

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: September 30, 2010

SUBJECT: ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT
ACCESSIBLE BUILT ENVIRONMENT -
FINAL PROPOSED STANDARD: NEXT STEPS

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission:

1. Endorse the staff position that the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Accessible Built Environment Final Proposed Standard should not specifically provide requirements for transportation related elements, noting that:
 - TTC staff participated in the provincial standards development process;
 - Transportation elements have not been defined in the Final Proposed Standard; and
 - TTC staff are working with other public transportation organizations in Ontario to define guideline requirements for transportation elements for the accessible built environment.
2. Forward the staff recommended mass transportation specific guidelines to the Minister of Community and Social Services for consideration; and
3. Request the Minister of Community and Social Services to confirm that the requirements contained in the Final Proposed Standard do not apply to mass transit facilities

FUNDING

The costs associated with the design and construction of stations, terminals and other transportation facilities for additional accessibility elements cannot be determined at this time.

Costs related to staff time for the development and updating of design standards have previously been allocated in the Engineering Department's 2010 Operating Budget, and will be included in future budgets as appropriate.

BACKGROUND

The AODA requires the Minister of Community and Social Services to develop accessibility standards that set out the measures, policies, practices and other steps leading to the achievement of the provincial goal of a fully accessible Ontario by 2025. The accessibility standards developed involve both standards to address barriers that are common to all sectors, and standards for sector-specific activities. The accessibility standards include those for the areas of: customer service, transportation, information and communications, employment, and the built environment. The Committees tasked to establish the accessibility standards were composed of persons from the disability, business and public communities.

The Accessible Built Environment Standards Development Committee held its first meeting on October 29, 2007 and the membership included Susan Reed Tanaka, Manager Engineering - Engineering Department, as the TTC's representative. The initial proposed standard was circulated for public review from July 14 to October 16, 2009, and the Final Proposed Standard was approved for submission to the Minister on May 26, 2010. Work on the transportation elements section of the standard did not progress and this section is reserved for future completion. Furthermore, the research and analysis to assess the potential implications of the various clauses developed for other industries, dwellings and facilities on the design and operation of mass transit facilities was never concluded.

A subcommittee of the TTC's Advisory Committee on Accessible Transportation (ACAT) has assisted staff in the assessment of accessibility standards in relation to transit services. ACAT has been briefed on the most recent developments.

The government will review the Committee's proposed standard, and in accordance with the AODA, the Final Proposed Standard may be adopted into regulation in whole, in part, or with modifications.

DISCUSSION

The Final Proposed Standard contains a section entitled: "Scope and Application". Within this section, there is a clause for "Similar Occupancies" which is of concern to staff. This clause states: *"Where the Committee has defined a proposed standard for a particular element in a particular building use, the proposed standard extends to similar elements in similar occupancies, unless otherwise stated."* Staff believe that this clause could be

misinterpreted to permit inappropriate requirements of the standard, such as those for amusement parks and libraries, to be applied to the design of public transportation facilities. Accordingly, staff recommend that the provincial government be requested to clarify that the "Similar Occupancies" requirements contained in the Final Proposed Standard do not apply to mass transit facilities.

Elements such as elevators, lighting, washrooms (placement and location) and tactile warning indicator tiles, which are currently defined in the Final Proposed Standard, do not adequately address the requirements that are unique to public transportation. In addition, staff recommend that the Minister be requested to confirm that the general requirements of the Final Proposed Standard do not apply to the interior of mass transit facilities until the required transportation elements have been specifically identified and defined.

Staff are presently working with other public transportation organizations in Ontario to define guideline requirements and best practices for accessible transportation elements for the built environment. ACAT will be asked to provide advice on these proposed guideline requirements and best practices as appropriate. A report on the progress achieved is proposed for spring 2011.

Once finalized, the guidelines and best practices will be forwarded to the Ministry of Community and Social Services for consideration in the development of standards for transportation elements for the accessible built environment.

JUSTIFICATION

Developing transportation-specific guidelines for accessible public transportation elements in the built environment provides an opportunity for the TTC to continue providing input to the development of provincial accessibility standards.

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