
City of Kelowna

MEMORANDUM

DATE: April 4, 2003
FILE: 6460-20

TO: City Manager

FROM: Community Planning Manager

RE: Guidelines for Accessibility in Outdoor Spaces

REPORT PREPARED BY: Theresa Eichler

RECOMMENDATION:

THAT the City of Kelowna "Guidelines for Accessibility in Outdoor Spaces" attached to the Community Planning Manager's report dated March 20, 2003 be endorsed by Council as "guidelines" and made available for public use, including publication on the City's web page.

PURPOSE:

To introduce design guidelines to address outdoor accessibility in the city and to request that Council receive the document as a guide and for educational purposes.

BACKGROUND:

Historically, the City has worked with representatives of the community who must cope with disabilities and has consistently strived to meet their needs and address their concerns. This has happened in a relatively informal way over the years. At one point, there was a representative from the Canadian Institute of the Blind who would work with building staff to review plans. The Central Okanagan Access Awareness Team (COAAT) has now existed in Kelowna for about 10 years. By choice, it works at arm's length from the City, partly to enable representation for people outside City limits. The City has cooperated with the Team by attending meetings either in the form of a staff representative or a City Councillor or both. Wherever an issue arises that falls within the jurisdiction of the City, all efforts are made to resolve the situation. When new City projects are brought forward, input from the Team is sought and changes are made accordingly. Examples include the Queensway Bus Terminal; the Rotary Centre for the Arts; the Airport Improvements and Skyreach Place. Due to the informal nature of the Central Okanagan Access Awareness Team, and the fact that it does not form part of City structures, feedback from the Team usually occurs partway through the project implementation process.

When the social policies for the Official Community Plan OCP were developed as part of the Social Plan in 1995 and 1996, physical accessibility was an issue identified for policy direction. The direction for developing design guidelines for accessibility is contained within the OCP.

REPORT:

Since 1996, the following policy has been included in the OCP:

17.1.2 Accessibility Guidelines. *In co-operation with the Central Okanagan "Access Awareness" Team and/or other appropriate agencies, develop and administer guidelines for physical accessibility in the design of buildings, residential neighbourhoods, parks and transportation facilities;*

Implementation of this policy has been part of the community planning work program for a number of years. Council approved project money to conduct work and this money has been carried forward until the time became available to move the project towards completion. In 2001, summer students helped to consolidate research materials that had been collected on accessibility. In 2002, this work, combined with additional research, enabled the preparation of a draft guideline document by the second quarter of the year. A summary of the preparation process and intent of the Guidelines is provided below:

Research:

With the time that has elapsed since the City's commitment to prepare accessibility guidelines was made in 1996, design standards for accessibility have evolved and become more widely available from a variety of sources. A source for municipal-related research is the Intergovernmental Committee on Urban and Regional Research (ICURR). Materials were borrowed from this source and these materials were summarized with the help of summer students. Other sources included professional associations, such as the Canadian Institute of Planners (CIP), the Planning Institute of B.C. (PIBC) and the American Planning Association (APA) and the various publications available from these sources. Internet research was used, including web-based libraries, such as the Land Centre (<http://www.landcentre.ca>), and this turned up accessibility documents available in their entirety electronically. One electronic source that was consulted fairly closely, with permission, was the United Nations document:

Accessibility for the Disabled *A Design Manual for a Barrier Free Environment* available at: <http://www.un.org/esa/socdev/enable/designm> The CNIB (Canadian National Institute for the Blind) document Clearing Our Path, was also used consistently to address the needs of people with visual impairment. Wherever available, guidelines from other municipalities were consulted (e.g. City of North Vancouver, City of Guelph (Ont.), City of Calgary). In Ontario in 2001, Bill 125, the Ontarians with Disabilities Act, was passed. This legislation requires the council of every municipality to: prepare an accessibility plan; and get advice from its Accessibility Advisory Committee (Municipalities with a population of 10,000 or more must set up an Accessibility Advisory Committee). Although parallel legislation has not been brought forward in B.C., Kelowna would be well-prepared for such an event through its historical involvement with the COAAT and by the use of accessibility design guidelines.

Content:

Based on the research conducted, the Guidelines will not address building interiors, more specifically indoor places occupied by people¹, as this is covered in the BC Building Code. While some advocates of disability issues have indicated that Code requirements are a minimum and could be improved, the City's Inspection Services staff has participated in revisions to the BC Building Code and advises that it provides higher standards than the equivalent legislation in other provinces. Interpretation of access can be fairly broad, but for the City's purposes, the Guidelines focus on the physical needs of people managing *mobility, visual or hearing* disabilities. Based on the focus of outdoor environments, the draft guidelines cover the following topic areas:

- Intersections
- Sidewalks and Pathways
- Passenger Loading Zones
- Transit (*limited to bus stops at this point*)
- Parking (*number of required spaces is not covered², but location of parking is included*)

¹ Some suggestions are provided for parkades.

² Required handicapped spaces are addressed in the BC Building Code and in the City's Zoning By-law.

- Signs
- Building Access
- Street / Outdoor Furniture and Amenities
- Park Designs

Use of the Guidelines:

Before continuing with the discussion of the guidelines, it is important to emphasize that staff is recommending the attached document be used strictly as a guideline, not enforced in a regulatory manner. The approach is similar to that of the Crime Prevention Through Environmental Design (CPTED) document that was received by Council in 1999 for public information and as an educational tool. By using this approach it is hoped, as with the CPTED document, that over time, the benefits of helping to make the community more accessible will be better understood and applied. Part of the process of obtaining input on this accessibility guideline document included soliciting input on the City's use of the document. Within City departments, there was an indication that sincere efforts will be made to comply with the guidelines. Planning staff has taken the position that a regulatory approach would be received negatively and more benefit can be gained in a softer application. Advocates for people with disabilities and the population that is managing disabilities now, understandably, want to have accessibility guidelines applied consistently. People who manage disabilities see themselves as contributing members of the community and would prefer that businesses value them as clients and customers and see the need for physical alterations to make the environment more accessible. From a different perspective, the cost of building and providing outdoor amenities is already high. Builders and developers are apprehensive of any measure that is perceived to increase these costs. It is for this reason that an educational, rather than regulatory, approach to the guidelines is recommended. Staff within the City will use the guidelines to help with increasing accessibility of City projects. Developers will be advised of the guidelines, and staff will review development applications and provide comments, based on the guidelines. All of this is parallel to the present use of the CPTED document.

Review Process:

The first draft of the guidelines was compiled, based on the research, to suit the Kelowna context in Spring of 2002. The draft document was then circulated to City departments, including Public Works, Parks and the Airport for review and comments. By Fall of 2002, most of these comments had been received and feedback was incorporated into the document. One challenge to overcome was the fact that the Central Okanagan Access Awareness Team (COAAT) was in the process of redefining itself and did not include a wide enough membership participation in meetings to work with the meeting schedule of this group. The City's Social Planning Board also reviewed the document and indicated support (October 2002) while requesting clarification of use. Members indicated that the wording was "soft" in some places. Three Board members volunteered to help with the workshop event.

Stakeholder Workshop:

A stakeholder workshop event was planned for November, 2002 to provide stakeholders with active input into the draft document. The document was coded according to the access issues (i.e. mobility, hearing and visual) and discussion groups were organized according to these issues. Stakeholders were invited by written invitation³ as follows:

- All individuals or agencies that had involvement in the COAAT, based on an updated contact list;
- All Residents' Associations on the City's contact list;
- Professional agencies including:
 - Canadian Home Builders Association- Kelowna (CHBA)
 - Architectural Institute of BC (AIBC)
 - Urban Developers Institute (UDI)

³ Copy attached to report, along with agenda for the workshop.

- Association of Professional Engineers & Geoscientists of B.C. (APEGBC)

The event was also advertised in the newspapers and on the City's web site. Registration was required and 43 people registered. Less than 30 people actually attended, including volunteer facilitators from the Social Planning Board. The event went well, and participants primarily consisted of people with disabilities, or representatives of agencies that work with this population. Technical agencies were not represented. All feedback from the workshop was collected and changes to the draft document were incorporated based on the feedback. The majority of the participants indicated that design for accessibility should be required, although they were advised that the document was to be used as a guide, not a regulatory document.

Additional Review:

Due to the fact that professional agencies were unable to attend the workshop, written requests for input from UDI, the CHBA the AIBC and the APEGBC were sent with a deadline for responding of January 31, 2003. The last response was received on February 20, 2003. In the interim, transportation staff requested a meeting and provided additional input into the document. This has now been incorporated. The AIBC response, in the form of an email, is attached to this report. Comments were specific, and where feasible, were addressed. On some matters, such as the issue of parking metres, no change was made. Parking metres have been reviewed with the Central Okanagan Access Awareness Team in the past and are not placed adjacent to handicapped parking spaces primarily due to the fact that some people with disabilities have significant difficulty accessing or using parking metres. The comment suggested that this was a political decision, not appropriate in a guideline, which is not the case in Kelowna. The CHBA replied indicating that there were no concerns with the document, as it was not seen to have significant impact on the homebuilding industry.

The UDI response (attached), identified only one specific concern. This was an objection to the requirement for passenger loading or drop-off areas. UDI identified this as an additional requirement from Building Code or zoning requirements. The key to addressing this comment is that none of the design suggestions in the Guideline document are to be implemented as requirements or regulations, but are provided as recommended actions. The idea of passenger loading zones is a good one, enabling people with disabilities to access a building, and not necessarily need a handicapped parking space. It also helps to deal with the fact that a larger proportion of the population with disabilities do not drive and may rely on others to transport them to buildings, without always needing a parking space. Finally, the APEGBC representative indicated that the document was reviewed at a meeting of the membership and no concerns were identified. The engineering profession viewed the document as a positive step in making the community more accessible and raising awareness of measures to improve accessibility, not only for those with disabilities, but for children especially, and pedestrians in general. These comments were verbal.

Slopes:

One of the most difficult aspects of accessibility in Kelowna is the fact that large portions of the City exist on sloped lands. Any slope exceeding 5% is a barrier to people with mobility challenges. In some areas of the City, it is not possible to provide pedestrian facilities with slopes of less than 5%. By comparison, the City's Hillside Guidelines allow roads with slopes and driveways exceeding 10%. In order to address this issue, the document identifies guidelines for slopes and recommends that these be applied within urban and village centre DP (Development Permit) areas. For the most part, these centres demonstrate less steeply sloped land. Maps showing contours in urban and village centres have been prepared by staff to assist with review of any works within these DP areas. In all areas of the City, a minimum recommended measure is to ensure that there is a level place for people to unload from a vehicle to access a building entrance. Similar requirements are already contained within the approved Hillside Guidelines⁴.

⁴ Page 3-9 of the Hillside Guidelines

SUMMARY:

Policy direction in the OCP requires the City to develop and administer design guidelines for accessibility. The preparation of such guidelines has been project for community planning which has been held over for a number of years due to time constraints. A document has now been prepared, based on extensive research. It's use is recommended to be as a guideline, not a regulatory document. It will be used for educational purposes and to encourage the creation of a more accessible community. Building interiors are not covered as this is addressed by the BC Building Code. A comprehensive review of the document has included City departments, stakeholders of disability issues and the technical professions. The majority of input received was positive, and many of the suggested changes have been incorporated.

Theresa Eichler, MCIP
Community Planning Manager

Approved for Inclusion



R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

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Attachments:

1. Document: "Guidelines for Accessibility in Outdoor Spaces"
2. Powerpoint presentation
3. Slopes & Urban/Village Centre DP areas – PDF map
4. Invitation letter for November, 2002 Workshop with agenda & RSVP
5. Advertisement for Workshop
6. Comments from AIBC
7. Comment from member of the public & staff response
8. Comments from UDI (paper)

Workshop Invitation Letter:

October 26, 2002
MOA No. 6460-20

Dear _____ :

Re: Invitation to Workshop on City of Kelowna Guidelines for Accessibility in Outdoor Areas; November 28, 2002; 3:30 to 6:30, Library on Ellis St.

Your name has been identified as a stakeholder in issues of accessibility for people with physical disabilities. This may be due to past or current involvement with the Central Okanagan Access Awareness Team, or having contributed to new development in the City.

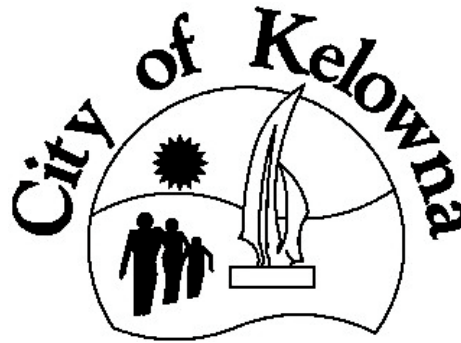
The development of accessibility design guidelines to address the needs of those with physical disabilities has been a policy direction for the City for some time. A guideline document has now been prepared, based on North American and international research. The focus is on outdoor spaces, so as not to conflict with the BC Building Code. The B.C. Building Code is very progressive in dealing with disability issues compared to other provincial building codes.

On November 28th, 2002 the City is hosting a free workshop event at the Library on Ellis Street from 3:30 p.m. to 6:30 p.m. to provide you with an opportunity to give your constructive input into this guideline document. An agenda is attached. The library parkade has handicapped parking spaces underneath the library, close to the elevator. The parkade does not have clearance for some of the higher vans. There is handicapped van parking right outside the meeting rooms in the library building (take the driveway from Doyle Ave.).

We look forward to your participation. Just confirm your attendance, by checking the RSVP note that is attached and returning it in the postage-paid envelope. Also, contact me if you should have any questions (phone: 717-2737; email: teichler@city.kelowna.bc.ca fax: 762-4718).

Yours truly,

Theresa Eichler, MCIP
Community Planning Manager
TE



AGENDA

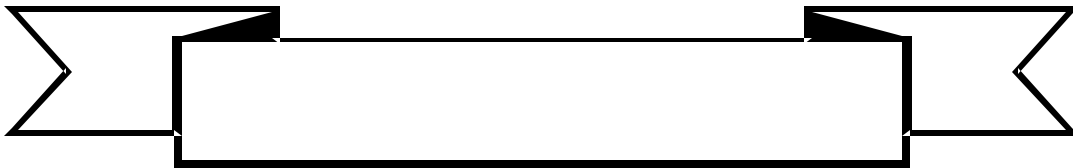
Workshop on Guidelines for Accessibility in Outdoor Spaces **Library on Ellis Street – November 28, 2002, Thursday**

- 1 Introduction and Welcome: 3:30 – 3:45**
- 2 Presentation by City staff:**
Overview of Guidelines and intended use: 3:45 – 4:00
- 3 Break-Out into Work Groups, According to Interest:**
***General, Mobility, Visual or Other Impairment* 4:00 – 4:15**
 - 3.1 City facilitator appointed to each group
 - 3.2 Assign secretary and presenter
- 4 Review Document. 4:15 – 6:00**
 - 4.1 Record comments
 - 4.2 Note any suggestions for change
 - 4.3 Note anything that should be added
 - 4.4 Include recommendations on use of Guidelines
- 5 Present Findings of Groups 6:00 – 6:30**

Refreshments will be provided!!



**R. S. V. P. by November 22, 2002
To City of Kelowna Planning
Department**



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Name Address

Will attend the City of Kelowna Workshop

On the

Proposed Guidelines for

Accessibility in Outdoor Spaces

November 28th, 2002 3:30 p.m. – 6:30 p.m.

Advertisement:

ACCESSIBILITY WORKSHOP

OUTDOOR DESIGN GUIDELINES FOR PEOPLE WITH PHYSICAL DISABILITIES

The public is welcome to attend a free workshop to comment on proposed guidelines for outdoor areas to address the needs of people with physical disabilities. Public input will be used to help City staff refine recommended standards of accessibility and determine their application.

Okanagan Regional Library
1380 Ellis Street
November 28, 2002
3:30 p.m. – 6:30 p.m.

As seating is limited please contact Theresa Eichler, Community Planning Manager, by November 22 if you wish to participate.
Call 717-2737 or e-mail
teichler@city.kelowna.bc.ca

Comments from the Architects' Institute of B.C.

January 28, 2003

Comments on City of Kelowna Draft Guidelines for Accessibility in Outdoor Spaces.

First, I would like to state my support for the initiative. Kelowna should be commended for their efforts towards creating a more accessible community.

This draft has many excellent ideas, however it requires editing and refinement before it can be put forward as an official guideline for use by designers. It is unclear at times whether this is a guideline, a 'wish list' or a manifesto. A design guideline needs careful attention to language. The casual interchangeability of the words like 'should', 'could', 'may', 'must', 'can', as well as modifiers such as 'ideally' and 'appropriate' is counterproductive to this document's clarity and ease of use. The word 'must' suggests mandatory requirements that are not open to negotiation or interpretation, such as building code requirements, it should not be used to describe that which is highly desirable. 'Should' suggests an obligation, 'could' suggests a possibility ... designers need clear, consistent and unambiguous language.

There is also a lack of distinction made between items which are very important, and items which are less so. For instance, a ramp to a building entrance vs. stairs is a critical issue, a ramp makes access possible, and stairs make it impossible, whereas handrails on a ramp may be desirable, but are not necessarily essential or even appropriate in all cases. Another example is found in curb cuts- path of travel curb cuts are preferable, corner curb cuts are less expensive but more difficult and in some cases less safe than path of travel curb cuts, yet are presented as an acceptable alternative.

Some specific issues:

4.4 2.5 m clearance under obstructions is called for, this exceeds the building code clearance of 2.1m, and seems excessive, and inconsistent- later in the document heights of 2.75m and 2.0m are used

4.6 'a grassy area for guide dogs is recommended' This requires reconsideration. Users other than guide dog owners may not enjoy being subjected to dog toilets.

5 passenger loading zones- the use of white or yellow marking paint on streets is not arbitrary, established street design standards should be followed

7 parking- when the guidelines extend into indoor parking garages they go outside the mandate of outdoor spaces that the document is addressing, such provisions should be addressed in building regulations, not outdoor space provisions.

The issue of parking meters or not for accessible parking spaces is a one of political policy, and outside the scope of an outdoor space design guideline

8.4/8.5 street names, sign heights- max height of 2.0m conflicts with other provisions requiring min. clear height of 2.5 m; height of street signs should be proportional to the size of the letters, some consideration should be made to making separate street signage for vehicles and pedestrians/wheelchair users rather than trying to accommodate all users with one

8.9 colour- colours themselves should not be recommended, contrast should required and combinations not readable by colour blind persons advised against, any street sign erected by the municipality should follow international highway signage standards, which assign certain colours to certain types of signs, for instance "Kelowna 100km" is always white letters on green, "rest stop 1 km" is always white letters on blue...find out more at <http://members.aol.com/rcmoeur/sgncolor.html>

9.1.1. exterior ramps- requiring exterior ramps to public buildings be covered is not realistic- it is overkill. The objective should be to make outdoor spaces accessible, not to make outdoor spaces into indoor spaces.

In summary, it is a highly laudable initiative that should be supported by the AIBC, but requires more work before it can be issued in its final form.

I hope this helps,

Maura Gatensby MAIBC

From: Theresa Eichler
Sent: Tuesday, November 19, 2002 8:29 AM
To: 'cherrywrbc@webtv.net'
Cc: Jerry Dombowsky; Laurens Campbell; Andrew Bruce; Bob Shaughnessy;
Gary Stephen; Greg Routley; Hazel Christy; Josephine Duquette; Kirsten
Behler; Pat McCormick; Paul McVey; Robert James; Ron Mattiussi; Shelley
Gambacort; Signe Bagh
Subject: RE: Disabled Access

Dear Marguerite:

Thanks so much for writing. One of the things we do in the planning department is review all development proposals and try to encourage the developers to improve the design, if necessary, to suit all populations. Your point is one that I just raised yesterday in reviewing a proposal for a new commercial plaza. You are absolutely right. It is discouraging to see so much of the commercial areas cater almost exclusively to automobiles without realizing that some people don't even have the choice of arriving in a car. There definitely should be pedestrian access to the commercial buildings directly from the sidewalk without the need to cross driving aisles. I will ensure that this is covered in the guidelines.

I have copied this to all our planners, as there is no better way to understand the need for better pedestrian access to buildings than from someone like yourself. As for the existing malls, it is difficult to correct something after the fact. We do work with the Central Okanagan Access Awareness Team, however. Sometimes a letter from the Team to the building manager helps to bring about positive change to existing situations. Ralph Wardell is the current contact for the Access Awareness Team. I am copying his contact information below:

Full Name: Ralph Wardell
Job Title: Coordinator
Company: Central Okanagan Access Awareness Team
Business Address: Suite 142, 1865 Dilworth Dr.
Kelowna, B.C. V1Y 9T1
Home: (250) 762-6590
E-mail: rewardell@telus.net

Thanks again.

Theresa

-----Original Message-----

From: cherrywrbc@webtv.net [mailto:cherrywrbc@webtv.net]
Sent: Tuesday, November 19, 2002 3:56 AM
To: teichler@city.kelowna.bc.ca
Subject: Disabled Access

I read your article in the Capital News with interest. I am new to Kelowna and have mobility problems. I use an electric scooter to get around. I will not be able to attend the workshop on Nov. 28th. But I do have a couple of points to suggest.

When a pedestrian or like myself someone in a scooter or wheel chair goes to a local mall there are no sidewalk accesses to the mall. I live on Baron Road, so I cross Dillworth Road at the light, from there to get into the mall I have to drive on the driveways leading into the shopping center itself. Believe me car drivers do not appreciate seeing me in my little scooter impeding them in their great rush to get to the best

parking place. Dillworth Plaza is even worse. I tried to get to the sidewalk access at Staples, but the speed bumps in there are so high that my scooter got hung up.

It would be extremely helpful if the Shopping Centers would put in sidewalk access. I realize they might lose a parking space or two but it certainly help folks like myself. I haven't explored all the access points in the two malls I mentioned but when I go I am usually accompanied by my sister and she is walking. So a little further for me is one thing, but not quite so easy for whoever is with me. Obviously the malls nearest to me are the Dillworth Plaza and the Orchard Park Mall.

Thanks for taking the time to read this. If you have any questions feel free to contact me, by e-mail or at 862-8171

Margurite Cherry