

21 Dunlop St., Ste. 200, Richmond Hill, Ontario L4C 2M6

Tel: 905-508-5018 • Toll free 1-888-365-5226

Fax: 905-508-7539 • www.clcyr.on.ca



**Community
Legal Clinic**
of York Region

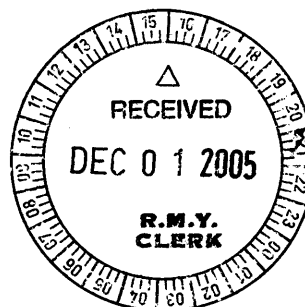
"Legal Solutions for Low Income People"

**REGION OF YORK
CLERK'S OFFICE**

FACSIMILE COVER PAGE

FILE No. = **P14**

DATE: December 1, 2005
TO: York Region Clerks Office
ATTN: Susan Neill
FAX NUMBER: 905-895-3031
PHONE NUMBER: 905-830-4444 ext.1305
FROM: Kim McKinnon



NUMBER OF PAGES (INCLUDING COVER PAGE): **6**

RE: Information for York Region Accessibility Advisory Committee - Please distribute to ALL members of the AAC

Thank you.

IN THE EVENT OF TRANSMISSION PROBLEMS CONTACT: Anita or Rebecca

This telecopy is solicitor-client privileged and contains confidential information intended only for the person(s) named above. Any other distribution, copying, or disclosure is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original transmission to us by mail without making a copy. We will compensate your expenses for doing so.

Mobility Transit Advocacy Committee

C/o Community Legal Clinic of York Region
21 Dunlop Street, Suite 200,
Richmond Hill, Ontario L4C 2M6
905-508-5018

December 1, 2005

York Region Accessibility Advisory Committee
Mr. Wilf Morely - Chair
To be distributed to all AAC members

*Sent via facsimile only to
Susan Neill - Committee Coordinator - Regional Clerks Office*

RE: Deputation's to AAC on October 26, 2005

Dear Mr. Morley and all AAC Members.

We wanted to thank the AAC for listening to our concerns with respect to Mobility Plus services in York Region. We appreciate you taking the time to hear what the community has to say about such an important issue.

We also appreciate the important questions that were raised at the meeting regarding the lack of policy within the Mobility Plus department of the Region of York.

As we understand from the outcome of the meeting on October 26, 2005, your committee has requested copies of application form, eligibility criteria and appeal process. We in turn have requested such documentation.

I am aware that the AODA has been established, and part of the role of the Ministry of Community and Social Services is to develop a Transportation Standards Development Committee (TSDC). The role of this committee is to develop standards that specifically look at eligibility criteria and appeals, along with process issues.

Our understanding is that the York Region Transportation Department will **not** be looking at developing policy on Eligibility Criteria, as the AODA Transportation Standards Development Committee will be doing this.

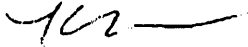
Our concern regarding this is time lines. When speaking with the Accessibility Directorate, it was made clear to us that the TSDC will meet and develop policies. These policies will then go out for public consultation. Once that is complete, they must go through readings and royal assent. As you are aware, this could be a very lengthy process. Throughout the time of passage, many residents of York Region will be left lingering, trying to understand what the eligibility criteria is.

We would like you to encourage the Transportation Department, as we have, to develop clear eligibility guidelines as soon as possible.

We understand that the Transportation Department has referred to the idea that they have very open criteria that many other regions across the province do not have. We have researched other regions in respect to policy, eligibility criteria and appeal process and have come up with the attached document for you to review in respect to this matter.

We look forward to working with you in respect to this very important issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim', followed by a horizontal line.

Kim McKinnon
for Mobility Transit Advocacy Committee

Attachment

Various Municipalities' Accessible Transit Service Policies

The Community Legal Clinic of York Region (CLCYR) has researched other accessible mobility transit/transportation programs throughout the province. The established policies of other municipalities below are meant to aid you in your policy recommendations to the York Region Transit Mobility Plus.

Various municipalities have specific policies for:

- eligibility criteria,
- amount of time a response will be provided within concerning a decision of eligibility,
- places that a person may ride, and
- appeal process concerning eligibility decisions

Eligibility Criteria

Overall, the majority of municipalities have policies concerning eligibility for physical disabilities, as regulated by the Province of Ontario. The eligibility criteria for ridership for people with physical disabilities states that:

- Paratransit is a service for persons who have physical disabilities that result in their inability to use regular/conventional bus service. This refers to persons who are physically unable to:
 - (i) Board on a regular bus, which involves climbing or descending three steps or,
 - (ii) Walk a distance of 175 metres (approximately 200 yards, 500-600 feet, or one city block), unassisted.
- Persons with mental, emotional or cognitive disabilities, epilepsy, or the elderly or blind, may be eligible for specialized transit, on the basis that they have physical/functional disabilities that prevent them from boarding regular buses or walking a distance of 175 metres.

(Ajax-Pickering Transit Authority – Specialized Services, Barrie Accessible Community Transportation Services, Fort Erie Mobile Service, Grand River Transit Mobility Plus, Kingston Access Bus, North Bay Para-us Service, OWLS – Orillia's Special Needs Busing, Peterborough Handi-Van, Peel Transhelp, Paratransit System of St. Catherines, Sarnia Care-A-Van, Sault Ste. Marie Para-Bus Transit, Sudbury Handi Transit, Thorold Paratransit Service, Woodstock Paratranist Services)

In addition,

- Grand River Transit Mobility Plus includes all people who are registered with the Canadian National Institute for the Blind (CNIB).
- OWLS – Orillia's Special Needs Busing' eligibility criteria includes if a person cannot board a regular taxi.
- Sarnia Care-A-Van includes all people who are blind from November 1 to March 31.

- Sault Ste. Marie Para-Bus Transit includes people who are receiving dialysis treatments.
- Woodstock Paratransit Services' eligibility criteria includes persons who are in wheelchairs, use two canes or crutches, or use walkers, or persons who are legally blind as being **immediately** eligible. They also include persons unable, with **dignity**, to use the regular transit buses.

Concern should be taken in establishing a policy that is inclusive of people who experience mental health, or emotional, disabilities (*i.e.*, issues concerning noise, amount of people/passengers, proximity, etc.) and cognitive disabilities (*i.e.*, ability to read, understand directions, attention spans, memory, etc.).

Registration/Response Time

The various municipalities' accessible transit services state that registration, or a response/decision of eligibility to an initial application will occur within 48 hours (Kingston Access Bus), or up to two (2) weeks (Woodstock Paratransit Services) or four (4) weeks (Paratransit System of St. Catherines) in other municipalities.

Trip Rides

The various municipalities' accessible transit services include trips to:

- Medical, or dental appointments (including dialysis)
- Physiotherapy and other therapy treatments
- Work/Employment
- School/Educational
- Shopping
- Recreational Activities
- Personal Appointments

(Fort Erie Mobile Service, London Transit Specialized Services, Woodstock Paratransit Services)

In truth, York Region Transit Mobility Plus should not have the authority to limit, or decide upon, where a person using Mobility Plus should be able to travel to (actual geographical distance notwithstanding). On conventional public transit, riders are not asked where they are planning to go and based on their answer either accepted or denied transportation. The same right should be upheld for Mobility Plus riders, who have the right to determine where they go and for what reason.

Appeal Process re: Eligibility Decisions

Various municipalities have established appeal processes that require appeals, concerns and complaints to be made in writing and directed to various units. These

municipalities have established specific and separate units from the accessible transit services to review ALL appeals.

- Ajax-Pickering Transit Authority – Specialized Services appeals are reviewed by the Transit Advisory Committee.
- London Transit has established an:
 - Accessible Public Transit Service Advisory Committee (APTSAC) to advise and assist in promoting and supporting the development and delivery of accessible public transit services for individuals of all disabilities, as well as a
 - Specialized Transit Services Appeals Committee, that operates independently from the APTSAC and the transit administration, to hear and recommend on appeals from individuals who want reconsideration of a decision with respect to service qualification.
 - The terms of references for both committees may be found at:
<http://www.londontransit.ca/Committees.htm#first-section>