THE ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES PRESENTS REPORT 13-002 AND RESPECTFULLY RECOMMENDS:

1. **Built Environment Sub-committee Report - January 15, 2012** (Report attached hereto as Appendix A) (Added Item 6.2)

   That all Capital projects having Heritage Designation be clearly identified as such before the capital projects list is forwarded to the Advisory Committee for Persons with Disabilities.

2. **Built Environment Sub-committee Report – February 5, 2013** (Report attached hereto as Appendix B) (Added Item 6.3)

   That staff be directed to review and revise the process for the inclusion of accessibility features in all Facilities Management and Capital Programs construction projects to ensure full compliance with City of Hamilton’s Barrier Free Design Guidelines, the revised Ontario Building Code and AODA regulations for Design of Public Spaces Standards and expectation for accessibility under the Ontario Human Rights Code.
3. **Comments on Accessibility Enhancements to the Ontario Building Code (Item 6.4)**

That the comments from the Advisory Committee for Persons with Disabilities respecting Accessibility Enhancements to the Ontario Building code, attached as Appendix C to ACPD Report 13-002, be forwarded to the Province for consideration.

**FOR THE INFORMATION OF COMMITTEE:**

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

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

(i) Transportation Sub-Committee Report – January 22, 2013 (Added Item 6.1)

(ii) Built Environment Sub-committee Report & Minutes - January 15, 2012 (Item 6.2)

(iii) Built Environment Sub-committee Report – February 5, 2013 (Item 6.3)

(iv) Built Environment Sub-committee – Comments on Accessibility Enhancements to the Ontario Building Code (Item 6.4)

That the agenda was approved as amended.

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

None

(c) **MINUTES (Item 3)**

(i) **January 8, 2013 (Item 3.1)**

The Minutes of January 8, 2013 meeting were approved as presented.
(d) CONSENT ITEMS (Item 4)

(i) Integrated Standards Sub-committee – January 28, 2013

Committee members requested that Paula Killburn bring in a laptop for the next meeting for a demonstration of web reader technology.

The Integrated Standards Sub-committee Report of January 28, 2013 was received.

(e) PRESENTATIONS (Item 5)

(i) Built Environment Sub-committee – Audit of Bus Stops and Shelters (no copy) (Item 5.1)

Terri Wallis, addressed the Committee with the aid of a Powerpoint presentation. A copy of the presentation has been included in the official record.

The presentation respecting the Audit of Bus Stops was received.

On a Motion Terri Wallis was requested to present to the Public Works Committee on behalf of the Advisory Committee for Persons Disabilities respecting the Audit of Bus Stop Shelters.

The Committee members asked that the presentation request that funds for bus shelter repairs be designated towards addressing the outstanding accessibility issues at the identified bus shelters.

(f) DISCUSSION ITEMS (Item 6)

(i) Transportation Sub-Committee Report – January 22, 2013 (Item 6.1)

On a Motion Terri Wallis and Patty Cameron were designated as back-ups to the current appointee on the ATS Eligibility Appeal Panel.

The Committee members confirmed that the first available designated back-up would be called in instances when Kim Nolan was unable to attend.
(ii) **Built Environment Sub-committee Report & Minutes - January 15, 2012 (Item 6.2)**

Maxine Carter, Access & Equity Coordinator provided an update to Committee members and highlighted the recommendation before them.

For information on this matter refer to Item 1.

(iii) **Built Environment Sub-committee Report – February 5, 2013 (Item 6.3)**

Maxine Carter, Access & Equity Coordinator provided an update to Committee members and highlighted the recommendation before them.

For information on this matter refer to Item 2.

(iv) **Built Environment Sub-committee – Comments on Accessibility Enhancements to the Ontario Building Code (Item 6.4)**

Maxine Carter, Access & Equity Coordinator provided an update to Committee members on the consultation work done by the Sub-committee respecting Comments and Enhancements to the Ontario Building Code.

(g) **OTHER BUSINESS (Item 7)**

(i) **Enforcement of Accessible Parking Spaces on Municipal and Private Property (PED12226) (FOR INFORMATION ONLY)**

Due to time constraints this item was deferred to the next meeting.

(ii) **Design of Public Spaces Standards Update (Added Item 7.2)**

Due to time constraints this item was deferred to the next meeting.

(iii) **Public Consultation Accessibility Updates to the Ontario Building Code (Added Item 7.3)**

Due to time constraints this item was deferred to the next meeting.

(iv) **Letter by Mary Smithson respecting snow clearing (Insufficient time to introduce as Item of New Business at January Meeting)**

Due to time constraints this item was deferred to the next meeting.
(h) ADJOURNMENT (Item 8)

The Advisory Committee for Persons with Disabilities adjourned at 5:30 p.m.

Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for Persons with Disabilities

Andy Grozelle
Legislative Co-ordinator
1) Recommendations/Approval of reports:

**P. Cameron/ B. Lane**

That APCD recommend to Council that all Capital projects having Heritage Designation be clearly identified as such before the capital projects list is forwarded to ACPD.

*CARRIED.*

**Background:**

Committee is concerned about accessibility with respect to heritage designated capital projects. This concern is in light of the deficiencies that were identified in the Lister Block renovation project. On March 19, 2012, Committee conducted a tour of Lister Block and provided a report to staff outlining deficiencies and proposed recommendations for consideration, in accordance with the City of Hamilton’s Barrier Free Design Guidelines. The deficiencies are yet to be addressed. Committee also noted that the Barrier-Free design guidelines are not being met, but buildings are being signed off for completion. Committee is recommending that issues of accessibility, with respect to Heritage renovation/retrofit projects, be addressed before and during the design and development stage, rather than after completion. A request has also been submitted to staff and project manager, to provide an update on the Lister Block deficiencies.

Currently, there are no real provisions that require Heritage buildings to address accessibility unless there is major reconstruction and even then accessibility features are limited, hence a gap in the legislation. As such, Committee is seeking opportunities to get involved with the heritage committee, to address issues of accessibility.
1) Recommendations/Approval of reports:

**T. Nolan / B. Lane**

In consultation with the Manager, of Strategic Planning, Capital & Compliance, the Built Environment Sub-committee recommends that ACPD respectfully recommends to Council that they consider directing staff to review and revise the process for the inclusion of accessibility features in all Facilities Management and Capital Programs construction projects to ensure full compliance with City of Hamilton’s Barrier Free Design Guidelines, the revised Ontario Building Code and AODA regulations for Design of Public Spaces Standards and expectation for accessibility under the Ontario Human Rights Code.

CARRIED.

**Background:**

The Built Environment Sub-committee (BESC) expressed concern about the failure of project managers and designers/architects to incorporate the committee’s input regarding accessibility in the various stages of the project design, planning, development and implementation stages. This is not acceptable. There have been many instances that BESC has provided input at the conceptual stages however when the project is complete there are still numerous barriers to accessibility at these facilities. It appears that after the conceptual stage when BESC may have been involved, there may be changes to the project that are not reported back to the committee for advice and or input.

The process of signing off the renovation projects needs to be revisited, so that the advisory committee can provide feedback prior to projects being completed and not after the completion of a project. The BESC members noted that the City departments have a tendency to involve the advisory committee when their projects are complete and are taken over by the City, therefore the most of the barriers and
gaps identified by the ACPD and/or BESC, once a project is completed are left unaddressed.

The committee has also asked on a number of occasions for a site tour and has been told that it is not safe to do so until after the project is signed over to the City upon completion. When the committee members do get an opportunity to tour the facilities they have provided a list of deficiencies to the project managers and program managers. However, the deficiencies are seldom rectified, or in some cases, a few are addressed after a long period of time. As a result, these projects still present various barriers towards persons with disabilities. Examples of such projects include the City Hall renovations, reconstruction of Lister Block and construction of MacNab Street Terminal. BESC conducted site visits of the above-mentioned projects and submitted reports with a list of deficiencies to the Project Managers, program managers and relevant Directors. Yet, most of the deficiencies still exist. BESC expressed concern about the slow response of staff in addressing the deficiencies highlighted by ACPD.

In order to resolve the situation and develop a systematic approach, BESC invited Marnie Cluckie, Manager of Strategic Planning, Capital and Compliance, Facilities Management and Capital Programs, to its January meeting. At the meeting, Marnie Cluckie informed BESC that this newly consolidated division is committed to improving accessibility through the implementation of the AODA 2005 standards and the Barrier-Free Design Guidelines for the City of Hamilton. In consultation with the committee, Marnie Cluckie agreed to undertake the following:
1. Review existing Project Management (PM) procedures and conduct a SWOT analysis (identify strengths, weaknesses, opportunities and threats) in the area of integrating accessibility into all new construction and renovations within the portfolio;
2. Write a procedure to ensure that accessibility is better integrated into departmental PM processes;
3. Improve communications with the ACPD and Built Environment Sub committee.

At this stage, BESC is recommending that ACPD respectfully request that Council support process outlined above and contained within the motion.
Introduction

The City of Hamilton’s Advisory Committee for Persons with Disabilities respectfully wishes to submit the following recommendations to the Ministry of Municipal Affairs and Housing, Ontario Building Code, Public consultation on Building Code Accessibility Requirements.

We would like to commend the Ministry, Ontario Building Code for providing the public, the Advisory Committee for Persons with Disabilities, the opportunity to offer comments and input on such an important regulation.

B-03-08-08 and B-03-08-03 Barrier-Free path of travel (common access and circulation)

Proposed Changes in Ontario Building Code: Amend to require every barrier-free path of travel less than 1600mm in width be provide with an unobstructed space of not less than 1800 mm in width and 1800mm in length located no more than 30 mm apart.

Require a barrier-free path of travel into a bedroom, and a bathroom on the same level as the suite entrance and provide a clear space at least 1500 mm in diameter or a T-shaped turning space to accommodate and wheeled mobility device.

Analysis and recommendations: The Advisory Committee for Persons with Disabilities has made the following recommendations over and above what has been recommended in the proposed changes under Ontario Building Code for the Barrier Free Path of travel.

1. Maximum slope of 1 in 20 for ramps located on a Barrier-Free Path of Travel.
2. Any ramp on a barrier free path of travel must be provided with a turning radius on the landings of all the turnings with 70 to 90 degree turn.
3. Any corner located on the Barrier-Free Path of Travel must have a 45 degree angle cut towards the interior of the wall.
4. Where ramps and barrier free paths of travel are located inside a building and or the external ramp is enclosed, all turns, and landings on the barrier free path of travel must be provided with concave mirrors mounted on walls with 30m square radius at a minimum height of 2500mm.

5. The T-shaped turning radius must have a minimum of 2000mm square area and must be provided at multiple locations on the Barrier-Free Path of Travel, every 20m.

6. Signage shall:
   a. be of consistent shape, color, position and height when locating a specific facility or service;
   b. be placed to avoid glare and/or shadows;
   c. be placed at decision making points on a path of travel; and
   d. be at a height (6ft) which is visible even when snow is piled nearby;

7. Letters and numeral on signs shall:
   a. be Arial 12 or Verdana 12, appropriate to the size of the sign;
   b. be in contrasting colour of a minimum of 70% with the background colour; and
   c. where possible, vertical lettering should be avoided.

8. Tactile signs:
   a. shall be raised 0.8 mm to 1.5 mm, 16 mm to 50 mm in height;
   b. accompanied by grade one Braille near the lower edge of the sign;
   c. in a contrasting colour of a minimum of 70% with the background.

9. Pictograms shall be raised 0.8 mm to 1.5 mm, a minimum of 150 mm height;
   a. accompanied by grade one Braille near the lower edge of the sign; and
   b. in a contrasting colour of a minimum of 70% with the background.

**B-03-08-05 Vertical access (elevators)**

**Proposed Changes in Ontario Building Code:** Modify requirements to provide access and operating controls of elevators to people with disabilities.

**Analysis and recommendations:** The Advisory Committee for Persons with Disabilities recommends more stringent criteria for the on board announcements and operations of the elevators.

1. All elevators must be provided with signage, which must be visible from a distance of 200 meters.
2. All elevators must be linked with each other (computerised)
3. All elevators must be equipped with the sound system, fulfilling the following:
   a. announcements must indicate which elevator is ready for loading;
   b. must indicate that the door is opening or closing;
   c. when the service button is pressed the floor destination must be announced; and
4. The elevators must have a minimum door closing time of no less than 10 seconds.
5. The door closing speed must be minimum and with maximum – N closing force.
6. Elevators must be equipped with sensors to avoid closing when there is an obstruction in the doorway.
7. The one door elevators or side closing elevators must have extra sensors to avoid any harm by trapping between the door and wall.

**B-03-08-14 Visitable suites in multi-unit residential buildings**

Proposed Changes in Ontario Building Code: Revise doorway requirements including widening the clear width, configuration of door handles, modifying power door operators and where they are required, proving for manoeuvring space for sliding doors, modifying requirements for vestibules, and requiring a barrier-free path of travel where gates or turnstiles are present. Rough-ins for power door operators are being proposed for residential suites would also be required.

Analysis and recommendations: The Advisory Committee for Persons with Disabilities has made the following recommendations over and above what has been recommended in the proposed changes under Ontario Building Code for the visitable suites.
1. Must have ample storage space for the storage of mobility devices inside suites.
2. The docking stations for the charging of mobility devices must be located at 100-120 mm height, with multi directional power outlets.
3. The parking lots of such buildings must have at least 15% accessible parking spaces, located no more than 100 meters from the accessible path of travel.

**B-03-03-01 Page 18 Adaptable design and construction**

Proposed Changes in Ontario Building Code: Promote adaptable construction in Ontario homes, by requiring that kitchen walls have sufficient loading capacity to support cupboards and counters at a range of heights, including in single-family homes
- where walls enclose the kitchen in a dwelling unit, all walls shall be installed to permit the future installation of kitchen cabinets at any height from the kitchen floor

Analysis and recommendations: The Advisory Committee for Persons with Disabilities recommends addition of the following for persons using manual wheelchairs and motorized wheelchairs;
1. Providing a separate range (stove) with height from 800-1200mm that provides a clear space for easy access to operate and use stoves.
2. The range hood must not be more than 1600mm for easy operation and access to control panel.
3. The oven must be mounted into a cabinet and/or wall not less than 300mm high from the ground.
4. The oven must be equipped with an option of door opening and closing side wise.

**B-03-02-01 Visual fire alarms**

**Proposed Changes in Ontario Building Code:** Add requirements to rough-in visual alarms within multi-unit Group C buildings, and provide visual alarms in barrier-free washrooms and universal toilet rooms where a fire alarm system is provided.

**Analysis and recommendations:** The Advisory Committee for Persons with Disabilities recommends the following criteria for the fire alarms;

1. Visual fire alarms should be installed in low noise area.
2. Must be visible from a distance of at least 20 m
3. Multiple unit buildings must have all entrances equipped with smoke alarm with FIRE-Strobe light.

**B-03-02-01 & B-03-08-18 Washrooms**

**Proposed Changes in Ontario Building Code:** Add requirements to rough-in visual alarms within multi-unit Group C buildings, and provide visual alarms in barrier-free washrooms and universal toilet rooms where a fire alarm system is provide. Add requirements for urinals in a barrier-free washroom.

**Analysis and recommendations:** The Advisory Committee for Persons with Disabilities recommends the addition of the following;

1. Installing “Urinal Troughs” in all public washrooms will provide an ease of use and extra space to manoeuvre while using different mobility devices.
2. Must be provided with centrally mounted grab bars not more than 1000mm high and equipped with fold-down grab bar extending throughout the width of urinal trough.
3. The channels must be levelled with the floor for easy access and standing as well as avoiding any tripping and falling hazard.
4. The washroom walls must be provided with the extra strength studs, permitting any future installation of grab bars at multiple locations and heights in the washrooms.
5. That wall areas around the tubs, showers and toilet areas must be reinforced with wood under the drywall for future installation of grab bars.
6. In public or multi-use building where there are washrooms, the bathroom walls, cubicles, trim, flooring and doors must be of contrasting colors of at least 70% contrast, to aid in way finding and direction of travel.
B-03-08-07 Accessibility Seating Spaces

Proposed Changes in Ontario Building Code: Provide additional wheelchair seats and add new adaptable seats to table 3.8.2.1. The minimum number of spaces designated for wheelchair use in assembly occupancy with fixed seats shall conform to Table 3.8.2.1.

Analysis and recommendations: The Advisory Committee for Persons with Disabilities recommends to amend the Table 3.8.2.1 and replace with a minimum 4% seats be accessible out of 100 seats and use the same criteria proportionately in case there are more than 100 seats.
1. Provision must be made for the charging of mobility devices at multiple locations.
2. At least 4% parking spots must be accessible in locations closest to the barrier free path of travel.
3. Accessible seating space locations shall be:
   a. distributed throughout the assembly area or theatre at various price points as well as various viewing locations;
   b. located in clear and levelled space;
   c. arranged so a minimum of two designated wheelchair locations are positioned side by side with removable seating;
   d. A percentage of removable seating shall be larger seats to accommodate larger persons;
   e. arranged so at least one fixed seat is located adjacent to each designated accessible location;
   f. provided with guard rails protecting wheelchair viewing spaces and should not interfere with viewing;
   g. accommodating to individuals with varying visual and audible disabilities.
4. Carpeting in the theatres and arenas must be of accessible pile so that wheelchairs and scooters can easily travel and contrasting colors to aid in the way finding and direction of travel by including contrasting colour strips leading to seating areas (at least 70%).

Thank you for the opportunity to provide input