



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES**

REPORT 22-002

4:00 p.m.

Tuesday, February 8, 2022

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

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

Absent

with Regrets: Mayor F. Eisenberger, M. Dent,
L. Dingman, C. McBride

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 ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES PRESENTS REPORT 22-002 AND
RESPECTFULLY RECOMMENDS:**

1. Strategic Planning Working Group Update (Item 7.5)

That Tim Nolan be appointed to the Strategic Planning Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 Term of Council.

2. Accessible Open Spaces and Parklands Working Group Update (Item 7.6)

That Aznive Mallett be appointed to the Accessible Open Spaces and Parklands Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 Term of Council.

3. Temporary Outdoor Patio Program (Item 8.1)

That Tim Nolan be authorized to delegate with James Kemp at a meeting of the Planning Committee on behalf of the Advisory Committee for Persons with Disabilities to consult respecting accessibility issues related to the Outdoor Dining Districts Program.

4. Invitation to the Crisis Outreach and Support Team (COAST) to attend a future meeting of the Advisory Committee for Persons with Disabilities (Item 11.1)

WHEREAS, the Crisis Outreach and Support Team (COAST) is a partnership between Mental Health Workers at St. Joseph's Healthcare Hamilton and specially-trained officers of the Hamilton Police Service to serve residents of the City of Hamilton who have serious mental health issues and who are in crisis.

THEREFORE, BE IT RESOLVED:

That a representative from the Crisis Outreach and Support Team (COAST) be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to discuss the services that they provide to those with mental health issues and who are in crisis.

5. Invitation to The Honourable David Onley, former Lieutenant Governor of Ontario, to attend a future meeting of the Advisory Committee for Persons with Disabilities (Item 11.2)

WHEREAS, as Ontario's first Lieutenant Governor with a physical disability, the Honorable David Onley adopted accessibility as the overarching theme of his mandate, defining accessibility as "that which enables people to achieve their full potential", believing that true accessibility occurs when disabled people can fully participate in the social, cultural, and economic life in Ontario;

WHEREAS, the COVID-19 Pandemic has dramatically impaired the independence of people with disabilities.

THEREFORE, BE IT RESOLVED:

That the Honourable David Onley, former Lieutenant Governor of Ontario, be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to present his views on a "Post-Pandemic World".

6. Invitation to Sherry Caldwell of the Ontario Disability Coalition to attend a future meeting of the Advisory Committee for Persons with Disabilities (Item 11.3)

WHEREAS, the Ontario Disability Coalition is a grassroots coalition established to be the voice of parents, caregivers, health service professionals and disabled individuals with the primary goal to advocate

for health care services that a person needs to find their way towards achieving as normal a life as possible.

THEREFORE, BE IT RESOLVED:

That Sherry Caldwell of the Ontario Disability Coalition be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to present respecting issues that are negatively impacting independence and healthy life for persons with disabilities.

7. Invitation to Sara Mayo, Geographical Information Systems Specialist, Social Planning & Research Council of Hamilton, to attend a future meeting of the Advisory Committee for Persons with Disabilities (Item 11.4)

WHEREAS, the Social Planning & Research Council of Hamilton is a non-profit organization with a goal “To improve the quality of life for everyone in Hamilton through research, community development, community engagement, and system and service planning;”

WHEREAS, it is recognized that a large proportion of individuals with disabilities in the City, live near or under the poverty line and evidence has demonstrated significant lifestyle differences across the municipality;

WHEREAS, municipal infrastructure overlaps with the Social Determinants of Health (SDoH) and the related

issues of accessibility, equity and inclusion and are key elements that foster good lifestyles and opportunities for residents;

WHEREAS, a better understanding of how those with disabilities are impacted by not only limitations of health but limitations due to poverty, would better inform future ACPD work.

THEREFORE, BE IT RESOLVED:

That Sara Mayo, Geographical Information Systems Specialist, Social Planning & Research Council of Hamilton, be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to discuss findings of the relationship between poverty and disability across the City of Hamilton.

8. Invitation to Rich Padulo, Founder of Treat Accessibly, to Attend the Advisory Committee for Persons with Disabilities (Item 11.5)

WHEREAS, Rich Padulo founded Treat Accessibly in 2017 to remove barriers for children with disabilities during Halloween;

WHEREAS, the Treat Accessibly campaign has expanded to municipalities including Toronto, Brampton, Mississauga, Vaughan and Caledon;

WHEREAS, the Advisory Committee for Persons with Disabilities is interested in investigating the expansion of the Treat Accessibly campaign to the City of Hamilton.

THEREFORE, BE IT RESOLVED:

That Rich Padulo, Founder of Treat Accessibly, be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to discuss the Treat Accessibly campaign.

9. Advisory Committee for Persons with Disabilities' Request for Council to Establish an Accessibility Award Program (Item 11.6)

WHEREAS, municipalities including the Cities of Kingston, Toronto and Brampton recognize individuals, businesses and organizations who champion accessibility with a formal Accessibility Award;

WHEREAS, an Accessibility Awards Program will serve to promote and encourage individuals, businesses and organizations to make improvements to the inclusion and accessibility of Hamilton and highlight their actions as an example to others.

THEREFORE, BE IT RESOLVED:

That Council consider establishing an Accessibility Award Program for City of Hamilton individuals, businesses and organizations that have made significant contribution beyond legislative requirements, towards improving access for persons with disabilities in Hamilton; and

That representation from the Advisory Committee for Persons with Disabilities be included in the development of the eligibility and award criteria as well as the selection process for the Accessibility Award Program.

10. Advisory Committee for Persons with Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy (Item 11.7)

WHEREAS, passengers of the Disabled and Aged Regional Transportation Service (DARTS) are persons with disabilities and may not have the ability to utilize public transit or have the finances to use a taxi service;

WHEREAS, a person with a disability may not have or want a companion to provide assistance or wishes to be independent and be able to shop when they wish to;

WHEREAS, accessible transportation services have an obligation to provide services that accommodate the disabilities of their passengers, which may necessitate assistance, to allow persons with disabilities to participate within the community as would all individuals, regardless of ability;

WHEREAS, all people need to shop, purchase and transport their purchases to their place of destination.

THEREFORE, BE IT RESOLVED:

That staff be directed to review the Accessible Transportation Services and the Disabled and Aged Regional Transportation Service policy to allow DARTS drivers to assist passengers who use a bundle buggy to safely load on and off the Accessible Transportation vehicle.

11. Advisory Committee for Persons with Disabilities Request respecting Accessible Transport related to the City's Accessible Taxicab Financial Incentive Program and Accessible Taxicab Operators in Hamilton (Item 11.8)

WHEREAS, to increase reliable on-demand transport above and beyond that provided by Disabled and Aged Regional Transportation Service (DARTS), the Accessible Taxicab Financial Incentive (ATFI) Program was initiated by the City of Hamilton in 2018,

providing an additional \$5 for every trip and intending to decrease excessive wait times and no shows of Accessible Taxicabs by incentivizing the extra loading and unloading time and further travel time in between pickups;

WHEREAS, the ATFI Program initiated an audit procedure in 2019 that verified random Accessible Taxicab rides by reviewing trip camera footage with the corresponding paperwork;

WHEREAS, the 2020 audit of the ATFI Program reported decreased wait times from 1-2 hours to 10-15 minutes, a decrease of complaints and an increase in the number of Accessible Taxicabs to 40 Operators;

WHEREAS, the increase in insurance rates in 2020 impacted the Taxicab industry, making it more expensive to operate and more difficult to compete with Personal Transport Provider (PTP) Operators such as Uber and Lyft that do not have the same regulation and overhead costs, causing the removal of a large number of Taxicabs from service;

WHEREAS, the ATFI Program was temporarily suspended in March 2020 due to the COVID-19 Pandemic and was not continued until August 2021;

WHEREAS, despite the loss of the ATFI Program, the Accessible Taxicab Operators continued to provide

service through the worst of the initial lockdown, which was made more difficult by the fact that the Hamilton Street Railway (HSR) was not picking up people with mobility devices unless they were accompanied;

WHEREAS, the length of the suspension of the ATFI Program as well as the uncertainty of its future viability contributed to the attrition of Accessible Taxicab Drivers as well as the service standards and there are currently no plans or discussions regarding paying the Accessible Taxicab Drivers retroactively or otherwise compensating for their efforts during the COVID-19 Pandemic;

WHEREAS, the number of Accessible Taxicabs on the road dropped from pre-pandemic levels of 40 Accessible Taxicabs to 15 in August 2021;

WHEREAS, the resumption of the ATFI Program in August 2021, served to increase Accessible Taxicab numbers to 20;

WHEREAS, this overall decrease in the number of Accessible Taxicabs has increased the wait time at rush hour from 10 to 15 minutes to approximately 1-2 hours, which does not constitute a reliable “on-demand” service;

WHEREAS, the cost of safely and legally putting a single Accessible Taxicab on the road is exorbitant,

as the vehicles need to be new to allow for proper accessibility conversion and can cost upwards of \$75,000. Furthermore, proper training of personnel, licensing and insurance can total an estimated \$100,000, representing a significant investment that is solely the responsibility of the owner/operator. With the ATFI Program being put on hiatus for 16 months, there is no guarantee of return on investment and a \$5 per trip incentive seems to be inadequate;

WHEREAS, there are reports that PTP Operators are putting Accessible Vehicles on the road in other municipalities and charging an additional \$10 directly to the customer and the Taxicab Brokers have recently raised the suggestion of charging more for Accessible Taxicab rides. The Accessibility for Ontarians with Disabilities Act (AODA), however, clearly states that the additional cost of accessibility cannot be downloaded to the customer;

WHEREAS, the PTP Operators are not beholden to the same regulations as Taxicab Operators, as they can opt to pay \$20,000 per year in lieu of providing an accessible fleet;

WHEREAS, the Burlington Taxi Service was recently forced to stop operating due to the volatility of the Taxicab industry and should serve as a warning that the same thing could happen in the City of Hamilton;

WHEREAS, Taxicabs serve as an interim and emergency form of transport for people of all abilities and are an essential service for any municipality; and

WHEREAS, the AODA states that all forms of transportation, including Taxicabs, should be fully accessible by 2025, should provide equivalent service and should not cost any more than regular service.

THEREFORE, BE IT RESOLVED:

That staff be directed to:

- (a) Investigate methods of revamping or improving the Accessible Taxicab Financial Incentive Program in an effort to recruit drivers and to ensure the program's sustainability in the future;
- (b) Consider the feasibility of compensation to the Accessible Taxicab Operators that provided accessible service during the lockdown and the Accessible Taxicab Financial Incentive Program's suspension period;
- (c) Develop a pandemic contingency plan with respect to the Accessible Taxicab Financial Incentive Program's audit process to ensure continuity of service while maintaining pandemic protocols as well as the safety of the staff; and

- (d) Determine if Personal Transport Provider Operators that are providing Accessible Transport in the City are charging an additional fee for the service, if they have plans to provide accessible service in the future or if they are willing to pay a more proportionally equivalent annual fee to opt-out of the requirement to provide Accessible Transport.

12. Advisory Committee for Persons with Disabilities 2021 Budget (Added Item 13.4)

That remaining funds from the 2021 Advisory Committee for Persons with Disabilities Budget be transferred to the Advisory Committee for Persons with Disabilities Reserve, to the maximum allowable amount.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

8. STAFF PRESENTATIONS

8.1 Temporary Outdoor Patio Program

The agenda for the February 8, 2022 meeting of the Advisory Committee for Persons with Disabilities was approved.

(b) DECLARATIONS OF INTEREST (Item 3)

S. Aaron declared an interest to Item 11.7, a motion respecting Advisory Committee for Persons with Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy as he is a member of the DARTS Board.

P. Kilburn declared an interest to Item 11.7, a motion respecting Advisory Committee for Persons with Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy as she is a member of the DARTS Board.

T. Manzuk declared an interest to Item 11.7, a motion respecting Advisory Committee for Persons with Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy as he is a member of the DARTS Board.

K. Nolan declared an interest to Item 11.7, a motion respecting Advisory Committee for Persons with

Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy as she is a member of the DARTS Board.

A. Frisina declared an interest to Item 11.7, a motion respecting Advisory Committee for Persons with Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy due to a pending legal matter.

(c) APPROVAL OF MINUTES (Item 4)

(i) January 11, 2022 (Item 4.1)

The minutes of the January 11, 2022 meeting of the Advisory Committee for Persons with Disabilities were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Built Environment Working Group Update (Item 7.1)

(1) Built Environment Working Group Meeting Update

P. Kilburn and T. Manzuk provided a verbal update respecting the P. Kilburn's presentation to the Hamilton Municipal Heritage Committee.

The verbal update from P. Kilburn and T. Manzuk respecting the Built Environment Working Group Meeting was received.

(ii) Housing Issues Working Group Update (Item 7.2)

(1) Housing Issues Working Group Meeting Notes – October 19, 2021 (Item 7.2(a))

The Housing Issues Working Group Meeting Notes of October 19, 2021, were received.

(2) Housing Issues Working Group Meeting Notes – November 16, 2021 (Item 7.2(b))

The Housing Issues Working Group Meeting Notes of November 16, 2021, were received.

(iii) Outreach Working Group Update (Item 7.3)

(1) Outreach Working Group Meeting Notes – January 24, 2022

The Outreach Working Group Meeting Notes of January 24, 2022, were received.

(iv) Transportation Working Group Update (Item 7.4)

(1) Transportation Working Group Verbal Update

S. Aaron provided a verbal update respecting the number of Accessible Taxicabs in Hamilton and the December 1, 2021 Annual Transit Accessibility Public Event.

The verbal update from S. Aaron respecting the Transportation Working Group Meeting was received.

(2) Transportation Working Group, Collective Roundtable, Meeting Notes – October 14, 2021 (Item 7.4(a))

The Transportation Working Group, Collective Roundtable, Meeting Notes of October 14, 2021, were received.

**(v) Strategic Planning Working Group Update
(Item 7.5)**

A. Mallett relinquished the Chair to J. Kemp to provide an update respecting the Strategic Planning Working Group (Item 7.5).

**(1) Strategic Planning Working Group
Meeting Notes – January 13, 2022 (Item
7.5(a))**

A. Mallett provided a verbal update respecting the Strategic Planning Working Group Meeting.

The verbal update from A. Mallett respecting the Strategic Planning Working Group Meeting and the Strategic Planning Working Group Meeting Notes of January 13, 2022, was received.

For further disposition of this matter, refer to Item 1.

A. Mallett assumed the Chair.

**(vi) Accessible Open Spaces and Parklands
Working Group Update (Item 7.6)**

The Accessible Open Spaces and Parklands Working Group has not yet scheduled their

inaugural meeting. The Working Group will coordinate a meeting with staff, Cynthia Graham, Acting Director of Environmental Services, and Meghan Stewart, Supervisor, Public Works.

A. Mallett relinquished the Chair to J. Kemp to request to be added to the membership of the Accessible Open Spaces and Parklands Working Group.

For further disposition of this matter, refer to Item 2.

A. Mallett assumed the Chair.

(e) STAFF PRESENTATIONS (Item 8)

(i) Temporary Outdoor Patio Program (Item 8.1)

Julia Davis, Business Development & BIA Officer addressed the Committee respecting the Temporary Outdoor Patio Program with the aid of a presentation. Rob Lalli, Manager, Strategy, Open for Business & Continuous Improvement answered questions from the Committee.

The presentation by Julia Davis, Business Development & BIA Officer, respecting the Temporary Outdoor Patio Program was received.

For further disposition of this matter, refer to Item 3.

(f) MOTIONS (Item 11)

A. Mallett relinquished the Chair to J. Kemp to introduce the following Motion:

- (i) Advisory Committee for Persons with Disabilities' Request for Review of the Accessible Transportation Service and the Disabled and Aged Regional Transportation Service Policy Respecting Driver Assistance to Passengers who use a Bundle Buggy (Item 11.7)**

For further disposition of this matter, refer to Item 10.

A. Mallett assumed the Chair.

(g) GENERAL ISSUES / OTHER BUSINESS (Item 13)

- (i) Accessibility Complaints to the City of Hamilton (Item 13.1)**

Jessica Bowen, Supervisor of Diversity and Inclusion advised that 28 accessibility complaints were received in 2022. Of the 28 accessibility complaints, 26 of the accessibility complaints were related to the snow storm and 2 were related to built environment, on public and private property.

(ii) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update (Item 13.2)*

No update.

(iii) *Presenters List for the Advisory Committee for Persons with Disabilities (Item 13.3)*

The Presenter's List will be updated in accordance with the Motions approved in Items 11.1 to 11.5.

(h) *ADJOURNMENT (Item 15)*

There being no further business, the Advisory Committee for Persons with Disabilities adjourned at 6:34 p.m.

Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for
Persons with Disabilities

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk