (a) That appropriate staff be invited to come to a meeting of the Advisory Committee for Persons with Disabilities to discuss the Snow and Ice By-law No. 03-296 By-law; and,
- (b) That a copy of the current Snow and Ice By-law No. 03-296 be distributed to members of the Advisory Committee for Persons with Disabilities for review and discussion with staff.

**Status:** Considered Complete - See Item 11.4(b) for Snow and Ice By-law No. 03-296.

### **2018-C**

**Issue:** Note-taker for ACPD meetings

**Date Action Initiated:** April 10, 2018 18-004

**Resolution:** Staff were directed to investigate the feasibility and criteria for hiring a note-taker for the working groups of the Advisory Committee for Persons with Disabilities.

**Status:** Considered Complete - Jessica Bowen (Supervisor of Diversity and Inclusion, Human Resources Division) attended the first meetings of 2020 of the Housing Issues Working Group, the Transportation Working Group, and the Built Environment Working Group to discuss their respective accommodation needs and investigate potential solutions.

**2018-D**

**Issue:** Automated Pre-Boarding Announcements on HSR Vehicles

**Date Action Initiated:** June 12, 2018 18-006 (Added Item 9.1)

**Resolution:** That staff be directed to take steps to ensure that system is fully operational on all HSR vehicles as is required by AODA regulations.

**Status:** Considered Complete - See Item 11.4(e) respecting correspondence from Ali Sabourin, HSR.

**2018-E**

**Issue:** Draft Proposal from DARTS respecting Stranded Wheelchairs

**Date Action Initiated:** July 10, 2018 18-007 (Item 5.5(a))

**Resolution:** That the Draft Proposal from DARTS respecting Stranded Wheelchairs be referred to the Wheelchair and Scooter Safety Working Group with a report back to the Advisory Committee for Persons with Disabilities.

**Status:** Considered Complete - See Item 11.4(c) respecting correspondence from the Wheelchair and Scooter Safety Working Group.

**2018-F**

**Issue:** Accessibility Review of City Hall Outstanding Items

**Date Action Initiated:** September 11, 2018 18-009 (Item 5.1)

**Resolution:** The following accessibility improvements be made at City Hall:

- push locks in the accessible washrooms at City Hall. The current locking mechanism requires a person to have the strength and dexterity to physically turn the lock to ensure privacy. In addition, the door and locking mechanism are not in alignment with the bathroom wall requiring the individual to position themselves, reach and lean forward to secure the lock such that it places them in a precarious position and at risk of falling;

- installation of a tactile (warning) strip at the top of the second-floor stairs at City Hall;
- inclusion of decals with a higher colour contrast on all glass doors at City Hall; and,
- reflective tape on the railing from Main Street into the City Hall Forecourt

**Status:** Considered Complete - See Item 11.4(d) respecting correspondence from Anne McArthur, Public Works.

### **2019-A**

**Issue:** Hamilton Street Railway Bus Transfers

**Date Action Initiated:** March 12, 2019 19-002 Item 11.1

**Resolution:** Hamilton Street Railway Bus Transfers

ACPD requests City Council to direct staff to investigate the feasibility of HSR extending the duration of HSR bus transfers for persons with disabilities including consultation with ACPD on this process.

**Status:** Considered Complete - Nancy Purser (Manager of Transit Support Services) consulted with the Advisory Committee for Persons with Disabilities at the March 10, 2020 meeting.

### **2019-B**

**Issue:** City's Commitment to the Lives of Persons with Disabilities in the City of Hamilton

**Date Action Initiated:** March 12, 2019 19-002 Added Item 11.2

**Resolution:** That the Mayor and Council be invited to attend and speak to the Advisory Committee for Persons with Disabilities respecting the City's commitment to the betterment of the lives of persons with disabilities in the City of Hamilton.

**Status:** Considered Complete - A Council Follow-Up Notice was issued to Jodi Koch, Director, Talent and Diversity, on April 24, 2019 for appropriate follow-up.

**2019-C**

**Issue:** Correspondence to a Member of Provincial Parliament respecting Listening to Ontarians with Disabilities: Report of the Third Review of the Accessibility for Ontarians with Disabilities Act, 2005

**Date Action Initiated:** March 12, 2019 19-002 Added Item 13.5

**Resolution:** That staff prepare a letter for the Chair's signature, to be sent to the General Issues Committee & Council for approval.

**Status:** Ongoing - Jessica Bowen (Supervisor of Diversity and Inclusion, Human Resources Division) to follow-up.

**2019-D**

**Issue:** Feasibility of a Document Sharing Portal

**Date Action Initiated:** August 13, 2019, Report 19-007, Item (d)(iv)

**Resolution:** That Diversity and Inclusion Staff be requested to investigate and report back to the Advisory Committee for Persons with Disabilities on the feasibility of a document sharing portal or similar technology to serve as an online workspace and centralized document repository for Working Groups of the Advisory Committee for Persons with Disabilities, enabling members to work on projects more effectively.

**Status:** Considered Complete - See Item 11.4(f) respecting correspondence from IT Service Desk.

**2019-E**

**Issue:** Installation of Urban Braille along Cannon Street East at the Intersections of Wellington Street North, Catherine Street North, and John Street North

**Date Action Initiated:** September 10, 2019, Report 19- 008, Item 1

**Resolution:** That Public Works staff be requested to examine and report back to the Advisory Committee for Persons with



Disabilities on the feasibility of installing Urban Braille on Cannon Street East at the intersections of Wellington Street North, Catherine Street North, and John Street North.

**Status:** Considered Complete - Addressed as Item 1 and Item (e)(i) (Report PW20049) on Advisory Committee for Persons with Disabilities Report 20-003

## **2020-A**

**Issue:** Rick Hansen Foundation Accessibility Certification Ratings

**Date Action Initiated:** February 11, 2020, Report 20-002, Item (g)(i)

**Resolution:** That the information respecting the Rick Hansen Foundation Accessibility Certification Ratings be forwarded to the Built Environment Working Group for further investigation, with a report back to the Advisory Committee for Persons with Disabilities.

**Status:** Considered Complete - Addressed as Item (h)(i) on Advisory Committee for Persons with Disabilities Report 20-003

## 12.4(a)

**Sent:** October 15, 2019 3:43 PM

**Subject:** Advisory Committee for Persons with Disabilities  
Outstanding Business List Item 2017-B re: Smoke Free Policy for  
Social Housing

At the CityHousing Hamilton (CHH) Board meeting in September 2019, a Smoke-Free Living policy for our buildings was approved for implementation effective January 1, 2020 (see Report #19027, attached as Appendix "A" to this correspondence). Essentially, any new and transferring units will be rented as smoke free. Tenants currently living in our units will be grandfathered. It will take many years until a building is entirely "smoke free". This policy applies to CHH buildings and not "...all social housing in Hamilton". Please let me know if you require anything further.

Thanks,

Tom Hunter,  
CEO, CityHousing Hamilton



**Date:** September 24, 2019

**Report to:** Board of Directors  
CityHousing Hamilton Corporation

**Submitted by:** Tom Hunter  
Chief Executive  
Officer/Secretary

**Prepared by:** Kate Mannen,  
Manager Partnership  
Development and Support  
Services

**Subject:** **Smoke-Free Living Policy (Report #19027)**

**RECOMMENDATION:**

That the following CityHousing Hamilton (CHH) policy, information and actions be approved:

- (i) That the results of the smoke-free living resident survey, Appendix A, be accepted to support the development of a smoke-free policy for all CHH buildings to be implemented January 1, 2020.
- (ii) That Appendix B, respecting a Smoke-Free Living Policy for all CHH properties be approved.
- (iii) That Appendix C, respecting a smoke-free lease addendum for new and transferring tenants in all CHH buildings be approved.
- (iv) That tenants are aware of new smoking and vaping restrictions and prohibitions under the CHH Smoke-Free Living policy, Appendix "D 1-3".
- (v) That the CHH Smoking and Second Hand Smoke Survey, Appendix E, be received as information

A handwritten signature in blue ink that reads "Tom Hunter".

---

Tom Hunter  
Chief Executive Officer/Secretary

**EXECUTIVE SUMMARY:**

Building on the initial Smoke-Free Living policy passed in June 2018 and the Public Health Services/CHH resident survey conducted in Q1 2019, CHH proposes that all buildings should be smoke-free.

The Smoking and Second-Hand Smoke Survey results included responses from 912 households of which 68% resided in seniors' apartment buildings. Seventy-two percent do not currently smoke cannabis, tobacco and/or shisha. While 62% of respondents would support a smoke-free policy in all CHH buildings, 80% think smoking should be prohibited within 9 metres from CHH building entrances/exits. The CHH Smoking and Second-Hand Smoke Survey Results Infogram is presented as Appendix A.

Ontario legislation allows current residents to be grandfathered to allow smoking in their units until they transfer units or cease to be a tenant. The new policy would affect new and transferring tenants to any CHH building who will not be allowed to smoke or vape in their unit or balcony. In Ontario social housing, experience indicates it typically takes 15 years for a multi-dwelling building to become totally smoke-free.

**BACKGROUND:**

At the June 2018 Board meeting, the Board passed CHH's first smoke-free living policy (Appendix B), which prohibited smoking and/or vaping in any new or retrofitted CHH building. An odour control plan was also approved for apartment buildings in preparation of cannabis legalization in October 2018.

The Board also directed staff to

- (i) Explore the development of a smoke-free policy for all CHH properties through a resident survey.
- (ii) Ensure signage as prescribed in the Smoke-Free Ontario Act (July 1, 2018) is posted at entrances, exits and common areas.
- (iii) Ensure residents are aware of new smoking and vaping prohibitions under the Smoke-Free Ontario Act.

CHH, in partnership with Public Health Services, posted provincial smoke-free signage at entrances, exits and common areas in all multi-unit buildings. These became available and were installed in October 2018. Every resident received a letter from CHH informing them of the new smoke-free policy and changes to the Smoke-Free Ontario Act in Q3 2018.

The Smoking and Second-Hand Smoke Survey was conducted in March 2019. The survey is attached as Appendix E. Survey results demonstrate support for a Smoke-Free Living Policy, Appendix A.

An odour mitigation plan has been implemented utilizing education materials, an updated complaints policy and brochure, referrals to Public Health Services smoking cessation supports and a pilot program of smoke filtration devices. These devices, commonly used in cancer clinics, use essential oils to dissipate odour molecules. They have proven to be successful in eliminating tobacco and cannabis odours. Since the pilot inception in November 2018, 55 units at approximately \$100.00 per unit have been distributed to CHH apartments. Upon tenant requests or complaints Property Managers or Community Relations Workers assess the need and place them accordingly.

## **DISCUSSION:**

The Smoking and Second-Hand Smoke Survey results have been tabulated and analyzed by the City of Hamilton's Public Health Services. These results have informed the development and implementation of a Smoke-Free Living policy and implementation plan. Surveys were sent to CHH apartment buildings. The survey rate of return was similar to other large municipal comparators including Ottawa.

### **Survey Highlights:**

#### **Demographics**

- 4,134 surveys were distributed; 912 households responded providing a 21% return rate
- 68% of respondents reside in seniors' apartment buildings
- 72% do not currently smoke cannabis, tobacco and/or shisha

#### **Smoking in Homes and Health Impacts**

- 43% reported at least 1 person in their household have health problems that worsen with exposure to second-hand smoke
- 60% reported 'sometimes' or 'always' being exposed to second-hand smoke from tobacco in their home, including smoke drifting into homes from outside.
- 80% of respondents understand that breathing in second hand smoke from tobacco is harmful to a person's health

#### **Smoke-Free Policy Support**

- 38% of respondents would oppose a smoke-free policy in all CHH buildings signifying 62% would support a smoke-free policy.

- 80% think smoking should be prohibited within 9 metres from CHH building entrances/exits
- 49% are not concerned that current residents may still smoke in their homes if a smoke-free policy is in place.

In response to the survey results, recommendations have been developed to create a CHH wide smoke-free living policy and implementation plan for CHH buildings.

### **Implementation Plan**

Upon approval of a revised Smoke-Free Living Policy next steps include:

- Sharing survey results (Appendix A) with all tenants
- Communication to tenants, staff, contractors and community partners (Appendix D1, D2 and D3)
  - Education and awareness letters
  - Newsletter articles
  - Smoking cessation workshops
  - Wide distribution of complaints brochure
  - Targeted information sessions

### **CONCLUSION:**

CHH will continue the journey to smoke-free living through a multi-pronged approach including:

- a) Prohibiting smoking of any substance including tobacco, shisha and cannabis in all CHH buildings for new and/or transferring tenants.
- b) Educating tenants through signage, communication and education sessions on CHH's Smoke Free Living Policy and providing smoking cessation supports through a partnership with Public Health Services.

### **ALIGNMENT TO THE 2017-2021 STRATEGIC PLAN:**

This report implements:

#### **Community Engagement & Participation**

CityHousing Hamilton has an open, transparent and accessible approach in working with its residents to make a positive impact on the community.

#### **Healthy and Strong Communities**

CityHousing Hamilton believes that housing is a key influential determinant of health and is strongly tied to the quality of life as it impacts the physical, social, emotional and mental health of all persons.

**Built Environment and Social Infrastructure**

CityHousing Hamilton is committed to finding new ways to be innovative that will contribute a dynamic City characterized by unique infrastructure, buildings, and public spaces. The maintenance, renewal and new development of our housing stock will ensure that the quality of life, well-being and enjoyment of our residents', influences the design and planning of our homes.

**Culture and Diversity**

CityHousing Hamilton supports, accepts and celebrates people of all ages, backgrounds and abilities. We work together to ensure residents have access to the supports and opportunities they need to succeed.

**Our People Our Performance**

CityHousing Hamilton aims at delivering consistent and excellent service for all its residents, while searching for ways to increase efficiencies and effectiveness in how we operate. To provide the highest quality of service to our residents within current resources, we work to empower staff to deliver on our service commitments by strengthening staff competencies, standardizing operating processes, streamlining services and technology and holding staff accountable to better respond to the needs of residents.

TH/km

Mission: We provide affordable housing that is safe, well maintained and cost effective and that supports the diverse needs of our many communities.

**Authority:** Item 4, Committee of the Whole  
Report 03-028 (PW03130/PD03226)  
CM: October 15, 2003

**Bill No. 296**

**CITY OF HAMILTON**  
**By-law No. 03-296**  
**Being a By-law to provide for the removal of snow and ice from**  
**roofs and sidewalks**

**WHEREAS** Section 130 of the Municipal Act, Chapter 25, S.O. 2001, provides that a municipality may regulate matters related to the health, safety, and well-being of the inhabitants of the municipality;

**AND WHEREAS** the City of Hamilton Act, 1999, SO. 1999 Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality of the "City of Hamilton";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the By-laws of the former municipalities continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council for the City of Hamilton deems it expedient to enact a single By-law to provide for the removal of snow and ice from roofs and sidewalks, in place of By-laws of the former area municipalities;

**NOW THEREFORE**, the Council for the City of Hamilton enacts as follows:

**Definitions**

1. In this By-law,
  - (a) "City" means the City of Hamilton;
  - (b) "Council" means the council for the City of Hamilton;
  - (c) "Consecutive winter storm events" refers to any precipitation and/or accumulation of snow or ice from the beginning of the original winter snow event, and any subsequent storm events occurring within a 24 hour period of the cessation of the previous storm event;
  - (d) "Director" means the Director of the Operations and Maintenance Division of the Public Works Department for the City, and includes his designate and successor;
  - (e) "Highway" means a common and public highway under the jurisdiction of the City of Hamilton, and includes a street, sidewalk, boulevard whether paved or not paved, an unopened road allowance, and any portion of the land situated between street lines;



**By-law No. 03-296****Page 2**

- (f) "Winter Storm Event" refers to any precipitation and/or accumulation of snow or ice.
- 2. In this By-law, whenever a word imparts the masculine gender it is deemed to include the feminine gender;
- 3. In this By-law, the singular sense is deemed to be inclusive and interchangeable with the plural sense

**Application of By-law**

- 4. The provisions of this By-law shall apply to all lands within the boundaries of the City, except for those areas designated as being exempt by the Director.

**General Duties, Obligations, and Prohibitions**

- 5. That every occupant or owner shall, within 24 hours of the cessation of a Winter Storm Event, or within 24 hours of the cessation of a series of Consecutive winter storm events, remove and clear all snow and ice from sidewalks abutting the highways in front of, or along side, or at the rear of any occupied or unoccupied lot, or vacant lot;
- 6. All owners or occupants of buildings where the roof or eaves of which abut or overhang the highway or sidewalk upon the highway shall, whenever ice or snow accumulates on the roof or eaves, remove the same immediately, and in a manner showing due care and precaution for the safety of persons passing.
- 7. No owner or occupant shall throw, place, bring, or deposit snow or ice:
  - (a) On or immediately adjacent to a fire hydrant, or in any manner that obstructs access to a fire hydrant;
  - (b) On or adjacent to a travelled portion of the highway, or in such a manner so as to interfere with the safe passage of vehicles, or pedestrians, or obstruct the visibility of vehicle operators or pedestrians
  - (c) In such a manner so as to obstruct drainage to any drain or sewer
- 8. That if the owner or occupant fails, neglects, or refuses to comply with Sections 5, 6, and 7 of this By-law, the Director in lieu of, or in addition to any other remedy provided by this By-law, is authorized to have the snow or ice to be removed at the expense of the owner or occupant, and in the case of non-payment, such expenses may be recovered in a like manner as municipal taxes.

**Enforcement**

- 9. Any Police Officer, Municipal Law Enforcement Officer, or employee of the City designated by the Director for the purpose of this Section is authorized to inform any person of the provisions of this By-law and to request compliance therewith;

10. Any Police Officer, Municipal Law Enforcement Officer, or employee of the City designated by the Director for the purpose of this Section is authorized to order any person believed by such Officer or employee to be in contravention of this By-law to desist from the activity consisting or contributing to such contravention;

### **Penalty**

11. Any person contravening any provision of this By-law is guilty of an offence and upon conviction, is liable to such penalty as provided for under the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

### **Severance**

12. Should a court of competent jurisdiction declare any part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part shall be deemed to have been severed from this By-law, and it is the intention of Council that the remainder of the By-law survive and be applied and enforced in accordance with the terms to the extent possible under law.

### **Short Title**

13. The short title of this By-law shall be "The Snow Removal By-law".

### **Repeals and Enactment**

14. That By-law 88-152-S (Flamborough), By-law 86-77 (Hamilton) Section 7, By-law 4114-93 (Dundas), By-law 434-90 (Glanbrook), By-law 4477-96 (Stoney Creek), and By-law R77-109 (Regional Roads By-law) Section 7 be repealed.
15. Any references to By-laws 88-152-S, 86-77, 4114-93, 434-90, 4477-96, and R77-109, as amended, antedating the passing and enactment of this By-law shall be deemed a reference to this By-law.
16. This By-law shall come into force and effect on the date of its passing and enactment.

**PASSED AND ENACTED** this 15<sup>TH</sup> day of October, 2003.

R. E. Wade

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MAYOR

K. Christenson

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CLERK

## 12.4(c)

**From:** Aznive Mallett  
**Sent:** July-26-18 1:09 PM  
**To:** Loren Kolar  
**Subject:** Wheelchair and Scooter Safety Working Group report

Hi Loren,  
Would you please share the chart below as notes regarding the wheelchair/scooter working group committee's work. It is a result of our meeting on July 24, 1:30 PM meeting. Thanks, Aznive

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**From:** Mark Mindorff  
**Sent:** Wednesday, July 25, 2018 4:14 PM  
**To:** Aznive Mallett  
**Cc:** Paula Kilburn; Tom Manzuk; Robert Semkow  
**Subject:** RE: A few more clarifications please (second email regarding the proposal clarification)

**Question #1:**

Regarding motion specialties, will they pick up the chair/scooter from anywhere? Even if it is not one of their chairs?

**Response #1:**

We will ensure that the passenger is delivered home. The repair vendor may or may not be Motion Specialties but Motion Specialities has said they are available on an emergency basis.

**Question #2:**

Will there be a cost to the person who needs the urgent ride?

**Response #2:**

A nominal fee for service, to be determined. Suggest similar to an ambulance call?

**Question #3:**

Please confirm the cost for consultation and/or repairs through motion specialties.

**Response #3:**

Variable, depending on the chair problem. There would be a fixed fee for the delivery of the passenger from the breakdown site to home. The rest of the cost depends on what is wrong with the chair.

**Question #4:**

Also confirm which hours they would be available and how quickly they would be available.

**Response #4:**

6:00 am to 12:00 am

**Question #5:**

Will there be a cost increase in payments from the city to darts?

**Response #5:**

Too small to matter. Stranded wheelchairs don't happen very often.

**Question #6:**

Specifically, which hours of the day could you guarantee that you will do this?

**Response #6:**

6:00 am to 12:00 am

**Question #7:**

You mentioned that you might have to bring a second driver to push a heavy chair. Can you confirm that in your proposal?

**Response #7:**

Yes, that is what we do now.

**Question #8:**

Will you pick up anyone using mobility devices whether they are registered with darts or not?

**Response #8:**

Yes, that is what we do now.

**Question #9:**

Do you have a definition of what is classified an emergency or an urgent need for a breakdown of a chair?

**Response #9:**

If there is a fee, I would think we would respond every time there is a request, since the fee would discourage misuse.

**Question #10:**

Will you provide the same services on stat holidays?

**Response #10:**

We would get the passenger home, fixing the chair problem would be subject to available services on stat holidays.

**Question #11:**

We would very much appreciate a breakdown of any and all costs.

**Response #11:**

The simplest approach is to have an all-in fee (suggest 100-150), to assist at the scene, much the same as an ambulance call. It's possible this could be subsidized under council direction. The cost of fixing the chair problem would be born by the chair owner and would be a direct invoice from motion specialties/repair service.

## 12.4(d)

**Sent:** December 17, 2019 4:40 PM

**Subject:** Advisory Committee for Persons with Disabilities  
Outstanding Business List Item 2018-F re: Accessibility Review of  
City Hall

I'm pointing forming the request and our responses:

**Accessibility Improvement Recommendation #1:** Push locks in the accessible washrooms at City Hall. The current locking mechanism requires a person to have the strength and dexterity to physically turn the lock to ensure privacy. In addition, the door and locking mechanism are not in alignment with the bathroom wall requiring the individual to position themselves, reach and lean forward to secure the lock such that it places them in a precarious position and at risk of falling.

**Response #1:** This is a new item and I will pass on to operations to get resolved.

**Accessibility Improvement Recommendation #2:** Installation of a tactile (warning) strip at the top of the second-floor stairs at City Hall.

**Response #2:** Do not support as this is a tripping hazard and will alter the terrazzo flooring which is protected through heritage.

**Accessibility Improvement Recommendation #3:** Inclusion of decals with a higher colour contrast on all glass doors at City Hall; and

**Response #3:** This is item 1.9 in the Built Environment Working Group meeting notes from February 2, 2016 (attached as Appendix "A"), which has been completed.

**Accessibility Improvement Recommendation #4:** Reflective tape on the railing from Main Street into the City Hall Forecourt.

**Response #4:** This is item 1.1 in the Built Environment Working Group meeting notes from February 2, 2016 (attached as Appendix "A"), which has been completed. This is an ongoing maintenance item.

Thank you,

Anne McArthur  
Senior Project Manager of Strategic Planning & Compliance  
Energy, Fleet & Facilities Management Division  
Public Works Department



Hamilton

## **MINUTES**

**Advisory Committee for Persons with Disabilities  
Built Environment Working Group  
Tuesday February 2, 2016  
City Hall, 71 Main Street West, Room 192  
4:30 – 6:30 p.m.**

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**NOT THE FULL MINUTES – JUST SECTION 6.12 City Hall  
Accessibility Audit – Deficiencies Report  
and Responses from Facilities Management  
and Capital Planning Team**

**Present:** Mary Sinclair, Tom Manzuk, Terri Wallis, Clare Cruickshank, Sylvia Soto, Tim Murphy, Aznive Mallet, Paula Kilburn

**Regrets:** Patty Cameron

**Absent:**

**Also Present:** Maxine Carter, (staff) - Customer Service, Access & Equity

**Guests:** Melissa McGinnis, CASP, Public Works

### **6.12 City Hall Accessibility (doors, handrails, washroom locks).**

CASP Staff, M. McGinnis went through the recommendations from ACPD/BEWG regarding the deficiencies in City Hall. The Facilities Management and Capital Planning responses are below.



**Item 1.1**

BESC recommends to ACPD that all external protruding handrails installed at each stairway and ramp around the premise of City Hall, must be covered with contrasting bright/fluorescent yellow appropriate weather proof material to ensure increased visibility and safety for all persons, especially for persons who are partially sighted as a temporary measure until these items are put in as a capital project budget to be modified appropriately.

**FMCP Response:**

This has been included in City Hall yearly maintenance. Specialty tape had been trialed with some success. It has proven to be costly due to repeated replacement from vandalism and/or wear and tear. Permanent painting has been scheduled for spring application, to be painted once a year, yearly.

**Status:**

Scheduled / Complete

**BEWG RESPONSE: Asked that FMCP staff ensure that the paint is reflective and is florescent. Staff asked to report back when this is completed.**

**Item 1.2**

BESC recommends to ACPD that all exterior steps nosing, around the entire premise of City Hall be painted fluorescent yellow for increased visibility and safety for all persons especially persons who are partially sighted.

**FMPC Response:**

All exterior stair nosing are identified with 70% contrast as designed and approved by the project team when constructed. Meeting code requirements. **Forecourt entrance stairs have been painted yellow.**

Status: Scheduled/ Complete

**BESC question:** Only the forecourt entrance stairs have been painted with yellow?

FMPC staff noted that a decision was made a number of years ago regarding the look of City Hall in terms of colours and it was decided that the rest of the exterior stairs nosing would be painted a darker grey/black.

**Item 1.3**

BESC recommends to ACPD that instruction to lock and unlock the accessible washroom doors at City Hall must be created in clear, accessible and large print as per the Barrier Free Design Guidelines and posted at an accessible height, including accessible braille instructions.

**FMPC Response:**

“Turn to Lock” - Verbiage to be approved. Request is above current codes and guidelines, signage would be required for 10 individual washrooms and pricing will be requested.

**Status:** Requesting verbiage approval, requesting pricing.

**Item 1.4**

BESC recommends to ACPD that the City Hall accessible washrooms have signage mechanism created in clear, accessible and large print as per the Barrier Free Design Guidelines to indicate when the washroom is occupied and unoccupied and be located near the Accessible Door Operator (ADO) push button.

**FMPC Response:**

Currently all 10 individual washrooms have

signage mechanism within the door lever hardware. Indicates occupancy by colour (red or green) and in print.

Request is above current codes and guidelines, please advise recommended product and if pricing is requested to be provided.

**Status:**

ACPD direction required

**Item 1.5**

BESC recommends to ACPD that an emergency call button be installed within easy reach of an occupant using the facility and that its purpose be clearly marked and that City staff be trained in appropriate response procedures should an occupant sound the alarm.

**FMCP Response:**

Currently all 10 individual washrooms have emergency call installed and within reach of water closet. Notification is sent to security desk and staff procedure when the emergency call is activated.

**Status:** Answered. No further action

**Item 1.6**

BESC recommends to ACPD that diagonal grab bars also be installed in all the City Hall accessible washrooms, including the accessible stall in the multi-stall washrooms, on the wall next to the toilet, to assist users, at the measurement of 16" x 16" as per the attached diagram included.

**FMPC Response:**

Request is above current codes and guidelines, grab bars would be required for 10 individual washrooms, 1 multi- stall washroom. Pricing will be requested for 11 additional bars.

**Status:**

Requested Pricing

**Item 1.7**

The doors to all the public meeting rooms in city hall that have had Accessible Door Operators (ADO) installed recently, are extremely problematic because if the AODs are turned off, then persons with disabilities can become trapped inside or left unable to enter the room and hence are unable to exit or enter independently. Once the motors are turned off, as they often are, it is extremely difficult to open these doors.

**FMPC Response:**

Memo and instructions had been distributed to all City Hall staff on the procedure of use. A reminder to all City Hall staff will be sent out.

**Status:** Answered no further action

**Item 1.8**

BESC recommends to ACPD that a mechanism be installed or activated that will keep the doors open without having to manually turn off or disable the motor and insert a door stop.

**FMPC Response:**

Not aware of such product. Please provide and we can price out for ACPD.

**Status:**

ACPD direction required.

**BEWG:** A. Mallet recommended a company – Hortons Door Operators or Ontario Doors. M. McGinnis will contact the vendors to get specs and costing. Follow up with Working Group once an appropriate product is located.

**Item 1.9**

Committee members requested that staff contact

the facilities staff to determine what is the expected time of completion for the installation of the decals on both sides of the glass doors and on the middle inset (of the City Hall doors). This request to improve the visibility of the decals on the front and back glass doors for persons, who are partially sighted, is long overdue to be repaired.

**FMCP Response:**

Work order had been sent out, requested to be completed by January 15<sup>th</sup>, 2016. Work Order 201601351. Installation complete.

**Status:**

Scheduled completed.

**7. New Business Discussion Items.**

- There was no new business

**8. Correspondence.**

- There was no correspondence

**9. Next Meeting.**

9.1 Tuesday March 1, 2016, 4:00 p.m. room 192

**10. Adjournment.**

**P. Kilburn/A. Mallet**

That the Built Environment Sub-committee meeting, of February 2, 2016, be adjourned, at 6:00 p.m.

**CARRIED.**



## 12.4(e)

**From:** Ali Sabourin

**Sent:** February 13, 2020 3:10 PM

**Subject:** Advisory Committee for Persons with Disabilities  
Outstanding Business List Item 2018-D re: Automated Pre-Boarding Announcements on HSR Vehicles

Hello Alicia

Thank you for your email. Below is an update on the Automated Pre-Boarding Announcements on HSR Vehicles.

The resolution of the automated pre-boarding announcements on HSR Vehicles is underway and will fully take effect by the end of Q1-2020:

- Operations management has added a daily speaker test to ensure the internal/external announcement system is functioning (i.e.: added to the Operator's daily circle check).
- Fleet management has upgraded the monthly and semi-annual inspection and preventative maintenance checks to ensure the speaker system is functioning; any identified failures will be ordered and repaired ASAP.
- HSR information technology is installing a new version of the control software by the end of Q1-2020 so that announcements will take place earlier in advance of the stop.

Please let me know if you have any questions.

Best,

**Ali Sabourin**

**Manager**

Customer Experience & Innovation  
Transit (HSR), City of Hamilton

## 12.4(f)

**From:** IT Service Desk  
**Sent:** February 26, 2020 8:40 AM  
**Subject:** Advisory Committee for Persons with Disabilities  
Outstanding Business List Item 2019-D re: Feasibility of a  
Document Sharing Portal

Hi Alicia Davenport,

Incident #200385 has been marked complete as Not Resolved -  
No Solution Available:

**Summary:**

Document Sharing Portal for Use by Citizen Committee Members

**Resolution:**

Unfortunately at this time IT does not have any collaborative solution that we extend to citizens or external clients beyond CITYSHARE.

Alicia Identified that this does not meet the collaborative needs for the committee.

I advised Alicia that Citizen focused collaboration software is out of scope for IT support however I would investigate potential solutions should the CITY SHARE application or other applications become available with the needed functionality.

# 12.4(g)

## CITY OF HAMILTON

### MOTION

**Advisory Committee for Persons with Disabilities: December 8, 2020**

**MOVED BY .....**

**SECONDED BY .....**

#### **Amendments to the Advisory Committee for Persons with Disabilities Outstanding Business List**

- (a) That the following items on the Advisory Committee for Persons with Disabilities Outstanding Business List (OBL) be considered complete and be removed:
  - (i) Housing Services and City of Hamilton’s Barrier Free Design Guidelines  
Addressed as Item 2 on Healthy & Safe Communities Committee Report 19-001 (HSC19001)  
Item on OBL: 2016-B
  - (ii) Smoke Free Policy for Social Housing  
Addressed as Item 12.4(a) on today's agenda  
Item on OBL: 2017-B
  - (iii) Snow Removal Processes and Policies  
Addressed as Report PW19022(a)  
Item on OBL: 2018-A
  - (iv) Review of Snow and Ice By-law No. 03-296  
Addressed as Item 12.4(b) on today's agenda  
Item on OBL: 2018-B

- (v) Note-taker for ACPD meetings  
Addressed as Item 12.4 on today's agenda  
Item on OBL: 2018-C
- (vi) Automated Pre-Boarding Announcements on HSR Vehicles  
Addressed as Item 12.4(e) on today's agenda  
Item on OBL: 2018-D
- (vii) Draft Proposal from DARTS respecting Stranded Wheelchairs  
Addressed as Item 12.4(c) on today's agenda  
Item on OBL: 2018-E
- (viii) Accessibility Review of City Hall Outstanding Items  
Addressed as Item 12.4(d) on today's agenda  
Item on OBL: 2018-F
- (ix) Hamilton Street Railway Bus Transfers  
Addressed as Item (d)(i) on Advisory Committee for Persons with Disabilities Report 20-003  
Item on OBL: 2019-A
- (x) City's Commitment to the Lives of Persons with Disabilities in the City of Hamilton  
Addressed as Item 12.4 on today's agenda  
Item on OBL: 2019-B
- (xi) Feasibility of a Document Sharing Portal  
Addressed as Item 12.4(f) on today's agenda  
Item on OBL: 2019-D

- (xii) Installation of Urban Braille along Cannon Street East at the Intersections of Wellington Street North, Catherine Street North, and John Street North Addressed as Item 1 and Item (e)(i) (Report PW20049) on Advisory Committee for Persons with Disabilities Report 20-003  
Item on OBL: 2019-E
  
- (xiii) Rick Hansen Foundation Accessibility Certification Ratings Addressed as Item (h)(i) on Advisory Committee for Persons with Disabilities Report 20-003  
Item on OBL: 2020-A