

Disclaimer:

This draft regulation is provided solely to facilitate public consultation under subsection 39 (4) of the *Accessibility for Ontarians with Disabilities Act, 2005*. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of both language versions of the draft regulation are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

Ontario Regulation
made under the
Accessibility for Ontarians with Disabilities Act, 2005
Amending O. Reg. 191/11
(Integrated Accessibility Standards)

Note: Ontario Regulation 191/11 has not previously been amended.

- 1. Subsection 1 (1) of Ontario Regulation 191/11 is revoked and the following substituted:**

Purpose and application

- (1) This Regulation establishes the accessibility standards for each of information and communications, employment, transportation and the design of public spaces.

- 2. Section 2 of the Regulation is amended by adding the following definition:**

“mobility aid” means a device used to facilitate the transport, in a seated posture, of a person with a disability; (“aide à la mobilité”)

- 3. (1) Clause 4 (3) (a) of the Regulation is amended by adding “including steps taken to comply with this Regulation” at the end.**

- (2) Section 4 of the Regulation is amended by adding the following subsections:**

- (3.1) Two or more designated public sector organizations who are required to comply with the requirements with respect to accessibility plans set out in subsection (1) may prepare a joint accessibility plan.

(3.2) A joint accessibility plan prepared in accordance with subsection (3.1) is deemed to be the accessibility plan of each designated public sector organization to which it applies and subsections (2) and (3) apply, with necessary modifications, where designated public sector organizations prepare a joint accessibility plan.

4. Subsection 18 (1) of the Regulation is revoked and the following is substituted:

Libraries of educational and training institutions

(1) Subject to subsection (2) and where available, the libraries of educational or training institutions that are obligated organizations shall provide, procure or acquire by other means an accessible or conversion ready format of print, digital or multimedia resources or materials for a person with a disability who is a student of the educational or training institute, upon request.

5. (1) Subsection 26 (1) of the Regulation is amended by striking out “consult with the employee to” in the portion before clause (a).

(2) Subsection 26 (2) of the Regulation is amended by adding “In meeting its obligations under subsection (1),” at the beginning.

6. The definition of “mobility aid” in section 33 of the Regulation is revoked.

7. Subsections 49 (1), (2), (3) and (4) of the Regulation are amended by striking out “courtesy seating” wherever it appears and substituting in each case “priority seating”.

8. Section 52 of the Regulation is amended by adding the following subsections:

(3.1) Where a conventional transportation system provider provides electronic on-board announcements under clause (2) (a), the conventional transportation provider is not required to provide the same information verbally under subsection (1).

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(4.1) Despite subsection (4), subsection (1) does not apply to subways, light rail, commuter rail and inter-city rail.

9. Clause 53 (1) (c) of the Regulation is amended by striking out “courtesy seating” and substituting “priority seating”.

10. Subsection 56 (1) of the Regulation is amended by striking out “courtesy seating” and substituting “priority seating”.

11. Section 78 of the Regulation is amended by adding the following subsection:

(3.1) Despite subsection (3), a municipality shall limit the participation of the person in the consultation and planning to the extent that is necessary to prevent the person from obtaining an unfair advantage in future bidding for new contracts with the municipality.

12. The Regulation is amended by adding the following Part:

Part IV.1
Design of Public Spaces Standards (Accessibility Standards for the Built Environment)

Definitions, Application and Schedule

Definitions

80.1 In this Part,

“amenities” mean items that are conveniences or services that are usable by the public, examples of which include drinking fountains, benches and garbage receptacles; (“commodités”)

“beach access routes” means routes that are intended for public pedestrian use and that provide access to a beach recreational level from off-street parking facilities, recreational trails, exterior paths of travel and amenities; (“voie accessible”)

“bevel” means a small slope that helps an individual in a mobility aid negotiate an elevation change; (“biseau”)

“cross slope” means the slope that is perpendicular to the direction of travel; (“pente transversale”)

“in-line ramp” means a ramp that does not change directions; (“rampe en ligne droite”)

“maintenance” means activities meant to keep existing public spaces and elements in existing public spaces in good working order or to restore the spaces or elements to their original condition, for example by painting or through minor repairs; (“entretien”)

“mm” means millimetres; (“millimètre”)

“on-street parking” includes parking spaces located on highways, as defined under the *Highway Traffic Act*, that provide direct access to shops, offices and other facilities whether or not the payment of a fee is charged; (“stationnement sur rue”)

“off-street parking facilities” includes open area parking lots and structures, such as garages, intended for the temporary parking of vehicles to which the public has access whether or not the payment of a fee is charged and includes visitor parking spaces in parking facilities; (“installations de stationnement hors rue”)

“recreational trails” means public pedestrian trails that are predominately used for recreational and leisure purposes; (“sentier récréatif”)

“redeveloped” means planned significant or substantial changes to public spaces but does not include maintenance activities; (“réaménagement”)

“rest area” means, in respect of a recreational trail, a dedicated level area that allows a person to stop or sit, but does not require seating; (“aire de repos”)

“running slope” means the slope that is parallel to the direction of travel; (“pente”)

“vibro-tactile walk indicators” means pedestrian crossing signal push button devices that vibrate and can be felt through the sense of touch to communicate pedestrian crossing timing in a non-visual way. (“signal de marche vibrotactile”)

Application

80.2(1) Except as otherwise specified, this Part applies to public spaces that are new or redeveloped on and after the dates set out in the schedule in section 80.4 and that are covered by this Part.

(2) Except as otherwise specified, this Part,

(a) applies to the Government of Ontario, the Legislative Assembly, designated public sector organizations and large organizations; and

(b) does not apply to small organizations.

Slope ratios

80.3 In this Part, the ratios with respect to the slope of something mean that for every one unit of elevation, expressed as the first number in the ratio, the user has the second number in the ratio in length with which to negotiate the one unit of elevation.

Schedule

80.4 Obligated organizations, including small organizations to the extent that specified standards apply to them, shall meet the requirements set out in this Part in accordance with the following schedule:

1. For the Government of Ontario and the Legislative Assembly, January 1, 2015.
2. For designated public sector organizations, January 1, 2016.
3. For large organizations, January 1, 2017.
4. For small organizations, January 1, 2018.

Recreational Trails and Beach Access Routes, General

Trails

80.5 This Part applies to recreational trails, but does not apply to the following types of recreational trails:

1. Trails intended for cross-country skiing, mountain biking, snowmobiling and the use of off-road vehicles.
2. Trails that are not regularly maintained, such as wilderness trails including backcountry trails and portage routes.

Beach access routes

80.6 This Part applies to beach access routes, including permanent and temporary routes and temporary routes that are established through the use of manufactured goods, which can be removed for the winter months.

Consultation, recreational trails

80.7(1) Obligated organizations, other than small organizations, shall consult on the following before they develop new or redevelop existing recreational trails:

1. The slope of the trail.
2. The need for and location and design of,
 - i. rest areas,
 - ii. passing areas,

- iii. viewing areas, and
- iv. amenities on the trail.

(2) Obligated organizations, other than small organizations, shall consult on the matters referred to in subsection (1) in the following manner:

1. The Government of Ontario, the Legislative Assembly, designated public sector organizations, other than municipalities, and large organizations must consult with the public and persons with disabilities.
2. Municipalities must consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

Technical Requirements for Recreational Trails

Technical requirements for trails, general

80.8(1) Obligated organizations, other than small organizations, shall ensure that new and redeveloped recreational trails meet the following technical requirements:

1. A recreational trail must have a minimum clear width of 1,000 mm.
2. A recreational trail must have a clear height that provides a minimum head room clearance of 2,100 mm above the trail.
3. The surface of the recreational trail must be firm and stable.
4. Where a recreational trail has openings in its surface,
 - i. the openings must not allow passage of an object that has a diameter of more than 13 mm, and
 - ii. any elongated openings must be orientated approximately perpendicular to the direction of travel.
5. Where the trail is constructed adjacent to water, a recreational trail must be provided with edge protection that meets the following requirements:
 - i. The edge protection must constitute an elevated barrier that runs along the edge of the recreational trail and must prevent users of the trail from slipping over the edge.

- ii. The top of the edge protection must be at least 50 mm above the trail surface.
 - iii. The edge protection must be designed so as not to impede the drainage of the trail surface.
- 6. Despite paragraph 5, where there is a handrail of between 865 mm and 965 mm that runs along the edge of the recreational trail that is adjacent to water, edge protection does not have to be provided.
- 7. The entrance to the recreational trail must provide a clear opening of between 850 mm and 1,000 mm, whether the entrance is a gate, bollard or other entrance design.
- 8. A recreational trail must have at its start signage that provides the following information:
 - i. The length of the trail.
 - ii. The type of surface of which the trail is constructed.
 - iii. The average and the minimum trail width.
 - iv. The average running slope and maximum cross slope.
 - v. The location of amenities, where provided.

(2) The signage referred to in paragraph 8 of subsection (1) must have text that,

(a) is high colour-contrasted with its background in order to assist with visual recognition; and

(b) has the appearance of solid characters.

(3) Where other media is used to provide information about a recreational trail, such as websites or brochures, the media must provide the same information as listed in paragraph 8 of subsection (1).

Technical Requirements for Beach Access Routes

Technical requirements for beach access routes, general

80.9 Obligated organizations, other than small organizations, shall ensure that new and redeveloped beach access route designs meet the following technical requirements:

1. The beach access route must have a sufficiently clear width to permit people using mobility aids,
 - i. to access the land portion of a beach where recreation normally occurs, and
 - ii. to turn around.
2. A beach access route must have a clear height that provides a minimum head room clearance of 2,100 mm above the beach access route.
3. The surface of the beach access route must be firm and stable.
4. Where the surface area of the beach access route is constructed, that is where the surface area is not natural, the surface area must meet the following requirements:
 - i. It must have a 1:2 bevel at changes in level between 6 mm and 13 mm.
 - ii. The maximum cross slope of the beach access route must be no more than 1:50.
 - iii. It must have a running slope of between 1:10 and 1:12 at changes in level between 14 mm and 200 mm.
 - iv. It must have a ramp that meets the requirements of section 80.12 where there are changes in level greater than 200 mm.
 - v. Any openings in the surface of the beach access route must not allow passage of an object with a diameter of more than 13 mm.
 - vi. Any elongated openings in the beach access route, such as gratings, must be oriented approximately perpendicular to the direction of travel.
5. The maximum cross slope of the beach access route where the surface is not constructed must be the minimum slope required for drainage.
6. The maximum running slope of the beach access route is 1:10.

7. The entrance to the beach access route must provide a clear opening of between 850 mm and 1,000 mm, whether the entrance is a gate, bollard or other entrance design.

Technical Requirements Common to Recreational Trails and Beach Access Routes

Common technical requirements, general

80.10 Obligated organizations, other than small organizations, shall ensure that new and redeveloped recreational trails and beach access routes meet the technical requirements set out in this Part in respect of boardwalks and ramps.

Boardwalks

80.11 Where a recreational trail or beach access route is equipped with a boardwalk, the boardwalk must meet the following requirements:

1. The boardwalk must have a minimum clear width of 1,000 mm.
2. The boardwalk must have a minimum headroom clearance of 2,100 mm.
3. The boardwalk must be made of firm and stable surface material.
4. The boardwalk must not have any openings in the surface that allow the passage of an object with a diameter of more than 13 mm.
5. The boardwalk must include edge protection that is at least 50 mm in height.
6. If a boardwalk has running slopes that are steeper than 1:20, the running slopes must meet the requirements for ramps set out in section 80.12.

Ramps

80.12 Where a recreational trail or beach access route is equipped with ramps, the ramps must meet the following requirements:

1. Ramps must have a minimum clear width of 900 mm.

2. Ramps must have a minimum headroom clearance of 2,100 mm.
3. Ramps must be made of firm and stable surface material.
4. Ramps must have a maximum running slope of no more than 1:10.
5. Ramps must not have any openings in the surface that allow the passage of an object with a diameter of more than 13 mm.
6. Ramps must be equipped with handrails on both sides of the ramp and the handrails must,
 - i. be continuously graspable along their entire length and have circular cross-section with an outside diameter not less than 30 mm and not more than 40 mm, or any non-circular shape with a graspable portion that has a perimeter not less than 100 mm and not more than 155 mm and whose largest cross-sectional dimension is not more than 57 mm,
 - ii. be not less than 865 mm and not more than 965 mm high, measured vertically from the surface of the ramp, except that handrails not meeting these requirements are permitted if they are installed in addition to the required handrail,
 - iii. be terminated in a manner that will not obstruct pedestrian travel or create a hazard,
 - iv. extend horizontally not less than 300 mm beyond the top and bottom of the ramp, and
 - v. be provided with a clearance of not less than 50 mm between the handrail and any wall to which it is attached.
7. Where ramps are more than 2,200 mm in width, one or more intermediate handrails which are continuous between landings shall be provided and located so that there is no more than 1,650 mm between handrails; the handrails must meet the requirements set out in paragraph 6.
8. Ramps must have a wall or guard on both sides and where a guard is provided, it must,

- i. be not less than 1,070 mm measured vertically to the top of the guard from the ramp surface, and
- ii. be designed so that no member, attachment or opening located between 140 mm and 900 mm above the ramp surface being protected by the guard will facilitate climbing.

9. Ramps must have edge protection that is provided,

- i. with a curb at least 50 mm high on any side of the ramp where no solid enclosure or solid guard is provided, and
- ii. with railings or other barriers that extend to within 50 mm of the finished ramp surface.

10. Ramps must be provided with landings that meet the following requirements:

- i. Landings must be provided,
 - A. at the top and bottom of the ramp,
 - B. where there is an abrupt change in the direction of the ramp, and
 - C. at horizontal intervals not greater than nine metres apart.
- ii. Landings must be a minimum of 1,670 mm by 1,670 mm at the top and bottom of the ramp and where there is an abrupt change in direction of the ramp.
- iii. Landings must be a minimum of 1,670 mm in length and at least the same width of the ramp for an in-line ramp.
- iv. Landings must have a cross slope that is not steeper than 1:50.

Exceptions to the Requirements for Recreational Trails and Beach Access Routes

Exceptions, limitations

80.13 Where an exception is provided to a requirement that applies to a recreational trail or a beach access route, the exception applies solely,

- (a) to the particular requirement for which the exception is allowed and not to any other requirement that applies to the recreational trail or beach access route; and

- (b) to the portion of the recreational trail or beach access route for which it is claimed and not to the recreational trail or beach access route in its entirety.

Exceptions, general

80.14 Exceptions to the requirements that apply to recreational trails and beach access routes are permitted where obligated organizations, other than small organizations, can demonstrate one or more of the following:

1. The requirements or some of them would erode the heritage attributes, as defined under the *Ontario Heritage Act*, of a property,
 - i. listed in a municipal register as being of cultural heritage under section 27 of that Act,
 - ii. designated by a municipality as being a property of cultural heritage value or interest under section 29 of that Act,
 - iii. included in a heritage conservation district designated by a municipality under section 41 of that Act,
 - iv. designated by the Minister of Culture under section 34.5 of that Act as a property of cultural heritage value or interest of provincial significance, or
 - v. designated as having national historic significance by the Minister of the Environment for Canada on the advice of the Historic Sites and Monuments Board of Canada.
2. The requirements or some of them would affect natural habitats for extirpated, endangered or threatened species as classified under the *Endangered Species Act, 2007*.
3. It is not practicable to comply with the requirements or some of them because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where surrounding rocks bordering the recreational trail or beach access route impede achieving the required clear width or where the clear height of the recreational trail or beach access route requirements would result in permanently damaging vegetation growth.

Outdoor Public Use Eating Areas

Outdoor public use eating areas, application

80.15 The requirements in section 80.23 apply to outdoor public use eating areas that consist of tables that are found in public areas, such as in public parks, on hospital grounds and on university campuses.

Outdoor public use eating areas, general requirements

80.16 Obligated organizations, other than small organizations, shall ensure that new and redeveloped outdoor public use eating areas meet the following requirements:

1. A minimum of 20 per cent of the tables that are provided must be accessible to people using mobility aids by having knee and toe clearance underneath the table; 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 people using mobility aids must be level, firm and stable.
3. Tables that are accessible to people using mobility aids must have clear ground space around them that allows for a forward approach to the tables.

Outdoor Play Spaces

Outdoor play spaces, application

80.17 This Part applies to outdoor play spaces that consist of an area that may contain play equipment, such as swings, or features such as logs, rocks, sand or water where the equipment or features are designed to provide play opportunities and experiences for children and caregivers.

Outdoor play spaces, accessibility in design

80.18 Obligated organizations, other than small organizations, shall incorporate accessibility features for children and caregivers with various disabilities into the design of outdoor play spaces when developing new or redeveloping existing play spaces.

Outdoor play spaces, consultation requirements

80.19 When developing new or redeveloping existing outdoor play spaces, obligated organizations, other than small organizations, shall consult on the

needs of children and caregivers with disabilities and shall do so in the following manner:

1. The Government of Ontario, the Legislative Assembly, designated public sector organizations, other than municipalities, and large organizations must consult with the public and persons with disabilities.
2. Municipalities must consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

Exterior Paths of Travel

Exterior paths of travel, application

80.20 (1) This Part applies to exterior paths of travel that are outdoor sidewalks or walkways designed for pedestrian travel that serve a functional purpose and are not intended to provide a recreational experience.

(2) This Part does not apply to barrier free paths of travel regulated under Ontario Regulation 350/06 (Building Code) made under the *Building Code Act, 1992*.

Exterior paths of travel, general obligation

80.21 Obligated organizations, other than small organizations, shall ensure that new and redeveloped exterior paths of travel meet the requirements set out in this Part.

Exterior paths of travel, technical requirements

80.22 When developing new or redeveloping existing exterior paths of travel obligated organizations, other than small organizations, shall ensure that new and redeveloped exterior paths of travel meet the following requirements:

1. The surface must be firm and stable.
2. The surface must be slip resistant.
3. The exterior path must have a clear width of 1,500 mm, but this clear width can be reduced to 1,200 mm where the exterior path connects with a curb ramp.
4. Where the head room clearance is less than 2,100 mm over a portion of the exterior path, a rail or other barrier with a leading

edge that is cane detectable must be provided around the object that is obstructing the head room clearance.

5. The maximum running slope of the exterior path must be no more than 1:20, but where the exterior path is a sidewalk, it can have a slope of greater than 1:20 but it cannot be steeper than the slope of the adjacent roadway.
6. The maximum cross slope must be no greater than 1:50.
7. Where there are changes in level, the exterior path must,
 - i. include a maximum bevel of 1:2, where the change is between 6 mm and 13 mm,
 - ii. include a 1:8 to a 1:10 slope, where the change is between 14 mm and 74 mm,
 - iii. include a 1:10 to a 1:12 slope, where the change is between 75 mm and 200 mm, and
 - iv. include a ramp that meets the requirements of section 80.23, where the change is greater than 200 mm.
8. Gates, bollards and other entrance designs must provide a minimum clear opening of 850 mm.
9. Where an exterior path has openings in its surface,
 - i. the openings must not allow passage of an object that has a diameter of more than 13 mm, and
 - ii. any elongated openings, such as a grating, must be oriented approximately perpendicular to the direction of travel.

Exterior paths of travel, ramps

80.23(1) Where exterior paths of travel are equipped with ramps, the ramps must meet the following requirements:

1. Ramps must be made of firm and stable material.

2. Ramps must have a slip-resistant surface.
3. Ramps must have a minimum clear width of 900 mm.
4. Ramps must have a maximum running slope of no more than 1:15.
5. Landings must be provided,
 - i. at the top and bottom of a ramp,
 - ii. where there is an abrupt change in direction on the ramp, and
 - iii. at horizontal intervals not greater than nine metres apart.
6. Landings must meet the following requirements:
 - i. Landings must be a minimum of 1,670 mm by 1,670 mm at the top and bottom of the ramp and where there is an abrupt change in direction on the ramp.
 - ii. Landings must be a minimum of 1,670 mm in length and at least the same width of the ramp for an in-line ramp.
 - iii. Landings must have a cross slope that is not steeper than 1:50.
7. Handrails must be included on both sides of the ramp and must,
 - i. be continuously graspable along their entire length and have circular cross-section with an outside diameter not less than 30 mm and not more than 40 mm, or any non-circular shape with a graspable portion that has a perimeter not less than 100 mm and not more than 155 mm and whose largest cross-sectional dimension is not more than 57 mm,
 - ii. be not less than 865 mm and not more than 965 mm high, measured vertically from the surface of the ramp, except that handrails not meeting these requirements are permitted provided they are installed in addition to the required handrail,
 - iii. be terminated in a manner that will not obstruct pedestrian travel or create a hazard,

- iv. extend horizontally not less than 300 mm beyond the top and bottom of the ramp,
 - v. be provided with a clearance of not less than 50 mm between the handrail and any wall to which it is attached, and
 - vi. be designed and constructed such that handrails and their supports will withstand the loading values obtained from the non-concurrent application of a concentrated load not less than 0.9 kN applied at any point and in any direction for all handrails and a uniform load not less than 0.7 kN/metre applied in any direction to the handrail.
8. Where ramps are more than 2,200 mm in width, one or more intermediate handrails which are continuous between landings shall be provided and located so that there is no more than 1,650 mm between handrails; the handrails must meet the requirements set out in paragraph 7.
9. Ramps must have a wall or guard on both sides and where a guard is provided, it must,
- i. be not less than 1,070 mm measured vertically to the top of the guard from the ramp surface, and
 - ii. be designed so that no member, attachment or opening located between 140 mm and 900 mm above the ramp surface being protected by the guard will facilitate climbing.
10. Ramps must have edge protection that is provided,
- i. with a curb at least 50 mm high on any side of the ramp where no solid enclosure or solid guard is provided, and
 - ii. with railings or other barriers that extend to within 50 mm of the finished ramp surface.

(2) In this section,

“kN” means kilonewtons.

Exterior paths of travel, stairs

80.24 Where stairs are provided on exterior paths of travel, they must meet the following requirements:

1. Stairs must have uniform risers and runs in any one flight.
2. The rise between successive treads must be between 125 mm and 180 mm.
3. The run between successive steps must be between 280 mm and 355 mm.
4. The stairs must have closed risers.
5. The maximum nosing projection on a tread must be no more than 38 mm, with no abrupt undersides. That is, the undersides should be bevelled for example to avoid an individual from tripping.
6. Stairs must have high colour contrast markings that extend the full tread width of the leading edge of each step.
7. Stairs must be equipped with tactile walking surface indicators that are built in or applied to the walking surface and that warn individuals who are visibly impaired of hazards, such as a change in elevation. The tactile walking surfaces must,
 - i. be located at the top of all flights of stairs, and
 - ii. extend the full tread width to a minimum depth of 610 mm commencing one tread depth from the edge of the top step.
8. Handrails must be included on both sides of stairs and must satisfy the requirements set out in paragraph 7 of subsection 80.23 (1).
9. A guard must be provided that is not less than 920 mm, measured vertically to the top of the guard from a line drawn through the outside edges of the stair nosings and 1,070 mm around the landings, is required on each side of a stairway where the difference in elevation between ground level and the top step is more than 600 mm but, where there is a wall, a guard is not required on that side.
10. Where stairs are more than 2,200 mm in width, one or more intermediate handrails that are continuous between landings must be provided and located so there is no more than 1,650 mm

between handrails. The handrails must satisfy the requirements set out in paragraph 7 of subsection 80.23 (1).

Exterior paths of travel, curb ramps

80.25(1) Where curb ramps are provided on exterior paths of travel, they must align with the direction of travel and meet the following requirements:

1. Curb ramps must have a minimum clear width of 1,200 mm, exclusive of any flared sides.
2. The running slope of curb ramps must,
 - i. be 1:8 to 1:10, where elevation is less than 75 mm, and
 - ii. be 1:10 to 1:12, where elevation is greater than 75 mm and less than 200 mm.
3. The maximum cross slope of curb ramps must be no more than 1:50.
4. The maximum slope on the flared side of a curb ramp must be no more than 1:10.
5. Where curb ramps are provided at pedestrian crossings, they must have tactile walking surface indicators that,
 - i. are located at the bottom of the curb ramp,
 - ii. are set back between 150 mm and 200 mm from the curb edge,
 - iii. extend the full width of the curb ramp, and
 - iv. are a minimum of 610 mm in depth.

(2) For the purposes of this section, curb ramps are ramps that are cut through a curb or that are built up to a curb.

Exterior paths of travel, depressed curbs

80.26(1) Where depressed curbs are provided on exterior paths of travel, they must meet the following requirements:

1. Depressed curbs must have a maximum running slope of 1:20.

2. Depressed curbs must be aligned with the direction of travel.
3. Where depressed curbs are provided at pedestrian crossings, they must have tactile walking surface indicators that,
 - i. are located at the bottom portion of the depressed curb that is flush with the roadway,
 - ii. are set back between 150 mm and 200 mm from the curb edge, and
 - iii. are a minimum of 610 mm in depth.

(2) For the purposes of this section, depressed curbs are seamless gradual slopes at transitions between sidewalks and walkways and highways, and are usually found at intersections.

Exterior paths of travel, accessible pedestrian signals

80.27(1) Where new pedestrian signals are being installed at pedestrian street crossings or existing pedestrian signals are being replaced, they must be pushbutton-integrated accessible pedestrian signals.

(2) Pushbutton-integrated accessible pedestrian signals must meet the following requirements:

1. They must have a locator tone that is distinct from a walk indicator tone.
2. They must be installed within 1,500 mm of the edge of the curb.
3. They must be mounted at a maximum of 1,100 mm above ground level.
4. They must have tactile arrows that align with the direction of crossing.
5. They must include both audible and vibro-tactile walk indicators.

(3) Where two pushbutton assemblies are installed on the same corner, they must be a minimum of 3,000 mm apart.

(4) Where the requirements in subsection (3) cannot be met because of site constraints or existing infrastructure, two pushbutton assemblies can be installed on a single post, and when this occurs, a verbal announcement must clearly state which crossing is active.

Exterior paths of travel, rest areas

80.28 When developing new or redeveloping exterior paths of travel, obligated organizations, other than small organizations, shall consult on the design and placement of rest areas along the path of travel and shall do so in the following manner:

1. The Government of Ontario, the Legislative Assembly, designated public sector organizations, other than municipalities, and large organizations must consult with the public and persons with disabilities.
2. Municipalities must consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

Exceptions, limitations

80.29 Where an exception is provided to a requirement for an exterior path of travel, the exception applies solely,

- (a) to the particular requirement for which the exception is allowed and not to any other requirement that applies to the exterior path; and
- (b) to the portion of the exterior path for which it is claimed and not to the exterior path in its entirety.

Exceptions, general

80.30 Exceptions to the requirements that apply to exterior paths of travel are permitted where obligated organizations, other than small organizations, can demonstrate one or more of the following:

1. It is not practicable to comply with the requirements or some of them because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where increasing the width of the exterior path would narrow the width of the adjacent highway or locating an accessible pedestrian signal poles within 1,500 mm of curb edge is not feasible because of existing underground utilities.
2. The requirements of this Part or some of them would erode the heritage attributes, as defined under the *Ontario Heritage Act*, of a property,

- i. listed in a municipal register as being of cultural heritage under section 27 of that Act,
- ii. designated by a municipality as being a property of cultural heritage value or interest under section 29 of that Act,
- iii. included in a heritage conservation district designated by a municipality under section 41 of that Act,
- iv. designated by the Minister of Culture under section 34.5 of that Act as a property of cultural heritage value or interest of provincial significance, or
- v. designated as having national historic significance by the Minister of the Environment for Canada on the advice of the Historic Sites and Monuments Board of Canada.

Accessible Parking

Application

80.31 All obligated organizations, including small organizations, shall ensure that all new and redeveloped off-street parking facilities meet the requirements set out in this Part.

Exception

80.32(1) The requirements in respect of off-street parking facilities do not apply to off-street parking facilities that are used exclusively for one of the following:

1. Parking for employees.
2. Parking for buses.
3. Parking for delivery vehicles.
4. Parking for law enforcement vehicles.
5. Parking for medical transportation vehicles, such as ambulances.
6. Parking used as a parking lot for impounded vehicles.

(2) The requirements in respect of off-street parking facilities do not apply to those off-street parking facilities that are not located on a barrier-free path of travel, regulated under Ontario Regulation 350/06 (Building Code) made under

the *Building Code Act, 1992* where obligated organizations have multiple off-street parking facilities on a single site that serve a building or facility.

Types of accessible parking spaces

80.33 Off-street parking facilities must provide the following two types of accessible parking spaces:

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

80.34(1) Access aisles is the space between parking spaces that allows people with disabilities to transfer to and from vehicles, must be provided for all accessible parking spaces in off-street parking facilities.

(2) Access aisles may be shared by two accessible parking spaces 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 colour contrast diagonal lines, which discourages parking in them.

Minimum number and type of accessible parking spaces

80.35(1) Off-street parking facilities must have a minimum number and type of accessible parking spaces, in accordance with the following requirements:

1. One accessible parking space, which meets the requirements of a Type A parking space, where there are 25 parking spaces or fewer.
2. Four per cent of the total number of parking spaces must be accessible parking spaces where there are between 26 and 500 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:

- i. Where an even number of accessible parking spaces are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
 - ii. Where an odd number of accessible parking spaces are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, must be a Type B parking space.
 3. Twenty accessible parking spaces, and an additional two per cent of parking spaces for spaces in addition to 500, must be accessible parking spaces where more than 500 parking spaces are provided in accordance to the following ratio, rounded up to the nearest whole number:
 - i. Where an even number of accessible parking spaces are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
 - ii. Where an odd number of accessible parking spaces are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, must be a Type B parking space.
- (2) If an obligated organization provides more than one off-street parking facility at a site, the obligated organization must calculate the number and type of accessible parking spaces according to the number and type of parking spaces required for each off-street parking facility.
- (3) In determining the location of accessible parking spaces that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible entrance or user convenience.

(4) For the purposes of subsection (3), the following factors may be considered in determining user convenience:

1. Protection from the weather.
2. Security.
3. Lighting.
4. Comparative maintenance.

Exception

80.36(1) An exception to the minimum number of accessible spaces required is permitted where obligated organizations can demonstrate that it is not practicable to comply with the requirement because existing physical or site constraints prevent it from meeting the required ratio, such as where the minimum width for accessible parking spaces or access aisles cannot be met because of existing pay and display parking meters, surrounding curb edges, walkways, landscaping or the need to maintain a minimum drive aisle width.

(2) Where an obligated organization claims an exception to the minimum number of accessible spaces, it must provide as close to as many accessible parking spaces, that meet the requirements of this Part, as would otherwise be required under subsection 80.35 (1) or (2), as the case may be, that can be accommodated by the existing site and,

- (a) where that number is an even number, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space; and
- (b) where that number is an odd number, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, must be a Type B parking space.

On-street parking spaces

80.37(1) Where a designated public sector organization, other than a municipality, develops new or redevelops existing on-street parking spaces, it must consult on the need, location and design of accessible on-street parking spaces with the public and persons with disabilities.

(2) Where a municipality develops new or redevelops existing on-street parking spaces, it must consult on the need, location and design of accessible on-street parking spaces and it must consult with its municipal accessibility advisory committee, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities.

(3) In this section and despite section 2,

“**designated public sector organization**” means every municipality and every person or organization described in Schedule 1 to this Regulation, but not every person or organization listed in Column 1 of Table 1 of Ontario Regulation 146/10 (Public Bodies and Commission Public Bodies — Definitions) made under the *Public Service of Ontario Act, 2006*.

Obtaining Services

Application

80.38(1) All obligated organizations, including small organizations, shall ensure that the following meet the requirements set out in this Part:

1. All new means of obtaining services in respect of service counters and fixed queuing guides.
2. All new and redeveloped means of obtaining services in respect of waiting areas.

(2) For the purposes of this Part, requirements for obtaining services in respect of service counters, fixed queuing guides and waiting areas apply whether the services are obtained in buildings or out-of-doors.

(3) Where there is a conflict between the requirements set out in this Part and the accessibility standards set out in Ontario Regulation 429/07 (Accessibility Standards for Customer Service) made under the Act, the requirement or standard that provides the greater accessibility for people with disabilities prevails.

Service counters

80.39(1) When installing new 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 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

80.40 When installing new fixed queuing guides, the following requirements must be met:

1. The fixed queuing guides must have sufficient width to allow for the passage of mobility aids.
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 by persons who are blind or who have low vision.

Waiting areas

80.41 (1) When providing a new or redeveloping an existing waiting area, where the seating is fixed to the floor, three per cent 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 not a seat but a space in the seating area where an individual in a mobility aid can wait.

Maintenance

Maintenance of accessible elements

80.42 Obligated organizations, other than small 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.

13. The Regulation is amended by adding the following section:

Accessibility reports

86.1(1) Subject to subsection 33 (3) of the Act, organizations shall file an accessibility report with a director according to the following schedule:

1. Annually, in the case of the Government of Ontario and the Legislative Assembly.
2. Every two years, in the case of designated public sector organizations.
3. Every three years, in the case of large organizations.

(2) The reporting schedule referred to in subsection (1) begins to apply as of January 1, 2013 with the first report being due,

- (a) as of December 31, 2013, in the case of the Government of Ontario and the Legislative Assembly;
- (b) as of December 31, 2013, in the case of designated public sector organizations; and
- (c) as of December 31, 2014, in the case of large organizations.

Commencement

14. This Regulation comes into force on the later of January 1, 2013 and the day it is filed.