



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES
REPORT 22-014**

4:00 p.m.

Tuesday, December 13, 2022

Room 264, 2nd Floor

Hamilton City Hall

71 Main Street West

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

Absent

with Regrets: S. Aaron, A. Frisina, C. McBride

The Chair 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 22-014 AND RESPECTFULLY RECOMMENDS:

1. Snow Clearing By-Law Review (Item 12.2)

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;

WHEREAS, according to the City of Hamilton Snow Clearing By-Law 03-296, "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;

WHEREAS, according to the City of Hamilton Snow Clearing By-Law 03-296, "Winter Storm Event" refers

to any precipitation and/or accumulation of snow or ice;”

WHEREAS, the City of Hamilton Snow Clearing By-Law 03-296 defines street as “Highway,” meaning 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;”

WHEREAS, according to the City of Hamilton Snow Clearing By-Law 03-296, “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;”

WHEREAS, the City of Hamilton Snow Clearing By-Law 03-296 is inconsistent in its obligations of property owners in relation to the forgoing by requiring that “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 alongside, or at the rear of any occupied or unoccupied lot, or vacant lot;”

WHEREAS, the City of Hamilton Snow Clearing By-Law 03-296 is ambiguous and no longer meets the needs of persons with disabilities, nor is it consistent

with Council-approved plans for referring persons with disabilities away from DARTS and onto HSR conventional transit; and,

WHEREAS, the City of Hamilton Snow Clearing By-Law 03-296 makes no mention of any obligation on the part of a property owner or the City to ensure a clear pathway between sidewalk curb cuts and roadways, which would ensure safe and unobstructed travel between roads and sidewalks for persons with disabilities;

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities respectfully requests Council approve the following:

- (a) That staff be directed to review, in collaboration with the Advisory Committee for Persons with Disabilities, City of Hamilton Snow Clearing By-Law 03-296, so that it may be revised to meet the needs of all persons with disabilities in preparation for the 2023/24 winter season; and,
- (b) That staff report back to the Public Works Committee with recommendations for revisions to the City of Hamilton Snow Clearing By-Law 03-296 by the early fall of 2023.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

9. CONSENT ITEMS

- 9.5(b) Draft Strategic Planning Working Group Meeting Notes

The Agenda for the December 13, 2022, 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) STAFF PRESENTATIONS (Item 8)

- (i) Accessible Transit Services (ATS)
Performance Review Status Update (Item 8.1)**

Michelle Martin, Manager, Accessible Transportation Services, addressed Committee respecting Accessible Transit Services (ATS) Performance Review Status Update with the aid of a presentation.

The presentation from Michelle Martin, Manager, Accessible Transportation Services, respecting Accessible Transit Services (ATS) Performance Review Status Update, was received.

(d) CONSENT ITEMS (Item 9)

(i) Consent Items (Items 9.1-9.7)

The following updates and meeting notes, were received:

- (1) Built Environment Working Group Update (Item 9.1);
- (2) Housing Issues Working Group Update (Item 9.2)
- (3) Outreach Working Group Update (Item 9.3)
- (4) Transportation Working Group Update (Item 9.4)
- (5) Strategic Planning Working Group Update (Item 9.5)
 - (aa) Strategic Planning Working Group Meeting Notes – November 17, 2022 (Added Item 9.5(a))

- (6) Accessible Open Spaces and Parklands Working Group Update and Meeting Notes – November 23, 2022 (Item 9.6)
- (7) Canadian Alliance on Ending Homelessness 2022 National Conference - Follow-Up Brief (Item 9.7)

(e) DISCUSSION ITEMS (Item 11)

(i) Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (2023) - DRAFT (Item 11.1)

Staff was asked to consider adding a section to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (2023) clarifying, specifically, the role of and processes followed by the Advisory Committee for Persons with Disabilities as a Sub-Committee of Council within the context of the procedures that must be followed by Advisory Committees.

(ii) Access to Housing Hamilton, Income and Asset Limit Policy – Consultation with Community Partners (Item 11.2)

The information from Sam Hanna, Social Policy Analyst, respecting Access to Housing Hamilton, Income and Asset Limit Policy – Consultation with Community Partners, was received.

(iii) Advisory Committee for Persons with Disabilities 2023 Budget Submission (Item 11.3)

The Advisory Committee for Persons with Disabilities base budget submission, in the amount of \$6,100 for 2022, was approved and referred to the 2023 budget process for consideration.

(iv) Audit, Finance and Administration Committee Report 22-016 Item 5 (b), as Amended by Council, September 28, 2022, Feasibility of Implementing the Recommendations from the Committee Against Racism for Changes to the Hamilton Police Services Board Selection Process (FCS22072) (City Wide) (Item 11.4)

The information provided in Audit, Finance and Administration Committee Report 22-016 Item 5 (b), as Amended by Council, September 28, 2022, Feasibility of Implementing the Recommendations from the Committee Against Racism for Changes to the Hamilton Police Services Board Selection Process (FCS22072) (City Wide), was received and referred to consideration of Item 15.1, Confidential Interview Questions for Police Services Board Selection Committee.

(v) Letter in Support of the Hamilton Alliance for Tiny Shelters (HATS) Initiative (Item 12.1)

WHEREAS, the Advisory Committee for Persons with Disabilities' (ACPD) Housing Working Group (HWG) has met with the Roundtable For Poverty Reduction (RFPR), Hamilton Social Medicine Response Team (HAMSMaRT), City of Hamilton By-Law and Licensing staff, and the Housing and Homelessness Advisory Committee to discuss homelessness and how it affects persons with disabilities;

WHEREAS, the HWG is mandated to define the needs of those with disabilities, highlight deficiencies in the accessible housing system and seek solutions to address them; and

WHEREAS, persons with disabilities are overrepresented in the homeless population due to a number of reasons;

THEREFORE, be it resolved:

The Advisory Committee for Persons with Disabilities (ACPD) approved the letter of support regarding the Hamilton Alliance for Tiny Shelters (HATS) program for submission to the Emergency and Community Services Committee, attached hereto as Appendix A.

(vi) Delegation to Hamilton Municipal Heritage Committee (Item 12.3)

Paula Kilburn was approved to represent the Advisory Committee for Persons with Disabilities in a delegation to the Hamilton Municipal Heritage Committee, regarding an update on the status of Accessibility and the City's Heritage facilities.

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 14)

(i) Accessibility Complaints to the City of Hamilton (Item 14.1)

No update.

(ii) *Accessibility for Ontario with Disabilities Act, 2005 (AODA) (Item 14.2)*

No update.

(iii) Presenters List for the Advisory Committee for Persons with Disabilities (Item 14.3)

No update.

(g) PRIVATE AND CONFIDENTIAL (Item 15)

The Advisory Committee for Persons with Disabilities moved into Closed Session respecting Item 15.1, pursuant to Section 9.3, Sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (i) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

(i) Confidential Interview Questions for Police Services Board Selection Committee

- (a)** That staff be directed to forward the confidential interview questions from the Advisory Committee for Persons with Disabilities to the Police Services Board, and that the questions remain confidential.
- (b)** That the Chair of the Advisory Committee for Persons with Disabilities write, with the assistance of Clerk's staff, a letter to Council expressing appreciation for the opportunity to submit confidential interview questions for

the Police Services Board Selection
Committee.

(h) ADJOURNMENT (Item 16)

There being no further business, the Advisory
Committee for Persons with Disabilities, was
adjourned at 6:21 p.m.

Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for
Persons with Disabilities

Tamara Bates
Legislative Coordinator
Office of the City Clerk