



Fort Erie Accessibility Advisory Committee Meeting Minutes

Meeting Date, Time and Location

Tuesday, March 26, 2024 at 4:00 p.m. at the Town Hall – Conference Room #1

Members

Lori Brant, Chair
Dennis Hernandez-Galeano, Vice Chair (at 5:01 p.m.)
Ashley Greaves
Adam McLeod
Gary Kooistra
Joe Kissman
Marilyn Abbs
Jennica Giesbrecht
Lindsay Davis
Councillor Ann-Marie Noyes

Staff Resources

Keegan Gennings, Chief Building Official
Sean Hutton, Facilities Supervisor
Bev Bradnam, Manager, Strategic Initiatives
Elizabeth Latif, Park Planner/Project Manager (to 5:48 p.m.)
Amanda, PSW

Guest

Angelo Apfelbaum, Manager Business Licensing, Business Licensing, Office of the Deputy CAO, Niagara Region (to 5:16 p.m.)

1) Call to Order

The March 26, 2024 AAC Meeting was called to order at 4:05 p.m.

2) Roll Call

All Accessibility Advisory Committee members were present, with the exception of Dennis who joined the meeting at 5:01 p.m. New member, Lindsay Davis, was welcomed.

3) Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

4) Adoption of the Agenda

Recommendation No. 1

Moved by: Joe Kissman
Seconded by: Marilyn Abbs

THAT: The March 26, 2024 Agenda of the Fort Erie Accessibility Advisory Committee meeting be approved as printed.

(CARRIED)

5) Adoption of Minutes

Recommendation No. 2:

Moved by: Joe Kissman
Seconded by: Adam McLeod

THAT: The February 27, 2024 Minutes of the Fort Erie Accessibility Advisory Committee meeting be approved as printed.

(CARRIED)

6) Accessible Taxi Service and Accessible Transit Provision

Angelo Apfelbaum, Manager, Business Licensing, from the Niagara Region was in attendance to update the Committee on business licencing, specifically related to accessible taxis. Angelo noted that in 2019, business licencing duties transferred from the Niagara Regional Police (NRP) to the Niagara Region. Angelo was a former licencing manager at the Region of Waterloo and did similar work related to the review of taxi licencing and accessible transportation.

Angelo explained that the Region of Niagara is a “no zone” taxi system and providers are not restricted to a certain zone but must service the entire Region. At the time of takeover from the NRP, 48 licenses were issued for accessible taxis and 48 plates but the numbers were not there. There were accessible shuttles but those were for patient transfers. Angelo has been working with industries such as para transit, limousine services, taxis and shuttles with a concentration on transportation services outside of public transit. When COVID hit in 2020 it impacted the industry, especially site seeing and shuttle services, and there was a 40% loss outside of the taxi industry, which saw 25% of the fleet grounded.

Angelo explained that the Accessibility for Ontarians with Disabilities Act (AODA) provides a Transportation Regulation but the legislation does not govern Uber, Lyft or bandit taxis.

Angelo advised that taxi services cannot charge an empty tax rate to get to Fort Erie for pick-up and any incidents should be reported directly to Angelo for investigation.

6) Accessible Taxi Service and Accessible Transit Provision, continued

Angelo advised that both larger taxi providers barely made it through COVID and there has been an influx of issues providing accessible transportation so he is looking at another model, an accessible shuttle service, that can be provided 7 days per week for as many hours that the provider wants to offer. Angelo advised that the Region would have no control over how the shuttle business was run but it can be monitored.

Angelo confirmed that no one can charge for a mobility device or anything over and above taxi billing outside of the meter rate and the meter cannot be started until the passenger is in the vehicle. Angelo did caution that there is a “wait” rate so if you need the taxi driver to wait while you go in for a medical appointment or shopping, the rate is \$31 per hour but the meter has to run. Providers have asked to increase meter rates but Angelo noted that if the rates were increased Niagara would have the highest taxi rate in North America. Currently they are 3rd highest. With a population of 498,000 people, the closest comparator is the Region of Waterloo that is \$0.80 cheaper on rate and time/distance rate. Waterloo has only 19 licenses. Angelo advised that all plates have been issued in Niagara and many are sitting in escrow. The market is saturated and a lot of plates are not currently on the road.

Angelo advised that he has been working with two providers on offering an accessible shuttle service in Fort Erie.

Joe advised that when he uses a Port Colborne taxi service they always have to come down empty and charge for that part of the trip. Recently he was charged \$85 each way. Angelo was provided with details of some of Joe’s trips that he will be following up on. Angelo stated that he has made it clear ... “if it has a taxi plate, they HAVE to use the meter. They cannot charge a distance rate, only start the meter once the passenger is in the vehicle and can charge a wait time. There is also a time/distance rate that is apportioned for traffic, stop lights, etc.”.

Angelo was asked what happens if they don’t come because of the extra cost of an empty taxi and Angelo responded then he would pull the plate. Angelo provided business cards for Committee members to have in case they run into any problems and advised the members that they can tell the drivers that they will report any non-compliance to Angelo. Angelo advised that any taxi providers that are found to not be complying will have to forfeit their plate.

Lori questioned the rates that are now in place and Angelo directed the Committee to the business licencing website that has the rates published:

<https://www.niagararegion.ca/business/licensing/taxis.aspx>

The following is an excerpt from the web-page.

6) Accessible Taxi Service and Accessible Transit Provision, continued

Taxicab meter tariffs

Meter rates are maximums and may be discounted at the discretion of the licensed taxicab broker. Contract or flat rates may be charged as long as the meter rate is not exceeded.

Meters must be activated for all trips. No surcharges for accessible services or other fees may be charged.

- Initial drop rate - \$3.80
- Distance rate - \$0.32 per 100 metres
- Wait time rate - \$31 per hour

Councillor Noyes asked what happens when a call is made and they say “we’re busy” and that’s the answer because they don’t want to come into Fort Erie? Angelo explained that by allowing a shuttle licence, this should assist. The taxi requires a meter but a shuttle would have no meter but would have a minimum fee, say \$10.00. They can charge less and would be able to provide a rate when you call to book.

Angelo described the devaluing of plates (i.e. cost \$1,300 and some were sold for upwards of \$300,000 at one point). When he worked in Waterloo this practice was stopped and he is of the opinion that the plates are the property of the Region and only worth what the Region charges for the plates. A renewal of a plate is \$280.00

Angelo described how, in previous years, taxi cabs would not always take the \$5 call but when Uber and Lyft came into the market those smaller calls became their target market. This impacted the revenue for taxi operators. Angelo advised that they continue to work with Uber and Lyft for accessible services but they also disincentive them and charge more fees if they do not have an accessible option. In the United States, 100% is dedicated accessible services through Uber and Lyft.

Angelo described the “tale of woe” for abandoned trips and people started calling bandit taxis which opened up an illegal market but there was still no accessible transportation.

Angelo advised that his goal is to ensure there is a reliable shuttle service that can operate all the time and can do other trips as well. Angelo described the cost of a new accessible taxi cab, the cost to maintain, average life, etc.

Councillor Noyes asked why a client can’t buy a van and then have it modified. Angelo advised that a van used for private use doesn’t have to follow the strict standards for a reinforced van.

Gary questioned if drivers of accessible vehicles require special training and Angelo responded that is a requirement that the business would be responsible for and he knows in other areas the transit provider has provided training to accessible taxi drivers.

6) Accessible Taxi Service and Accessible Transit Provision, continued

Angelo noted that in order to recoup costs for accessible taxis they normally run 6 days per week, which leaves little or no time to service the vehicle. In a scan Angelo conducted in Waterloo in 2018, out of all the trips booked: 2.5 million taxi trips, and 22,000 were accessible trips and that was split between 19 taxis. In order to compensate the provider had to rely on the regular taxis. Waterloo also charged Uber a lot for not having accessible vehicles and that revenue was put into a fund for accessible taxis and providers were able to apply for a grant to help with maintenance of the vehicles.

Bev noted the model used in Ottawa where, in order to have accessible taxis available, they were subsidized by the City and some of the specialized/para transit funding was used. Angelo advised that this model is not sustainable.

Lori questioned how the shuttle model would work here and Angelo advised that it would be available Monday to Friday and then on call after hours or on weekends. Angelo advised that the shuttle providers may be able to be more flexible as they tend to have permanent drivers and not a high turnover rate. Taxis tend to have a high turnover rate and the drivers are not deemed employees. The shuttle/limo providers are much more interested in serving the community.

Angelo noted that there are a lot of things for him to work on and groups, like the AAC, help him keep the industry honest. He noted that we need to put more accessible services throughout the Region especially since we have the highest aging population in Ontario.

Councillor Noyes asked about the number of incidents where Joe was charged a lot of money for taxi services and Angelo advised that he will take a stab at recovering some of the costs but definitely going forward we need to make him aware right away.

Lori asked what happens if we are expecting a cab and they leave us, what other options are there. Angelo responded that no one should be left stranded. Joe noted that he wants to know how much it is that way he can make sure to e-transfer the proper amount and asked if a shuttle will drop him off at his friend's house or a bus stop. Angelo advised that the intent of licencing shuttles is that they would be door to door and they don't have to follow any type of route. Currently in Niagara regular taxis seldom run after midnight and the south end of Niagara has been ignored. Angelo is trying to make options work and he will be connecting with all Committees as this issue is systemic across Niagara. Angelo confirmed that there are no caps on shuttle licences and they are "open for business".

Gary asked about someone travelling with an attendant and if they would get on the shuttle for free. Angelo responded that, unlike transit, he can't say that the attendant would travel for free. Gary asked about language barriers for drivers and Angelo advised that he used to have drivers take an English test but that can no longer be done and most drivers are pretty fluent in English. Angelo will work with companies to make sure no one is abandoned and no one takes advantage of pricing. The shuttle providers will be given rules and the ability to negotiate service fees before hand (i.e. \$30 round trip). BTS already has been given a shuttle licence.

6) Accessible Taxi Service and Accessible Transit Provision, continued

Lori thanked Angelo for coming before the Committee and noted that this issue has come up frequently over the last several years (certain percentage had to be accessible but no accessible taxis in town). Angelo noted that Niagara Region does not work off of percentages. Waterloo has a 7% requirement so if you had 10 taxis one would have to be accessible; over 10 there will be an additional percentage which equated to 19 accessible taxi licences and those six companies that had the licences spoke to each other so if Company A couldn't dispatch, Company B would. Angelo noted that he would like to get that same type of collaboration here. Fort Erie quota right now says 13 taxi licences and 2 paratransit but noted that those accessible vehicles are only in Niagara Falls, St. Catharines and Thorold. Currently in Niagara there are 48 accessible taxi plates and 450 regular plates so there should be a lot of vehicles on the road but 20-30% are grounded.

Dennis joined the meeting at 5:01 p.m.

Councillor Noyes asked how to best educate the public and Angelo directed us to the link on the Region's website for the business licensing page. Lori summarized that we should know the rate and possible time/distance rate to determine what the fare should be. Angelo noted that every taxi has to run the meter, there is no "flat rate". He receives calls all the time and is able to check the GPS of vehicles. Anyone can contact enforcement and they are able to check records of trips.

Angelo stated that shuttles can charge what they want but you also have the right to refuse and recommended establishing the rate before hand. Angelo recommended that for accessible taxi rides to watch the meter and make sure it starts at the initial rate of \$3.80 and not anymore before you are in the vehicle and it is moving. Joe advised that he may not be able to see the meter and Angelo said he should have an idea with the initial rate and the distance to determine if he is being cheated, reminding that there is also a time/distance rate that needs to be taken into account. If there are any issues, Angelo asked that the date, time and taxi number be provided to him if there are any complaints or an investigation needed.

Lori thanked Angelo for taking the time to consult with the AAC and invited him back for future meetings. Angelo asked that Bev send him the invitation for the monthly meetings and if he can't make it one of his enforcement officers can attend. Angelo stated that consumer protection, safety and security is their main purpose and concern. Angelo also noted that, if anyone is uncomfortable making a police report, if something criminal occurs on a ride that he can take the report, flag and pull the driver, and then ask for a hearing. Angelo provided members with his business card, email and phone extension.

Bev also advised Angelo that the City of Niagara Falls AAC is hosting all local area AACs at a forum in May and she suggested that he may want to connect with the group and will send him details.

Angelo left the meeting at 5:16 p.m.

7) Parks and Open Space Update

Elizabeth Latif, Park Planner/Project Manager, attended the meeting to seek feedback related to the Parks and Open Space Master Plan update. Elizabeth explained that the Master Plan will help provide direction for developing, improving and managing the Town's park infrastructure and outdoor recreational facilities, including natural areas and trails.

What are the key strengths, attributes and assets?

Lori advised that the beach mats, ramps and washrooms are game changers for persons with disabilities to access the water. The Crystal-Ridge Park's paved path all around also provides easy access. The Friendship Trail is also a great resource (asphalt paving is preferred).

Councillor Noyes noted that the splash pads are very well used.

Bev noted that the new rubberized play surface at Douglas Park improves the accessibility of the playground, noting that the compressed wood fibre was never accessible. Elizabeth noted that pea gravel is also not accessible.

What concerns, gaps or weaknesses?

Related to the Friendship Trail, paved markings would help as would better identification of where you could park.

Councillor Noyes noted that many of the playgrounds lack any type of shade structure and the gazebo at Crystal-Ridge Park is too far away from the playgrounds.

Joe stated that all parks have grass and they should have pavement as he sometimes has to go on the grass which is difficult with an electric chair.

Bev advised that there should be paved pathways to sports fields so that grandparents or people with strollers can easily get to a field to watch a game rather than travel over uneven grass. Dennis noted that in Port Colborne they put pathways to the sports fields but used recycled tires and in the heat the smell was very bad.

Lori asked about the walkway along the river as there are parts that need some work and was advised that the Niagara Parks Commission is responsible for the pathway and break wall along the river.

Adam suggested that areas be highlighted between junior playgrounds and those for older kids, similar to that found at St. Philomena school. It was noted that this playground also has exercise stations for older adults.

Lori advised that for other areas that lead to the water, it would be nice to have a wooden boardwalk or access near the sand.

Gennica recommended lighting in parks for those with low vision, noting that lighting should be for sunset/dusk so as not to encourage people staying late at night in the park.

Dennis recommended emergency help stations at parks.

7) Parks and Open Space Update, continued

What future trends and changes?

Lindsay noted that pergola or shade trees can provide a canopy over a bench.

Dennis advised that both Port Colborne and Niagara Falls have outdoor exercise equipment and it seems to be well used. Elizabeth advised that in Ottawa they also have rudimentary equipment which is well used in the morning and she also helped design a playground based loosely on the “America Ninja Warriors”, which was made up of an obstacle course. Gennica advised that where she used to live they had a walking trail and playground with track that had equipment every 100 metres and something like that could be added to the Friendship Trail. Lindsay noted that a circular track around a playground would allow parents to watch their children on the playground while getting their steps in.

Gennica recommended that Elizabeth look at Heartland Forest as they have made the nature trails totally accessible and also have a community hub for activities. Bev noted that the Town just purchased lands adjacent to the Shag Bark Trail in Ridgeway and a Stewardship Plan is being created for that area. Gennica advised that the current trail is hard to access by foot as it tends to be very wet.

Sean was asked about the area of Bay Beach that was demolished and advised that it is still in design and repairs will be done in the fall.

Councillor Noyes noted that there should be bathrooms at all the larger parks. Joe asked that they also be for both boys and girls as sometimes he is with a female attendant. Bev noted that washrooms should be gender neutral and Keegan advised that the accessible/universal washrooms should all have automatic button, emergency call button, motion sensor with lights and proper turning radius.

Dennis asked if there are any accessible features for future play areas. Elizabeth advised that at a minimum for replacement playgrounds there will be what is there currently (i.e. swing or slide). Elizabeth advised that there is a shape and design of each park and all play structures have to fit within the safety boundary. Bev advised that the Design of Public Space regulation requires specific requirements for playgrounds and both Sean and herself are on the Committee that reviews submissions for playgrounds. There is also an accessibility feature checklist that is released with the RFP and the Committee uses that checklist when ranking the submissions.

Elizabeth advised that she is starting to create the presentation for Council that will include all of the comments heard from the survey and open houses and the public engagement is now coming to a close.

Lori thanked Elizabeth for consulting with the AAC.

Elizabeth left the meeting at 5:48 p.m.

8) Site Plans

1) 664 Garrison Road

Keegan provided site plan details for a u-shaped 7 storey residential building that will have 220 units. Keegan pointed out the dark depressions that reference barrier free curb ramps throughout the development, the tactile warning indicators and ramps. There are eight accessible parking spaces shown on the site plan and Keegan noted that for parking counts the whole property is considered for zoning and the parking requirements. The plans did not show any floor plan details and the elevator is located in the middle of the development. Discussion took place regarding fire hazards and Keegan described the requirements under the Ontario Building Code related to areas of refuge and noted that the stairwell would be fire-rated and safe for up to an hour. 15% of the suites will have a barrier free path of travel and each unit has a balcony.

9) Multi-Year Accessibility Plan 2019-2023

Audits of facilities and parks will take place in the late spring and form part of the MYAP. Bev advised that she is waiting for a list of events in the summer where AAC members can survey residents, similar to the last MYAP.

Gary advised that he heard MPP Gates state that train service is coming to the area and he questioned if the train cars will be accessible. Bev advised that the GO train comes as far as Niagara Falls and the train runs each day and several times a day in the summer months. There are no plans for the train to come to Fort Erie that she is aware of.

10) Outstanding Matters

1) Regional Accessibility Advisory Committee

Bev advised that the Region of Niagara Accessibility Advisory Committee has hired LURA Consulting to lead community consultations for their multi-year plan and a virtual meeting is taking place on Tuesday, April 23, 2024 from 1 p.m. to 2:30 p.m. If AAC members are interested in participating, they need to provide email details to Bev so that she can pass it on to the event planners. Bev also invited members to come to Town Hall (Committee Room #2) to participate as a group in the virtual consultation.

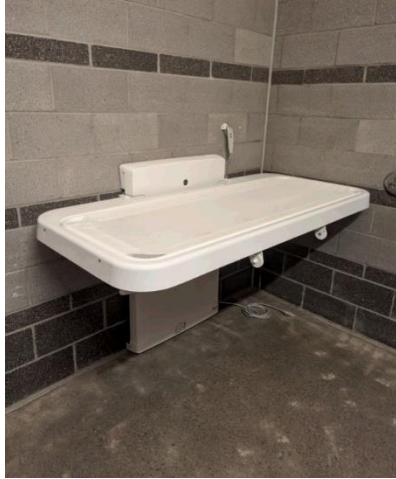
2) Parking Concerns

Keegan advised that 238 Bertie Street (Medical Centre) has had the pot holes filled as has the Life Lab plaza. Councillor Noyes advised that the parking ticket meter at the Medical Centre is very difficult to read.

10) Outstanding Matters, continued

3) Adult size Change Table at Bay Beach

Bev shared photos of the adult size change table that was replaced at Bay Beach and noted that electrical work has to be scheduled by Facilities.



4) Stop Gap Ramp Project

Bev advised that post-eclipse she will be working with communications staff to get details out about re-opening the program. \$7,200 has been allotted to open the applications across Fort Erie. Councillor Noyes advised that St. John's Church has one now and they did not go through the Town's program, but may need another one.

5) Barrel Restaurant Access

Keegan advised that he is still trying to connect with the owner.

6) Accessible Taxi Service (see Item 6)

7) Beatties/Staples – accessible door

Bev advised that she and Keegan looked at street view on google maps and it showed the door closest to the accessible parking closed and blocked by material. To date there has been no movement on a sale to Staples.

8) Niagara AAC Workshop – May 16, 2024

Bev confirmed that the City of Niagara Falls AAC will be hosting a spring workshop on Thursday, May 16, 2024 from 10:00 am. to 4:00 p.m. at the City's newest facility, The Exchange, located at 5943 Sylvia Place. Further registration information will be provided closer to the date. Bev will be away at a Conference and hopes that Fort Erie AAC members will be able to participate.

10) Outstanding Matters, continued

9) Ramp at Royal Bank, Jarvis Street

Bev showed the pictures and video she took of the ramp and Keegan advised that By-law Enforcement will look at property standards as it relates to exterior walkways and ramps. Following By-law Enforcement's review, Keegan will have a site visit with the Manager of the Bank.

10) Wendy's accessibility improvements

Keegan confirmed that the door has been fixed and time modified. Remove from outstanding.

11) New Business

1) Accessibility audit at Airbus - March 12, 2024

The audit details were reviewed. Councillor Noyes asked that comments related to the stairs having handrails on both sides note that this was the main stairway to the second floor and not staircases within the industrial area/manufacturing side.

Keegan shared the plans for the new washrooms/changerooms at Airbus and noted that the barrier free stall is massive at 5' x 8'. There is also a barrier free shower and a new universal washroom and rough in for a future change table. The new washrooms will be fully updated to current regulations and will exceed requirements.

Bev advised that she will be sending the audit results in a report to Airbus and Lori asked that it be made clear to them that the AAC is not a professional consultant group but members with lived experience that represent persons with disabilities. Bev also noted that Airbus has to follow Federal legislation, which may differ from the AODA and this will also be noted. Be has sent Airbus the Town's Accommodation in Employment Policy as well as the Workplace Emergency Response Information Plan.

2) Crafted 1885 (1318 Dominion Road)

Joe advised that the door to Crafted 1885 has to be held open and does not have an automatic door. It was noted that because this is an older business it does not require an automatic door but a letter could be sent to the owners encouraging them to do so. It was noted that the business may also lease the building.

3) New pub in Crystal Beach

Dennis noted that there is a new pub at the corner off of Derby Road and the door is very narrow and you would not be able to get in with a power chair. Keegan advised that this is also an existing building but it does have a power door and fully accessible washroom.

11) New Business, continued

4) A & W

Lindsay advised that she recently went to A & W and all of the tables were lined up right straight to the bathroom and they would have to be moved to access the washrooms for someone using a mobility device. Keegan advised that he will look to see if the building permit is still active and will reach out to the owner to remind them that a barrier free path of travel is required. Lindsay also advised that when parking, there was no cut path and she had to go up and over to get to the ramp to the building (crossing through the drive thru).

5) Dennis questioned a commercial building on Erie Road that has a bump out onto the sidewalk. The property was viewed through google maps and it was noted that the building's property line is right to the sidewalk.

11) Date for Next Meeting

The next AAC meeting has been scheduled for Tuesday, April 30, 2024 at 4:00 p.m.

12) Adjournment

Recommendation No. 3:

Moved by: Joe Kissman
Seconded by: Adam McLeod

THAT: The March 26, 2024 meeting of the Fort Erie Accessibility Advisory Committee does now hereby adjourn at 6:27 p.m.

(CARRIED)

Minutes recorded and prepared by:

Minutes approved by:

Bev Bradnam, DPA, CMM III
Manager, Strategic Initiatives

Lori Brant
Chair