

**ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES**

**MINUTES**

**February 16, 2004**

**PRESENT:**

Ms. Betty MacDonald, Chair  
Ms. Joanne Coffey, Vice-Chair  
Councillor Meade  
Councillor Sarto  
Mr. Nigel Allison  
Ms. Peggy Brown  
Ms. Lynn Demont  
Mr. Patrick Harrington  
Ms. Joan Leveridge  
Mr. Warren Reed  
Ms. Cathy Robertson  
Ms. Janet Spears  
Ms. Ruth Szabo

**ABSENT:**

Ms. Sally Campbell (regrets)  
Mr. Kim Kenney  
Ms. Barbara LeGay (regrets)

**STAFF:**

Ms. Charla Williams, Co-ordinator, Diversity Program  
Mr. Kevin Hindle, Metro Transit  
Supt. Cliff Falkenham, Halifax Regional Police  
Mr. Phil Francis, Right-of-Way Engineer  
Two Interpreters  
Ms. Chris Newson, Legislative Assistant

**TABLE OF CONTENTS**

1.	Call to Order .....	3
2.	Approval of Minutes - November 17, 2003 .....	3
3.	Approval of the Order of Business and Approval of Additions and Deletions .....	4
4.	Business Arising Out of the Minutes .....	4
4.1	Status Sheet Items .....	4 & 8
5.	Consideration of Deferred Business - None .....	8
6.	Correspondence, Petitions and Delegations - None .....	8
7.	Reports - None .....	8
8.	Added Items/New Business .....	8
9.	Next Meeting Date .....	10
10.	Adjournment .....	10

**1. CALL TO ORDER**

The Chair called the meeting to order at 4:10 pm. She welcomed all new members to the Committee.

**2. APPROVAL OF MINUTES - November 17, 2003**

**MOVED by Ms. Peggy Brown, seconded by Ms. Joanne Coffey that the minutes of November 17, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Additions:

- 8.1 Braille Transcriber, CNIB - Ms. Peggy Brown
- 8.2 Terms of Reference, Housekeeping - Ms. Joanne Coffey
- 8.3 March Meeting - Councillor Sarto

**MOVED by Councillor Gary Meade, seconded by Councillor Condo Sarto that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

4.1 Status Sheet Items

4.1.10 Taxi Service for Persons with Disabilities - Accessible Taxis

A copy of the notes of the December 22, 2003 special meeting were circulated in the January agenda package. Copies are available from the Municipal Clerk's Office upon request.

Ms. Joanne Coffey, Mr. Patrick Harrington and Ms. Betty MacDonald gave a brief update on this meeting stating although there was no commitment to fund resources there was discussion on the concerns regarding accessible taxis. They advised there would be a follow-up meeting and a possible Sub-Committee formed between the two Committees on this issue. A further update will be available for the March 15, 2004 meeting.

4.1.20 Barrier Free Access - Sidewalk Cafes - Presentation by Staff

A copy of the Sidewalk Café Policy was included in the January agenda package. Mr. Phillip Francis, Right-of-Way Engineer for HRM, presented a verbal update on the Sidewalk Café issue. He explained all establishments would be notified of the new regulations and there would be increased enforcement of the Sidewalk Café Policy this season. The policy now states all sidewalk cafes must be accessible regardless of whether the establishment itself is accessible. Mr. Francis advised he would supply a list to this Committee of all Sidewalk Cafes registered for 2004. He further advised the following persons may be contacted with concerns regarding accessibility or safety in relation to sidewalk cafes:

Mr. Phillip Francis, HRM Right of Way Engineer, 490-6219  
Mr. Brian Roberts, HRM Engineering Assistant, 490-6845  
Mr. Carmen Eisan, HRM Engineering Assistant, 490-6245

The following points were raised by members of the Committee during the ensuing discussion:

What is the required width of boardwalk/clearance around sidewalk cafes?

Mr. Francis responded the requirement is for a 7' clearance width.

There may be a 7' width if you measure the boards or space only but artistic development such as posts, narrow the space.

Mr. Francis responded the 7' has to be clear.

Could there be record keeping done of those establishments who receive a warning for not having clear space.

Mr. Francis responded this could be done and perhaps by the third infraction, an action would have to be taken.

Were materials used in construction of sidewalk cafes considered? For example: the possible use of hemlock instead of pressure treated wood for those with chemical sensitivities.

Mr. Francis responded the issues addressed were mainly accessibility and safety. He added this concern could be looked at for the future.

Concerns with chairs and tables set-up in front of business that are not sidewalk cafes.

Mr. Francis responded this is not permitted. It is considered street vending and the owners are asked to take the chairs/tables down. He added this issue is currently being reviewed.

The Chair thanked Mr. Francis for his report.

4.1.23 Status Sheet Sub-Committee Meeting - December 15, 2003

Ms. MacDonald advised this meeting was cancelled due to inclement weather. She further advised she and Ms. Coffey would meet to review the status sheet to delete old items and provide an updated status sheet for March.

Ms. MacDonald explained items are added to the status sheet after each meeting if there is an action to be taken on that item. Once the action is complete the item will be removed.

5. **CONSIDERATION OF DEFERRED BUSINESS** - None

6. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

6.1 Correspondence

6.1.1 Disabled Persons Commission - Resource Directory for Persons with Disabilities in Nova Scotia 2003.

The Legislative Assistant advised one copy of the Directory had been received. Additional copies were requested but none have been forwarded. If members of the Committee are interested in receiving the document they may contact Ms. Judy Hughes, Executive Director of the Disabled Persons Commission at 424-8280. The information is also available on their webpage: <http://www.disabilityweblinks.ca>.

Ms. MacDonald and Mr. Harrington reported on a meeting they had attended on January 28, 2004 regarding the merit of having a Disabled Persons Act for Nova Scotia. Mr. Harrington advised a Steering Committee had been formed to study this matter in more detail. He added there was a 180 page report. Ms. Charla Williams suggested an electronic copy be obtained for uploading to our webpage.

6.1.2 E-mail from Cynthia Street, dated January 26, 2004

This e-mail was in regards to a recommendation from the Building Code Advisory Committee on Barrier-free units. The Nova Scotia Building Advisory Committee - Report on Barrier Free

Requirements was included with this agenda package as an information item and was brought forward at this time for discussion.

Ms. MacDonald raised the concern that security systems for apartment buildings are auditory only and not accessible to the deaf. She added this system needs to be visual and suggested the building codes reflect other than auditory systems, such as lights or video camera.

Mr. Warren Reed suggested there be a requirement that some portion (10%) of all renovations be spent on accessibility. Councillor Meade suggested this be looked into once a response is received from the report he presented to Regional Council in October 2003.

Mr. Reed requested clarification on the issue of commercial accessibility. Ms. Charla Williams explained the by-law states *newbusinesses* and *change of use* businesses are to be accessible. She added historical buildings have exemptions as the building would have to be redefined.

Ms. Coffey advised anyone interested in heritage properties could join the Heritage Advisory Committee. Mr. Kevin Hindle added a recommendation could still be put forward for the property owner to consider accessibility even if it is an historical building.

Ms. Janet Spares added some buildings believe they are accessible but really are not; for example: Tim Horton's washrooms. She explained a wheelchair can get into the washroom but not into the stalls.

Councillor Sarto requested clarification on the fact that all commercial buildings were to have access to the ground-floor. Ms. Williams explained this only applied to *newbusiness* or *change of use* businesses.

**MOVED by Councillor Condo Sarto that the Advisory Committee for Persons with Disabilities request HRM Staff provide an information report regarding what is currently in place and what we need to do to change that.**

Ms. Williams commented the provincial report before us was for information purposes only and no action is required.

**Having no seconder to the motion, the motion was lost.**

## **7. REPORTS**

- 7.1 Report on Community Advocates Network Survey Results - Ms. Peggy Brown

Ms. Brown presented a copy of the report. The Legislative Assistant was asked to copy the report for distribution to Committee members in their March agenda packages.

**8. ADDED ITEMS/NEW BUSINESS**

8.1 Braille Transcriber - CNIB - Ms. Peggy Brown

Ms. Brown advised there is no longer a braille transcriber at CNIB. She encouraged members of the Committee to contact Liz Hamilton at CNIB to voice their concern. Ms. Williams advised if there are small, non time sensitive items that require braille, Committee members may contact her and she will arrange to have it done until CNIB has hired a new transcriber.

8.2 Terms of Reference - Housekeeping - Ms. Joanne Coffey

**MOVED BY Ms. Joanne Coffey, seconded by Mr. Patrick Harrington that the Advisory Committee for Persons with Disabilities recommend that Regional Council revise the Terms of Reference for the Advisory Committee for Persons with Disabilities as follows:**

1. The second sentence in sub section 7.1 of Section 7 MEETINGS, be revised from *"The Council will provide Municipal Clerk resources for six meetings a year and additional support..."* to:

*"The Council will provide Municipal Clerk resources for all regular meetings and special meetings of the Committee and additional support..."*

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9. NEXT MEETING DATE**

The next meeting will be on **Monday, March 15, 2004** at 4:00 pm in the HR Training Room, 3<sup>rd</sup> Floor, Duke Tower.

**10. ADJOURNMENT**

The meeting was adjourned at 5:45 pm.

Chris Newson  
Legislative Assistant