



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES
MINUTES 21-013**

4:00 p.m.

Tuesday, December 14, 2021

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

Present: A. Mallett (Chair), S. Aaron, P. Cameron,
J. Cardno, M. Dent, L. Dingman, A. Frisina,
L. Janosi, J. Kemp, P. Kilburn (Vice-Chair),
T. Manzuk, C. McBride, M. McNeil, T. Murphy,
K. Nolan, T. Nolan, R. Semkow

Absent

with Regrets: Mayor F. Eisenberger – City Business

Absent: S. Geffros

Chair Mallett called the meeting to order and recognized that the Committee is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can

better understand our roles as residents, neighbours, partners and caretakers.

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

**1. Appointment of Committee Chair and Vice-Chair for
2022 (Item 12.5)**

(a) Appointment of Chair

(McNeil/Kilburn)

That Aznive Mallett be appointed as Chair of the
Advisory Committee for Persons with Disabilities
for 2022.

CARRIED

(b) Appointment of Vice Chair

(Cameron/Semkow)

That James Kemp be appointed as Vice Chair of
the Advisory Committee for Persons with
Disabilities for 2022.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the
agenda:

11. NOTICES OF MOTION

- 11.1 Invitation to the City of Hamilton Chief of Police to Discuss Topics of Interest to the Advisory Committee for Persons with Disabilities Related to Police Services

12. GENERAL INFORMATION / OTHER BUSINESS

- 12.5 Appointment of Committee Chair and Vice-Chair for 2022

(Semkow/Cameron)

That the agenda for the December 14, 2021 meeting of the Advisory Committee for Persons with Disabilities be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

(i) November 9, 2021 (Item 3.1)

(Kilburn/Janosi)

That the minutes of the November 9, 2021 meeting of the Advisory Committee for Persons with Disabilities, be approved, as presented.

CARRIED

(d) COMMUNICATIONS (Item 4)

- (i) David Lepofsky, Accessibility for Ontarians with Disabilities Act Alliance respecting City of Hamilton Pilot Project for E-Scooters (Item 4.1)**

(Nolan/Frisina)

That the Communication Item from David Lepofsky, Accessibility for Ontarians with Disabilities Act Alliance respecting City of Hamilton Pilot Project for E-Scooters, be received.

CARRIED

- (ii) Reconsideration of Item 5 of Advisory Committee for Persons with Disabilities Report 20-007, respecting the Ban of Electric Scooters from Public Property (City Wide) (Item 4.1)**

(T. Nolan/K. Nolan)

That Item 5 of Advisory Committee for Persons with Disabilities Report 20-007, respecting the Ban of Electric Scooters from Public Property (City Wide), which was approved at the Advisory Committee for Persons with Disabilities meeting on December 8, 2020, and reads as follows, be reconsidered:

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

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 requests that City Council ban the use of electric and commercial rental electric scooters on all City roads, sidewalks, pathways and in all other areas of the City until such time that electric scooters, particularly commercial 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 by a 2/3 vote

J. Cardno wished to be recorded as opposed.

(T. Nolan/K. Nolan)

That Item 5 of Advisory Committee for Persons with Disabilities Report 20-007, respecting the Ban of Electric Scooters from Public Property (City Wide), which was approved at the Advisory Committee for Persons with Disabilities meeting on December 8, 2020, and reads as follows, be considered:

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

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 requests that City Council ban the use of electric and commercial rental electric scooters on all City roads, sidewalks, pathways and in all other areas of the City until such time that electric scooters, particularly commercial 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.

(T. Nolan/K. Nolan)

WHEREAS, subsequent to the approval of Item 5 of Advisory Committee for Persons with Disabilities Report 20-007, respecting the Ban of Electric Scooters from Public Property (City Wide), the General Issues Committee at their February 3,

2021 meeting, referred the matter to the General Manager of Planning and Economic Development for consideration with respect to additional locations where e-scooters may be permitted to operate, and for consideration in developing the forthcoming report to the Planning Committee, with respect to commercial e-scooter operations;

WHEREAS, subsequent to the position of the Advisory Committee for Persons with Disabilities expressed at the December 8, 2020 meeting respecting the Ban of Electric Scooters from Public Property, the Advisory Committee for Persons with Disabilities received a presentation at the November 9, 2021 Advisory Committee for Persons with Disabilities Meeting from David Lepofsky, Accessibility for Ontarians with Disabilities Act Alliance, which addressed Electric Scooters;

WHEREAS, the Advisory Committee for Persons with Disabilities has reconsidered its previous recommendation to the General Issues Committee respecting Electric Scooters; and

WHEREAS, the Advisory Committee for Persons with Disabilities supports a ban on all Electric Scooters, private, rental or otherwise, from operating anywhere within the City of Hamilton;

THEREFORE BE IT RESOLVED:

That Item 5 of Advisory Committee for Persons with Disabilities Report 20-007, respecting the Ban of Electric Scooters from Public Property (City Wide), be ***amended***, to read as follows:

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

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 requests that City Council ban the use of electric and commercial rental electric scooters on all City roads, sidewalks, pathways. ~~***and in all other areas of the City until such time that electric scooters, particularly commercial 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.***~~

Amendment CARRIED

J. Cardno and J. Kemp wished to be recorded as opposed.

Main Motion, ***as Amended***, to read as follows:

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

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;

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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;

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THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities for the City of Hamilton respectfully requests that City Council ban the use of electric and commercial rental electric scooters on all City roads, sidewalks, pathways and in all other areas of the City.

CARRIED

J. Cardno and J. Kemp wished to be recorded as opposed.

(e) CONSENT ITEMS (Item 6)

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

(1) Built Environment Working Group Meeting Update)

The Built Environment Working Group received a presentation from HSR respecting bus stop and shelter review and will be provided at the January 11, 2022, ACPD meeting.

(Cameron/Janosi)

That the verbal update from Tom Manzuk, respecting the Built Environment Working Group Meeting, be received.

CARRIED

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

(1) Housing Issues Working Group Meeting Update

The Housing Issues Working Group will be presenting a motion at the January 11, 2022, ACPD meeting respecting a review of CityHousing Hamilton's accessibility policies.

(Semkow/Murphy)

That the verbal update from James Kemp, respecting the Housing Issues Working Group Meeting, be received.

CARRIED

(iii) Outreach Working Group Update (Item 6.3)

(1) Outreach Working Group Meeting Update

The Outreach Working Group held the 2021 media event for the International Day of Persons with Disabilities and has started planning for the 2022 event. The 2022 Disability Calendar was distributed to stakeholders.

(Kemp/Cameron)

That the verbal update from Paula Kilburn respecting the Outreach Working Group Meeting, be received.

CARRIED

K. Nolan and T. Nolan wished to be recorded as opposed.

**(2) Outreach Working Group Meeting Notes –
October 19, 2021 (Item 6.3 (a))**

(Kilburn/Cardno)

That the October 19, 2021, Meeting Notes of the Outreach Working Group, be received.

CARRIED

K. Nolan and T. Nolan wished to be recorded as opposed.

**(3) Outreach Working Group Meeting Notes –
November 4, 2021 (Item 6.3 (b))**

(Manzuk/Cameron)

That the November 4, 2021, Meeting Notes of the Outreach Working Group, be received.

CARRIED

(iv) Transportation Working Group Update (Item 6.4)

(1) Transportation Working Group Meeting Update

The Transportation Working Group discussed updating ATS policies, the annual AODA Accessibility Event on December 3, 2021, and the Grey Cup and the involvement of DARTS.

(Kilburn/McNeil)

That the verbal update from Shahan Aaron respecting the Transportation Working Group Meeting, be received.

CARRIED

**(2) Transportation Working Group Meeting Notes
– November 23, 2021 (Item 6.4(a))**

(Manzuk/Kemp)

That the Transportation Working Group Meeting Notes of November 23, 2021, be received.

CARRIED

(v) Strategic Planning Working Group Update (Item 6.5)

No update.

(f) STAFF PRESENTATIONS (Item 7)

(i) Accessible Transportation Services Update (Item 7.1)

Michelle Martin, Manager – Accessible Transportation Services addressed Committee respecting updates to Accessible Transportation Services (ATS) policies, with aid of a presentation.

(Kemp/Cameron)

That the presentation respecting from updates to Accessible Transportation Services (ATS) policies, be received.

CARRIED

(Kemp/Cardno)

That, due to time constraints, the following items, be deferred to the January 11, 2022 meeting of the Advisory Committee for Persons with Disabilities:

(i) DISCUSSION ITEMS (Item 9)

- (1) ACPD Research Proposal with CityLAB and McMaster affiliates: Office for Community Engagement and the Research Lab (Item 9.1)

(ii) NOTICES OF MOTION (Item 11)

- (1) Invitation to the City of Hamilton Chief of Police to Discuss Topics of Interest to the Advisory Committee for Persons with Disabilities Related to Police Services (Item 11.1)

(iii) GENERAL ISSUES / OTHER BUSINESS (Item 12)

- (1) Accessibility Complaints to the City of Hamilton (Item 12.1)
- (2) *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) Update (Item 12.2)
- (3) Presenters List for the Advisory Committee for Persons with Disabilities (Item 12.3)
- (4) Update on Presentation to All Advisory Committee Meeting - Deferred from October 12, 2021 and November 9, 2021 (Item 12.4)

CARRIED

(g) ADJOURNMENT (Item 14)

(Semkow/Cameron)

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

CARRIED

Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for
Persons with Disabilities

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk