Hamilton

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES
REPORT 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.

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

THE ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES PRESENTS REPORT 20-006 AND RESPECTFULLY RECOMMENDS:

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

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.

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

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.

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

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.

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

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

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 3rd, 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 3rd.

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

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

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

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

(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)

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

(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.

The presentation, respecting HSRnow Trip Planning Tools, was received.

(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.

The presentation, respecting HSR Accessible Transportation Services Proposed Amendment to DARTS Bag Limit Policy, was received.

(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.

The presentation, respecting PRESTO for DARTS Clients, was received.

(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.

The presentation, respecting HSR Proposal for Public Consultation about HSR and Accessible Transportation Accessibility, Adapted to COVID Precautions, was received.

(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)

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

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))

The Housing Issues Working Group Meeting Notes of February 18, 2020, were received.

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

The Housing Issues Working Group Meeting Notes of September 15, 2020, were received.

(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))

The Transportation Working Group Meeting Notes of February 25, 2020, were received.

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

The Transportation Working Group Meeting Notes

of September 22, 2020, were received.

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

The following Motion respecting the Ban of Electric Scooters from Public Property, was 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.

(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.

The discussion respecting an Update on COVID-19 and Persons with Disabilities, was received.

(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:
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> 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)

(a) The following items were 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)

(j) ADJOURNMENT (Item 12)

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

Respectfully submitted,

A. Mallet, Chair
Advisory Committee for
Persons with Disabilities

Alicia Davenport
Legislative Coordinator
Office of the City Clerk