

February 20, 2009

Ms. Ulli Watkiss
City Clerk
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Dear Ms. Watkiss:

At its meeting on Wednesday, February 18, 2009, the Commission considered the attached report entitled, "Accessible Transit Services Plan: 2008 Status Report, and Status of Accessibility Standards."

The Commission adopted the Recommendation contained in the report, as listed below:

"It is recommended that the Commission forward this report to the City of Toronto, the Ontario Ministries of Community and Social Services, Transportation, Energy and Infrastructure, the Ontario Human Rights Commission, and Metrolinx, noting that:

- this report fulfils the provincially-legislated requirement in the Ontarians with Disabilities Act, 2001 for an annual documentation of the TTC's accessibility plan;
- the TTC is making steady progress in the implementation of its Accessible Transit Services Plan, with accessibility initiatives underway on bus, streetcar, and rapid transit modes;
- the status of the TTC's current activities to improve the accessibility of its facilities and services are described in more detail in the attached Appendix 1, entitled *TTC Accessible Transit Services Plan – 2008 Status Report*;
- the TTC could accelerate the rate at which its accessibility plan can be implemented if senior levels of government or Metrolinx were to provide additional funds for station accessibility and for the TTC's Wheel-Trans to-the-door services;
- Provincial regulations under the Accessibility for Ontarians with Disabilities, 2005 (AODA) are expected to be enacted, and these will apply to all public sector agencies, including the TTC;
- regulations regarding customer service have been finalised and will come into effect January 2010. These regulations are not expected to have a significant effect on the TTC;
- regulations for accessible transportation, the built environment, employment, and communications are expected to be finalised in 2009;

- TTC staff have participated extensively in consultation meetings regarding the regulations, however, there remain many unanswered questions about the proposed regulations at this point in time;
- the Province has not yet made a commitment to assist with any operating and/or capital cost increases which might result from the AODA regulations; and
- when the finalised regulations are available, TTC staff will report on the costs and operational implications of the regulations for the TTC.”

The Commission also approved the following ancillary motions:

1. That the TTC supports the objectives of the Accessibility for Ontarians with Disabilities Act, 2005 and continues to make improvements to TTC services and facilities to overcome access impediments and increase the quantity and quality of services available to persons with disabilities, including those which may be addressed in the Transportation Standard;
2. That the Commission request that the Minister of Community and Social Services allow the TTC and other organizations representing the Ontario Transit Industry to review and comment on the planned regulations to implement the Transportation Standard, before they are enacted, so that the Minister is aware of the impact the standards will have on the TTC, in advance of their implementation; and
3. Furthermore, the Minister of Community and Social Services be requested to meet with TTC Chair Giambone to discuss issues and opportunities that may be associated with the Standard.

The foregoing is forwarded to the City Executive Committee for information.

Sincerely,

Vincent Rodo
General Secretary
1-16
Attachment

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: February 18, 2009

SUBJECT: ACCESSIBLE TRANSIT SERVICES PLAN:
2008 STATUS REPORT, AND STATUS OF ACCESSIBILITY
STANDARDS

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission forward this report to the City of Toronto, the Ontario Ministries of Community and Social Services, Transportation, Energy and Infrastructure, the Ontario Human Rights Commission, and Metrolinx, noting that:

- this report fulfils the provincially-legislated requirement in the Ontarians with Disabilities Act, 2001 for an annual documentation of the TTC's accessibility plan;
- the TTC is making steady progress in the implementation of its Accessible Transit Services Plan, with accessibility initiatives underway on bus, streetcar, and rapid transit modes;
- the status of the TTC's current activities to improve the accessibility of its facilities and services are described in more detail in the attached Appendix 1, entitled *TTC Accessible Transit Services Plan - 2008 Status Report*;
- the TTC could accelerate the rate at which its accessibility plan can be implemented if senior levels of government or Metrolinx were to provide additional funds for station accessibility and for the TTC's Wheel-Trans to-the-door services;
- Provincial regulations under the Accessibility for Ontarians with Disabilities, 2005 (AODA) are expected to be enacted, and these will apply to all public sector agencies, including the TTC;
- regulations regarding customer service have been finalised and will come into effect January 2010. These regulations are not expected to have a significant effect on the TTC;
- regulations for accessible transportation, the built environment, employment, and communications are expected to be finalised in 2009;

- TTC staff have participated extensively in consultation meetings regarding the regulations, however, there remain many unanswered questions about the proposed regulations at this point in time;
- the Province has not yet made a commitment to assist with any operating and/or capital cost increases which might result from the AODA regulations; and
- when the finalised regulations are available, TTC staff will report on the costs and operational implications of the regulations for the TTC.

FUNDING

This report has no effect on the TTC's operating or capital budgets.

BACKGROUND

The TTC is proceeding towards its goal of making all of its services and facilities accessible by 2020. TTC initiatives will result in all vehicles and stations being accessible well in advance of the Provincial mandate of an accessible province by 2025.

The Province requires transit properties to report annually on plans for accessibility improvements, and the TTC has done so since February 2004.

The purpose of this 2008 year-end report is to:

- respond to the legislated requirement for an annual status report; and
- provide an update on current TTC activities to make its system accessible; these are described in the appendix to this report, entitled, *TTC Accessible Transit Services Plan – 2008 Status Report*.

This report also provides a status update on the development of regulations related to the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

DISCUSSION

The status of programs and initiatives at the TTC to make its services and facilities accessible to everyone is discussed in Appendix 1. The major TTC accessibility initiatives carried out to date include:

- the development of extensive to-the-door and community bus services operated by TTC's Wheel-Trans;

- the purchase and deployment of a large number of lift-equipped and low-floor conventional transit buses, in order to make the TTC's network of regular fixed-route services accessible;
- the Easier Access subway station reconstruction program to make 23 key stations accessible to serve both ambulatory and non-ambulatory disabled people and to facilitate integration between Wheel-Trans specialized services and the TTC's fixed-route system; and
- making all stations on the Sheppard Subway and future rapid transit stations accessible.

In 2008, the TTC undertook the following specific initiatives to improve and expand its accessible transit services:

- the acquisition of 372 additional accessible buses and the associated designation of 24 new accessible bus routes, and an associated improvement in the quality of service on many of the bus routes that were accessible prior to 2008;
- the award of a contract for the delivery of up to 198 replacement and growth Wheel-Trans buses for delivery commencing in 2009;
- the completion of the implementation of automatic stop and station announcements on all TTC buses, streetcars, and subways;
- the hosting of two successful community meetings -- jointly with the Advisory Committee on Accessible Transportation (ACAT) -- specifically regarding accessibility issues on the TTC; and
- the undertaking of extensive public consultation pertaining to accessibility and other features in advance of the construction of the accessible *Transit City* light rail services.

The TTC has a number of ongoing initiatives which will continue to improve the ease and convenience of transit travel for everyone, including people with disabilities:

- the further replacement of existing non-accessible buses with low-floor buses;
- the impending replacement of the current fleet of non-accessible streetcars with new, modern accessible light rail vehicles;
- the continuing initiative to make more existing subway stations accessible in order to ensure that all stations will be accessible by 2020; and

- the TTC's commitment to make all new rapid transit stations accessible and all stations on the *Transit City* light rail lines.

Some, or all, of these programs, budgets, and schedules to improve system accessibility may be affected by the forthcoming Provincial regulations on accessibility standards. This is discussed below.

Regulations to Implement the Accessibility for Ontarians with Disabilities Act (2005)

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) requires that all public facilities and services be accessible in Ontario by 2025, and provides for the development of accessibility standards to achieve this goal. The Province of Ontario is currently developing specific regulations for implementation of the AODA, and these are expected to affect the TTC's schedules, priorities, and operating expenses, especially if they impose requirements that are not included in the TTC's current accessibility plans.

The first standards to be developed under the AODA pertain to customer service. The Ministry of Community and Social Services created and administered a Customer Service Standards Development Committee (CS-SDC) to advise them on the creation of standards, and also undertook a public consultation process related to the draft standard. Through this process, the Province has now passed regulations (Ontario Regulation 429/07 and Ontario Regulation 430/07) on accessible customer service. The TTC, and other public transit service providers, must comply with the regulation by January 1, 2010, and private sector interests have another two years to comply with the regulation. Because the TTC already provides a large amount of training for front-line staff and others who provide information and assistance to people with disabilities, it is not anticipated that the new regulation will significantly change TTC policies and practices.

In a similar fashion, the Province is developing a sector-specific standard that pertains to public transportation services in Ontario, and general accessibility standards for information and communications, employment, and the built environment. These standards are in various stages of development, as outlined below.

Accessible Public Transportation Standards

In September 2007, the Commission received a report from staff on the accessible transportation standards development process, the public consultation on the draft standard, and the concerns submitted by staff and ACAT. Staff were participating in the development process as members of the Transportation Standards Development Committee (T-SDC). At the time, it was anticipated that the transportation standards would have a significant effect on TTC policies and practices, increase TTC capital expenses by approximately \$60 million, and increase the TTC's annual operating expenses by approximately \$2 million. In addition, the TTC would incur additional costs associated with the implementation of an accessible smart card system, though these costs weren't known at that time.

Subsequently, the provincial government directed that the standards development process be revised and extended. After a year of intense activity on the part of members, in November, 2008, the T-SDC provided a draft standard for the consideration of the Minister of Community and Social Services. The draft was incomplete, however, because the committee could not agree on a number of clauses and implementation schedules in the standards.

The transit industry representatives on the T-SDC opposed a number of items, and these were deleted from the draft before it was provided to the Minister. However, there are a number of definitions, terms, and schedules that remain in the draft standard which are unacceptable from a transit industry perspective. On January 26, 2009, a somewhat revised version of what the T-SDC provided to the Minister was posted on the Provincial website for "information". TTC and other transit systems with membership in the Ontario Public Transit Association and the Canadian Urban Transit Association are assessing the latest draft standard and will be conferring on a possible submission on the recently-posted draft standards.

As was the case with the customer service standard, the Minister may -- without further consultation -- add, change, or delete clauses, definitions, and implementation schedules that have been submitted through the T-SDC process. As a result, TTC staff remain unable to report what ultimately may, or may not, be in the Provincial accessible transportation regulation.

Other Draft Accessibility Standards

The draft standard on Information and Communications has been assessed by TTC staff and discussed with ACAT. Staff have concerns about a number of elements of the draft standards including the potential feasibility and costs associated with retrofitting existing IT-based information systems and the unrealistic time lines being proposed. These concerns have been formally communicated to the Ministry of Community and Social Services as part of their public review process. Staff will continue to participate in the review process and report to the Commission when more definitive information is available.

The draft standard for Employment has not been released by the Minister of Community and Social Services. The release of the draft and the start of public consultation on this standard are expected to occur in early 2009.

The Built Environment Standards Development Committee has been given a deadline of the end of May, 2009, to produce a draft standard. The standard may influence the design and operation of existing and planned TTC bus stops, shelters, stations, and terminals, as well as City of Toronto transportation facilities and features. Like the accessible transportation standard, this standard could have significant effects on TTC policies, practices, programs, and the accessibility initiatives noted in this report. The full effects of all the standards, including the added costs to the TTC and the effects they will have on TTC operations, are unlikely to be known until late 2009.

Status of Funding for Accessibility Initiatives

Limited funding for committed accessibility improvements is already included in the TTC's capital and operating budgets.

The TTC's plans for station accessibility and for lowering the unaccommodated rate on Wheel-Trans to-the-door services could be accelerated through the provision of additional funding from senior levels of government and/or Metrolinx.

Additional funding will be required to meet the upcoming Provincial accessibility regulations, but the amounts are not known at this time. The Province has indicated that it will not fund any additional costs to transit operators which result from the requirements of their AODA legislation and regulations.

SUMMARY

The TTC is committed to making its services accessible in order to better meet the needs of people with disabilities, seniors, and other travellers. The TTC has a systematic program in place to ensure that this is accomplished in a cost-effective and timely way. The TTC's accessibility objectives could be met faster and sooner if Metrolinx and/or the Province of Ontario were to provide additional funding.

The TTC's accessibility initiatives, including budgets and schedules, could be affected by Provincial regulations on accessibility. The Province has not made a commitment to fund the cost of changes which will result from the regulations.

February 3, 2008

11-31-47

Attachment: Appendix1: TTC Accessible Transit Services Plan -- 2008 Status Report