

**Town of Markham
Advisory Committee on Accessibility
Wednesday, April 20, 2011, 3:30 p.m.
Ontario Room
Minutes**

Committee members present:

Councillor Valerie Burke
Councillor Don Hamilton
Councillor Alan Ho
Sidney Polak, Chair
Jaqueline Bell
Prescott Harrison
Jocelyn Horsford
Robert Hunn

Staff present:

Warren Rupnarain, Accessibility Coordinator
Don Taylor, Manager, Executive Operations
Laura Gold, Council/Committee Coordinator

Regrets:

Rhonda Jacobson
Joan Jenkyn
Carole Robertson

Guests:

Shirley Marsh, Sustainability Office
Shane Holten, SPH Consulting

The Advisory Committee on Accessibility convened at 3:37 p.m. with Mr. Sidney Polak presiding as Chair.

1. Moment of Silence

The Chair read a letter he wrote on behalf of the Committee to the Bodar family providing condolences for their loss. There was a moment of silence in remembrance of the late Carl Bodnar.

2. Town Accessibility Guidelines

Shane Holten, SPH Planning Consulting, provided a presentation on the proposed Town of Markham Accessibility Design Guidelines. It was explained that the proposed Accessibility Design Guidelines were delayed due to changes in Provincial legislation, noting the document has not been updated since 1998. The proposed guidelines include the Advisory Committee on Accessibility's suggested changes/additions to an earlier version of the document. The focus of the document is predominantly on the physical environment. The document will provide Town staff with guidelines and check lists to follow when approving plans for new buildings and renovations to existing structures. The guidelines are intended to be followed as part of a mandatory review of all new projects/renovations to existing structures. Best practices, at the local national and international level were reviewed in the formulation of the Accessibility Design Guidelines.

It was reported that a Technical Committee comprised of staff from all departments assisted with the development of the Town of Markham Accessibility Design Guidelines. The main change to the document is that it has been re-organized to avoid overlap in the material and to improve the clarity of the content. The document includes five (5) sections: introduction; common elements; exterior elements; interior environment; systems, controls and communications. The document goes beyond

the Ontario Building Code. There are graphics and photographs integrated into the document, checklists at the end of each section, and cross references to other sections of the document.

A potential challenge the Town may face when implementing the Accessibility Design Guidelines, is resistance from designers/contracts/consulting firms who are used to following the Building Code. It was suggested that there is little to no additional costs when accessibility is included early on in the planning process.

The Accessibility Design Guidelines will be updated regularly and will be placed on the website. The next steps include bringing the Accessibility Design Guidelines forward to Council for its approval. Sidney Polak, Jaqueline Bell, Robert Hunn and Warren Rupnarain will review the Accessibility Design Guidelines and provide feedback to Shane Holten.

3. Town By-Law Dealing with Accessibility

Mr. Bill Wiles, Manager of By-Laws & Enforcement, advised that the Town's parking by-law and zoning by-laws deal with accessibility. The other major act regulating accessibility is the Highway traffic Act.

The Highway Traffic Act provides authorization for the Ministry of Transportation to provide accessible parking permits. The permit is always provided to an individual. The permit will be ceased and returned to the Ministry of Transportation if someone else is caught using the permit, noting a by-Law officer does not have the ability to detain an individual for parking in an accessible parking spot. It was explained that parking in an accessible parking spot is a strict liability offence, which means that if the offender has a responsible explanation, they may be found not guilty. A picture is always taken by the officer as proof of the offence. The Town issues approximately 1,000 tickets per year for illegally parking in an accessible parking spot. It was noted that less than half (1/2) of parking tickets given for parking in an accessible parking spot are paid in full.

Mr. Wiles explained that private landowners can be charged for not providing enough accessible parking spaces, noting that both the minimum number of accessible parking spots and the width of the accessible parking spots are prescribed by the property's zoning by-law.

The Committee noted that accessible parking spots are not always well situated. It was explained that this may be because both the location of the accessible parking spots and the curve cuts were designed prior to knowing the type of tenant (e.g. a small, medium or large business) and where they will be situated. For example the curve cuts and the accessible parking spots may no longer be optimally situated when there is one large tenant rather than several smaller tenants.

A Member questioned if the Town monitors the removal of accessible parking spots from private parking lots. Mr. Wiles advised that the Town would only be aware of accessible spots being removed based on complaints from residents.

4. Discussion of AAC Deputation to Council in March, 2011

It was reported that a memorandum will be circulated to the General Committee on accessibility issues pertaining to site plans. A deputation will no longer be made on this topic.

5. Board and Committee Recruitment

The Committee Clerk advised that applications to serve on the Advisory Committee on Accessibility are currently being reviewed by the Appointment Committee. The Committee requested that more information be gathered with respect to the York Region Advisory Committee on Accessibility. The Committee felt it would be beneficial to have a Town of Markham Advisory Committee on Accessibility member attend York Region Advisory Committee on Accessibility meetings.

6. Approval of Minutes

The Committee reviewed the action items from the previous meeting minutes. The Chair requested that Shan Holten be advised of the benefit of having an accessibility rating system for public facilities. The Committee Clerk reported that it may no longer make sense to have a representative from the Advisory Committee on Accessibility sit on the Building a Creative Markham Advisory Committee, as she thought the Committee had completed its mandate and had been dissolved. The Committee Clerk was requested to investigate this matter further and report back at the next meeting. Warren Rupnarain, Accessibility Coordinator, was requested to provide a list of major projects the Town is currently working on and report back at the next meeting.

The spelling of Carol was changed to Carl.

Moved by Prescott Harrison

Seconded by Don Hamilton

That the Minutes of the February 16, 2011 Advisory Committee on Accessibility be adopted as amended.

CARRIED.

7. Demonstration on Accessing Standing Committee Agendas on the Town's Website

This item was deferred to the next meeting due to a lack of time.

8. Discussion of Markville Mall Experience

It was explained that the Committee had a community booth at Markville Mall for educational purposes. The booth was a positive experience for the Committee.

9. Other Business

It was suggested that the Cycling & Pedestrian Committee consider adding to trail brochures a note with the accessibility rating of the trail, similar to City of Toronto trail brochures.

10. Next Meeting Date

The next meeting of the Advisory Committee on Accessibility will be held on Wednesday, May 18, 2011 at 3:30 p.m. in the Canada Room.

11. Adjournment

The Advisory Committee on Accessibility adjourned at 5:33 p.m.

Attachment: Outstanding Items List (updated on April 27, 2011)

1. Promotions and Business Initiatives Subcommittee

- a) Brochure: Interested Committee members distributed brochures at Markville Mall.
- b) Insert in Markham Life Magazine
- c) ACRA nomination for Markham business achievement in public service
- d) Board of Trade Awards: invite winner to AAC meeting to celebrate the achievement.
- d) submit nominations for the National Quality Institute Community Accessibility Award.

2. Outreach Subcommittee

- a) Councillor Alan Ho to liaise with other organizations in such events as roundtable meetings and breakfast meetings
- b) Joining the Coalition of Ontario Accessibility Advisory Committees. Warren will provide more information regarding the benefits of joining.

3. Barriers Subcommittee

- a) Subcommittee developing a checklist of principles and features including the Markham Accessibility Guidelines, to provide consistency in the reviews.
- b) Motion at November, 2010 meeting:
That representatives of the Advisory Committee of Accessibility work with Town staff to rectify the current situation at the new development on Highway 48, south of Major Mackenzie Drive, and prepare for a deputation to the Development Services Committee by the end of March, 2011, to present the Committee's concerns regarding development that ignores accessibility issues.
- c) Warren Rupnarain will contact Biju Karumanchery to obtain a list of major projects the Town is currently working on and report back at the May 18, 2011 meeting.

4. Opportunities Subcommittee

- a) Compile a list of opportunities for consideration.

5. AAC membership renewal of terms

Clerk provided forms for Members to reapply.

6. Lack of accessible parking on Main Streets in Unionville and Markham.

Markham BIA has attended to discuss parking issues. AAC members were encouraged to attend a future BIA meeting and submit an article for their newsletter. (Rhonda, Jaqueline and Sidney to attend)

Unionville BIA attended in September, 2010 and encouraged AAC to work on parking and washroom issues with the Town.

7. Main Street Environmental Assessment

Warren and Markham BIA to coordinate efforts to ensure accessibility issues are not missed. A presentation was made in June, and Dale MacKenzie will make a further presentation with design details.

8. Bench Installation

Investigate/arrange presentation in April/May on practices regarding installation of benches along sidewalks, in malls, and other locations, and what funding is available.

9. Toronto Parking Regulations

Disabled parking is permitted in any “no parking” areas in Toronto. Gord Landon offered to bring this matter forward at the next Parking Advisory Committee meeting.

10. Heritage/BIA

- Staff to provide info on coordination of accessibility and heritage in the Niagara-on-the-Lake area (Warren)
- Update on the BIA mandate to be provided following Council/BIA workshops

12. Focus 2011

13. Accessibility Plan

Update template to include a comprehensive list of services, policies, practices and by-laws enforcing accessible services and facilities for persons with disabilities in Markham.

14. Appointment of Member -report back at the May 18, 2011 2011

Appoint a Member of the Advisory Committee on Accessibility to the Building a Creative Markham Committee.

Check the status of the Building a Creative Advisory Committee – Laura Gold, Committee Clerk

15. Demonstration to Committee – deferred to the May 18, 2011 meeting

The Committee Clerk will do a demonstration on accessing Standing Committee Agendas on the Town’s website and on listening to the meeting via audio-cast.

16. Accessibility Design Guidelines – complete before the May 18, 2011 meeting

Sidney Polak, Jaqueline Bell, Robert Hunn and Warren Rupnarain will review the Accessibility Design Guidelines and provide feedback to Shane Holten.

17. York Region Advisory Committee on Accessibility – report back at the May 18, 2011 meeting

Gather information with respect to the York Region Advisory Committee on Accessibility – Warren Rupnarain.

18. Cycling & Pedestrian Committee – complete before the May 18, 2011 meeting

Recommend the Cycling & Pedestrian Committee consider adding to trail brochures a note with the accessibility rating of the trail, similar to City of Toronto trail brochures – Laura Gold, Committee Clerk

19. Benefits of having an Accessibility Rating System – complete before the May 18, 2011 meeting

Advise Shane Holten be advised of the benefit of having an accessibility rating system for public facilities
Laura Gold