MINUTES OF THE
DESIGN OF PUBLIC SPACES
STANDARD DEVELOPMENT COMMITTEE
1:30 P.M. – 3:30 P.M., FRIDAY, MARCH 22, 2019
SECOND FLOOR EXECUTIVE BOARDROOM
NORQUAY BUILDING, 401 YORK AVENUE

Present: Glen Manning (Chairperson), Kris Cowley, Colin Mathison, Colin Marnoch, Brian Everton, Rebecca Lauhn-Jensen, Norman Garcia, John Wyndels (Secretary)

Absent: Judy Redmond, Bob Somers, Steven Spry

The Chairperson reported that representatives from Nova Scotia, whom he had met at the CSA meetings in Ottawa last month, had contacted him to discuss opportunities to share information between the two jurisdictions. They want to know more about our work regarding the Design of Public Spaces (DOPS) standard. They would share information with regard to their work on a built environment standard, including an extensive rework of their Building Code to ensure greater accessibility. Members of Dalhousie University have been hired to undertake a comprehensive scan of other standards. The Chairperson inquired as to the committee's ability to share information regarding the development of the DOPS proposed standard.

We can share the process we are undertaking to determine a proposed standard in Manitoba. We can also identify our source materials (NBC, MBC, USAB, CSA etc.) There may be copyright issues with sharing the content of the spreadsheet with NS. The Chairperson and Secretary will confirm with the sources before sharing.

A draft the 'Intent' section for the DOPS public consultation was circulated. It will serve to frame the decisions made in the standard, and will be a key message for the public consultation. In addition to the intent statement, the draft included sections describing the legal framework for the standard and its scope,

Key ideas;
it uses verbatim quotes from the AMA preamble to ensure alignment with the overall intent of the Act.
it emphasizes the human rights case for accessibility, stopping short of stating "everyone deserves access."

Committee members were generally in agreement with the main points, Suggested revisions included:

- As far as other statutes the DOPS standard may interact with, it is suggested that remain open ended without listing all the particular statutes

- The purpose of the AMA is to identify, prevent and remove barriers. The actions of the legislation, through the development of standards, should support that purpose. This should be highlighted as the intent.
- Change the term “barrier-free” to “accessible” in the body of the document.
- Call it a regulation or standard, not a guideline.
- In the intent section of the document, build on the statement that more accessibility in this field will contribute to greater research and planning practice in the area of the public spaces.
- Downplay the importance of cost effectiveness – this is one of several motivations, and the one most prone to abuses of the standard.

Committtee members were assigned topic areas (Signage. Seating, Access to Parking and Loading Zones, etc.) and asked to prepare a brief write-up describing how the standard should be applied. A pair of members were away and unable to complete their assignments.

Responses varied from general application guidance and criteria - e.g., public vs. private situations, new and renovated - to lists of application situations. Once all the application sections are provided the committee will need a volunteer to make the language and level of detail more consistent.

The Secretary agreed to assign committee members to the identified areas in the Design Section of our Indexed Data Spreadsheet. This involves evaluating the requirements of the various source materials listed in the horizontal rows for each specific area. We want members to provide a Recommended Value (requirement), list any perceived Gaps and/or Ambiguities, and fill out any other Comments with regard to each specific area. An email would be forwarded to committee members assigning areas and asking for information to be forwarded prior to the next meeting.

The next meeting of the DOPS Standard Development Committee is Thursday, April 4 at 1:00 p.m. in the Second Floor Executive Boardroom of the Norquay Building, 401 York Avenue.

Legal Framework, scope and intent.

1.1 Legal and Social Policy framework

The Accessibility for Manitobans Act (AMA, section x) states that ‘the equality rights of all Canadians, including persons disabled by barriers, are enshrined in the Canadian Charter of Rights and Freedoms’ and supports ‘a systematic and proactive approach for identifying, preventing and removing barriers complements The Human Rights Code in ensuring accessibility for Manitobans’. Further, ‘most Manitobans will confront barriers to accessibility at some point in their lives’, and that ‘achieving accessibility will improve the health, independence and well-being of persons disabled by barriers’.

It is understood that in developing the built environment in the past ‘barriers have been perpetuated’ (AMA x). Thus, the goal of the AMA Design of Outdoor Public Spaces Regulation is the creation of equal outdoor public spaces for all people, whether they have a disability or not.

1.2 UN Convention on the Rights of Persons with Disabilities

- make specific reference to?

1.3 Canadian Charter of Rights and Freedoms

- make specific reference to?

1.4 AMA Design of Outdoor Public Spaces Regulation

It is understood that the AMA binds the Crown. It is also understood that other specific legal codes and frameworks regarding the built environment will need to be adhered to in addition to the Regulations set out in this document. This guideline respects the principles of the AMA (state?) with respect to the Design of Outdoor Public Spaces.

2.0 Scope

This document applies to all outdoor built public spaces. [Increase with specific examples?]

It is understood that ‘for a person who has a physical, mental, intellectual or sensory disability, a barrier is anything that interacts with that disability in a way that may hinder the person’s full and effective participation in society on an equal basis’ (AMA x). Examples include:

(a) a physical barrier;

(b) an architectural barrier;

(c) an information or communications barrier;

(d) an attitudinal barrier;

(e) a technological barrier;

(f) a barrier established or perpetuated by an enactment, a policy or a practice.

Therefore, this guideline is organized by the following categories (list), and will provide minimum guidelines for the design of accessible solutions to cited infrastructure components.

3.0 Intent

It is understood that ‘most Manitobans will confront barriers to accessibility at some point in their lives’ (AMA, x) and that ‘barriers create considerable costs to persons disabled by those barriers, their families and friends, and to communities and the economy’ (AMA, x). Limitations to full participation within built public spaces arise in part from inadequate or inappropriate design that does not take into account the functional limitations of persons living with disabilities. Therefore consideration for accessibility in all phases of planning, construction and maintenance is required to support full participation of all Manitobans in outdoor public spaces. Therefore this guideline is intended to identify barriers to access within public outdoor spaces and provide specific guidelines for minimum standards to remove barriers to access. It is not intended to limit the creativity of the design process during planning, construction and maintenance of public infrastructure. It is anticipated that appropriate design of Accessible Outdoor Public Spaces requires the participation of the people who will be using the spaces in the future, and their inclusion will enable user-friendly and cost-effective design, and will contribute to outdoor space related research and planning practice.

[Include some of the intent statements from Parking piece presented at March 22 meeting]

4.0 Exclusions