

## ACCESSIBILITY WORKING GROUP MINUTES

**Monday, April 9, 2018**

### **1. Roll Call:**

Present: Linda Bartram, Robin Bayley, Susan Gallagher, Paul Jones, Chris Marks, Chris Dobbie and Steve Bertrand (arrived at 4:30)  
(Interpreters: Keith Brougham, Mary Butterfield)

Councillor: Councillor Ben Isitt (arrived at 5:11 pm)

Guests: Dave Willows, Disability Resource Centre (DRC) Parking Committee  
Christine Paisley, Chair, DRC Parking Committee

Staff: Brad Dellebuur and Christine Brinton

Regrets: Councillors Thornton-Joe and Loveday

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### **2. Approval of April 9, 2018 Agenda:**

The AWG added the following to the agenda:

- Request for Update on Engineering report on the costs on Accessibility Improvements
- Checkout Bag regulation update
- Status of the statement to accessibility “making Victoria accessible to all”

Brad Dellebuur added the following to the agenda for the May meeting:

- Wastewater Treatment Project and the Cycle Track on Dallas Road

Moved by Chris D, seconded by Susan. Carried

### **3. Approval of March 5, 2018 Minutes:**

The AWG approved the March 5, 2018 minutes be accepted as circulated

Moved by Linda, seconded by Robin. Carried

### **4. Business Arising:**

#### a) Proposed Changes To On-Street Accessible Parking

Background regarding the City’s proposed changes:

- In Feb. 2017, Ismo Husu (Manager of Parking for the City of Victoria) spoke to the board of the VDRC seeking their feedback on this topic. He explained the current situation re: Victoria’s accessible parking meters/spaces.

- The City has designated 28 metered on-street parking spaces in the downtown core for use by people with a valid disabled placard on their vehicle. All 28 spaces meet the physical requirements of specially equipped vehicles.
- Drivers with disabilities are able to purchase up to two hours of parking time at these spaces.
- The meters for these spaces are identified by YELLOW tops. The locations of these on-street spaces were selected to provide maximum accessibility throughout the downtown core.
- There are also 42 20-minute meters in the downtown, identified by RED tops.

Dave Willows, a member of the VDRC parking committee, prepared a draft report regarding “Designated On-Street Parking for Persons with Disabilities”. Dave has a son with Cerebral Palsy and has done research on the City’s parking downtown for people with mobility issues.

This report was motivated by a proposal from the City of Victoria’s parking manager designed to increase the utilization of accessible on-street parking spaces in the downtown core. The City is suggesting replacing the 28 designated accessible stalls with 20-minute general parking while providing 2 hours of free parking to people with accessible parking permits at all 20-minute meters. The VDRC Parking committee sees the loss of these 28 designated accessible parking spaces, meant to meet the needs of people with adapted vehicles, as creating an additional barrier to inclusion for some people with disabilities. The intention of Dave Willows report is to provide constructive feedback on the design and use of existing designated accessible on-street parking managed by the City of Victoria. The City is reporting that these parking spaces are not well utilized. Dave’s report outlines some of the reasons for this underutilization and makes suggestions as to how to increase utilization through relatively easy improvements in the short term and a vision for long term design upgrades.

Dave reports that he was only able to locate 24 of the 28 accessible parking spaces, that only half can accommodate an adapted van with a lift, and half of these are not available because of obstructions limiting the ability to enter or exit a vehicle (mailbox, lamp post), or are being used illegally (non-permitted vehicles, waste bins, closed for construction). This leaves only 6 parking spaces which can actually be used by adapted vans with lifts. Because there is such uncertainty as to whether parking will be available, many are choosing not to drive downtown.

From the VDRC Parking Committee:

- Allow a permit holder to "plug the meter" all day (pay for more parking at the same spot so they do not have to move their vehicle), at both the accessible and regular meters. For most people who have a parking permit, it takes a lot of energy and time to get back to their vehicle, get in, park at a new meter, and get back out.
- Increase the number of accessible parking spaces in parkades and improve their accessibility specifications.

- Open up more accessible parking near public events as they occur. Maybe by putting a sign on the meters indicating that on this certain day, between these certain times, the meter is designated for persons with disabilities who have a parking permit displayed.
- Find a way to allow people to report vehicles illegally parked at accessible stalls.
- Also, concerns arose around increasing the cost of the Monthly and Periodic All-Day Permits, as people who are receiving disability benefits are on a very tight, fixed income.

Christine Paisley advised the AWG that in February 2018 the Disability Resource Centre (DRC) decided that in the light of what the City was proposing with regards to designated accessible parking spaces in the downtown core, a parking committee needed to be formed. They are asking the AWG to collaborate with them, in a review of the existing accessible parking, and to provide a recommendation to the City of Victoria to improve accessible parking in the downtown core.

The members of the Parking committee include:

- Wendy Cox, DRC Chair, and a user of an accessible van.
- Scott Heron, Peer Support Specialist, Spinal Cord Injury BC, user of an accessible vehicle.
- Joanne Neubauer, Action Committee of People with Disabilities President, user of a lift equipped accessible van.
- Pat Danforth, President of Disability Alliance BC, user of an accessible vehicle.
- Andre Gordon, Field Manager, Accessibility Certification Program, The Rick Hansen Foundation, father of a child with a disability.
- David Willows, father of a child with a disability, user of an accessible vehicle.
- Christine Paisley, DRC board member, former driver of a lift equipped van & currently frequent user of accessible parking spots.

There was widespread concern that the City's proposed changes would be implemented against the recommendations of the VRDC. Brad assured the meeting that nothing would go forward without his approval or before coming back to this group for further discussion/review. He suggested that there is a need to keep exploring and researching, with the hope of finding a solution that will address most of the issues.

Robin suggested that outside expertise is required on this complex issue, and then made the following motion:

**MOVED (Robin)**

**SECONDED (Paul)**

*The AWG recommends to Council that it direct staff to prepare a 2019 budget submission for a one-time expense for a consultant to undertake a comprehensive study of accessible parkade and street parking in the City of Victoria to develop recommendations for bringing spaces up to CSA Standard B651 or another equivalent standard and ensuring that their numbers and locations are adequate to meet existing need, recognizing that all designated spaces are not available for use at all times, and include plans for expansion to meet future needs. Recommendations may be in the form of a multi-year plan and include other options for increasing the supply of accessible parking for people with accessible parking permits who do not need additional space to enter and exit their vehicles.*

**CARRIED**

Christine Paisley would like to have a representative from the AWG attend the VRDC parking committee meetings. Chris Marks agreed to be the representative.

The AWG formally took the opportunity to thank David for all his hard work and research on this report. David would appreciate any feedback from members of the AWG on his report.

Christine thanked AWG for allowing them to present and requested Robin forward the motion to her.

b) Accessibility Primer:

As discussed at the March meeting, this is intended to be provided in advance to visitors, to improve effectiveness of meetings by increasing accessibility knowledge of those who come to consult with the AWG. Paul provided document via email prior to the meeting and brought copies for members and interpreters for the discussion.

The AWG discussed the following points, and Paul will revise the document:

- Linda thanked Steve and Paul for doing this. Linda added we need to be clear about what we mean by accessible. The dictionary defines accessible as “you can get at”. The AWG’s understanding of “accessible” might be different than what is meant by the term when used by someone who works at the City.
- The word is defined on the city AWG page on its website: <http://www.victoria.ca/EN/main/city/other-boards-committees/accessibility-working-group.html> Definition: Accessibility is a general term used to describe the degree of ease that something (e.g. device, service, environment) can be used and enjoyed by persons with a disability.

- Robin will send Paul her ideas directly, such as a statement about arriving with an open mind and changing one's point of view.
- Paul agreed to add a definition of "ableism"
- Christine P. suggested that words such as "problem" or "suffer" be removed, as this is not politically correct language.

**Action: Paul will work on this document and once approved, Christine B. will add the document to the website and also ensure "accessibility" is listed in definitions on the website.**

Steve brought up using a different term, other than accessibility. At some point the AWG should revisit and consider using the term "barrier free". It was suggested that some groups are now moving away from the term barrier-free.

c) Options for balancing Pollinator Habitat & Allergy Reduced Plantings

Brad reported that the next step from staff will be a report from Parks, but he does not know when that will be. The AWG stated that they would like to see this report prior to it being presented to Council. Brad will report back to the committee when he has more information. The motion arose during discussion of Parks' budget, but no project was included in the budget or operational plan. Robin hopes this can be done within their regular resources.

Robin advised the AWG that she has not heard back from parks regarding its Action Item to share information on pollinators the City and Urban Food Table want to encourage, but she has completed hers by sharing her public Facebook page called "Allergy free planting - Victoria BC" through Brad. This serves as a research archive on worst plant allergens, allergy-free planting, allergies and asthma, and options for moving forward. She suggested that AWG members may want to check it out.

Robin was concerned about winners of community grants which were garden related projects and might pose allergy barriers in public spaces such as one recipient which was in front of a library.

d) Crystal Pool Consultation Report:

The AWG Preliminary Consultation Report regarding the Crystal Pool and Wellness Centre Replacement Project was submitted on March 25, 2018 and forwarded to the appropriate persons (Thomas Soulliere, Navdeep Sidhu, Adam Fawkes and Zubin Shroff). This will now be posted to the City's webpage (AWG).

Robin reported that at the COTW meeting following the March AWG meeting, the Crystal Pool project undertook to supply a report next time it briefs Council, specifically on how it is meeting its accessibility and barrier-free objectives.

Councillor Isitt arrived 5:11 pm

There was discussion about the need to have the project come back to AWG and how to provide the input members might have that there was not time to discuss at the initial meeting. Linda indicated that members could provide additional feedback to the project at any time. This phase of the project closes in June.

Susan raised her concern on the number of consultations this group has had and that it was her understanding that we had agreed to consultations every other month.

**Action: Linda will review previous minutes and internal policy and report back**

e) Accessibility Framework Update:

Robin reported that Councillor Thornton-Joe had invited Councillor Isitt because neither AWG Council Liaisons could be in attendance and this is a very important topic for the AWG.

Brad advised there were no submissions in response to the City's Request for Proposals (RFP) to develop an Accessibility Framework, which closed on March 22, 2018. .

The possible reasons for this result were discussed. There may be a need to break up the work into more logical pieces that require different skillsets. Robin stated that what is needed is training and management systems for the flow including operational budgeting for accessibility. All departments know there are barriers but none except engineering have taken on any accessibility projects to date. Robin offered to work with Brad to chunk the framework out; break up training, policy and infra-structure sides. Someone who knows about Human Rights is not going to be able to come up with a five year infra-structure plan.

**Action: Paul Jones, Steve Bertrand and Robin Bayley will provide input on how to move forward on implementing the framework, after reviewing the RFP again, and work with Brad Dellebuur on options.**

Discussion moved from the Accessibility Framework contract to committee governance and AWG communication with Council.

Councillor Isitt advised that he and the City Clerk are working on interim changes to the way Advisory Committees report to Council. The system could change in the next few weeks, providing a direct connection between the Advisory committees and council (for example Advisory Committees may be able to report recommendations to Councillors directly, without going through staff). Committees should be able to expect a Council response in a timely manner (before their next meeting).

Further discussion ensued about moving AWG recommendations forward with questions for Councillor Isitt on the status of the Accessibility Reserve Fund, accessing these funds and the Accessibility Framework.

Other points raised:

- Councillor Isitt described how this committee came to be formed.
- Accessibility Reserve fund is at \$766,000. Fund initially set up to address accessibility infra-structure projects but AWG has identified that accessibility is far more complex than just infra-structure
- Some projects have gone ahead (e.g. accessible path to Terry Fox statue and elevator at Conference Centre) without coming to AWG but projects that AWG has identified have, for the most part, run up against opposition and months/years of delay
- Need to speed things up. How is it some things can be approved and happen within weeks while things that AWG has identified as safety and health issues are taking years to implement?
- Confusion as to the Accessibility Reserve fund and eligible capital and operational costs

Brad indicated that crosswalks and other upgrades have been embedded into regular operations/upgrades, same for Facilities improvements.

- City plans need to recognize the changing demographic to an older population and increased rate of disabilities.
- Other committees don't have the same level or structure. The AWG should be looked at differently.
- Councillor Isitt reported that he rarely sees reports or recommendations from AWG to Council. He suggested emailing Council Liaisons or councillors directly. Only the City Manager has the authority to direct staff so put things through Council. Council motions are binding on staff.
- Councillor Isitt said that the City is so far behind on accessibility. He suggested that Perhaps an Accessibility Coordinator needs to be hired. This was recommended to Council in the AWG report presented in January 2017. Councillor Isitt indicated that he did not see this report. Such a hire was done for a Food Security Coordinator as there were so many issues brought through Council regarding food that the City Manager decided to hire someone.

**Action: Discuss why Council does not seem to be aware of AWG reports and recommendations with AWG Council Liaisons, Charlayne Thornton-Joe and Jeremy Loveday.**

f) AWG Issues List

The document is now over 20 pages and has become rather cumbersome, Linda asked AWG members to review the list that had been distributed and identify omissions to Robin.

**Action: Members to let Robin know of any changes.**

g) Royal Athletic Park – who is doing the “Accessibility Audit”?

Brad advised the AWG that Chaz Whipp, (Manager of Facilities) has left the City to go to work at the CRD.

Linda indicated that it should not be called an accessibility audit unless it is an audit of the full spectrum of accessibility (call it a physical accessibility audit if that is what it is)

h) Accessible Venue for AWG meetings

Paul thought that this would be the first item on the agenda as he believed a motion to this effect was passed at the Feb 2018 meeting. Linda said that finding an accessible venue is the #1 priority in her mind but that this item would not necessarily be #1 on the agenda.

The AWG has been trying to find an accessible venue for their meetings, since January of 2017, which would accommodate all members of the AWG. To date, one member has had to participate remotely and this method of participation has been less than satisfactory. The challenge has been to find a place that is accessible to people with environmental disabilities and is fully accessible to members using wheelchairs. A room in the HR annex was piloted once, but the washrooms were not accessible. Robin had previously indicated that the Cook Street Activity Centre was accessible to her and so it was chosen for the April meeting. The washrooms at Cook Street Activity Centre have turned out to not be accessible despite an accessibility audit being done last year. This will be investigated and discussed further after the meeting.

- AWG agreed they would all like to be in the same room together to meet

**Action: Brad and Linda will discuss options for next meeting and advise AWG as soon as possible.**

i) Plastic Bag Bylaw Update – On January 11, 2018 Victoria City Council adopted the new Checkout Bag Regulation Bylaw, starting July 1, 2018 businesses in Victoria will not be able to sell or provide customers with single-use plastic bags. Businesses may provide a checkout bag to customers only if the customer is first asked whether they need a bag, the business provides a paper or reusable bag, a fee no less than 15 cents per paper bag, and a minimum one dollar per reusable bag is charged.

Robin spoke to a business owner who was not going to be sourcing new reusable bags that meet the City's standard because the Bylaw is being challenged in court. Robin asked that if the court "bounces it back" to the city for reconsideration, the City address AWG's two outstanding accessibility issues previously brought to staff's attention and reported to Council but not reflected in the bylaw. Currently the bylaw is discriminatory. One of the AWG's concerns raised previously is that when someone propelling a wheelchair, or holding a cane or assistance animal lead doesn't have their own bag, they must purchase a more expensive reusable bag, because they will not be able to carry a paper bag unless it has handles. Regular paper bags require two hands to carry safely. Sturdy paper bags with handles can be hung on a wheelchair or carried with one hand. The bylaw needs to indicate that a reusable bag can be purchased at the paper bag cost or that a paper bag with handles will be made available for persons with disabilities who are unable to carry a paper bag.

The other concern is the word “fish” in the list of exceptions under which a plastic bag can be provided, when it should say all “fish, shellfish and mollusks” or seafood. Seafood can be highly allergenic and is a Health Canada priority allergen. As the bylaw reads at present, merchants could be fined for giving a plastic bag for a leaking bag of clams, oysters, lobster or crab, resulting in the spread of a highly allergenic substance in stores and public spaces.

Councillor Isitt stated any bylaw can be amended at any time. Robin told Councillor Isitt she was advised that AWG members were told they have to go through staff. Councillor Isitt advised the AWG to write to Mayor and Council directly with their concerns on this or other topics and indicated that bylaws can be updated at any time.

## **5. Next meeting:**

May 7, 2018    Agenda to include consultation regarding City website

**Action: invite Engagement to next meeting and advise them to send materials to be distributed in accessible format a week in advance of the meeting.**

## **6. Adjournment – 6:05 p.m.**