

**City Council, Advisory Committee, Standing Committee and Commission.
Conseil, comités consultatifs, comités permanents et commission**

Motion

Notice of Motion / Avis de motion

Committee : Accessibility Advisory Committee
Comité: Comité consultatif sur l'accessibilité

Report / Agenda: 6
Rapport / Ordre du jour: 6

Item / Article: 1

Re: **Multi-Use Pathways**

Moved By: Member Phillip Turcotte

Whereas Ontario's *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* recognizes the history of discrimination against persons with disabilities in Ontario and establishes standards for accessibility with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises; and

Whereas disability is a protected ground under Ontario's *Human Rights Code* and disability represents 54 percent of all applications (i.e. complaints) to the Ontario Human Rights Commission; and

Whereas the Ontario Human Rights Commission's [*Policy on Ableism and Discrimination Based on Disability*](#) outlines the need for organizations to design their environments inclusively, with the needs of people with disabilities in mind; and

Whereas at a meeting of the AAC on May 26, 2020, City staff presented the AAC with a document entitled, "Forecast Capital Construction – AAC (Long List)", which includes several Multi-Use Pathways including Items 19, 103, 195, 216, 226, 231, 279, 280 and 281; and

Whereas Multi-Use Pathways and other transportation infrastructure often require cyclists and pedestrians to share the same space; and

Whereas in 2009, in partnership with the City for All Women Initiative, the City of Ottawa developed an *Equity and Inclusion Lens* and 11 “diversity snapshots,” including a snapshot of people with disabilities, that is meant to be applied by staff in their daily work; and

Whereas on April 11, 2012 Ottawa City Council unanimously approved the *Accessibility Policy* which states the City is committed to providing equal treatment to people with disabilities with respect to the use and benefit of City services, programs, goods and facilities in a manner that respects their dignity and that is equitable in relation to the broader public; and

Whereas the *Accessibility Policy* provides the overarching framework to guide the review and development of other City of Ottawa policies, standards, procedures, practices, by-laws and guidelines to comply with the standards developed under the AODA; and

Whereas the *Accessibility Policy* requires staff to develop, implement and maintain policies governing the provision of goods, services, programs and facilities to people with disabilities in a manner that:

- Is free from discrimination;
- Is available in accessible formats and with communication supports;
- Seeks to provide integrated services;
- Provides an opportunity equitable to others to obtain, use and benefit from the goods or services; and,
- Takes into consideration a person's disability.

Whereas on November 14, 2012 Ottawa City Council approved the first version of the *Accessibility Design Standards* (ACS2012-CMR-OCM-0016) with the policy goal of ensuring “a consistent application of accessibility in the planning of the built environment”; and

Whereas on November 26, 2013 Ottawa City Council unanimously approved the *Ottawa Pedestrian Plan* “to recognize the crucial role that walking plays in creating an attractive, accessible, liveable, safe and healthy city”; and

Whereas a bicycle is defined as a “vehicle” under section 1 of the *Highway Traffic Act* and a person using a wheelchair or other mobility aid is considered a “pedestrian” under section 140 of the *Highway Traffic Act*; and

Whereas the *Highway Traffic Act* requires motorists and cyclists to yield to pedestrians at pedestrian crosswalks, school crossings and crossovers; and

Whereas the City’s 2018 Annual Safety Report indicates that pedestrians are more vulnerable than cyclists on roadways; and

Whereas the Honourable David C. Onley’s 2019 report entitled, *Listening to Ontarians with Disabilities: Report of the Third Review of the Accessibility for Ontarians with Disabilities Act, 2005* found that people with disabilities often feel “no one is listening” and also found that municipal Accessibility Advisory Committees are “an important channel for people with disabilities to voice their opinions”; and

Whereas there is an opportunity for the City of Ottawa to show continued leadership on matters affecting people with disabilities by prioritizing pedestrians on Multi-Use Pathways and other transportation infrastructure;

Whereas at the September 3, 2014 meeting of the Transportation Committee, staff acknowledged that Multi-Use Pathways had sometimes led to conflict between cyclists and pedestrians and the Members of the AAC have raised this same concern on several occasions; and

Whereas the AAC has repeatedly raised a strong concern about the potential of Multi-Use Pathways to create safety and accessibility barriers for persons with disabilities and seniors; and

Whereas the AAC has called on staff to clearly set-out how Multi-Use Pathways manage the competing needs of cyclists and pedestrians who are seniors and persons with disabilities;

THEREFORE BE IT RESOLVED that the AAC formally recommends that staff design and construct Multi-Use Pathways and other transportation projects in a manner that prioritizes the safety and accessibility needs of seniors and persons with disabilities; and

BE IT FURTHER RESOLVED that, for further clarity, the AAC intends for the safety and accessibility needs of seniors and persons with disabilities to prevail over the needs of other users on Multi-Use Pathways; and

BE IT FURTHER RESOLVED that the AAC formally recommends that staff design and construct Multi-Use Pathways in a manner that respects all standards set out in the *Human Rights Code*, the *AODA*, the *Accessibility Policy*, the *Accessibility Design Standards* and that the City's Equity and Inclusions Lens be applied to ensure the spirit and goals of these authorities also be respected and achieved; and

BE IT FURTHER RESOLVED that the AAC formally recommends that staff consult with the Committee and other groups of persons with disabilities to determine best practice for the design of Multi-Use Pathways that ensures safety and accessibility for persons with disabilities and seniors; and

BE IT FURTHER RESOLVED that the AAC formally recommends increased communications to residents about safety and proper protocols for Multi-Use Pathways (e.g. when to dismount and walk a bicycle on a multi-use pathway, speed limits, using a bell, etc.); and

BE IT FURTHER RESOLVED that the AAC requests that this motion be circulated to all staff involved in design and construction of Multi-Use Pathways in Transportation Services Department and Planning, Infrastructure and Economic Development Department; and

BE IT FURTHER RESOLVED THAT the AAC requests an update from staff on this matter as part of the 2021 annual "Duty to Consult" special meeting, or earlier if possible.