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**ONTARIO REGULATION 413/12**

made under the

**ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2005**

Made: December 12, 2012

Filed: December 14, 2012

Published on e-Laws: December 17, 2012

Printed in The Ontario Gazette: December 29, 2012

**AMENDING O. REG. 191/11**

**(INTEGRATED ACCESSIBILITY STANDARDS)**

**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 definitions:**

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

“mobility assistive device” means a cane, walker or similar aid; (“appareil ou accessoire fonctionnel de 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) An upper-tier municipality and any lower-tier municipalities that form part of it for municipal purposes may prepare a joint accessibility plan and a joint annual status report.

(3.2) A joint accessibility plan and a joint annual status report prepared in accordance with subsection (3.1) are deemed to be the accessibility plan and annual status report of each municipality to which they apply and subsections (2) and (3) apply, with necessary modifications, where municipalities prepare a joint accessibility plan and a joint annual status report.

**4. (1) Subsection 5 (1) of the Regulation is amended by striking out “accessibility criteria and features” and substituting “accessibility design, criteria and features”.**

**(2) Subsection 5 (2) of the Regulation is amended by striking out “accessibility criteria and features” and substituting “accessibility design, criteria and features”.**

**5. The definitions of “mobility aid” and “mobility assistive device” in section 33 of the Regulation are revoked.**

**6. 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” means items that provide conveniences or services for use by the public, examples of which include drinking fountains, benches and garbage receptacles; (“installations”)

“beach access routes” means routes that are constructed and are intended for pedestrian use by the public and that provide access from off-street parking facilities, recreational trails, exterior paths of travel and amenities to an area of a beach that is intended for recreational use by the public; (“voie accessible menant à une plage”)

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

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

“environmental mitigation” means activities that are intended to reduce, mitigate, prevent or compensate for adverse effects of human activities or items, including paths, play spaces, trails and parking, upon fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values; (“activités d’atténuation des conséquences environnementales”)

“environmental restoration” means activities that are intended to benefit fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values; (“activités de restauration de l’environnement”)

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

“maintenance” means activities that are intended 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, examples of which include painting and minor repairs; (“entretien”)

“mm” means millimeters; (“mm”)

“off-street parking facilities” includes open area parking lots and structures intended for the temporary parking of vehicles by the public, whether or not the payment of a fee is charged and includes visitor parking spaces in parking facilities; (“installations de stationnement hors voirie”)

“on-street parking” includes parking spaces located on highways, as defined in subsection 1 (1) of 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 voirie”)

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

“redeveloped” means planned significant alterations to public spaces, but does not include maintenance activities, environmental mitigation or environmental restoration; (“réaménagement”)

“rest area” means, in respect of recreational trails and exterior paths of travel, a dedicated level area that is intended for public use to allow persons to stop or sit; (“aire de repos”)

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

“species at risk” means a species listed in Schedules 1, 2, 3 or 4 to Ontario Regulation 230/08 (Species at Risk in Ontario List) made under the *Endangered Species Act, 2007*; (“espèces en péril”)

“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 newly constructed or redeveloped on and after the dates set out in the schedule in section 80.5 and that are covered by this Part.

(2) Except as otherwise specified, this Part applies to obligated organizations.

(3) In this Part where in a standard or requirement there is a reference to an obligated organization, it is a reference to the obligated organization that constructs or redevelops any public space to which this Part applies and not to any other obligated organization that may have provided a permit, approval or other authorization or that may have an interest in the land where the thing to which the standard or requirement applies is located.

#### **Transition**

**80.3** Where an obligated organization has entered into a contract on or before December 31, 2012 to construct or redevelop any public space to which this Part applies and the contract does not meet the requirements of this Part, the obligated organization is not required to meet the requirements of this Part in honouring the existing contract.

#### **Slope ratios**

**80.4** In this Part, the ratios with respect to the slope of a surface 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**

**80.5** Obligated organizations 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**

**80.6** This Part applies to newly constructed and redeveloped recreational trails that an obligated organization intends to maintain, but does not apply to the following types of recreational trails:

1. Trails solely intended for cross-country skiing, mountain biking or the use of motorized snow vehicles or off-road vehicles.
2. Wilderness trails, backcountry trails and portage routes.

#### **Beach access routes**

**80.7** This Part applies to newly constructed and redeveloped beach access routes that an obligated organization intends to maintain, 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**

**80.8** (1) Obligated organizations shall consult on the following before they construct new or redevelop existing recreational trails:

1. The slope of the trail.
2. The need for, and location of, ramps on the trail.
3. The need for, location and design of,

- i. rest areas,
- ii. passing areas,
- iii. viewing areas,
- iv. amenities on the trail, and
- v. any other pertinent feature.

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

1. Obligated organizations must consult with the public and persons with disabilities.
2. Municipalities must also consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act.

### TECHNICAL REQUIREMENTS FOR RECREATIONAL TRAILS

#### Technical requirements for trails, general

**80.9** (1) Obligated organizations shall ensure that any recreational trails that they construct or redevelop, and that they intend to maintain, 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 a 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 20 mm, and
  - ii. any elongated openings must be orientated approximately perpendicular to the direction of travel.
5. Where a recreational trail is constructed adjacent to water or a drop-off, the trail must have 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 in order to 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 protective barrier that runs along the edge of a recreational trail that is adjacent to water or a drop-off, edge protection does not have to be provided.
7. The entrance to a recreational trail must provide a clear opening of between 850 mm and 1,000 mm, whether the entrance includes a gate, bollard or other entrance design.
8. A recreational trail must have at each trail head 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 and maximum running slope and 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) has high tonal contrast with its background in order to assist with visual recognition; and
- (b) includes characters that use a sans serif font.

(3) Where other media, such as park websites or brochures, are used by the obligated organization to provide information about the recreational trail, beyond advertising, notice or promotion, 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

**80.10** Obligated organizations shall ensure that beach access routes that they construct or redevelop, and that they intend to maintain, meet the following technical requirements:

1. A beach access route must have a minimum clear width of 1,000 mm.
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 a beach access route must be firm and stable.
4. Where the surface area of a beach access route is constructed, that is where the surface area is not natural, the surface area must meet the following requirements:
  - i. The maximum cross slope of the beach access route must be no more than 1:50.
  - ii. The surface area must have a 1:2 bevel at changes in level between 6 mm and 13 mm.
  - iii. The surface area must have a maximum running slope of 1:10 at changes in level between 14 mm and 200 mm.
  - iv. The surface area must have a ramp that meets the requirements of section 80.13 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 20 mm.
  - vi. Any elongated openings in the beach access route must be oriented approximately perpendicular to the direction of travel.
5. The maximum cross slope of a beach access route where the surface is not constructed must be the minimum slope required for drainage.
6. The maximum running slope of a beach access route is 1:10.
7. The entrance to a beach access route must have a minimum clear opening of 1,000 mm, whether the entrance includes a gate, bollard or other entrance design.

**TECHNICAL REQUIREMENTS COMMON TO RECREATIONAL TRAILS AND BEACH ACCESS ROUTES****Common technical requirements, general**

**80.11** Obligated organizations shall ensure that where they construct or redevelop recreational trails and beach access routes that they intend to maintain, the recreational trails and beach access routes meet the technical requirements set out in this Part in respect of boardwalks and ramps.

**Boardwalks**

**80.12** 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 clear height that provides a minimum headroom clearance of 2,100 mm above the boardwalk.
3. The surface of the boardwalk must be firm and stable.
4. The boardwalk must not have any openings in the surface that allow the passage of an object that has a diameter of more than 20 mm.
5. The boardwalk must have 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 80.13.

**Ramps**

**80.13** Where a recreational trail or beach access route is equipped with a ramp, the ramp must meet the following requirements:

1. The ramp must have a minimum clear width of 900 mm.
2. The ramp must have a clear height that provides a minimum headroom clearance of 2,100 mm above the ramp.
3. The surface of the ramp must be firm and stable.
4. The ramp must have a maximum running slope of no more than 1:10.
5. The ramp 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.
6. The ramp must not have any openings in the surface that allow the passage of an object that has a diameter of more than 20 mm.
7. The ramp 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. terminate 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.
8. Where a ramp is more than 2,200 mm in width,
- i. one or more intermediate handrails which are continuous between landings must be provided and located so that there is no more than 1,650 mm between handrails, and
  - ii. the handrails must meet the requirements set out in paragraph 7.
9. The ramp 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. The ramp 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, or
  - ii. with railings or other barriers that extend to within 50 mm of the finished ramp surface.

## EXCEPTIONS TO THE REQUIREMENTS FOR RECREATIONAL TRAILS AND BEACH ACCESS ROUTES

### Exceptions, limitations

**80.14** Where an exception is permitted 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

**80.15** Exceptions to the requirements that apply to recreational trails and beach access routes are permitted where obligated organizations can demonstrate one or more of the following:

- 1. The requirements, or some of them, would likely affect the cultural heritage value or interest of a property identified, designated or otherwise protected under the *Ontario Heritage Act* as being of cultural heritage value or interest.
- 2. The requirements, or some of them, would affect the preservation of places set apart as National Historic Sites of Canada by the Minister of the Environment for Canada under the *Canada National Parks Act* (Canada).

3. The requirements, or some of them, would affect the national historic interest or significance of historic places marked or commemorated under the *Historic Sites and Monuments Act* (Canada).
4. The requirements, or some of them, might damage, directly or indirectly, the cultural heritage or natural heritage on a property included in the United Nations Educational, Scientific and Cultural Organisation's World Heritage List of sites under the *Convention Concerning the Protection of the World Cultural and Natural Heritage*.
5. There is a significant risk that the requirements, or some of them, would adversely affect water, fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values, whether the adverse effects are direct or indirect.
6. 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.

## OUTDOOR PUBLIC USE EATING AREAS

### Outdoor public use eating areas, application

**80.16** (1) The requirements in section 80.17 apply to newly constructed and redeveloped outdoor public use eating areas that an obligated organization, other than a small organization, intends to maintain and that fall within the description set out in subsection (2).

(2) The outdoor public use eating areas to which subsection (1) applies consist of tables that are found in public areas, such as in public parks, on hospital grounds and on university campuses and are specifically intended for use by the public as a place to consume food.

### Outdoor public use eating areas, general requirements

**80.17** Obligated organizations, other than small organizations, shall ensure that where they construct or redevelop outdoor public use eating areas that they intend to maintain, the 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 persons using mobility aids by having knee and toe clearance underneath the table and 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 persons using mobility aids must be level, firm and stable.
3. Tables that are accessible to persons 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

**80.18** (1) This Part applies to newly constructed and redeveloped outdoor play spaces that an obligated organization, other than a small organization, intends to maintain and that fall within the description set out in subsection (2).

(2) The outdoor play spaces to which subsection (1) applies consist of an area that includes play equipment, such as swings, or features such as logs, rocks, sand or water, where the equipment or features are designed and placed to provide play opportunities and experiences for children and caregivers.

### Outdoor play spaces, consultation requirements

**80.19** When constructing new or redeveloping existing outdoor play spaces, obligated organizations, other than small organizations, shall consult on the needs of children and caregivers with various disabilities and shall do so in the following manner:

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



**Outdoor play spaces, accessibility in design**

**80.20** When constructing new or redeveloping existing play spaces that they intend to maintain, obligated organizations, other than small organizations, shall,

- (a) incorporate accessibility features, such as sensory and active play components, for children and caregivers with various disabilities into the design of outdoor play spaces; and
- (b) ensure that outdoor play spaces have a ground surface that is firm, stable and has impact attenuating properties for injury prevention and sufficient clearance to provide children and caregivers with various disabilities the ability to move through, in and around the outdoor play space.

**EXTERIOR PATHS OF TRAVEL****Exterior paths of travel, application**

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

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

**Exterior paths of travel, general obligation**

**80.22** Obligated organizations, other than small organizations, shall ensure that any exterior paths of travel that they construct or redevelop and intend to maintain meet the requirements set out in this Part.

**Exterior paths of travel, technical requirements**

**80.23** When constructing new or redeveloping existing exterior paths of travel that they intend to maintain, obligated organizations, other than small organizations, shall ensure that new and redeveloped exterior paths of travel meet the following requirements:

1. The exterior path must have a minimum clear width of 1,500 mm, but this clear width can be reduced to 1,200 mm to serve as a turning space where the exterior path connects with a curb ramp.
2. 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.
3. The surface must be firm and stable.
4. The surface must be slip resistant.
5. 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 20 mm, and
  - ii. any elongated openings must be oriented approximately perpendicular to the direction of travel.
6. 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.
7. The maximum cross slope of the exterior path must be no more than 1:20, where the surface is asphalt, concrete or some other hard surface, or no more than 1:10 in all other cases.
8. The exterior path must meet the following requirements:
  - i. It must have a 1:2 bevel at changes in level between 6 mm and 13 mm.
  - ii. It must have a maximum running slope of 1:8 or a curb ramp that meets the requirement of section 80.26 at changes in level of greater than 13 mm and less than 75 mm.

iii. It must have a maximum running slope of 1:10 or a curb ramp that meets the requirement of section 80.26 at changes in level of 75 mm or greater and 200 mm or less.

iv. It must have a ramp that meets the requirements of section 80.24 at changes in level of greater than 200 mm.

9. The entrance to the exterior path of travel must provide a minimum clear opening of 850 mm, whether the entrance includes a gate, bollard or other entrance design.

#### **Exterior paths of travel, ramps**

**80.24** (1) Where an exterior path of travel is equipped with a ramp, the ramp must meet the following requirements:

1. The ramp must have a minimum clear width of 900 mm.

2. The surface of the ramp must be firm and stable.

3. The surface of the ramp must be slip resistant.

4. The ramp must have a maximum running slope of no more than 1:15.

5. The ramp 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 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.

6. Where a ramp has openings in its surface,

i. the openings must not allow passage of an object that has a diameter of more than 20 mm, and

ii. any elongated openings must be oriented approximately perpendicular to the direction of travel.

7. A ramp 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 provided they are installed in addition to the required handrail,

iii. terminate 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 the ramp is more than 2,200 mm in width,

i. 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, and

ii. the handrails must meet the requirements set out in paragraph 7.

9. The ramp 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. The ramp 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, or

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**

**80.25** Where stairs connect to exterior paths of travel, the stairs must meet the following requirements:

1. The surface of the treads must have a finish that is slip resistant.

2. Stairs must have uniform risers and runs in any one flight.

3. The rise between successive treads must be between 125 mm and 180 mm.

4. The run between successive steps must be between 280 mm and 355 mm.

5. Stairs must have closed risers.

6. The maximum nosing projection on a tread must be no more than 38 mm, with no abrupt undersides.

7. Stairs must have high tonal contrast markings that extend the full tread width of the leading edge of each step.

8. Stairs must be equipped with tactile walking surface indicators that are built in or applied to the walking surface, and the tactile walking surface indicators must,

i. have raised tactile profiles,

ii. have a high tonal contrast with the adjacent surface,

iii. be located at the top of all flights of stairs, and

iv. extend the full tread width to a minimum depth of 610 mm commencing one tread depth from the edge of the stair.

9. Handrails must be included on both sides of stairs and must satisfy the requirements set out in paragraph 7 of subsection 80.24 (1).
10. 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 and is required on each side of a stairway where the difference in elevation between ground level and the top of the stair is more than 600 mm but, where there is a wall, a guard is not required on that side.
11. Where stairs are more than 2,200 mm in width,
  - i. 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, and
  - ii. the handrails must satisfy the requirements set out in paragraph 7 of subsection 80.24 (1).

**Exterior paths of travel, curb ramps**

**80.26** (1) Where a curb ramp is provided on an exterior path of travel, the curb ramp must align with the direction of travel and meet the following requirements:

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

(2) In this section,

“curb ramp” means a ramp that is cut through a curb or that is built up to a curb.

**Exterior paths of travel, depressed curbs**

**80.27** (1) Where a depressed curb is provided on an exterior path of travel, the depressed curb must meet the following requirements:

1. The depressed curb must have a maximum running slope of 1:20.
2. The depressed curb must be aligned with the direction of travel.
3. Where the depressed curb is provided at a pedestrian crossing, it must have tactile walking surface indicators that,

- i. have raised tactile profiles,
- ii. have high tonal contrast with the adjacent surface,
- iii. are located at the bottom portion of the depressed curb that is flush with the roadway,
- iv. are set back between 150 mm and 200 mm from the curb edge, and
- v. are a minimum of 610 mm in depth.

(2) In this section,

“depressed curb” means a seamless gradual slope at transitions between sidewalks and walkways and highways, and is usually found at intersections.

#### **Exterior paths of travel, accessible pedestrian signals**

**80.28** (1) Where new pedestrian signals are being installed or existing pedestrian signals are being replaced at a pedestrian crossover, they must be accessible pedestrian signals.

(2) 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 manual and automatic activation features.
- 6. They must include both audible and vibro-tactile walk indicators.

(3) Where two accessible pedestrian signal 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 accessible pedestrian signal assemblies can be installed on a single post, and when this occurs, a verbal announcement must clearly state which crossing is active.

(5) In this section,

“pedestrian crossover” means a pedestrian crossover as defined in subsection 1 (1) of the *Highway Traffic Act*.

#### **Exterior paths of travel, rest areas**

**80.29** When constructing new or redeveloping existing exterior paths of travel that they intend to maintain, obligated organizations, other than small organizations, shall consult on the design and placement of rest areas along the exterior path of travel and shall do so in the following manner:

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

#### **Exceptions, limitations**

**80.30** Where an exception is permitted 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

**80.31** 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. The requirements, or some of them, would likely affect the cultural heritage value or interest of a property identified, designated or otherwise protected under the *Ontario Heritage Act* as being of cultural heritage value or interest.
2. The requirements, or some of them, would affect the preservation of places set apart as National Historic Sites of Canada by the Minister of the Environment for Canada under the *Canada National Parks Act* (Canada).
3. The requirements, or some of them, would affect the national historic interest or significance of historic places marked or commemorated under the *Historic Sites and Monuments Act* (Canada).
4. The requirements, or some of them, might damage, directly or indirectly, the cultural heritage or natural heritage on a property included in the United Nations Educational, Scientific and Cultural Organisation's World Heritage List of sites under the *Convention Concerning the Protection of the World Cultural and Natural Heritage*.
5. There is a significant risk that the requirements, or some of them, would adversely affect water, fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values, whether the adverse effects are direct or indirect.
6. 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 pole within 1,500 mm of the curb edge is not feasible because of existing underground utilities.

### ACCESSIBLE PARKING

#### Application, off-street parking

**80.32** Obligated organizations shall ensure that when constructing new or redeveloping off-street parking facilities that they intend to maintain, the off-street parking facilities meet the requirements set out in this Part.

#### Exceptions

**80.33** (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 buses.
2. Parking for delivery vehicles.
3. Parking for law enforcement vehicles.
4. Parking for medical transportation vehicles, such as ambulances.
5. Parking used as a parking lot for impounded vehicles.

(2) The requirements in respect of off-street parking facilities do not apply to off-street parking facilities if,

- (a) the off-street parking facilities 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*; and
- (b) the obligated organization has multiple off-street parking facilities on a single site that serve a building or facility.

#### Types of accessible parking spaces

**80.34** Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:

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**

**80.35** (1) Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

(2) Access aisles may be shared by two parking spaces for the use of persons with disabilities 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 tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

#### **Minimum number and type of accessible parking spaces**

**80.36** (1) Off-street parking facilities must have a minimum number of parking spaces for the use of persons with disabilities, in accordance with the following requirements:

1. One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer.
2. Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
  - i. Where an even number of parking spaces for the use of persons with disabilities 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 parking spaces for the use of persons with disabilities 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, may be a Type B parking space.
3. One parking space for the use of persons with disabilities and an additional three per cent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with ratios set out in subparagraphs 2 i and ii, rounding up to the nearest whole number.
4. Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs 2 i and ii, rounding up to the nearest whole number.
5. Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs 2 i and ii, rounding up to the nearest whole number.

(2) If an obligated organization provides more than one off-street parking facility at a site, the obligated organization shall calculate the number and type of parking spaces for the use of persons with disabilities according to the number and type of parking spaces required for each off-street parking facility.

(3) In determining the location of parking spaces for the use of persons with disabilities 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.

#### **Signage**

**80.37** Obligated organizations shall ensure that parking spaces for the use of persons with disabilities as required under section 80.36 are distinctly indicated by erecting an accessible permit parking sign in accordance with section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*.

#### **Exception**

**80.38** (1) An exception to the required minimum number of parking spaces for the use of persons with disabilities is permitted where an obligated organization 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 parking spaces for persons with disabilities 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 parking spaces for the use of persons with disabilities, it shall provide as close to as many parking spaces for the use of persons with disabilities that meet the requirements of this Part, as would otherwise be required under subsection 80.36 (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, may be a Type B parking space.

#### **On-street parking spaces**

**80.39** (1) When constructing or redeveloping existing on-street parking spaces, designated public sector organizations shall consult on the need, location and design of accessible on-street parking spaces and shall do so in the following manner:

1. Designated public sector organizations must consult with the public and persons with disabilities.
2. Municipalities must also consult with their municipal accessibility advisory committees, where one has been established in accordance with subsection 29 (1) or (2) of the Act.

(2) 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 persons or organizations listed in Column 1 of Table 1 to Ontario Regulation 146/10 (Public Bodies and Commission Public Bodies — Definitions) made under the *Public Service of Ontario Act, 2006*.



## OBTAINING SERVICES

### Application

**80.40** (1) Obligated organizations shall meet the requirements set out in this Part in respect of the following:

1. All newly constructed service counters and fixed queuing guides.
2. All newly constructed or redeveloped 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.

### Service counters

**80.41** (1) When constructing new service counters, which includes replacing existing 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 a single or 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

**80.42** When constructing new fixed queuing guides, the following requirements must be met:

1. The fixed queuing guides must provide sufficient width to allow for the passage of mobility aids and mobility assistive devices.
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.

### Waiting areas

**80.43** (1) When constructing a new waiting area or redeveloping an existing waiting area, where the seating is fixed to the floor, a minimum of 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 a space in the seating area where an individual using a mobility aid can wait.

## MAINTENANCE

### Maintenance of accessible elements

**80.44** In addition to the accessibility plan requirements set out in section 4, 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.

**7. The Regulation is amended by adding the following section:**

**Accessibility reports**

**86.1** (1) Subject to subsections 33 (3) and (5) of the Act, organizations shall file the accessibility report required under subsection 14 (1) of the Act 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**

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

*Français*