



## City of Hamilton

# ACCESSIBLE TRANSIT SERVICES REVIEW SUB-COMMITTEE REVISED

**Meeting #:** 23-001  
**Date:** June 29, 2023  
**Time:** 2:30 p.m.  
**Location:** Room 192, 1st Floor (hybrid) (RM)  
71 Main Street West

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

---

	<b>Pages</b>
<b>1. APPOINTMENT OF CHAIR AND VICE-CHAIR</b>	
<b>2. APPROVAL OF AGENDA</b>	
(Added Items, if applicable, will be noted with *)	
<b>3. DECLARATIONS OF INTEREST</b>	
<b>4. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
4.1 July 17, 2018	3
<b>5. COMMUNICATIONS</b>	
<b>6. DELEGATION REQUESTS</b>	
*6.1 Anthony Frisina, respecting ensuring the disability community is heard when it comes to accessible and affordable transit (for a future meeting)	7
*6.2 Khadija Zafar, Accessibility Hamilton Alliance, respecting Accessible Transportation (for a future meeting)	9
*6.3 Marianne Longo, McMaster University Physical Activity Centre of Excellence, respecting the function and reliability of the DARTS system (for a future meeting)	10
*6.4 Dr. Jeff Preston, Associate Professor, King's University College at Western University, respecting Item 8.1, Overview of Requirements for Accessible Transit Services Under the Accessibility for Ontarians with Disabilities Act (AODA) (for today's meeting)	11

*6.5	Sharon Ruttan, Canadian Council of the Blind Hamilton Chapter, respecting Accessibility on HSR (for a future meeting)	12
*6.6	Tim Nolan, respecting Item 8.1, Overview of Requirements for Accessible Transit Services Under the Accessibility for Ontarians with Disabilities Act (AODA) (for today's meeting)	13
*6.7	Tim Nolan, Accessibility Hamilton Alliance, respecting Item 10.1, Proposed Revisions to the Accessible Transit Services Review Sub-Committee Terms of Reference (for today's meeting)	14
*6.8	Mark McNeil, respecting Item 8.1, Overview of Requirements for Accessible Transit Services Under the Accessibility for Ontarians with Disabilities Act (AODA) (for today's meeting)	15
<b>7.</b>	<b>DELEGATIONS</b>	
<b>8.</b>	<b>STAFF PRESENTATIONS</b>	
8.1	Overview of Requirements for Accessible Transit Services Under the Accessibility for Ontarians with Disabilities Act (AODA)	16
<b>9.</b>	<b>CONSENT ITEMS</b>	
<b>10.</b>	<b>DISCUSSION ITEMS</b>	
10.1	Proposed Revisions to the Accessible Transit Services Review Sub-Committee Terms of Reference - REVISED	41
<b>11.</b>	<b>MOTIONS</b>	
<b>12.</b>	<b>NOTICES OF MOTION</b>	
<b>13.</b>	<b>GENERAL INFORMATION / OTHER BUSINESS</b>	
<b>14.</b>	<b>PRIVATE AND CONFIDENTIAL</b>	
<b>15.</b>	<b>ADJOURNMENT</b>	



Hamilton

**ACCESSIBLE TRANSIT SERVICES REVIEW SUB-COMMITTEE**

**MINUTES 18-003**

**Tuesday, July 17, 2018**

**1:30 p.m.**

**Room 264**

**Hamilton City Hall**

---

Present: Councillors S. Merulla (Chair), J. Farr, T. Whitehead, D. Conley

Absent with Regrets: Councillor C. Collins – Personal

---

**FOR INFORMATION:**

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

The Clerk advised there was one change to the agenda.

- 4.1 Added Delegation Request from Stella Lehto, YWCA Active Living Centre, respecting the Repercussions of ATS Changes affecting the Outreach Nursing Home Program.

**(Whitehead/Conley)**

That the agenda for the July 17, 2018 meeting of the Accessible Transit Services Review Sub-Committee be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

- (i) April 27, 2018 (Item 3.1)**

**(Conley/Whitehead)**

That the Minutes of the April 27, 2018 Accessible Transit Services Review Committee meeting be approved, as presented.

**CARRIED**

**(d) DELEGATION REQUESTS (Item 4)**

- (i) Stella Lehto, YWCA Active Living Centre, respecting Repercussions of ATS Changes Affecting the Outreach Nursing Home Program (Added Item 4.1)**

**(Conley/Whitehead)**

That the Delegation Request from Stella Lehto, YWCA Active Living Centre, respecting Repercussions of ATS Changes Affecting the Outreach Nursing Home Program, be approved for today's meeting.

**CARRIED**

**(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)**

- (i) DARTS 2018 2<sup>nd</sup> Quarter Service Update (Item 6.1)**

Mark Mindorff, Executive Director of DARTS, addressed the Committee respecting the DARTS 2018 2<sup>nd</sup> Quarter Service, with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

**(Whitehead/Farr)**

That the DARTS presentation be referred to staff for assessment of DARTS' request for action relating to the Memorandum of Agreement Issues, and report back to the Accessible Transit Services Review Sub-committee.

**CARRIED**

**(Farr/Whitehead)**

That the Delegation from Mark Mindorff, respecting DARTS 2018 2<sup>nd</sup> Quarter Service Update, be received.

**CARRIED**

- (ii) LRT Staff Response to the Advisory Committee for Persons with Disabilities' (ACPD) Delegation respecting the LRT and the effect on DARTS and Accessible Taxis (Item 6.2)**

Kris Jacobson, Director, LRT Project Office, addressed the Committee respecting the LRT Staff Response to the ACPD's Delegation respecting the LRT and the effect on DARTS and Accessible Taxis.

**(Whitehead/Conley)**

That the Delegation from Kris Jacobson, Director, LRT Project Office, respecting the LRT Staff Response to the ACPD's Delegation respecting the LRT and the effect on DARTS and Accessible Taxis, be received.

**CARRIED**

- (iii) Aznive Mallet, Chair, and Terri Wallis, Member, ACPD, respecting the LRT (Item 6.3)**

Paula Kilburn and Tom Manzuk, Members of the ACPD, spoke on behalf of Aznive Mallet, Chair, and Terri Wallis, Member, ACPD, and addressed the Committee respecting the LRT.

Staff from the LRT Office were directed to attend the Advisory Committee for Persons with Disabilities (ACPD) on a quarterly basis, and to ensure that any updates on accessibility issues relating to the LRT be automatically forwarded to the ACPD for their review.

**(Whitehead/Conley)**

That the Delegation from Paula Kilburn and Tom Manzuk, Members of the ACPD, respecting the LRT, be received.

**CARRIED**

- (iv) Stella Lehto, YWCA Active Living Centre, respecting Repercussions of ATS Changes Affecting the Outreach Nursing Home Program (Item 6.4)**

Stella Lehto, YWCA Active Living Centre, addressed the Committee respecting Repercussions of ATS Changes Affecting the Outreach Nursing Home Program.

**(Whitehead/Conley)**

That the request from the YWCA Active Living Centre to retain large buses for the Outreach Nursing Home group trips be referred to staff for a report back to the Accessible Transit Services Review Sub-committee, including whether the request aligns with the current mandate, what options are available and the potential budget impacts.

**CARRIED**

**(Whitehead/Conley)**

That the Delegation from Stella Lehto, YWCA Active Living Centre, respecting Repercussions of ATS Changes Affecting the Outreach Nursing Home Program, be received.

**CARRIED**

- (f) PRIVATE AND CONFIDENTIAL (Item 12)**

- (i) Closed Session Minutes – April 27, 2018 (Item 12.1)**

**(Conley/Whitehead)**

That Closed Session Minutes dated April 27, 2018, be approved as presented.

**CARRIED**

**(g) ADJOURNMENT (Item 13)**

**(Whitehead/Conley)**

That there being no further business, the Accessible Transit Services Review Sub-Committee be adjourned at 2:32 p.m.

**CARRIED**

Respectfully submitted,

Councillor S. Merulla, Chair  
Accessible Transit Services  
Review Committee

Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk

**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Mon, 06/26/2023 - 14:14

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee  
ATS Review Sub-Committee - 2:30pm June 29th

Will you be delegating in-person or virtually?  
Virtually

Will you be delegating via a pre-recorded video?  
No

## Requestor Information

Requestor Information  
Anthony Frisina

Preferred Pronoun  
he/him

Reason(s) for delegation request  
To ensure the disability community is heard when it comes to accessible and affordable transit

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

The sender designated this message as non-commercial mandatory content with the following note:

[Change communication preferences](#)

71 Main Street West

Hamilton, ON, L8P 4Y5  
Canada



**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Mon, 06/26/2023 - 16:11

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee  
Accessible transportation services

Will you be delegating in-person or virtually?  
Virtually

Will you be delegating via a pre-recorded video?  
No

## Requestor Information

Requestor Information  
Khadija zafar  
Accessibility Hamilton alliance

Preferred Pronoun  
she/her

Reason(s) for delegation request  
As a caregiver to a child with disability who uses a wheelchair, I have struggled to find transportation that is accessible to my son and I would like to speak on his behalf and my behalf of why having accessible transportation is so vital to individuals with disabilities

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Tue, 06/27/2023 - 08:52

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee  
Accessibility Transit Services Sub-Committee

Will you be delegating in-person or virtually?  
Virtually

Will you be delegating via a pre-recorded video?  
No

## Requestor Information

Requestor Information  
Marianne Longo  
McMaster University Physical Activity Centre of Excellence

[longoms@mcmaster.ca](mailto:longoms@mcmaster.ca)

Preferred Pronoun  
she/her

Reason(s) for delegation request  
I will be representing a community program servicing clients with varied abilities, many of whom rely on accessible transit to attend the program. The function and reliability of the DARTS system greatly impacts the ability of clients to attend our program.

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Tue, 06/27/2023 - 14:47

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee  
Accessibility Transportation Services subcommittee

Will you be delegating in-person or virtually?  
Virtually

Will you be delegating via a pre-recorded video?  
No

## Requestor Information

Requestor Information  
Dr. Jeff Preston  
Associate Professor, King's University College at Western University  
266 Epworth Ave  
London, ON. N6A 2M3  
[jeff.preston@uwo.ca](mailto:jeff.preston@uwo.ca)

Preferred Pronoun  
he/him

Reason(s) for delegation request  
I would like to speak to the agenda item on AODA regulations, reflecting on work happening in London to make our transit system more accessible and the urgent need to go beyond the minimum compliance requirements of the AODA.

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Tue, 06/27/2023 - 15:51

Submitted by: Anonymous

Submitted values are:

## **Committee Requested**

Committee  
Accessible Transportation Services Review Sub-Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

## **Requestor Information**

Requestor Information  
Sharon Ruttan  
Canadian Council of the Blind Hamilton Chapter

Preferred Pronoun  
she/her

Reason(s) for delegation request  
Accessibility on HSR and how it affects those who are disabled.

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
Yes

**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Tue, 06/27/2023 - 20:43

Submitted by: Anonymous

Submitted values are:

**Committee Requested**

Committee  
Accessible Transportation Services subcommittee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

**Requestor Information**

Requestor Information  
Tim Nolan

Reason(s) for delegation request  
speak to agenda item AODA regulations

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

## Bates, Tamara

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Tue, 06/27/2023 - 20:51

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee  
Accessible Transportation Services Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

## Requestor Information

Requestor Information  
Tim Nolan  
Accessibility Hamilton Alliance  
Hamilton, Ontario

Preferred Pronoun  
he/him

Reason(s) for delegation request  
Terms of Reference

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

**Bates, Tamara**

---

**Subject:** FW: Webform submission from: Request to Speak to a Committee of Council

Submitted on Wed, 06/28/2023 - 11:50

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee  
ATS Review Sub-Committee Meeting

Will you be delegating in-person or virtually?  
Virtually

Will you be delegating via a pre-recorded video?  
No

## Requestor Information

Requestor Information  
Mark McNeil

Preferred Pronoun  
he/him

Reason(s) for delegation request  
8.1 - Overview of Requirements for Accessible Transit Services Under the Accessibility for Ontarians with Disabilities Act (AODA).

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No



# ACCESSIBLE TRANSPORTATION SERVICES REVIEW SUB-COMMITTEE

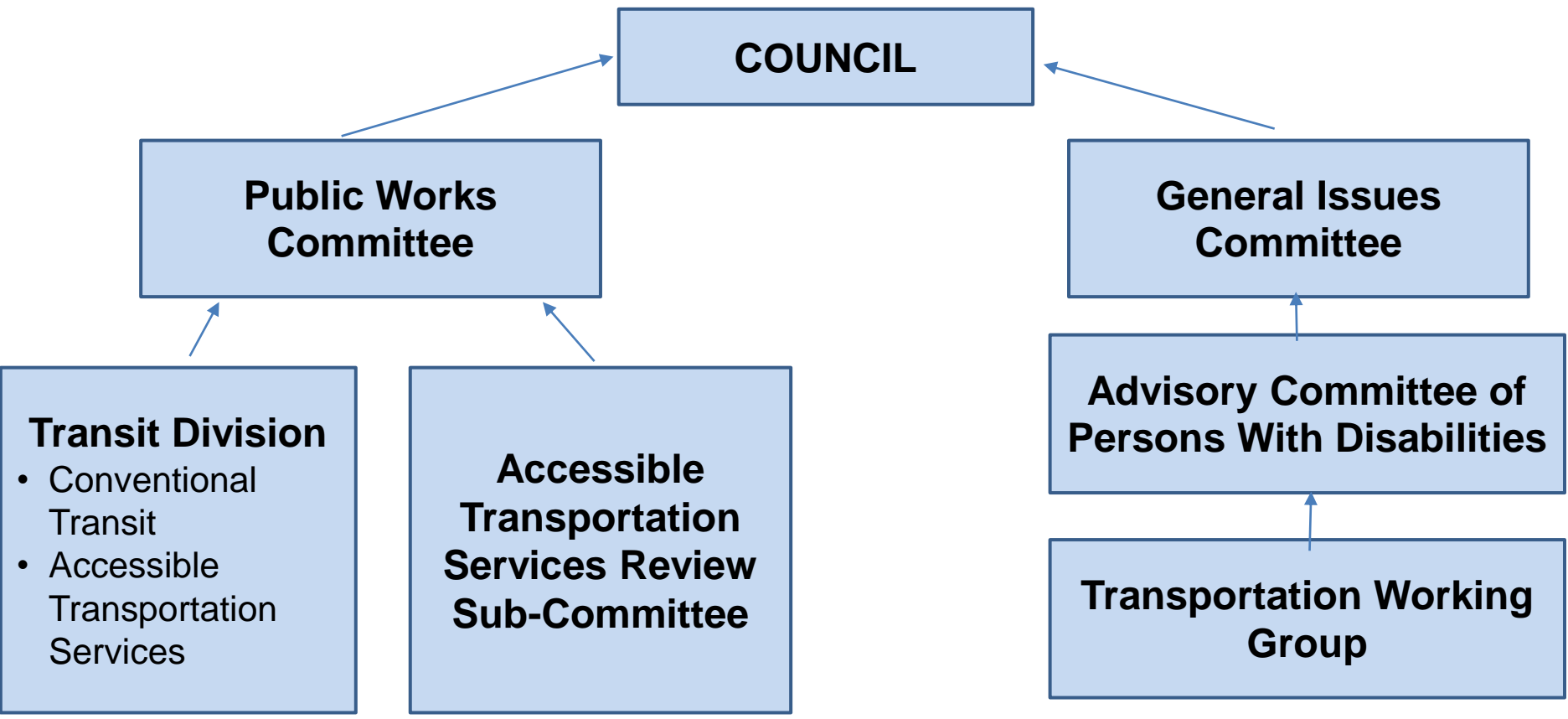
June 29, 2023





- 1) Accessible Transit Services (ATS)
- 2) Legislative Review and Compliance
- 3) Opportunities for Improvement

# Accessible Transportation Services (ATS) in Hamilton



# Accessible Transportation Services (ATS) in Hamilton

## TRANSIT DIVISION

**Conventional Service**  
Fixed route scheduled service.

**Accessible Transportation Services (ATS)**  
Specialized, door-to-door, shared ride service for people who are functionally unable to use conventional transit due to disability.



**Contracted Vendors**

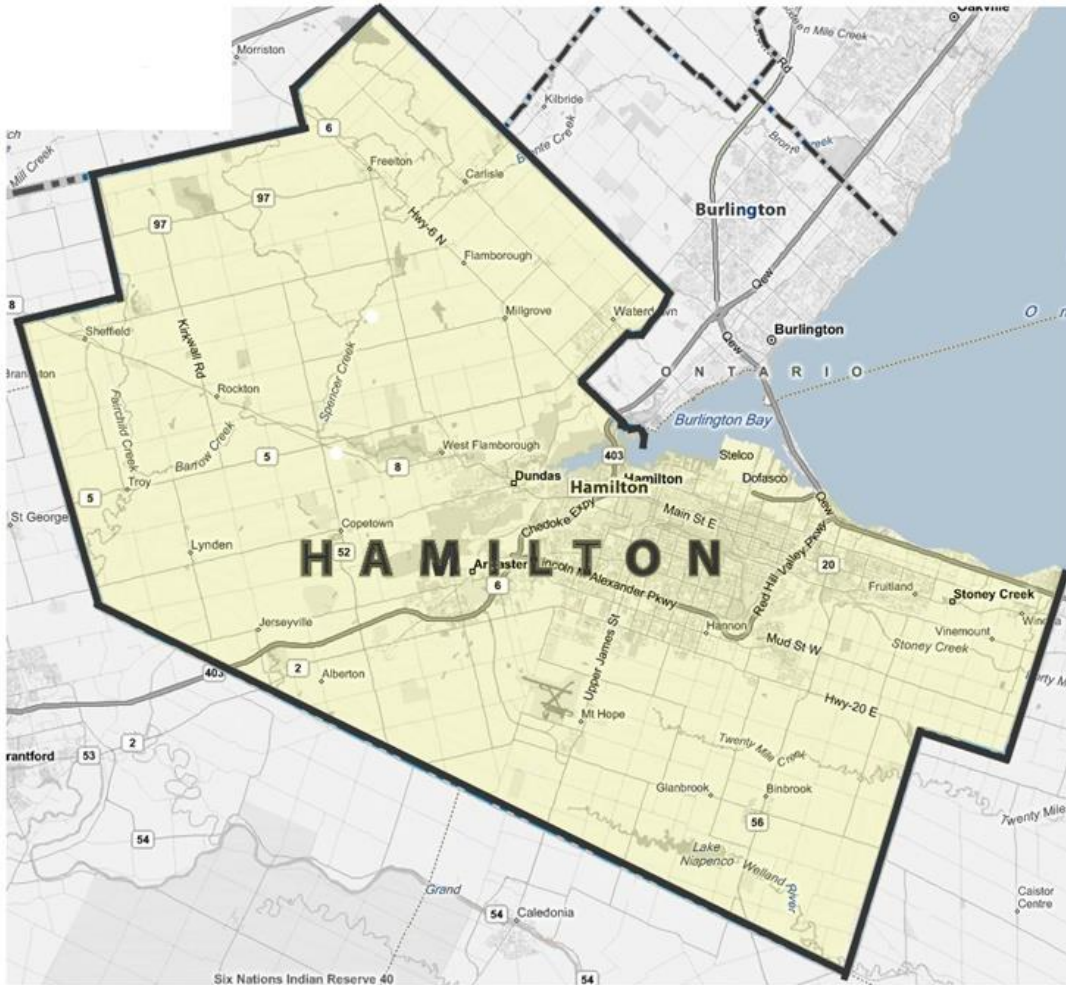
- DARTS (shared ride service)
- Taxi companies (taxi scrip program)



**ATS Customer Care**

- Eligibility, including use of third-party assessor
- Client profile
- Ongoing customer care

# Contractor (DARTS) Service Area Map



- Only required to provide specialized transit service to the edge of urban transit boundary, but we provide it to the City borders.

# Accessibility Requirements for Public Transit Organizations

- The *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and its associated Integrated Accessibility Standards Regulation (O. Reg. 191/11) provide the accessibility rules that municipalities need to follow when providing public transportation services.



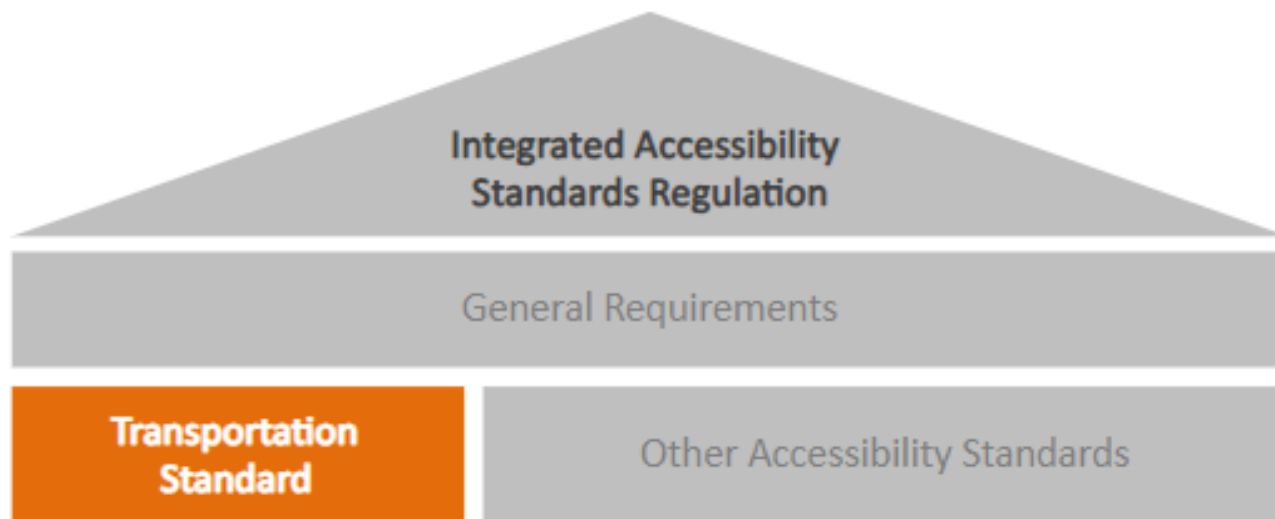
- In October 2021, the HSR and Accessible Transportation Services (ATS) were selected for a desk audit of 15 regulatory requirements from the Integrated Accessibility Standards Regulation (O. Reg. 191/11) by the Ministry for Seniors & Accessibility and found compliant.



# COMPLIANCE

# The Transportation Standard

- The Integrated Accessibility Standards Regulation (O. Reg. 191/11) contains a Transportation Standard, which sets out requirements for both conventional and specialized public transportation service providers.



# Requirements for Public Transportation Service Providers

- There are some requirements common to both conventional and specialized transportation service providers, such as:
  - Making information available to the public on accessibility equipment and features of their vehicles, routes, and services.
  - Providing accessibility training to employees.
  - Not charging a fare to a support person accompanying a person with a disability when that person requires a support person.

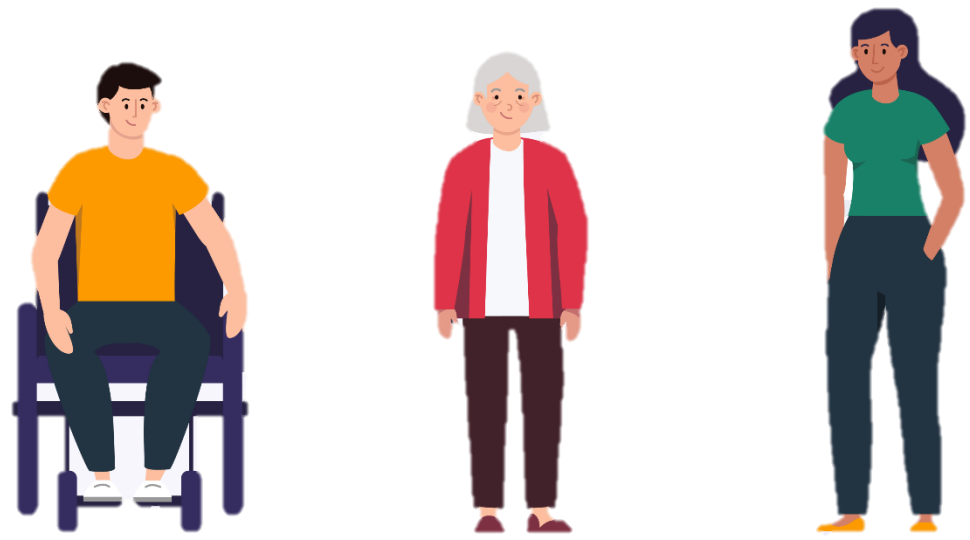


# Requirements for Specialized Transportation Service Providers

- However, there are specific requirements for specialized transportation within the Transportation Standard, such as:
  - establishing categories for eligibility
  - allowing people with disabilities to use specialized services because of an emergency or on compassionate grounds
  - fare parity
  - hours of service

# Section 63 – Categories of Eligibility (O. Reg. 191/11)

- The intent of this requirement is that specialized transportation service providers will establish three categories for eligibility and use them consistently when people with disabilities apply to use the services.



# Section 63 – Categories of Eligibility (O. Reg. 191/11)

- The three categories of eligibility are:
  - **Unconditional Eligibility** – People with disabilities that prevent them from using conventional transportation services.
  - **Temporary Eligibility** – People with disabilities that are temporary but prevent them from using conventional transportation services.
  - **Conditional Eligibility** – People with disabilities who are unable to consistently use conventional transportation services because of physical or environmental barriers, such as winter weather.

## Section 63 – Categories of Eligibility (O. Reg. 191/11)

- Specialized transportation service providers may deny requests for specialized transportation to people who have been categorized as having temporary or conditional eligibility, if the local conventional transportation service is accessible, and the person can use it.



# Section 63 – Categories of Eligibility (O. Reg. 191/11)



- Eligibility for Accessible Transportation Services (ATS) is based on a person's:
  - functional abilities (physical, cognitive and sensory)
  - environment (i.e., within walking distance to bus stop)
  - ability to use conventional public transit – Hamilton Street Railway (HSR)
- Similar to Hamilton, peer agencies require applicants to provide detailed information about the conditions that prevent them from using conventional transit and request medical verification.

# Section 63 – Categories of Eligibility (O. Reg. 191/11)

## COMPARATOR EXAMPLES

	Hamilton Street Railway	London Transit	Toronto Transit Commission
What conditions of eligibility are used by your agency?	<ul style="list-style-type: none"> <li>• Unconditional (76%)</li> <li>• Temporary (18%)</li> <li>• Conditional (1%)</li> <li>• Ineligible rate is less than 1% of completed applications received for currently active clients in 2022.</li> </ul>	<ul style="list-style-type: none"> <li>• Unconditional (88%)</li> <li>• Temporary (12%)</li> <li>• Ineligible rate is around 4% of applications received</li> </ul>	<ul style="list-style-type: none"> <li>• Unconditional (58%)</li> <li>• Temporary (13%)</li> <li>• Conditional (64%)</li> <li>• Ineligible rate is around 1.5% of applications received</li> </ul>

Source: Dillon Consulting - Review of ATS Eligibility Determination Process and Services Peer Benchmarking Summary (Oct. 2021)

# Section 64 – Eligibility Application Process

## (O. Reg. 191/11)

- The intent of this requirement is that specialized transportation service providers will meet standard service requirements for people with disabilities during the application and appeals process for specialized transportation services.
- Specialized transportation service providers have 14 calendar days upon receipt of a completed application for eligibility to make a decision on the application. The applicant is granted temporary eligibility if a decision cannot be made by the end of the 14-day period.

# Section 64 – Eligibility Application Process (O. Reg. 191/11)

- Specialized transportation service providers may re-assess, at reasonable intervals, the eligibility of people with disabilities who have been given temporary eligibility.
- Example: A person who breaks both legs in an accident may require specialized transportation services for several months. Once their legs have healed, however, they may begin to use conventional transportation services once again.



# Section 64 – Eligibility Application Process (O. Reg. 191/11)

- Specialized transportation service providers are required to establish an independent appeal process to review their decisions on eligibility.
- Decisions on appeals with respect to eligibility must be made within 30 calendar days after receiving the completed appeal applications. If the 30-calendar day deadline is not met, applicants have temporary eligibility until final decisions are made.

# Section 64 – Eligibility Application Process (O. Reg. 191/11)



- Accessible Transportation Services (ATS) is fully compliant with Section 64 of (O. Reg. 191/11), but has opportunities to improve the way in which eligibility applications are processed.
- Eligibility reassessments were recommended by the Office of the Auditor General, following an Accessible Transportation Services (ATS) Eligibility Audit completed in December 2020 (see Report AUD20009)
- Dillon Consulting Limited echoed this recommendation in Report PW21055.

# Status of Eligibility Reassessments at ATS

Hamilton has not reassessed eligibility.

- ATS is about to request updated applications from clients with files older than 2-5 years, with no reassessments during this exercise at the direction of Council.
- ATS has contracted to a third-party provider for functional assessments of eligibility as needed
- ATS updated appeal process about to be actioned

- The intent of this requirement is that specialized transportation service providers will provide same day service, to the extent that it is available, and accept bookings for service as close as possible to the date requested.



- Contractor (DARTS) reservations are open the same hours as on-street service.
- Call routing and call handling is the responsibility of the contractor.

# Opportunities for Improvement

- The City of Hamilton, through the ATS section of the Transit Division, is meeting all legislated specialized transportation service requirements and providing service within legislative obligations, but there is opportunity for improvement.
- We strive to be a fully integrated system to increase transit options for everyone and effectively divert trips to conventional transit for those able to use it while ensuring access to specialized trips for those who need them.

In the past several years, there have been a multitude of reports from both consultants and the City Auditor, and feedback from users that all call for significant improvements to the accessible transportation services.

- [AUD20009](#) – Auditor General - ATS Eligibility
- [PW21055](#) – Consultant - business case for key AUD20009 recommendations
- [AUD22007](#) – Auditor General – contractor vehicle safety
- [PWC22079\(b\)](#) and [\(c\)](#) - ATS Quarterly Performance Reports

- Staff is responsible for reviewing and recommending next steps on these outstanding reports, will provide the roadmap for change.
- Conduct a (Re)Envision voice of customer engagement activities on specialized service (fall 2023).
- The next report back is slated for the Public Works committee in Q4 of this year.

# Questions / Comments?





**Accessible Transportation Services (ATS) Review Sub-Committee  
Terms of Reference**

**Purpose**

To review the efficiency & effectiveness of the Accessible Transit Services (ATS) program and make recommendations to the Public Works Committee.

**Membership:**

Sub-Committee comprised of 3 Councillors.

**Scope:**

Analysis of Service Delivery model.

Analysis of Customer Contacts (stakeholder expectations).

Stakeholder consultation as deemed appropriate by the Sub-committee.

Review of current Governance models in Canada.

Technological performance.

Benchmarking analysis.

Assessment of conformance with Council's Strategic Plan.

**Meetings:**

At the Call of the Chair

**Staff:**

City Clerks will provide support for the Sub-committee. Appropriate Public Works staff will act as resources to the Sub-committee.

**REVISED 10.1**

Hamilton

**REVISED - TERMS OF REFERENCE****Accessible Transportation Services Review  
Sub-Committee**

---

**1. INTRODUCTION****1.1 Committee Name**

Accessible Transportation Services (ATS) Review Sub-Committee

**1.2 Statement of Purpose**

To support the review of accessible transportation services delivery in the City of Hamilton and to improve its effectiveness, efficiency, and the customer experience for those who rely on the service.

**1.3 Committee Mandate**

The mandate of the Accessible Transportation Services Review Sub-Committee shall be to:

- a) Review quarterly performance reports from staff in the Transit Division on the service performance of ATS contracted service providers.
- b) Review information on service delivery models and give overall guidance and direction on same.
- c) Review information on ATS activities and provide overall guidance and direction on same.

**1.4 Accountability**

- a) The Accessible Transportation Services Review Sub-Committee reports to Council through the Public Works Committee.

**2. COMMITTEE STRUCTURE****2.1 Membership**

The Accessible Transportation Services Review Sub-Committee shall be comprised of three (3) members of City Council.

## **2.2 Committee Support**

The sub-committee may request information or support from the Transit Division, Accessible Transit Services section, or other City Departments to assist in formulating appropriate recommendations.

## **3. MEETINGS**

- 3.1** The Accessible Transportation Services Review Sub-Committee shall meet bi-monthly or at the call of the chair.
- 3.2** The City Clerk's Division will provide legislative support and be responsible for the administrative organization and costs operating the sub-committee meeting.