



London
CANADA

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June 27, 2018

A. Drost
Manager Municipal Law Enforcement Services - Parking and Licensing

M. Davenport
Engineer in Training

I hereby certify that the Municipal Council, at its meeting held on June 26, 2018 resolved:

That the following actions be taken with respect to the 5th Report of the Accessibility Advisory Committee from its meeting held on May 24, 2018:

a) the Civic Administration BE ADVISED that the Accessibility Advisory Committee recommends that additional on-street parking on Main Street in Lambeth be installed between South Routledge Road and Bainard Street (Site 2); it being noted that the attached presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;

b) that the following actions be taken with respect to the 2018 Parking Lot Rehabilitation program:

i) the Manager, Municipal Law Enforcement Services – Parking and Licensing, or designate, BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee (ACCAC) to discuss accessible pay parking meters; and,

ii) the Civic Administration BE ADVISED that the ACCAC recommends that one additional accessible parking spot be installed in Lot 3E at Piccadilly east of Richmond Street, just south of the pay station;

it being noted that the attached presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;

c) clauses 1.1, 2.3, 2.4, 3.1, 3.3, 3.5 and 3.6 BE RECEIVED;

d) the following recommendation of the Accessibility Advisory Committee (ACCAC) BE REFERRED to the next meeting of the Community and Protective Services Committee (CPSC) for consideration:

"Municipal Council BE REQUESTED to take no action with respect to the proposed "Green Standards for Light Pollution and Bird-Friendly Development" document submitted by the Environmental and Ecological Planning Advisory Committee, pending the completion of a review and report back to the Accessibility Advisory Committee (ACCAC) by Civic Administration with respect to how the proposal relates to accessibility and the ACCAC has been able to provide input on the draft proposal; it being noted that the ACCAC received the draft proposal for review the May 24, 2018 meeting of the committee;" and,

e) the following recommendation of the ACCAC BE RECEIVED and NO FURTHER ACTION TAKEN with respect to this matter:

"the Managing Director, Corporate Services and City Solicitor BE REQUESTED to seek a legal opinion, from an expert in Accessibility and Human Rights legislation, with respect to the following matters, as they relate to the Conservation Master Plan for the

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Medway Valley Heritage Forest Environmentally Significant Area and the related, attached Council resolution:

i) clarification and direction on parts a) iv) and a) vi) and the application of section 80.15 of the Accessibility for Ontarians with Disabilities Act (AODA), Regulation 191/11 Integrated Accessibility Standard, as it applies to the Municipal Council's decision to reject portions of the recommended Master Plan;

it being noted that clause a) iv) calls for further consultations, however clauses a) i), a) ii), a) v) and a) vii) all serve to limit the scope of what the community (including the Accessibility Advisory Committee [ACCAC]) can discuss, comment on, or recommend and this is of particular concern as several members of Municipal Council cited ineffective or insufficient consultation as a major factor in their rejection of the CMP Phase 2 put forth by the Civic Administration;

it being further noted that, with respect to clause a) vi), the direction to limit hardscaped surfaces may be deemed to be in direct conflict with the Municipal Council endorsed Trail Guidelines and the provincial legislation, more specifically the AODA, Regulation 191/11 Integrated Accessibility Standard, which noted in section 80.9 (1), subsection 3, that "the surface of a recreational trail must be firm and stable", and section 80.14 (b) further clarifies that "where an exception is permitted to a requirement that applies to a recreational trail..., the exception applies solely to the portion of the recreational trail...for which it is claimed and not to the recreational trail...in its entirety";

ii) to further clarify the much discussed and cited exemption, under section 80.15 of the standard, as the ACCAC believes it does not apply and cannot be used to justify limited accessibility in the Valley;

it being noted that the exemption requires the municipality to demonstrate a significant risk to the environment exists;

it being further noted that the Conservation Master Plan Phase 1, to which the ACCAC had no involvement or undue influence, delineated between areas of high and low sensitivity and risk to the environment and all proposed accessibility enhancements were contained within the Natural Environment Zones, as opposed to the sensitive Nature Reserve Zones; and,

iii) to address the application of the Ontario Human Rights Code, as well as the Universal Declaration of Human Rights, as proclaimed by the United Nations, cited in the preamble of the Code, as it relates to the above-noted Municipal Council resolution, most notably the application of sections 1, 2, 13 and 17 of the Code;

it being noted that all discussions at committee level and Municipal Council level addressed only the AODA when discussing accessibility legal requirements."
(4.1/10/CPSC)(AS AMENDED)



C. Saunders
City Clerk
/kmm

cc: Chair and Members, Accessibility Advisory Committee
CPSC Deferred List