To: Chair and Members
    Economic Development & Planning Committee

From: Tim Nolan
      Chair, Advisory Committee for Persons with Disabilities

Date: June 13, 2007

Re: Urban Braille For New Site Plans – Report ACPD07001

Recommendation:

That the Advisory Committee for Persons with Disabilities respectfully recommend to Council for the City of Hamilton that Urban Braille be adopted as a standard on all new development and when retrofitting in the City of Hamilton in compliance with the AODA legislation.

Background:

On April 3, 2007, the Advisory Committee for Persons with Disabilities heard a presentation from Ken d’Andrade and Mark Inrig, at the request of the Advisory Committee, to address several issues with respect to the built environment generally, and, more specifically, about the accessibility of strip malls, site plans, sidewalks and subdivisions, etc. Several matters arose and follow-up was proposed. A copy of the Advisory Committee minutes detailing this discussion is attached as Appendix A, for information.

Analysis/Rationale:

One of the items discussed was the use of Urban Braille on sidewalks and in site plans. The committee was advised that staff would be attending an upcoming meeting to address the matter of Urban Braille with the committee, as a follow-up to an earlier direction from Council from 2005.

The Advisory Committee for Persons with Disabilities addressed the matter of Urban Braille previously in 2005, when they passed the following motion:
That Urban Braille be incorporated into the standards for all new site plans and all retrofitted/revised streetscapes in the City of Hamilton.

At that time, the report (copy attached as Appendix B) was considered at the August, 2005 meeting of the Committee of the Whole (Report 05-013), and was referred to staff for a follow-up report on the financial implications.

The Advisory Committee for Persons with Disabilities has ongoing concerns that the accessibility of the built environment is not being improved at an acceptable pace, and that development and re-development continues to occur without the use of the Urban Braille features on the properties where site plans are required, and on sidewalks. They urge Council to adopt Urban Braille as a standard for all new development and when retrofitting or reconstructing infrastructure in the City of Hamilton.
Meeting called to order at 4:10 p.m.

Tim Nolan informed the committee that he attended the launch of the new hybrid buses in the HSR fleet. These buses operate on a combination of diesel and electric. The ride was very smooth. The articulated bus has a tri-fold ramp at the back door.

PRESENTATION -- STRIP MALLS
The committee welcomed staff from Planning & Economic Development Department. Ken d’Andrade attended to speak on site plans & site plan applications and Mark Inrig attended to speak on new developments (i.e. subdivisions, sidewalks, etc.).

In response to questions submitted by the committee prior to the meeting, they provided the following responses:

Q. Are curb cuts currently placed at either end of strip malls?
   A. No set rule or policy. Usually at the front entrance and close to the wheelchair parking spots.

Q. How far apart are curb cuts placed in the middle of strip malls? Would it be reasonable to suggest that curb cuts be placed e.g. 60 feet apart?
   A. No established minimum distance. Each site plan is reviewed individually. Committee’s input for an appropriate standard is welcome.

Q. Are hash marks placed in front of curb cuts so that the area remains open for wheelchair users to mount the sidewalk?
A. Hash marks are the painted lines on the pavement indicating no parking. Currently not a requirement and are not always there. Signage is put up to restrict parking.

Q. How many wheelchair parking spots are placed beside each curb cut?
A. No set standard. Will be conducting a review and input from committee and recommended number of spots and distance separating is welcome.

Q. Are strip malls currently constructed using Urban Braille Design?
A. Strip mall construction currently uses the Ontario Building Code. The Urban Braille Design goes beyond this code. Generally, strip malls do not have high pedestrian traffic. The new YMCA and upgrades to Eastgate Square and Mohawk College will be using Urban Braille Design.

Q. Are sidewalks in strip malls kept barrier free (i.e. garbage cans, newspaper stands, concrete flowerpots, posts)?
A. The City has very little control on these issues. These items are not usually in the plans. If any of these items become an issue, it is suggested that the mall manager be contacted.

Q. Can this committee ask that Planning & Development Department forward copies of all site plans for strip malls through the committee for consultation before they are finalized?
A. Planning & Development try to process site plan applications within 3 to 4 weeks of submission. They would like the committee to provide input on what does and what doesn’t work before hand so they can catch these when reviewing site plan applications.

Q. Is the Department aware of the new AODA legislation?
A. The Planning Department is aware of the AODA legislation and are learning more as time goes on.

Q. Is the Department responsible for the upgrade of existing strip malls to meet new AODA standards when they are developed?
A. Cannot comment if not doing renovations. Unsure of what their authority is. The new AODA legislation may be the tool to use rather than site plan control.

Q. What are the standards for sidewalks in residential subdivisions? (required on both sides of the street?)
A. When municipalities amalgamated, a sidewalk policy was developed using the 6 existing policies. Department is currently pursuing a change for all sidewalks to be place on both sides of streets with the exception of cul-de-sacs.

Q. What are the design standards for sidewalks and driveways, and the ramps between sidewalks, roads and driveways?
A. Provincial standards being used. A copy of the design standards to be attached to the minutes for committee’s review.
Other Questions / Comments:
- strip mall on Upper James – large post blocks door – cars park on hash marks
- urban Braille doesn’t have to be expensive – include this on everything you’re doing
  (NOTE: The Committee was advised that the staff dealing with Urban Braille will be requesting to attend June meeting.)
- Governor’s Road – no sidewalks on either side. How do you address existing omission areas? Include sidewalks on any renovations or roadwork.
- How can committee be kept in the loop if timeline for approval of site applications is 3 to 4 weeks? Need ongoing mechanism to keep ACPD in the loop.
- How do we distinguish between private and public strip malls.
  A – all strip malls are privately owned.
- snow removal needs to be coordinated and not piled in the wheelchair parking spots
- no sidewalks in rural areas – driveways only access to house – not wheelchair friendly

Next Steps:
- more focus on accessibility when reviewing plans – AODA legislation will give them the authority to do this.
- look at whole picture
- helpful if the committee would tell them what needs to be done
- need to pay more attention to Barrier Free Design Guidelines
- use Built Environment Subcommittee (Brian, Patty, Marlene) to review plans
- P&D’s Development Review Committee to provide a summary of plans they’ll be reviewing at their weekly meetings to Carolyn Bish – Built Environment Subcommittee could determine which plans they want to review

As a result of discussion, the following motion was passed:

(Lane/KNolan)
That the Advisory Committee for Persons with Disabilities recommend to Council for the City of Hamilton that Urban Braille be adopted as a standard on all new development and when retrofitting in the City of Hamilton in compliance with the AODA legislation.

CARRIED.
SUBJECT: Urban Braille (City Wide)

RECOMMENDATION:

That Urban Braille be incorporated into the standards for all new site plans and all retrofitted / revised streetscapes in the City of Hamilton.

original signed by

Tim Nolan, Chair
Advisory Committee for Persons with Disabilities

EXECUTIVE SUMMARY:

The Advisory Committee for Persons with Disabilities have had several discussions about the benefit of the Urban Braille guidelines, and the features that are contained that assist persons with disabilities to find their way in the City. However, they are concerned that Urban Braille features are considered guidelines only, not required standards, and that they are applied normally only to City projects. They therefore recommend that the guidelines be converted into standards which should be mandatory for all new site plans for both public and private facilities, including institutional, industrial, commercial and multi-unit residential uses and all retrofitted or revised streetscapes in the City of Hamilton.

BACKGROUND:

On January 5, 2005, the Advisory Committee for Persons with Disabilities had discussed several issues concerning Urban Braille, Site Plan Design Matters and Parking Spaces. Paul Mallard gave an overview of the City of Hamilton Site Plan Guidelines, dated September 19, 2003, with respect to Urban Braille, Site Plan Issues and parking space for persons with disabilities. Mr. Mallard also stated that a draft by-law is to be released in early 2005. Discussion took place and several questions with regard to these matters arose. Responses were provided by Paul Mallard, Frank Peter, Ken d’Andrade and Paul Buckle.
It was explained to the committee that the site plan guidelines apply to both municipal and private development. The guidelines are used to guide development and are not a law. The barrier free guidelines are incorporated into all new municipal developments. The Ontario Building Code also contains requirements for barrier free design, these are mandatory requirements and all developments must adhere to the building code regulations. Barrier free standards in a zoning by-law must also be adhered to. The barrier free site plan design guidelines go beyond the requirements in the zoning by-law and in the building code.

The committee made several suggestions. They noted that oversized parking spaces are not always required by persons with disabilities, and suggested that smaller sized spaces could be used in some areas to allow for additional handicapped parking spaces. They noted that sidewalk standards are not wide enough and impeded persons with disabilities when entering and exiting doors onto the sidewalks. They suggested that the minimum standard width of a sidewalk should be 6 feet.

The Committee requested that staff include, as a standard rather than a guideline, that walkways around shopping malls be barrier free and Urban Braille be included in the City of Hamilton Site Plan Guidelines.

The Advisory Committee is pleased with the Urban Braille guidelines, but would like to ensure that they are more widely used. They believe that Urban Braille guidelines should be reconstituted as required standards for all street designs or retrofits. Also, they believe that the Urban Braille guidelines should be applied to the site design of all public facilities, and as part of the site plan requirements for development of multi-unit residential, industrial, commercial and institutional facilities. Persons with disabilities have the need of these features in these types of developments to the same degree as they do on the street. Although they recognize that Planning and Development staff encourage the implementation of these guidelines during the planning for these types of developments, they believe that the Urban Braille features should be mandatory standard for all site plans.

At their meeting of March 7, 2005, the Advisory Committee for Persons with Disabilities passed the following motion.

That the Advisory Committee for Persons with Disabilities recommend to Council that Urban Braille be standard for all new site plans and all retrofitted / revised streetscapes for the City of Hamilton.
ANALYSIS OF ALTERNATIVES:

Although there may be alternatives, the Advisory Committee for Persons with Disabilities believes that the only effective method of ensuring accessibility for persons with disabilities is to convert what are currently guidelines that are discretionary into mandatory standards.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

n/a

POLICIES AFFECTING PROPOSAL:

The current Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act (Bill 118) will have significant impact upon the requirements to address barriers for persons with disabilities. Bill 118 will apply to both the public and private sector and calls for the establishment of provincial standards for access that must be implemented by the community within a reasonable time and must be built into annual accessibility plans. The City is implementing a system of Urban Braille which is contained within guidelines, instead of a policy, but which applies only to public spaces, and primarily on the street. The City has an opportunity to advance its’ accessibility goals by incorporating Urban Braille into standards for new and retrofitted streets and for the site plans of City facilities and all private facility development requiring site plan agreements, such as institutional, industrial, commercial and multi-unit residential uses.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The committee was assisted in their discussion and deliberation with information provided by staff of the Planning and Development Department.

CITY STRATEGIC COMMITMENT:

This proposal will help to move the City towards the vision of a "city of diverse communities, led by Council" …governing “in an open and accessible manner”. It considers the values of respect of the need of all residents, for all viewpoints, and for the diversity of the community, as well as having compassion for and meeting the needs of residents with differing needs and interests. It specifically addresses the following goals of becoming a Great City In Which to Live, and of Becoming a City that spends Wisely Invests, and plans strategically:

- Providing Quality Community Services, honouring community identity and varying need and circumstances
- Supporting People in Need with Care
- Best Practices – Best Value, pursuing best practices to ensure best practice in service delivery, including consideration of accountability, service quality and accessibility