



The Corporation of the Town of Thessalon Accessible Design of Public Spaces Policy

Accessibility for Ontarians with Disabilities Act (AODA 2005)

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**The Corporation of the
Town of Thessalon**

Table of Contents

Purpose	1
Definitions and Accompanying Policy	2
Person with a Disability	2
Scope of Design of Public Spaces Standard Requirements	2
Recreational Trails and Beach Access Routes	3
Technical Requirements for Recreational Trails	4
Technical Requirements for Beach Access Routes.....	4
Technical Requirements Common to Recreational Trails and Beach Access Routes.....	4
Outdoor Public Uses Eating Areas.....	4
Outdoor Play Spaces.....	5
Exterior Path of Travel	6
Accessible Parking	6
Application	6
Types of Accessible Parking Spaces	7
Access Aisles	7
Minimum Number and Type of Accessible Parking Spaces.....	7
Signage	7
On-Street Parking Spaces	8
Obtaining Services.....	8
Service Counters.....	8
Fixed Queuing Guides	8
Waiting Areas	8
Maintenance.....	9
Policy	9
Timeline for Training.....	10
Training Records	10
Modifications to this and future policies.....	10

Purpose

The Accessibility for Ontarians with Disabilities Act, 2005 is Provincial legislation that sets out Standards of compliance to ensure that services provided to Ontarians with disabilities is accessible and provided in a manner that uses reasonable efforts consistent with the core principles of:

Dignity – services are provided in a respectful manner consistent with the needs of the individual.

Independence – services for persons with disabilities shall support their independence while respecting their right to safety and personal privacy.

Integration – allow people with disabilities to fully benefit from the same service, in the same place and in a similar way.

Equality of Opportunity – persons with disabilities are given the same opportunity to benefit from the services provided as other clients.

Definitions and Accompanying Policy

Person with a Disability:

The definition of disability under the AODA is the same as the definition of disability in the Ontario Human Rights Code.

Accessibility for Ontarians with Disabilities Act (AODA) Section 2 states that "Disability" means;

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- b) a condition of mental impairment or a developmental disability;
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) a mental disorder; or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Scope of Design of Public Spaces Standard Requirements

Ontario's Building Code regulates accessibility features inside buildings, such as accessible washrooms, as well as walkways or ramps that connect to building entranceways. The Design of Public Spaces Standard primarily regulates outdoor spaces, such as pedestrian crossings and trails, but also regulates indoor elements not included in the Building Code, such as service counters and fixed queuing guides.

The requirements under the Design of Public Spaces Standard apply to new construction and the redevelopment of elements in public spaces. Unplanned changes to existing public spaces to meet the standard (retrofits) are **not** required. Unplanned changes can include emergency repairs or forced changes that were not anticipated or planned for in advance.

By applying the standard to new construction and redevelopment of elements, organizations can incorporate these changes into their regular planning practices.

Redevelopment of elements means any significant planned changes to a public space. Examples include moving a queuing area to a new location within a building, replacing

the tables in an outdoor public use eating area, or replacing all equipment in a play space and resurfacing the ground below the equipment.

Redevelopment of elements does not include maintenance. Maintenance includes activities that keep public spaces in good working order or restore them to their original condition, such as painting or minor repairs.

Redevelopment of elements does not include environmental mitigation or environmental restorations which are generally activities intended to benefit the environment or prevent or protect the environment from the negative impact of human activities.

These requirements establish minimum standards for all organizations; however, the requirements are flexible so organizations can respond to specific local needs and conditions.

There are seven areas covered by this standard:

- Recreational trails and beach access routes
- Outdoor public use eating areas
- Outdoor play spaces
- Exterior paths of travel
- Accessible parking
- Obtaining services
- Maintenance

Recreational Trails and Beach Access Routes

A recreational trail is a public pedestrian trail intended for recreational and leisure purposes. The standard applies to newly constructed or redeveloped recreational trails that an organization intends to maintain. The standard does not apply to certain types of recreational trails, such as wilderness trails, backcountry trails and portage routes.

Multi-use trails are used for different purposes at different times. These types of trails are required to comply with the standard.

Beach access routes are routes constructed for public pedestrian use that provide access to public beaches from off-street parking facilities, recreational trails, exterior paths of travel and amenities. The standard applies to beach access routes that can be either permanent or temporary, but does not apply to beach access routes that are created through repetitive use and without formal authorization.

Technical Requirements for Recreational Trails:

Organizations shall ensure that any recreational trails that they construct or redevelop, and that they intend to maintain, meet the technical requirements as outlined in section 80.9(1), (2) and (3) on pages 25 to 30 of the Integrated Accessibility Standards Regulation Guidelines, April 2014, Part 4.1 – Design of Public Spaces Standard.

Technical Requirements for Beach Access Routes:

Organizations shall ensure that beach access routes that they construct or redevelop, and that they intend to maintain, meet the technical requirements as outlined in section 80.10 on pages 30 to 34 of the Integrated Accessibility Standards Regulation Guidelines, April 2014, Part 4.1 – Design of Public Spaces Standard.

Technical Requirements Common to Recreational Trails and Beach Access Routes:

Organizations shall ensure that where they construct or redevelop recreational trails and beach access routes that they intend to maintain, they must meet the technical requirements in respect of boardwalks and ramps as outlined in section 80.11, 80.12 and 80.13 on pages 34 to 42 of the Integrated Accessibility Standards Regulation Guidelines, April 2014, Part 4.1 – Design of Public Spaces Standard.

Outdoor Public Use Eating Areas

Requirements as Stated in the Regulation:

- 80.16(1) The requirements in section 80.17 apply to newly constructed and redeveloped outdoor public use eating areas that an obligated organization intends to maintain and that fall within the description set out in subsection (2).
- (2) The outdoor public use eating areas to which subsection (1) applies consist of tables that are found in public areas, such as in public parks, on hospital grounds and on university campuses and are specifically intended for use by the public as a place to consume food.
- 80.17 Obligated organizations shall ensure that where they construct or redevelop outdoor public use eating areas that they intend to maintain, the outdoor public use eating areas meet the following requirement:
 - (1) A minimum of 20 per cent of the tables that are provided must be accessible to persons using mobility aids by having knee and toe clearance underneath the table and in no case shall there be fewer than one table in an outdoor public use eating area that meets this requirement.
 - (2) The ground surface leading to and under tables that are accessible to persons using mobility aids must be level, firm and stable.
 - (3) Tables that are accessible to persons using mobility aids must have clear ground space around them that allows for a forward approach to the tables.

Outdoor Play Spaces

Requirements as Stated in the Regulation:

Outdoor play spaces, application

- 80.18(1) This Part applies to newly constructed and redeveloped outdoor play spaces that an obligated organization, other than a small organization, intends to maintain and that fall within the description set out in subsection (2).
- (2) The outdoor play spaces to which subsection (1) applies consist of an area that includes play equipment, such as swings, or features such as logs, rocks, sand or water, where the equipment or features are designed and placed to provide play opportunities and experiences for children and caregivers.

Outdoor play spaces, consultation requirements

- 80.19 When constructing new or redeveloping existing outdoor play spaces, obligated organizations, other than small organizations, shall consult on the needs of children and caregivers with various disabilities and shall do so in the following manner:
 1. The Government of Ontario, the Legislative Assembly, designated public sector organizations and large organizations must consult with the public and persons with disabilities.
 2. Municipalities must also consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29(1) or (2) of the Act.

Outdoor play spaces, accessibility in design

- 80.20 When constructing new or redeveloping existing play spaces that they intend to maintain, obligated organizations, other than small organizations, shall,
 - a) incorporate accessibility features, such as sensory and active play components, for children and caregivers with various disabilities into the design of outdoor play spaces; and
 - b) ensure that outdoor play spaces have a ground surface that is firm, stable and has impact attenuating properties for injury prevention and sufficient clearance to provide children and caregivers with various disabilities the ability to move through, in and around the outdoor play space.

Consultations should take place as early as possible in the planning and design process. The consultation requirement does not set out a particular process or way to consult, as it is recognized that consultations can be conducted in a wide variety of ways depending on the organization. Information about accessible consultation processes can be found in the [Guides for Accessible Community Engagement](#) on the Ontario Municipal Social Services Association's website at www.omsaa.com.

Exterior Paths of Travel

Exterior paths of travel are the sidewalks and walkways intended to provide a functional route from Point A to Point B, rather than those paths that are intended to provide a recreational experience.

This regulation is divided into the following seven parts:

- Exterior paths of travel
- Ramps
- Stairs
- Curb ramps
- Depressed curbs
- Accessible pedestrian signals
- Rest areas

Organizations shall ensure that where they construct or redevelop any of the exterior paths of travel listed above, they must meet the technical requirements as outlined in sections 80.21 to 80.31 on pages 53 to 84 of the Integrated Accessibility Standards Regulation Guidelines, April 2014, Part 4.1 – Design of Public Spaces Standard.

Accessible Parking

This section is divided into the following eight parts:

- Application, off-street parking
- Exceptions
- Types of accessible parking spaces
- Access aisles
- Minimum number and type of accessible parking spaces
- Signage
- Exception
- On-street parking spaces

Application

The accessible parking requirements apply to new parking facilities and the redevelopment of existing parking facilities.

For the purposes of this regulation, re-painting of existing lines to mark parking spaces and other periodic maintenance or restorative activities do not trigger redevelopment requirements.

Types of Accessible Parking Spaces

Requirements as Stated in the Regulation:

- 80.34 Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:
 1. Type A, a wider parking space which has a minimum width of 3,400 mm and signage that identifies the space as “van accessible”.
 2. Type B, a standard parking space which has a minimum width of 2,400 mm.

Access Aisles

Requirements as Stated in the Regulation:

- 80.35(1) Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.
 - (2) Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:
 1. They must have a minimum width of 1,500 mm.
 2. They must extend the full length of the parking space.
 3. They must be marked with high tonal contrast diagonal lines, which discourage parking in them, where the surface is asphalt, concrete or some other hard surface.

Minimum Number and Type of Accessible Parking Spaces

Requirements as Stated in the Regulation:

- 80.36(1) Off-street parking facilities must have a minimum number of parking spaces for the use of persons with disabilities, in accordance with the following requirements:
 1. One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer.
 2. Other requirements for areas with larger parking spaces are outlined in sections 80.36(1) to (4) on pages 93 to 96 of the Integrated Accessibility Standards Regulation Guidelines, April 2014, Part 4.1 – Design of Public Spaces Standard.

Signage

Requirements as Stated in the Regulation:

- 80.37 Obligated organizations shall ensure that parking spaces for the use of persons with disabilities as required under section 80.36 are distinctly indicated by erecting an accessible permit parking sign in accordance with section 11 of

Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*.

On-Street Parking Spaces

When constructing or redeveloping existing on-street parking spaces, designated public sector organizations shall consult with the public, including people with disabilities, on the need, location and design of accessible on-street parking spaces.

All technical requirements pertaining to Accessible Parking are outlined on pages 85 to 102 of the Integrated Accessibility Standards Regulation Guidelines, April 2014, Part 4.1 – Design of Public Spaces Standard.

Obtaining Services

Requirements for obtaining services are divided into three areas:

- Service Counters
- Fixed Queuing Guides
- Waiting Areas

Service Counters

Requirements as Stated in the Regulation:

80.41(1) When constructing new service counters, which includes replacing existing service counters, the following requirements must be met:

1. There must be at a minimum one service counter that accommodates a mobility aid for each type of service provided and the accessible service counter must be clearly identified with signage, where there are multiple queuing lines and service counters.
 2. Each service counter must accommodate a mobility aid, where a single queuing line serves a single or multiple counters.
- (2) The service counter that accommodates mobility aids must meet the following requirements:
 1. The countertop height must be such that it is usable by a person seated in a mobility aid.
 2. There must be sufficient knee clearance for a person seated in a mobility aid, where a forward approach to the counter is required.
 3. The floor space in front of the counter must be sufficiently clear so as to accommodate a mobility aid.

Fixed Queuing Guides

Requirements as Stated in the Regulation:

- 80.42 When constructing new fixed queuing guides, the following requirements must be met:

1. The fixed queuing guides must provide sufficient width to allow for the passage of mobility aids and mobility assistive devices.
2. The fixed queuing guides must have sufficiently clear floor area to permit mobility aids to turn where queuing lines change direction.
3. The fixed queuing guides must be cane detectable.

These requirements only apply if the queuing guides are fixed to the floor, both indoors and outdoors. They do not apply to temporary guides, such as moveable posts and ropes.

Waiting Areas

Requirements as Stated in the Regulation:

- 80.43(1) When constructing a new waiting area or redeveloping an existing waiting area, where the seating is fixed to the floor, a minimum of three percent of the new seating must be accessible, but in no case shall there be fewer than one accessible seating space.
- (2) For the purposes of this section, accessible seating is a space in the seating area where an individual using a mobility aid can wait.

Maintenance

Requirements as Stated in the Regulation:

Maintenance of accessible elements

- 80.44 In addition to the accessibility plan requirements set out in Section 4 under the Integrated Accessibility Standards Regulation, obligated organizations shall ensure that their multi-year accessibility plans include the following:
 1. Procedures for preventative and emergency maintenance of the accessible elements in public spaces as required under this Part.
 2. Procedures for dealing with temporary disruptions when accessible elements required under this Part are not in working order.

Policy

The Municipality will meet the requirements outlined above for each of the Design of Public Spaces Standards when they construct or redevelop a public space that is regulated by this standard.

Prior to the construction of new or the redevelopment of existing recreational trails, outdoor play spaces, rest areas on exterior paths of travel or on-street parking spaces, the Municipality will consult with the public and persons with disabilities regarding the design and requirements of the space.

Timeline for Training

Training will be provided as a priority for new hires and included in a new employee's orientation package, if required for their job. New employees will be required to complete the Accessible Design of Public Spaces online training module at www.accessforward.ca as part of new employee orientation.

Training will also be provided with any changes to the Municipality's policies, procedures and practices governing the provision of services to persons with disabilities.

Training Records

The Municipality will keep records of all Accessible Design of Public Spaces training, to include dates and content of training provided to each employee.

Modifications to this and future policies

The Municipality is committed to developing accessibility policies that respect and promote the dignity and independence of people with disabilities. Therefore, any changes made to this policy will consider the needs of people with disabilities.

Any policy of the Municipality that does not respect and promote the dignity and independence of people with disabilities will be modified or removed.