




Hamilton

CITY OF HAMILTON

CORPORATE SERVICES DEPARTMENT
Customer Service, Access & Equity Division

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: September 19, 2012	
SUBJECT/REPORT NO: Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard (FCS12073a) (City Wide) (City Wide)	
SUBMITTED BY: Roberto Rossini General Manager Finance & Corporate Services Department	PREPARED BY: Jane Lee Ext. 2654 Maxine Carter Ext. 6419
SIGNATURE: 	

RECOMMENDATION

- (a) That Report FCS12073a Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard and Appendix A to Report FCS12073a containing the Comments on the Proposed Regulation to the Accessibility Directorate of Ontario, respecting the Proposed amendments to O. Reg. 119/11 (Integrated Accessibility Regulation) be submitted to the Ministry of Community and Social Services;
- (b) That the Mayor correspond with the Minister of Community and Social Services to request that the Province provide funding to assist Ontario municipalities with implementation of the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations.
- (c) That the Mayor correspond with the Federal Minister of Human Resources and Skills Development to request that the Federal Government provide funding to assist all municipalities with implementation of the accessibility improvements including the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations.

EXECUTIVE SUMMARY

Pursuant to the Accessibility for Ontarians with Disabilities Act, the Province is proposing a draft amendment to Integrated Accessibility Standard (191/11) to add some of the requirements for the Built Environment, specifically the Design of Public Spaces Standards (Accessibility Standards for the Built Environment). Previous drafts of the Built Environment Standards were more comprehensive. However, the decision has been made to separate the Built Environment Standard from accessibility requirements in the Ontario Building Code. It is our understanding that accessibility features for buildings governed by the Ontario Building Code will be incorporated into future revisions to the Code.

The draft regulation also includes some minor amendments to the Integrated Accessibility Standards, including some specific changes to the Employment Standards and the Transportation Standards. The draft Proposed standard was released on August 8, 2012 and is being made available for public comments for 45 days, with a deadline of October 1, 2012 for making comments to the Province. This report outlines the major requirements of the proposed regulation, as well as operational impacts and potential impacts, as far as they are known. The draft standard amends the Integrated Accessibility Standards in minor ways and adds the Design of Public Spaces Standards (Accessibility Standards for the Built Environment).

Positive feedback was received from most departments with minimal impacts noted, due to substantial changes in the proposed standard to address previous areas of concern. Comments from staff about the impacts of the proposed standard, including differences from our existing standards, areas of concern, possible cost impacts and recommended changes to the proposed standard are noted under consultation. In addition, the attached Appendix A to Report FCS12073a Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard provides a summary of comments to be submitted to the Province on behalf of the City of Hamilton.

As well, a further request for financial support is recommended to be sent to both the Provincial and Federal governments, in light of the cumulative impact of costs to the City of the various regulations and requirements of the Accessibility for Ontarians with Disabilities Act, and its regulations. The regulations include the Customer Service Standards for Accessibility and the Integrated Accessibility Standards, containing the Employment Standards, the Information and Communications Standards, the Transportation Standards and now the Design for Public Spaces Standards (Built Environment Standards).

The draft regulation is attached as Appendix B to Report FCS12073a.

Alternatives for Consideration – See Page 16

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial:

Design of Public Spaces – Built Environment Standard

The financial implications of the proposed standard are less than anticipated with the previous draft. The Recreation Capital Program and Compliance Section noted that there should not be costs increases to our new and redeveloped projects because accessibility has been a consideration and will continue to be, and the standards are very similar to our Barrier Free Design Guidelines. They recommend completing an audit of existing buildings for accessibility and development of a strategic plan to ensure proper planning is in place to upgrade buildings as they are slated for redevelopment in the capital program. Cost estimates to complete the audit and develop a plan are in the range of \$100,000 to \$200,000. Cost impacts to maintain accessibility features may also cause future pressures. There may also be expectations created in the community with respect to accessibility improvements, if the pace of change is considered to be too slow.

Additionally, there may be a need to provide additional training such that staff are fulfilling all of their requirements, both for enhanced understanding for any staff who are involved in capital projects, and for maintenance staff, as the standard includes requirements for preventative and emergency maintenance of accessibility features. Costs are estimated at \$20,000 for the additional training corporately.

Costs for implementing the Accessible Pedestrian Signals (based on the standard already approved by Council) were provided in Report PW08077a (March 2012). A plan is in place to equip 15 new and reconstructed Accessible Pedestrian Signals annually with a budget impact of \$150,000 per year.

AODA Standards Financial Impacts

The financial implications are not yet fully known, and will be more fully developed over time. The identified cost implications for the implementation of the Transportation Standard as it relates to Accessible Transportation Services – including the impacts on both HSR and DARTS (requirements for policy development, training and reporting requirements, lost revenue for support persons, fare parity, service hours, Accessible bookings, Eligibility criteria, and Eligibility process) are **in excess of \$5 million and have previously been reported to Council**. In order to implement the Employment Standards, some consulting assistance is anticipated to provide an assessment of the barriers in our employment processes and to develop processes and tools to eliminate those barriers. Similarly, a requirement for consulting assistance to establish the plan for the implementation of accessible taxi licensing has been identified. Estimates for these two reviews are approximately \$200,000 combined. The cost requirements for

the implementation of the Information and Communications Standards are less well defined. Improvements to the website are being undertaken as part of the Web Redevelopment project, which has a total cost estimate of \$2.4 million.

Financial impacts for non-compliance should also be considered. The Ministry of Community and Social Services have set out a compliance framework in the Integrated Accessibility Standard and compliance activities are underway at the Province. The compliance program at the present time includes fines for non-compliance for regulations under the AODA ranging from \$500 penalty for a minor contravention with a minor contravention history up to a maximum daily penalty of \$100,000.

City Council has previously passed motions identifying the need for the Province to address the financial implications of the implementation of the AODA standards. On February 9, 2005, Council approved the following motion from the Corporate Administration Committee:

That the provincial government be requested to develop or identify funding sources to assist municipalities with implementing the requirements of the Accessibility for Ontarians with Disabilities Act (Bill 118)

On March 9, 2011, Council approved the following motion from the Audit, Finance and Administration Committee:

That the Mayor be directed to correspond with the Minister of Community and Social Services to request that the Province provide funding to assist Ontario municipalities with implementation of the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations, and to advise the Minister that the City of Hamilton is in the process of reviewing the Act, and has noticed significant cost implications to Ontario municipalities in the Act.

AMO has also taken expressed concern generally in the past about the financial impacts of the draft standards, and asked for it to be addressed either through the provision of financial support, or through changes to the draft standard to reduce the financial impacts. Accordingly, staff are recommending that the request for financial support from the Province be confirmed. As discussed at the General Issues Committee on September 6, 2012, there is also a recommendation to request similar financial support from the Federal government.

Staffing: There are no specific staffing requirements as a result of the proposed standard. Compliance with the AODA regulations, however, is becoming more time consuming as regulations are added under the legislation. The City of Hamilton has recently been advised that the Accessibility Directorate is undertaking a File Review of several sections of the Integrated and Customer Service Standards as a compliance

step. Internal compliance checking becomes more important as we move forward. Compliance with the Built Environment standards as well as the City's Barrier Free Guidelines will add to that workload. Staff are reviewing options for minor reorganization in the Access and Equity section of the Customer Service, Access and Equity Division to ensure the necessary skills are in place to fulfil this function and meet the demands of the work involved.

Legal: The proposed standard represents progress towards achieving fully accessible service for people with disabilities in Ontario, as required by the Accessibility for Ontarians with Disabilities Act and consistent with the City's obligations under the Ontario Human Rights Code.

HISTORICAL BACKGROUND (Chronology of events)

On May 10, 2005, the Provincial Government passed the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). The AODA is a provincial law that recognizes the history of discrimination against persons with disabilities in Ontario and will require the "...development, implementation and enforcement of standards" for accessibility to goods, services, facilities, employment, accommodation, buildings, structures and premises for persons with disabilities". The AODA standards apply to private and public sector organizations all across Ontario. Persons with disabilities and representatives of the Ontario government, specific industry sectors and various groups to whom the standards will apply have been involved in the development of the accessibility standards.

The Province originally proposed 5 different accessibility standards; namely Customer Service Standard, Transportation Standard, Information and Communications Standard, Employment Standard and the Built Environment Standard. The Customer Service Standards were approved by O.Reg. 429/07, and were required to be implemented by municipalities by January 1, 2010, and the private sector by January 1, 2012. In response to requests from AMO, municipalities and other parties to harmonize the standards, the Provincial Government proposed a draft Integrated Accessibility Standard which would incorporate the requirements of three of the remaining four standards into one integrated regulation – the Transportation, Information and Communications, and Employment Standards. The Ministry of Community and Social Services noted the intent that the integrated standard would "...streamline, align and phase-in accessibility requirements...and allow for progress on accessibility and reduce the regulatory burden for obligated organizations." The Integrated Accessibility Standards O.Reg. 191/11 came into effect on July 1, 2011.

The Province have now issued for public review the draft Design of Public Spaces Standards (Accessibility Standards for the Built Environment) as an amendment to the

Integrated Accessibility Standard. Comments must be provided on this revised draft by October 1, 2012.

Each of the standards is designed to detail the measures, policies, practices and other steps needed to identify, remove and prevent barriers for people with disabilities, addressing the needs of people with a wide range of disabilities, including physical, sensory, hearing, mental health, developmental and learning disabilities. The legislation requires that implementing organizations obtain feedback regarding the needs of people in our community to address the barriers they face in independently accessing City services and the devices, policies and procedures that the City would need to put in place to provide more independent and dignified access to the full range of City services.

POLICY IMPLICATIONS

The Built Environment Standard addresses similar areas of regulation that are included in the City of Hamilton Barrier Free Guidelines. There are some differences between the two. The proposed regulation proposes specific requirements for the some features which are not separately identified in the City's current Barrier Free Design Guidelines: beach access routes, ramps on recreational trails or beach access, outdoor public use eating areas, outdoor play places and depressed curbs. In addition the proposed standard requires incorporation of accessibility features as well as consultation requirements for new or redeveloped existing outdoor public use eating areas, outdoor play spaces and on street parking spaces. These are areas not currently addressed in the City's Barrier Free Guidelines.

However, the City's Barrier Free Design Guidelines provide more extensive dimensions and guidelines for boardwalks, ramps, service counters and fixed queuing areas, while the proposed Built Environment Standard outlines more detailed dimensions and requirements for recreational trails, ramps on recreational trails and beach access routes, outdoor public use eating areas and accessible parking. An update to the City's Barrier Free Guidelines is planned and will take into consideration the proposed regulation, ensuring that our Barrier Free Guidelines do not provide a lower standard than required by the Built Environment Standard – Design of Public Spaces Standards, once enacted.

In addition, the City's requirements for accessible parking are contained in planning policy documents, such as By-law 05-200. Section 5.5 of By-law 05-200 regarding "Barrier Free Parking Spaces" will need to be amended to ensure the minimum number of accessible spaces complies with the provincial standards.

RELEVANT CONSULTATION

All departments have been consulted in the development of this report, and their feedback is provided here, including general comments and concerns/comments based on each specific section of the proposed regulation.

Responses were provided from the following:

City Manager's Office

Public Health Department

Planning and Economic Development Department

- Building Services Division, Economic Development Division, Growth Management Division, Parking and By-law Services Division, Planning Division, Tourism and Culture Division

Community Services Department

- Recreation – Capital Program and Compliance, Ontario Works, Lodges, Social Development and Early Childhood Services, Housing Services

Corporate Services

- Customer Service, Access & Equity Division, Financial Planning and Policy Division, Taxation Division, Financial Services Division, Information Services

Public Works Division

- Corporate Facilities Management, Traffic Signals and Systems Section, Parks and Cemeteries Operations, Landscape Architectural Services, Operations and Maintenance

The feedback received is outlined in two sections. The first section contains general comments and feedback from departments/divisions. This is followed by feedback related to specific sections of the report, including concerns, and requested changes and clarification.

General

General comments about the regulation from the various departments are as follows:

Public Health - There are no concerns or comments.

City Manager's Office and Corporate Services Department

The regulation as proposed addresses concerns raised in earlier drafts. It is now clearer that the requirements to meet the standards can be addressed at the time of new development or redevelopment. This standard also addresses the concern raised previously about the significant cost implications that would result with a standard for sidewalk width that exceeds our current standard, as the standard proposed matches the City's current standard. The only area of concern relates generally to the costs related to implementing all of the required standards, including the Transportation, Employment, Information and Communications Standards and the Customer Service Standards, and the need to ensure compliance with all of these requirements.

Energy Fleet and Facilities Division, Public Works

The Energy, Fleet and Facilities Division of Public Works noted a concern that there is minimal information available about the remainder of the Built Environment Standard. They also expressed a concern that, without prescriptive requirements in place, misinterpretations can occur during consultation as required by the standards.

Community Services

In Community Services, there were no major impacts noted from the perspective of the Lodges, Social Development and Early Childhood Services, Ontario Works or Housing. Many of the requirements of this standard that would be need to be considered by these divisions, such as accessible playground equipment, accessible service counters and parking are already in place. With respect to Housing, it is expected that if and when there is any new construction or renovation, there may be additional construction costs relating to meeting these standards which would be included in the funding proposals of the housing providers, and would become a regular part of the business/tenders.

The Recreation Division – Capital Program and Compliance section noted that, as this proposed standard applies to new and/or redeveloped spaces, there are no concerns with the new standard. The previous draft, as it did not specify that it would only apply to new and redeveloped spaces, gave the impression that all existing buildings would need to meet new standards. This is no longer the case, with this proposed standard.

There should not be a large impact in regards to the Recreation capital group or the capital plan. The proposed standard was reviewed against the City's Barrier Free Design Guidelines (BFDG) and in some cases, the BFDG standard we follow currently is greater than what is expected from the new Proposed Accessibility Standards for the Built Environment - Design of Public Spaces. Therefore, it will not be difficult to implement the new standard. In terms of the capital plan, accessibility is already an important consideration in all new and redeveloped space projects so no impacts should result, provided we are diligent in ensuring we include accessibility considerations in the planning and implementation of all projects.

They also noted that the timelines appear to be reasonable, providing an opportunity to ensure the new standards are included in plans for new developments and redevelopments. However, there is a need to audit all of the existing recreation portfolio (some have been done) to ensure that as projects come up for redevelopment, the accessibility requirements have already been identified and will be included in the plan. In addition, this information is important to identify where the greatest need is to ensure there are some fully accessible facilities in each community. This will possibly affect the capital strategic plan, but will ensure that the standards can be met at the time of redevelopment of existing facilities.

The exceptions noted for Recreation Trails and Beach Access Routes as well as Exterior Paths of Travel are positive because they address culturally significant areas, heritage conservation, endangered species, etc. to allow reductions in size where it is not practicable to comply with the requirements. This helps to meet accessibility needs while still meeting environmental and heritage needs.

Definitions

Staff have noted the need for definitions for or clarification of the following terms/concepts:

- **Section 80.1** – There should be a definition for “slip-resistant surface”. (Growth Management Division)
- **Section 80.1** - The definition for “redeveloped” includes the terms *significant* or *substantial*. These terms can often be misinterpreted; consideration should be given to providing some additional direction with respect to what may constitute “significant” or “substantial”. (Planning Division; Corporate Facilities Management)
- **Section 80.8(2)a** – Describes signage requiring “high colour contrasted with its background” – this should be defined. (Corporate Facilities Management)
- **Section 80.9 (1)ii** - Technical Requirements for Beach Access Routes refers to ensuring that new and redeveloped beach accesses allow sufficient width to allow people using mobility aids to turn around. It would be helpful to proscribe what the turning radius or clear width is, as mobility aids vary in size. (Corporate Facilities Management)
- **Sections 80.14, 80.30** - Further clarification should be provided on what would constitute “erode the heritage attributes”. This seems ambiguous and may be subject to challenge. (Tourism and Culture Division)
- **Section 80.23(1)** – Describes the concentrated load values of handrails and supports on ramps and refers to kN – being kilonewtons – suggestion that this definition be included in the definition section rather than the middle of the regulation. (Corporate Facilities Management)
- **Section 80.24** – Refers to “tactile walking surface” although there is no definition explaining what a tactile walking surface is. (Growth Management Division)

Recreational Trails and Beach Access Routes, General

Sections 80.8(1) and 80.8(3) - Technical Requirements for Trails

Subsection (1) indicates that signage providing information regarding the length of trail, type of surface, average minimum trail width, average running slope, and location of amenities is required. Subsection (3) indicates that where other media is used to provide information about a recreational trail, such as websites or brochures, the media must provide the same information as list in subsection (1). It is unclear as to whether the signage noted in subsection (1) is required in all cases, with the possibility of other media being used as supplementary information or if subsection (3) is provided as an alternative to the signage required in subsection (1). The intent of these two clauses is not clear. (Landscape Architectural Services)

Landscape Architectural Services is in agreement with the technical design requirements outlined in the proposed Accessibility Standards for the Built Environment. The proposed standards are in keeping with the City of Hamilton's Barrier Free Design Guidelines, which we have been incorporating into all park and trail designs since 2006, where environmentally possible. The proposed standard allows for flexibility of design approach depending on site characteristics and does not represent significant financial implications. (Landscape Architectural Services) It is also noted that, in implementing the consultation required for recreational trails, expectations for consultations and who will be consulted, both internally and externally, will need to be addressed in a consistent manner, as well as developing consistent tracking methods. (Corporate Facilities Management)

Subsection 80.8(1)8.v. states that a Recreational Trail must at its start signage provide the following information: "*the location of amenities, where provided*". If the intent of this is to provide a general overview of the location of amenities that are associated with the trail, that intent should be clear. The regulation should ensure that there is flexibility with how the information is conveyed and disseminated to trail users, so that it may be cost-effective to municipalities and that it is not confusing to trail users. (Planning Division)

Section 80.8 – Some of our pond access roads are connected to trails and should be designed to similar standards. (Growth Management Division)

Section 80.14.2 - Natural Heritage Planning Staff are supportive of the exceptions to trail and beach access routes where it is demonstrated that the requirements would affect natural habitats for extirpated, endangered or threatened species as classified under the Endangered Species Act, 2007. (Planning Division)

Section 80.14.2 - Cultural Heritage Planning Staff are supportive of the exceptions to trail and beach access routes, and exterior paths of travel, where it is demonstrated that the requirements would erode the heritage attributes, as defined under the Ontario

Heritage Act, of a property. However, further clarification on what would constitute “erode the heritage attributes” is desirable. There is a concern that the this standard is ambiguous and subject to challenge. (Planning Division)

Sections 80.13 and 80.14 - The Tourism and Culture Division are pleased to see an exception allowed if the requirements of the standard as it relates to recreational trails and beach access routes would erode the heritage attributes of a property.

It is recommended that the regulation be amended to recognize as an allowable exception properties and features that are subject to a conservation easement between the property owner and the Ontario Heritage Trust. Conservation easements are voluntary legal agreements between heritage property owners and the Ontario Heritage Trust (the Ontario Heritage Trust is the Province's lead heritage agency) that protect significant features of a property. The terms of the easement are registered on the property title and apply to the easement donor and all future owners of the property. Easements allow the Trust to protect a heritage site without owning it. The objective of an easement is to preserve the heritage character and fabric of a property and to ensure good stewardship in the long term. Without a conservation easement in place, the heritage value of a significant heritage building or natural heritage property can either be altered in a way that is not in keeping with accepted heritage conservation practices, or it can be irretrievably lost. An easement agreement will determine the terms and conditions for any alterations that occur on a protected property. In addition, should you sell or bequeath your property, the easement agreement runs with the title and your heritage property is preserved in perpetuity. The Trust then monitors the site to ensure that the original terms of the easement are being observed.

The Ontario Heritage Act empowers municipalities to protect heritage properties using heritage designation by-laws. Municipal designation, however, cannot prevent demolition or loss due to neglect. A conservation easement is stronger, more comprehensive and more flexible than a designation. It is a private agreement registered on title to a heritage property. It ensures that the heritage property is prudently maintained and adequately insured. It also ensures adequate demolition control. Easements are also specific to suit the unique heritage character of the resource it protects. (Tourism and Culture Division)

Outdoor Public Use Eating Areas

No concerns or feedback provided.

Outdoor Play Spaces

Section 80.19 - Concern was raised about the possibility of slowing down the process of getting tenders out related to the consultation requirements with the accessibility advisory committee, the public and persons with disabilities. (Parks and Cemeteries Operations)

Exterior Paths of Travel

Section 80.22 When the original draft of the Built Environment Standard was provided for review, the proposed sidewalk width was, in some instances, 1.8 metres. This proposed standard required that the sidewalk width (exterior path of travel) will need to be 1.5 metres, which is the City's current standard for new/redeveloped sidewalks. There are no concerns with this new proposed standard as it matches the City's current standard. (Public Works)

Section 80.22 – The City's standards for sidewalks may need revisions to comply with the proposed standards. The California style ramp for example should specify 2% cross fall. (Planning and Development Growth Management Division)

Section 80.27 Accessible Pedestrian Signals (APS)

With respect to the Accessible Pedestrian Signals, the standards being proposed are not the same as the current City Standard. The Council-approved standard for APS reflects the Transportation Association of Canada (TAC) Guide and is supported by the Advisory Committee for Persons with Disabilities. There is no reference to the TAC standard. The TAC standard has been approved to be used nationally and is being applied by most Municipalities.

Sub-section (2) 2. indicates APS must be installed within 1,500 mm of edge of curb. This contravenes the TAC guide requiring 3,000 mm from edge of curb. Placing poles within 1,500 mm may not be as practical as it could be within the sloped section of sidewalk leading to the crosswalk.

Sub-section (3) requiring a minimum distance of 3,000 mm between two separate pushbutton assemblies, may not always be feasible due to geometry and underground utilities, but this is addressed in sub-section (4).

Sub-section (4) seems to refer to an audible (verbal) indication where the above 3,000 mm minimum cannot be maintained; however, it is unclear as to what verbal announcement is recommended and how it is distinguished from the perpendicular direction. The TAC standard requires unique audible signals (sounds) for each of the directions so that east-west crossings (Canadian Melody) are distinguishable from north-south crossings (Cuckoo sound).

Hamilton's Advisory Committee for Persons with Disabilities has already supported, and in fact contributed to, the use of the TAC guide to implementing APS crossings.

It is recommended that the Transportation Association of Canada guideline for "Understanding, Use and Implementation of Accessible Pedestrian Signals" be identified as a recognized guide for Accessible Pedestrian Signal implementation. It is recommended that the Design for Public Spaces Standard (Built Environment Standard) either be amended to reflect the TAC guideline as the required standard, or that the

standard be amended to conform to the TAC guideline in all details. (Traffic Signals and Systems Section)

Sections 80.29 and 80.30 - The proposed standard contains allowable exceptions requirements for Exterior Paths of Travel which is beneficial to the municipality. One of the exceptions is if the requirements would erode heritage attributes as defined under the Ontario Heritage Act.

It is recommended that the regulation be amended to recognize as an allowable exception properties and features that are subject to a conservation easement between the property owner and the Ontario Heritage Trust. Conservation easements are voluntary legal agreements between heritage property owners and the Ontario Heritage Trust (the Ontario Heritage Trust is the Province's lead heritage agency) that protect significant features of a property. The comments and recommendation to add conservation easements to the allowable exemptions and rationale noted above are similar in the case of Exterior Paths of Travel. (Tourism and Culture Division)

Accessible Parking

Section 80.35 – The proposed standard deals with the Minimum Number and Type of Accessible Parking Spaces. In reviewing By-law 05-200 specifically, the General Provision Section 5.5 "Barrier Free Parking Spaces" requires a minimum number of parking spaces which is much less than what is being proposed in this standard. As a result, Section 5.5 of By-law 05-200 will need to be amended accordingly. An example is that for a parking lot with 500 spaces the proposed accessibility standards require 4% to be barrier free which equals 20 spaces. For By-law 05-200, a parking lot with 500 spaces would require a minimum of 6 spaces. (Growth Management Division)

Sections 80.31 to 80.36 – Comments from the Parking and By-law Services Division note that, in general, many of the requirements of these sections are not currently met in either our parking lots or at on-street parking meters. In Hamilton, this has been addressed for a very long time by offering free parking to those with accessible parking permits, in both our lots and on-street. These regulations provide a standard, including requirements for ramps, walkways, adequate landing areas, etc. on our lots and around the ticket machines, which our current facilities would not meet. Section 80.37(2) notes requirements if the City designates accessible parking spaces on-street. The City currently does not have designated accessible parking spaces on-street, but the City does offer free parking at any parking meter on-street for people with an accessible parking permit. Should the City be required to convert our parking facilities to meet these new standards, capital costs would be high and there would be a loss of revenues as there would likely be a loss of parking spaces in order to comply.

However, Section 80.31 states that the Accessible Parking standards apply to all "new and redeveloped off-street parking facilities". Based on this, the costs and revenue losses would be limited to the City.

Regarding the section on the number and size of parking stalls, we do not currently comply with these recommendations but could certainly do so with limited impacts. A specific work plan would have to be developed to ensure this it could be accomplished with limited impact. This is dependent on the regulation being implemented for new and redeveloped off-street parking facilities. (Parking and By-law Services Division)

Obtaining Services (Service Counters, Fixed Queuing Areas and Waiting Areas)

Section 80.39 Service Counters – the standard is not prescriptive enough; there are sometimes conflicting opinions about the features of an accessible service counter. One option would be to make this more prescriptive, either in this standard or add it to the Ontario Building Code. (Corporate Facilities Management)

Design of Public Spaces Standards Maintenance

Section 80.42 - this standard requires that multi-year accessibility plans include procedures to ensure that there is both preventative and emergency maintenance of all accessible elements in public spaces, and that there is a procedure in place to address temporary disruptions to accessibility features. This may cause budget pressures going forward as new requirements in the regulation will have to be maintained (i.e. restoring trails along water ways will now require curbs/railings where they would not have been previously). The costs are variable, depending on locations and requirements for specific situations. (Parks and Cemeteries Operations)

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The proposed Regulation contains several amendments to existing clauses in O. Reg. 119/11 (Integrated Accessibility Standard). In addition, it proposed a new section, referred to as the Design of Public Spaces Standards (Accessibility Standards for the Built Environment).

The first section contains proposed amendments to existing clauses in O. Reg. 119/11 (Integrated Accessibility Standard) which primarily provide minor wording changes for clarity, including definitions, allowing for joint accessibility plans between two or more public sector organizations, libraries of educational and training institutions, the provision of the Employment Standards and the Transportation Standards. The change to the Employment Standards has no impact on the City; it contains a wording amendment to the requirement to consult with employees with disabilities should they need information and communications in alternate formats, on request.

The changes to the Transportation Standards have no impact on the Hamilton Street Railway or Accessible Transit Services and are considered reasonable. The changes

remove a section of the previous regulation that may have required verbal on-board announcements of stops, even with an electronic system of on-board announcements of stops operating. The second change to the Transportation Standard changes the wording of Courtesy seating to Priority Seating on conventional transit. The City of Hamilton complies with the proposed revised wording as HSR offers both Priority seating and Courtesy seating (clearly indicated by signage on all buses):

- 1) Priority seating – for persons with a disability including those persons with a physical disability who require the use of a walker or cane; and,
 - 2) Courtesy seating – for persons who may require assistance, such as seating closer to the front of the bus – i.e. seniors, parents with young children, pregnant women
- The final change to the Transportation Standard ensures that consultation with an agency which has an existing contract with the municipality for the construction of bus stops and shelters does not have an advantage with respect to bidding for new contracts with the municipality in the future.

The remainder of the proposed Standard is the Design of Public Spaces Standards (Accessibility Standards for the Built Environment). Comments, concerns, impacts and feedback have been detailed in the Relevant Consultation section above.

Overall, many of the concerns about earlier drafts have been addressed. One of the major concerns previously was the requirement for a wider sidewalk under some circumstances. The proposed standard now being considered requires a 1.5 metre sidewalk width; the standard currently used by the City. In addition, it is now clear that this standard applies to new development or redevelopment, and does not require a plan to upgrade every existing public space in a set timeframe. Redevelopment is defined as being “planned significant or substantial changes to public spaces”.

Many of the requirements are consistent with the City of Hamilton Barrier Free Guidelines; revisions to the guidelines are planned and can incorporate any changes and additions that would be required to ensure compliance with the proposed regulation. Some of our policy documents such as Zoning By-law 05-200 will need to be updated for consistency. However, the timelines for implementation, requiring the changes to come into effect by January 1, 2016, seems reasonable both to update policy documents, and to include the new standards into plans for new development and redevelopment by January 1, 2016.

There are some areas where further definitions or greater clarity would be beneficial. Also, the standard proposed for the Accessible Pedestrian Signals should be amended to conform to the Traffic Association of Canada guideline for "Understanding, Use and Implementation of Accessible Pedestrian Signals". In addition, there is a request to include Conservation Easements with the Ontario Heritage Trust as one of the allowable exemptions to the regulations in the case of exterior paths of travel and recreational trails and beach access.

All changes recommended and comments about lack of clarity are summarized in Appendix A.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

The option to this report would be to not make any comments to the Province. Once approved, there are limited if any alternatives to implementing the standard. The Ministry of Community and Social Services have set out a compliance framework in the Integrated Accessibility Standard and compliance activities are underway at the Province. The compliance program at the present time includes fines for non-compliance for regulations under the AODA ranging from \$500 penalty for a minor contravention with a minor contravention history up to a maximum daily penalty of \$100,000.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Skilled, Innovative & Respectful Organization

- ◆ A culture of excellence
- ◆ A skilled, adaptive and diverse workforce, i.e. more flexible staff
- ◆ More innovation, greater teamwork, better client focus
- ◆ An enabling work environment - respectful culture, well-being and safety, effective communication
- ◆ Council and SMT are recognized for their leadership and integrity

The draft amendment to the Integrated Accessibility Standard of the Accessibility for Ontarians to implement the Built Environment Standard will be consistent with a culture of excellence and a respectful work environment, supportive of a diverse workforce and better client focus, as well as providing opportunities for leadership. The implementation of the Integrated Accessibility Standard of the Accessibility for Ontarians with Disabilities Act, 2005 will assist employees in better serving the needs of and providing appropriate tools for serving people with disabilities, and will further support employees with disabilities.

Financial Sustainability

- ◆ Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner
- ◆ Address infrastructure deficiencies and unfunded liabilities

The draft amendment to the Integrated Accessibility Standard of the Accessibility for Ontarians to implement the Built Environment Standard will require the City to ensure that any new or renovated public spaces and infrastructure will meet the accessibility needs of our community members and will allow for cost effective implementation of accessibility improvements.

Intergovernmental Relationships

- ◆ Influence federal and provincial policy development to benefit Hamilton
- ◆ Acquire greater share of Provincial and Federal grants (including those that meet specific needs)

The proposed recommendations seeks financial support from both the Federal and Provincial governments in assisting municipalities in meeting the requirements of the accessibility regulations.

Growing Our Economy

- ◆ Competitive business environment
- ◆ A skilled and creative labour pool that supports new employers
- ◆ An improved customer service
- ◆ A visitor and convention destination

The draft amendment to the Integrated Accessibility Standard of the Accessibility for Ontarians to implement the Built Environment Standard will be provide opportunities for business improvements in serving community members with disabilities, recognizing the buying power of people with disabilities, improving services for community members with disabilities and providing opportunities to attract visitors with disabilities

Social Development

- ◆ Residents in need have access to adequate support services
- ◆ People participate in all aspects of community life without barriers or stigma

The draft amendment to the Integrated Accessibility Standard of the Accessibility for Ontarians to implement the Built Environment Standard will further the work being done to ensure that community members with disabilities are supported in ways that meet

their needs, ensure independence and dignity and allow them to fully participate in the life of the community.

Healthy Community

- ◆ Plan and manage the built environment
- ◆ An engaged Citizenry
- ◆ Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services)

The draft amendment to the Integrated Accessibility Standard of the Accessibility for Ontarians to implement the Built Environment Standard will assist with ensuring an accessible built environment in Hamilton, allowing for improved engagement and participation of people with disabilities as well as full access to needed services.

APPENDICES / SCHEDULES

Appendix "A" to Report FCS12073a - Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard (City Wide) – City of Hamilton Comments

Appendix B to Report FCS12073a - Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard (City Wide) – Draft regulation

Proposed Design of Public Spaces Standards (Accessibility Standards for the
Built Environment)
Amendment to O. Reg. 191/11 (Integrated Accessibility Standards)
under the Accessibility for Ontarians with Disabilities Act, 2005

City of Hamilton Comments
September, 2012

1. Recommended Changes to the Regulation

Definition Section

- a. **Section 80.1** – There should be a definition for “slip-resistant surface”.
- b. **Section 80.1** - The definition for “redeveloped” includes the terms *significant* or *substantial*. These terms can often be misinterpreted; consideration should be given to providing some additional direction with respect to what may constitute “significant” or “substantial”.
- c. **Section 80.8(2)(a)** – Describes signage requiring “high colour contrasted with its background” – this should be defined.
- d. **Section 80.9 (1)ii** - Technical Requirements for Beach Access Routes refers to ensuring that new and redeveloped beach accesses allow sufficient width to allow people using mobility aids to turn around. It would be helpful to proscribe what the turning radius or clear width is, as mobility aids vary in size.
- e. **Sections 80.14, 80.30** - Further clarification should be provided on what would constitute “erode the heritage attributes”. This seems ambiguous and may be subject to challenge.
- f. **Section 80.23(1)** – Describes the concentrated load values of handrails and supports on ramps and refers to kN – being kilonewtons – suggestion that this definition be included in the definition section rather than the middle of the regulation
- g. **Section 80.24** – Refers to “tactile walking surface” although there is no definition explaining what a tactile walking surface is.

Section 80.27 Accessible Pedestrian Signals (APS)

It is recommended that the Transportation Association of Canada guideline for “Understanding, Use and Implementation of Accessible Pedestrian Signals” be identified as a recognized guide for Accessible Pedestrian Signal implementation. It is recommended that the Design for Public Spaces Standard (Built Environment Standard) either be amended to reflect the TAC guideline as the required standard, or that the standard be amended to conform to the TAC guideline in all details.

Sections 80.13 and 80.14

Sections 80.29 and 80.30

It is recommended that the regulation be amended to recognize as an allowable exception properties and features that are subject to a conservation easement between the property owner and the Ontario Heritage Trust.

2. Sections that are not clear, where changes are required to ensure clarity

For the most part the proposed standard is clear and understandable. The following are sections where greater clarity would assist:

Sections 80.8(1) and 80.8(3) - Technical Requirements for Trails

Subsection (1) indicates that signage providing information regarding the length of trail, type of surface, average minimum trail width, average running slope, and location of amenities is required. Subsection (3) indicates that where other media is used to provide information about a recreational trail, such as websites or brochures, the media must provide the same information as list in subsection (1). It is unclear as to whether the signage noted in subsection (1) is required in all cases, with the possibility of other media being used as supplementary information or if subsection (3) is provided as an alternative to the signage required in subsection (1). The intent of these two clauses is not clear.

Subsection 80.8(1)8.v. states that a Recreational Trail must at its start signage provide the following information: *“the location of amenities, where provided”*. If the intent of this is to provide a general overview of the location of amenities that are associated with the trail, that intent should be clear. The regulation should ensure that there is flexibility with how the information is conveyed and disseminated to trail users, so that it may be cost-effective to municipalities and that it is not confusing to trail users.

Section 80.14.2 – This section notes exceptions to trail and beach access routes, and exterior paths of travel, where it is demonstrated that the requirements would erode the heritage attributes, as defined under the Ontario Heritage Act, of a property. However, further clarification on what would constitute “erode the heritage attributes” is desirable. There is a concern that this standard is ambiguous and subject to challenge.

Section 80.39 Service Counters – the standard is not prescriptive enough; there are sometimes conflicting opinions about the features of an accessible service counter. One option would be to make this more prescriptive, either in this standard or add it to the Ontario Building Code.

3. What will be some of the potential negative or positive effects on our organization?

The overall premise and principles of the AODA and the final implementation will have a positive impact on our ability to service the public in a more universal way which is very positive.

The costs of coordination, development and roll out are high tapping resources (financial, material, staff) that are not necessarily available currently. The Province should provide financial assistance for the implementation of the standards.

Disclaimer:

This draft regulation is provided solely to facilitate public consultation under subsection 39 (4) of the Accessibility for Ontarians with Disabilities Act, 2005. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of both language versions of the draft regulation are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

**Ontario Regulation
made under the
Accessibility for Ontarians with Disabilities Act, 2005
Amending O. Reg. 191/11 (Integrated Accessibility Standards)**

Note: Ontario Regulation 191/11 has not previously been amended.

1. Subsection 1 (1) of Ontario Regulation 191/11 is revoked and the following substituted:

Purpose and application

(1) This Regulation establishes the accessibility standards for each of information and communications, employment, transportation and the design of public spaces.

2. Section 2 of the Regulation is amended by adding the following definition:

“**mobility aid**” means a device used to facilitate the transport, in a seated posture, of a person with a disability; (“aide à la mobilité”)

3. (1) Clause 4 (3) (a) of the Regulation is amended by adding “including steps taken to comply with this Regulation” at the end.

(2) Section 4 of the Regulation is amended by adding the following subsections:

(3.1) Two or more designated public sector organizations who are required to comply with the requirements with respect to accessibility plans set out in subsection (1) may prepare a joint accessibility plan.

(3.2) A joint accessibility plan prepared in accordance with subsection (3.1) is deemed to be the accessibility plan of each designated public sector organization to which it applies and subsections (2) and (3) apply, with necessary modifications, where designated public sector organizations prepare a joint accessibility plan.

4. Subsection 18 (1) of the Regulation is revoked and the following is substituted:

Libraries of educational and training institutions

(1) Subject to subsection (2) and where available, the libraries of educational or training institutions that are obligated organizations shall provide, procure or acquire by other means an accessible or conversion ready format of print, digital or multimedia resources or materials for a person with a disability who is a student of the educational or training institute, upon request.

5. (1) Subsection 26 (1) of the Regulation is amended by striking out “consult with the employee to” in the portion before clause (a).

(2) Subsection 26 (2) of the Regulation is amended by adding “In meeting its obligations under subsection (1),” at the beginning.

6. The definition of “mobility aid” in section 33 of the Regulation is revoked.

7. Subsections 49 (1), (2), (3) and (4) of the Regulation are amended by striking out “courtesy seating” wherever it appears and substituting in each case “priority seating”.

8. Section 52 of the Regulation is amended by adding the following subsections:

(3.1) Where a conventional transportation system provider provides electronic on-board announcements under clause (2) (a), the conventional transportation provider is not required to provide the same information verbally under subsection (1).

(4.1) Despite subsection (4), subsection (1) does not apply to subways, light rail, commuter rail and inter-city rail.

9. Clause 53 (1) (c) of the Regulation is amended by striking out “courtesy seating” and substituting “priority seating”.

10. Subsection 56 (1) of the Regulation is amended by striking out “courtesy seating” and substituting “priority seating”.

11. Section 78 of the Regulation is amended by adding the following subsection:

(3.1) Despite subsection (3), a municipality shall limit the participation of the person in the consultation and planning to the extent that is necessary to prevent the person from obtaining an unfair advantage in future bidding for new contracts with the municipality.

12. The Regulation is amended by adding the following Part:

Part IV.1
Design of Public Spaces Standards (Accessibility Standards for the Built
Environment)
Definitions, Application and Schedule

Definitions

80.1 In this Part,

“amenities” mean items that are conveniences or services that are usable by the public, examples of which include drinking fountains, benches and garbage receptacles; (“commodités”)

“beach access routes” means routes that are intended for public pedestrian use and that provide access to a beach recreational level from off-street parking facilities, recreational trails, exterior paths of travel and amenities; (“voie accessible”)

“bevel” means a small slope that helps an individual in a mobility aid negotiate an elevation change; (“biseau”)

“cross slope” means the slope that is perpendicular to the direction of travel; (“pente transversale”)

“in-line ramp” means a ramp that does not change directions; (“rampe en ligne droite”)

“maintenance” means activities meant to keep existing public spaces and elements in existing public spaces in good working order or to restore the spaces or elements to their original condition, for example by painting or through minor repairs; (“entretien”)

“mm” means millimetres; (“millimètre”)

“on-street parking” includes parking spaces located on highways, as defined under the Highway Traffic Act, that provide direct access to shops, offices and other facilities whether or not the payment of a fee is charged; (“stationnement sur rue”)

“off-street parking facilities” includes open area parking lots and structures, such as garages, intended for the temporary parking of vehicles to which the public has access whether or not the payment of a fee is charged and includes visitor parking spaces in parking facilities; (“installations de stationnement hors rue”)

“recreational trails” means public pedestrian trails that are predominately used for recreational and leisure purposes; (“sentier récréatif”)

“redeveloped” means planned significant or substantial changes to public spaces but does not include maintenance activities; (“réaménagement”)

“rest area” means, in respect of a recreational trail, a dedicated level area that allows a person to stop or sit, but does not require seating; (“aire de repos”)

“running slope” means the slope that is parallel to the direction of travel; (“pente”)

“vibro-tactile walk indicators” means pedestrian crossing signal push button devices that vibrate and can be felt through the sense of touch to communicate pedestrian crossing timing in a non-visual way. (“signal de marche vibrotactile”)

Application

80.2(1) Except as otherwise specified, this Part applies to public spaces that are new or redeveloped on and after the dates set out in the schedule in section 80.4 and that are covered by this Part.

- (2) Except as otherwise specified, this Part,
- (a) applies to the Government of Ontario, the Legislative Assembly, designated public sector organizations and large organizations; and
 - (b) does not apply to small organizations.

Slope ratios

80.3 In this Part, the ratios with respect to the slope of something mean that for every one unit of elevation, expressed as the first number in the ratio, the user has the second number in the ratio in length with which to negotiate the one unit of elevation.

Schedule

80.4 Obligated organizations, including small organizations to the extent that specified standards apply to them, shall meet the requirements set out in this Part in accordance with the following schedule:

1. For the Government of Ontario and the Legislative Assembly, January 1, 2015.
2. For designated public sector organizations, January 1, 2016.
3. For large organizations, January 1, 2017.
4. For small organizations, January 1, 2018.

Recreational Trails and Beach Access Routes, General

Trails

80.5 This Part applies to recreational trails, but does not apply to the following types of recreational trails:

1. Trails intended for cross-country skiing, mountain biking, snowmobiling and the use of off-road vehicles.
2. Trails that are not regularly maintained, such as wilderness trails including backcountry trails and portage routes.

Beach access routes

80.6 This Part applies to beach access routes, including permanent and temporary routes and temporary routes that are established through the use of manufactured goods, which can be removed for the winter months.

Consultation, recreational trails

80.7(1) Obligated organizations, other than small organizations, shall consult on the following before they develop new or redevelop existing recreational trails:

1. The slope of the trail.

2. The need for and location and design of,
 - i. rest areas,
 - ii. passing areas,
 - iii. viewing areas, and
 - iv. amenities on the trail.

(2) Obligated organizations, other than small organizations, shall consult on the matters referred to in subsection (1) in the following manner:

1. The Government of Ontario, the Legislative Assembly, designated public sector organizations, other than municipalities, and large organizations must consult with the public and persons with disabilities.
2. Municipalities must consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

Technical Requirements for Recreational Trails

Technical requirements for trails, general

80.8(1) Obligated organizations, other than small organizations, shall ensure that new and redeveloped recreational trails meet the following technical requirements:

1. A recreational trail must have a minimum clear width of 1,000 mm.
2. A recreational trail must have a clear height that provides a minimum head room clearance of 2,100 mm above the trail.
3. The surface of the recreational trail must be firm and stable.
4. Where a recreational trail has openings in its surface,
 - i. the openings must not allow passage of an object that has a diameter of more than 13 mm, and
 - ii. any elongated openings must be orientated approximately perpendicular to the direction of travel.
5. Where the trail is constructed adjacent to water, a recreational trail must be provided with edge protection that meets the following requirements:
 - i. The edge protection must constitute an elevated barrier that runs along the edge of the recreational trail and must prevent users of the trail from slipping over the edge.
 - ii. The top of the edge protection must be at least 50 mm above the trail surface.
 - iii. The edge protection must be designed so as not to impede the drainage of the trail surface.
6. Despite paragraph 5, where there is a handrail of between 865 mm and 965 mm that runs along the edge of the recreational trail that is adjacent to water, edge protection does not have to be provided.
7. The entrance to the recreational trail must provide a clear opening of between 850 mm and 1,000 mm, whether the entrance is a gate, bollard or other entrance design.
8. A recreational trail must have at its start signage that provides the following information:

- i. The length of the trail.
 - ii. The type of surface of which the trail is constructed.
 - iii. The average and the minimum trail width.
 - iv. The average running slope and maximum cross slope.
 - v. The location of amenities, where provided.
- (2) The signage referred to in paragraph 8 of subsection (1) must have text that,
- (a) is high colour-contrasted with its background in order to assist with visual recognition; and
 - (b) has the appearance of solid characters.
- (3) Where other media is used to provide information about a recreational trail, such as websites or brochures, the media must provide the same information as listed in paragraph 8 of subsection (1).

Technical Requirements for Beach Access Routes

Technical requirements for beach access routes, general

80.9 Obligated organizations, other than small organizations, shall ensure that new and redeveloped beach access route designs meet the following technical requirements:

1. The beach access route must have a sufficiently clear width to permit people using mobility aids,
 - i. to access the land portion of a beach where recreation normally occurs, and
 - ii. to turn around.
2. A beach access route must have a clear height that provides a minimum head room clearance of 2,100 mm above the beach access route.
3. The surface of the beach access route must be firm and stable.
4. Where the surface area of the beach access route is constructed, that is where the surface area is not natural, the surface area must meet the following requirements:
 - i. It must have a 1:2 bevel at changes in level between 6 mm and 13 mm.
 - ii. The maximum cross slope of the beach access route must be no more than 1:50.
 - iii. It must have a running slope of between 1:10 and 1:12 at changes in level between 14 mm and 200 mm.
 - iv. It must have a ramp that meets the requirements of section 80.12 where there are changes in level greater than 200 mm.
 - v. Any openings in the surface of the beach access route must not allow passage of an object with a diameter of more than 13 mm.
 - vi. Any elongated openings in the beach access route, such as gratings, must be oriented approximately perpendicular to the direction of travel.
5. The maximum cross slope of the beach access route where the surface is not constructed must be the minimum slope required for drainage.
6. The maximum running slope of the beach access route is 1:10.
7. The entrance to the beach access route must provide a clear opening of between 850 mm and 1,000 mm, whether the entrance is a gate, bollard or other entrance design.

Technical Requirements Common to Recreational Trails and Beach Access Routes

Common technical requirements, general

80.10 Obligated organizations, other than small organizations, shall ensure that new and redeveloped recreational trails and beach access routes meet the technical requirements set out in this Part in respect of boardwalks and ramps.

Boardwalks

80.11 Where a recreational trail or beach access route is equipped with a boardwalk, the boardwalk must meet the following requirements:

1. The boardwalk must have a minimum clear width of 1,000 mm.
2. The boardwalk must have a minimum headroom clearance of 2,100 mm.
3. The boardwalk must be made of firm and stable surface material.
4. The boardwalk must not have any openings in the surface that allow the passage of an object with a diameter of more than 13 mm.
5. The boardwalk must include edge protection that is at least 50 mm in height.
6. If a boardwalk has running slopes that are steeper than 1:20, the running slopes must meet the requirements for ramps set out in section 80.12.

Ramps

80.12 Where a recreational trail or beach access route is equipped with ramps, the ramps must meet the following requirements:

1. Ramps must have a minimum clear width of 900 mm.
2. Ramps must have a minimum headroom clearance of 2,100 mm.
3. Ramps must be made of firm and stable surface material.
4. Ramps must have a maximum running slope of no more than 1:10.
5. Ramps must not have any openings in the surface that allow the passage of an object with a diameter of more than 13 mm.
6. Ramps must be equipped with handrails on both sides of the ramp and the handrails must,
 - i. be continuously graspable along their entire length and have circular cross-section with an outside diameter not less than 30 mm and not more than 40 mm, or any non-circular shape with a graspable portion that has a perimeter not less than 100 mm and not more than 155 mm and whose largest cross-sectional dimension is not more than 57 mm,
 - ii. be not less than 865 mm and not more than 965 mm high, measured vertically from the surface of the ramp, except that handrails not meeting these requirements are permitted if they are installed in addition to the required handrail,
 - iii. be terminated in a manner that will not obstruct pedestrian travel or create a hazard,
 - iv. extend horizontally not less than 300 mm beyond the top and bottom of the ramp, and

v. be provided with a clearance of not less than 50 mm between the handrail and any wall to which it is attached.

7. Where ramps are more than 2,200 mm in width, one or more intermediate handrails which are continuous between landings shall be provided and located so that there is no more than 1,650 mm between handrails; the handrails must meet the requirements set out in paragraph 6.

8. Ramps must have a wall or guard on both sides and where a guard is provided, it must,

i. be not less than 1,070 mm measured vertically to the top of the guard from the ramp surface, and

ii. be designed so that no member, attachment or opening located between 140 mm and 900 mm above the ramp surface being protected by the guard will facilitate climbing.

9. Ramps must have edge protection that is provided,

i. with a curb at least 50 mm high on any side of the ramp where no solid enclosure or solid guard is provided, and

ii. with railings or other barriers that extend to within 50 mm of the finished ramp surface.

10. Ramps must be provided with landings that meet the following requirements:

i. Landings must be provided,

A. at the top and bottom of the ramp,

B. where there is an abrupt change in the direction of the ramp, and

C. at horizontal intervals not greater than nine metres apart.

ii. Landings must be a minimum of 1,670 mm by 1,670 mm at the top and bottom of the ramp and where there is an abrupt change in direction of the ramp.

iii. Landings must be a minimum of 1,670 mm in length and at least the same width of the ramp for an in-line ramp.

iv. Landings must have a cross slope that is not steeper than 1:50.

Exceptions to the Requirements for Recreational Trails and Beach Access Routes

Exceptions, limitations

80.13 Where an exception is provided to a requirement that applies to a recreational trail or a beach access route, the exception applies solely, (a) to the particular requirement for which the exception is allowed and not to any other requirement that applies to the recreational trail or beach access route; and (b) to the portion of the recreational trail or beach access route for which it is claimed and not to the recreational trail or beach access route in its entirety.

Exceptions, general

80.14 Exceptions to the requirements that apply to recreational trails and beach access routes are permitted where obligated organizations, other than small organizations, can demonstrate one or more of the following:

1. The requirements or some of them would erode the heritage attributes, as defined under the Ontario Heritage Act, of a property,
 - i. listed in a municipal register as being of cultural heritage under section 27 of that Act,
 - ii. designated by a municipality as being a property of cultural heritage value or interest under section 29 of that Act,
 - iii. included in a heritage conservation district designated by a municipality under section 41 of that Act,
 - iv. designated by the Minister of Culture under section 34.5 of that Act as a property of cultural heritage value or interest of provincial significance, or
 - v. designated as having national historic significance by the Minister of the Environment for Canada on the advice of the Historic Sites and Monuments Board of Canada.
2. The requirements or some of them would affect natural habitats for extirpated, endangered or threatened species as classified under the Endangered Species Act, 2007.
3. It is not practicable to comply with the requirements or some of them because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where surrounding rocks bordering the recreational trail or beach access route impede achieving the required clear width or where the clear height of the recreational trail or beach access route requirements would result in permanently damaging vegetation growth.

Outdoor Public Use Eating Areas

Outdoor public use eating areas, application

80.15 The requirements in section 80.23 apply to outdoor public use eating areas that consist of tables that are found in public areas, such as in public parks, on hospital grounds and on university campuses.

Outdoor public use eating areas, general requirements

80.16 Obligated organizations, other than small organizations, shall ensure that new and redeveloped outdoor public use eating areas meet the following requirements:

1. A minimum of 20 per cent of the tables that are provided must be accessible to people using mobility aids by having knee and toe clearance underneath the table; in no case, shall there be fewer than one table in an outdoor public use eating area that meets this requirement.
2. The ground surface leading to and under tables that are accessible to people using mobility aids must be level, firm and stable.
3. Tables that are accessible to people using mobility aids must have clear ground space around them that allows for a forward approach to the tables.

Outdoor Play Spaces

Outdoor play spaces, application

80.17 This Part applies to outdoor play spaces that consist of an area that may contain play equipment, such as swings, or features such as logs, rocks, sand or water where the equipment or features are designed to provide play opportunities and experiences for children and caregivers.

Outdoor play spaces, accessibility in design

80.18 Obligated organizations, other than small organizations, shall incorporate accessibility features for children and caregivers with various disabilities into the design of outdoor play spaces when developing new or redeveloping existing play spaces.

Outdoor play spaces, consultation requirements

80.19 When developing new or redeveloping existing outdoor play spaces, obligated organizations, other than small organizations, shall consult on the needs of children and caregivers with disabilities and shall do so in the following manner:

1. The Government of Ontario, the Legislative Assembly, designated public sector organizations, other than municipalities, and large organizations must consult with the public and persons with disabilities.
2. Municipalities must consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

Exterior Paths of Travel

Exterior paths of travel, application

80.20 (1) This Part applies to exterior paths of travel that are outdoor sidewalks or walkways designed for pedestrian travel that serve a functional purpose and are not intended to provide a recreational experience.

(2) This Part does not apply to barrier free paths of travel regulated under Ontario Regulation 350/06 (Building Code) made under the Building Code Act, 1992.

Exterior paths of travel, general obligation

80.21 Obligated organizations, other than small organizations, shall ensure that new and redeveloped exterior paths of travel meet the requirements set out in this Part.

Exterior paths of travel, technical requirements

80.22 When developing new or redeveloping existing exterior paths of travel obligated organizations, other than small organizations, shall ensure that new and redeveloped exterior paths of travel meet the following requirements:

1. The surface must be firm and stable.
2. The surface must be slip resistant.

3. The exterior path must have a clear width of 1,500 mm, but this clear width can be reduced to 1,200 mm where the exterior path connects with a curb ramp.
4. Where the head room clearance is less than 2,100 mm over a portion of the exterior path, a rail or other barrier with a leading edge that is cane detectable must be provided around the object that is obstructing the head room clearance.
5. The maximum running slope of the exterior path must be no more than 1:20, but where the exterior path is a sidewalk, it can have a slope of greater than 1:20 but it cannot be steeper than the slope of the adjacent roadway.
6. The maximum cross slope must be no greater than 1:50.
7. Where there are changes in level, the exterior path must,
 - i. include a maximum bevel of 1:2, where the change is between 6 mm and 13 mm,
 - ii. include a 1:8 to a 1:10 slope, where the change is between 14 mm and 74 mm,
 - iii. include a 1:10 to a 1:12 slope, where the change is between 75 mm and 200 mm, and
 - iv. include a ramp that meets the requirements of section 80.23, where the change is greater than 200 mm.
8. Gates, bollards and other entrance designs must provide a minimum clear opening of 850 mm.
9. Where an exterior path has openings in its surface,
 - i. the openings must not allow passage of an object that has a diameter of more than 13 mm, and
 - ii. any elongated openings, such as a grating, must be oriented approximately perpendicular to the direction of travel.

Exterior paths of travel, ramps

80.23(1) Where exterior paths of travel are equipped with ramps, the ramps must meet the following requirements:

1. Ramps must be made of firm and stable material.
2. Ramps must have a slip-resistant surface.
3. Ramps must have a minimum clear width of 900 mm.
4. Ramps must have a maximum running slope of no more than 1:15.
5. Landings must be provided,
 - i. at the top and bottom of a ramp,
 - ii. where there is an abrupt change in direction on the ramp, and
 - iii. at horizontal intervals not greater than nine metres apart.
6. Landings must meet the following requirements:
 - i. Landings must be a minimum of 1,670 mm by 1,670 mm at the top and bottom of the ramp and where there is an abrupt change in direction on the ramp.
 - ii. Landings must be a minimum of 1,670 mm in length and at least the same width of the ramp for an in-line ramp.
 - iii. Landings must have a cross slope that is not steeper than 1:50.
7. Handrails must be included on both sides of the ramp and must,
 - i. be continuously graspable along their entire length and have circular cross-section with an outside diameter not less than 30 mm and not more than 40 mm,

- or any non-circular shape with a graspable portion that has a perimeter not less than 100 mm and not more than 155 mm and whose largest cross-sectional dimension is not more than 57 mm,
 - ii. be not less than 865 mm and not more than 965 mm high, measured vertically from the surface of the ramp, except that handrails not meeting these requirements are permitted provided they are installed in addition to the required handrail,
 - iii. be terminated in a manner that will not obstruct pedestrian travel or create a hazard,
 - iv. extend horizontally not less than 300 mm beyond the top and bottom of the ramp,
 - v. be provided with a clearance of not less than 50 mm between the handrail and any wall to which it is attached, and
 - vi. be designed and constructed such that handrails and their supports will withstand the loading values obtained from the non-concurrent application of a concentrated load not less than 0.9 kN applied at any point and in any direction for all handrails and a uniform load not less than 0.7 kN/metre applied in any direction to the handrail.
8. Where ramps are more than 2,200 mm in width, one or more intermediate handrails which are continuous between landings shall be provided and located so that there is no more than 1,650 mm between handrails; the handrails must meet the requirements set out in paragraph 7.
9. Ramps must have a wall or guard on both sides and where a guard is provided, it must,
- i. be not less than 1,070 mm measured vertically to the top of the guard from the ramp surface, and
 - ii. be designed so that no member, attachment or opening located between 140 mm and 900 mm above the ramp surface being protected by the guard will facilitate climbing.
10. Ramps must have edge protection that is provided, i. with a curb at least 50 mm high on any side of the ramp where no solid enclosure or solid guard is provided, and
- ii. with railings or other barriers that extend to within 50 mm of the finished ramp surface.

(2) In this section,
“kN” means kilonewtons.

Exterior paths of travel, stairs

80.24 Where stairs are provided on exterior paths of travel, they must meet the following requirements:

1. Stairs must have uniform risers and runs in any one flight.
2. The rise between successive treads must be between 125 mm and 180 mm.
3. The run between successive steps must be between 280 mm and 355 mm.
4. The stairs must have closed risers.

5. The maximum nosing projection on a tread must be no more than 38 mm, with no abrupt undersides. That is, the undersides should be bevelled for example to avoid an individual from tripping.
6. Stairs must have high colour contrast markings that extend the full tread width of the leading edge of each step.
7. Stairs must be equipped with tactile walking surface indicators that are built in or applied to the walking surface and that warn individuals who are visibly impaired of hazards, such as a change in elevation. The tactile walking surfaces must,
 - i. be located at the top of all flights of stairs, and
 - ii. extend the full tread width to a minimum depth of 610 mm commencing one tread depth from the edge of the top step.
8. Handrails must be included on both sides of stairs and must satisfy the requirements set out in paragraph 7 of subsection 80.23 (1).
9. A guard must be provided that is not less than 920 mm, measured vertically to the top of the guard from a line drawn through the outside edges of the stair nosings and 1,070 mm around the landings, is required on each side of a stairway where the difference in elevation between ground level and the top step is more than 600 mm but, where there is a wall, a guard is not required on that side.
10. Where stairs are more than 2,200 mm in width, one or more intermediate handrails that are continuous between landings must be provided and located so there is no more than 1,650 mm between handrails. The handrails must satisfy the requirements set out in paragraph 7 of subsection 80.23 (1).

Exterior paths of travel, curb ramps

80.25(1) Where curb ramps are provided on exterior paths of travel, they must align with the direction of travel and meet the following requirements:

1. Curb ramps must have a minimum clear width of 1,200 mm, exclusive of any flared sides.
 2. The running slope of curb ramps must,
 - i. be 1:8 to 1:10, where elevation is less than 75 mm, and
 - ii. be 1:10 to 1:12, where elevation is greater than 75 mm and less than 200 mm.
 3. The maximum cross slope of curb ramps must be no more than 1:50.
 4. The maximum slope on the flared side of a curb ramp must be no more than 1:10.
 5. Where curb ramps are provided at pedestrian crossings, they must have tactile walking surface indicators that,
 - i. are located at the bottom of the curb ramp,
 - ii. are set back between 150 mm and 200 mm from the curb edge,
 - iii. extend the full width of the curb ramp, and
 - iv. are a minimum of 610 mm in depth.
- (2) For the purposes of this section, curb ramps are ramps that are cut through a curb or that are built up to a curb.

Exterior paths of travel, depressed curbs

80.26(1) Where depressed curbs are provided on exterior paths of travel, they must meet the following requirements:

1. Depressed curbs must have a maximum running slope of 1:20.
2. Depressed curbs must be aligned with the direction of travel.
3. Where depressed curbs are provided at pedestrian crossings, they must have tactile walking surface indicators that,
 - i. are located at the bottom portion of the depressed curb that is flush with the roadway,
 - ii. are set back between 150 mm and 200 mm from the curb edge, and
 - iii. are a minimum of 610 mm in depth.

(2) For the purposes of this section, depressed curbs are seamless gradual slopes at transitions between sidewalks and walkways and highways, and are usually found at intersections.

Exterior paths of travel, accessible pedestrian signals

80.27(1) Where new pedestrian signals are being installed at pedestrian street crossings or existing pedestrian signals are being replaced, they must be pushbutton-integrated accessible pedestrian signals.

(2) Pushbutton-integrated accessible pedestrian signals must meet the following requirements:

1. They must have a locator tone that is distinct from a walk indicator tone.
2. They must be installed within 1,500 mm of the edge of the curb.
3. They must be mounted at a maximum of 1,100 mm above ground level.
4. They must have tactile arrows that align with the direction of crossing.
5. They must include both audible and vibro-tactile walk indicators.

(3) Where two pushbutton assemblies are installed on the same corner, they must be a minimum of 3,000 mm apart.

(4) Where the requirements in subsection (3) cannot be met because of site constraints or existing infrastructure, two pushbutton assemblies can be installed on a single post, and when this occurs, a verbal announcement must clearly state which crossing is active.

Exterior paths of travel, rest areas

80.28 When developing new or redeveloping exterior paths of travel, obligated organizations, other than small organizations, shall consult on the design and placement of rest areas along the path of travel and shall do so in the following manner:

1. The Government of Ontario, the Legislative Assembly, designated public sector organizations, other than municipalities, and large organizations must consult with the public and persons with disabilities.
2. Municipalities must consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

Exceptions, limitations

80.29 Where an exception is provided to a requirement for an exterior path of travel, the exception applies solely,
(a) to the particular requirement for which the exception is allowed and not to any other requirement that applies to the exterior path; and
(b) to the portion of the exterior path for which it is claimed and not to the exterior path in its entirety.

Exceptions, general

80.30 Exceptions to the requirements that apply to exterior paths of travel are permitted where obligated organizations, other than small organizations, can demonstrate one or more of the following:

1. It is not practicable to comply with the requirements or some of them because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where increasing the width of the exterior path would narrow the width of the adjacent highway or locating an accessible pedestrian signal poles within 1,500 mm of curb edge is not feasible because of existing underground utilities.
2. The requirements of this Part or some of them would erode the heritage attributes, as defined under the Ontario Heritage Act, of a property,
 - i. listed in a municipal register as being of cultural heritage under section 27 of that Act,
 - ii. designated by a municipality as being a property of cultural heritage value or interest under section 29 of that Act,
 - iii. included in a heritage conservation district designated by a municipality under section 41 of that Act,
 - iv. designated by the Minister of Culture under section 34.5 of that Act as a property of cultural heritage value or interest of provincial significance, or
 - v. designated as having national historic significance by the Minister of the Environment for Canada on the advice of the Historic Sites and Monuments Board of Canada.

Accessible Parking

Application

80.31 All obligated organizations, including small organizations, shall ensure that all new and redeveloped off-street parking facilities meet the requirements set out in this Part.

Exception

80.32(1) The requirements in respect of off-street parking facilities do not apply to off-street parking facilities that are used exclusively for one of the following:

1. Parking for employees.
2. Parking for buses.
3. Parking for delivery vehicles.
4. Parking for law enforcement vehicles.
5. Parking for medical transportation vehicles, such as ambulances.

6. Parking used as a parking lot for impounded vehicles.

(2) The requirements in respect of off-street parking facilities do not apply to those off-street parking facilities that are not located on a barrier-free path of travel, regulated under Ontario Regulation 350/06 (Building Code) made under the Building Code Act, 1992 where obligated organizations have multiple off-street parking facilities on a single site that serve a building or facility.

Types of accessible parking spaces

80.33 Off-street parking facilities must provide the following two types of accessible parking spaces:

1. Type A, a wider parking space which has a minimum width of 3,400 mm and signage that identifies the space as “van accessible”.
2. Type B, a standard parking space which has a minimum width of 2,400 mm.

Access aisles

80.34(1) Access aisles is the space between parking spaces that allows people with disabilities to transfer to and from vehicles, must be provided for all accessible parking spaces in off-street parking facilities.

(2) Access aisles may be shared by two accessible parking spaces in an off-street parking facility and must meet the following requirements:

1. They must have a minimum width of 1,500 mm.
2. They must extend the full length of the parking space.
3. They must be marked with high colour contrast diagonal lines, which discourages parking in them.

Minimum number and type of accessible parking spaces

80.35(1) Off-street parking facilities must have a minimum number and type of accessible parking spaces, in accordance with the following requirements:

1. One accessible parking space, which meets the requirements of a Type A parking space, where there are 25 parking spaces or fewer.
2. Four per cent of the total number of parking spaces must be accessible parking spaces where there are between 26 and 500 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
 - i. Where an even number of accessible parking spaces are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
 - ii. Where an odd number of accessible parking spaces are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, must be a Type B parking space.
3. Twenty accessible parking spaces, and an additional two per cent of parking spaces for spaces in addition to 500, must be accessible parking spaces where

more than 500 parking spaces are provided in accordance to the following ratio, rounded up to the nearest whole number:

i. Where an even number of accessible parking spaces are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.

ii. Where an odd number of accessible parking spaces are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, must be a Type B parking space.

(2) If an obligated organization provides more than one off-street parking facility at a site, the obligated organization must calculate the number and type of accessible parking spaces according to the number and type of parking spaces required for each off-street parking facility.

(3) In determining the location of accessible parking spaces that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible entrance or user convenience.

(4) For the purposes of subsection (3), the following factors may be considered in determining user convenience:

1. Protection from the weather.
2. Security.
3. Lighting.
4. Comparative maintenance.

Exception

80.36(1) An exception to the minimum number of accessible spaces required is permitted where obligated organizations can demonstrate that it is not practicable to comply with the requirement because existing physical or site constraints prevent it from meeting the required ratio, such as where the minimum width for accessible parking spaces or access aisles cannot be met because of existing pay and display parking meters, surrounding curb edges, walkways, landscaping or the need to maintain a minimum drive aisle width.

(2) Where an obligated organization claims an exception to the minimum number of accessible spaces, it must provide as close to as many accessible parking spaces, that meet the requirements of this Part, as would otherwise be required under subsection 80.35 (1) or (2), as the case may be, that can be accommodated by the existing site and,

(a) where that number is an even number, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space; and

(b) where that number is an odd number, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, must be a Type B parking space.

On-street parking spaces

80.37(1) Where a designated public sector organization, other than a municipality, develops new or redevelops existing on-street parking spaces, it must consult on the need, location and design of accessible on-street parking spaces with the public and persons with disabilities.

(2) Where a municipality develops new or redevelops existing on-street parking spaces, it must consult on the need, location and design of accessible on-street parking spaces and it must consult with its municipal accessibility advisory committee, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

(3) In this section and despite section 2, “designated public sector organization” means every municipality and every person or organization described in Schedule 1 to this Regulation, but not every person or organization listed in Column 1 of Table 1 of Ontario Regulation 146/10 (Public Bodies and Commission Public Bodies — Definitions) made under the Public Service of Ontario Act, 2006.

Obtaining Services

Application

80.38(1) All obligated organizations, including small organizations, shall ensure that the following meet the requirements set out in this Part:

1. All new means of obtaining services in respect of service counters and fixed queuing guides.

2. All new and redeveloped means of obtaining services in respect of waiting areas.

(2) For the purposes of this Part, requirements for obtaining services in respect of service counters, fixed queuing guides and waiting areas apply whether the services are obtained in buildings or out-of-doors.

(3) Where there is a conflict between the requirements set out in this Part and the accessibility standards set out in Ontario Regulation 429/07 (Accessibility Standards for Customer Service) made under the Act, the requirement or standard that provides the greater accessibility for people with disabilities prevails.

Service counters

80.39(1) When installing new service counters, the following requirements must be met:

1. There must be at a minimum one service counter that accommodates a mobility aid for each type of service provided and the accessible service counter

must be clearly identified with signage, where there are multiple queuing lines and service counters.

2. Each service counter must accommodate a mobility aid, where a single queuing line serves multiple counters.

(2) The service counter that accommodates mobility aids must meet the following requirements:

1. The countertop height must be such that it is usable by a person seated in a mobility aid.

2. There must be sufficient knee clearance for a person seated in a mobility aid, where a forward approach to the counter is required.

3. The floor space in front of the counter must be sufficiently clear so as to accommodate a mobility aid.

Fixed queuing guides

80.40 When installing new fixed queuing guides, the following requirements must be met:

1. The fixed queuing guides must have sufficient width to allow for the passage of mobility aids.

2. The fixed queuing guides must have sufficiently clear floor area to permit mobility aids to turn where queuing lines change direction.

3. The fixed queuing guides must be cane detectable by persons who are blind or who have low vision.

Waiting areas

80.41 (1) When providing a new or redeveloping an existing waiting area, where the seating is fixed to the floor, three per cent of the new seating must be accessible, but in no case shall there be fewer than one accessible seating space.

(2) For the purposes of this section, accessible seating is not a seat but a space in the seating area where an individual in a mobility aid can wait.

Maintenance

Maintenance of accessible elements

80.42 Obligated organizations, other than small organizations, shall ensure that their multi-year accessibility plans include the following:

1. Procedures for preventative and emergency maintenance of the accessible elements in public spaces as required under this Part.

2. Procedures for dealing with temporary disruptions when accessible elements required under this Part are not in working order.

13. The Regulation is amended by adding the following section:

Accessibility reports

86.1(1) Subject to subsection 33 (3) of the Act, organizations shall file an accessibility report with a director according to the following schedule:

1. Annually, in the case of the Government of Ontario and the Legislative Assembly.

2. Every two years, in the case of designated public sector organizations.

3. Every three years, in the case of large organizations.

(2) The reporting schedule referred to in subsection (1) begins to apply as of January 1, 2013 with the first report being due,

(a) as of December 31, 2013, in the case of the Government of Ontario and the Legislative Assembly;

(b) as of December 31, 2013, in the case of designated public sector organizations; and

(c) as of December 31, 2014, in the case of large organizations.

Commencement

14. This Regulation comes into force on the later of January 1, 2013 and the day it is filed.