

COUNCIL MEMBERS' MOTION

1. Stanley Park Train Accessibility

Submitted by: Councillor Fry

WHEREAS

1. On November 6, 2023, the City of Vancouver announced the return of the Stanley Park Train; soon after, local media reported¹ that the train would not include a wheelchair-accessible car, thereby excluding participation of some children, youth, and adults with disabilities;
2. In previous years, the Stanley Park Train included a wheelchair-accessible car which made the Train accessible for some wheel-chair users;
3. In accordance with the Accessible British Columbia Act,² Vancouver City Council adopted an Accessibility Strategy³ on July 19, 2022, which “outlines [the City’s] commitment to supporting the full participation of persons with disabilities by establishing and maintaining inclusive services, programs and infrastructure, and by identifying, removing and preventing barriers;
4. The BC Human Rights Code⁴ states: 8(1) A person must not, without a bona fide and reasonable justification, (a) deny to a person or class of persons any accommodation, service or facility customarily available to the public, or (b) discriminate against a person or class of persons regarding any accommodation, service or facility customarily available to the public because of the Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or class of persons;
5. The United Nations Convention on the Rights of Persons with Disabilities,⁵ which Canada has ratified, states: “States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and

¹ BCTV | Stanley Park Train Returning without Wheelchair Accessible Car
<https://bc.ctvnews.ca/stanley-park-train-returning-without-wheelchair-accessible-car-1.6640927>

² BC Laws | Accessible British Columbia Act
<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/21019>

³ City of Vancouver | Accessibility Strategy
<https://vancouver.ca/files/cov/accessibility-strategy-phase-1-full-strategy.pdf>

⁴ BC Laws | BC Human Rights Code
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96210_01#section8

⁵ United Nations | Convention on the Rights of Persons with Disabilities
<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

fundamental freedoms on an equal basis with other children (Article 7),” and “States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities [...] (c.) Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance (Article 30).”

6. On February 21, 2024 the Vancouver City Planning Commission expressed its concern with the erosion of existing accessibility at a time when the City of Vancouver has made a commitment to expand access for people with disabilities of all ages, and unanimously passed the Stanley Park Train Accessibility resolution, and requested its submission for the consideration of Council.

THEREFORE BE IT RESOLVED

- A. THAT Mayor and Council affirm that inaccessibility should be understood as a reflection of structural and systemic ableism, and that removing existing accessibility should be understood that it may be a violation of the human rights of people with disabilities.
- B. THAT Mayor and Council commit to making all efforts to maintain or improve the previous level of accessibility as a result of any maintenance, construction, renovation, update, or other improvement or alteration of Vancouver’s built environment, space, programs, events, attractions, services, or communications.
- C. THAT Council direct staff to amend the Accessibility Strategy to include a requirement that all efforts be made to prevent any loss of existing accessibility in any of the City’s programs, services, communications, events, environments, or spaces, and further develop a policy requiring that any organization receiving funding, partnering, or endorsement from the City of Vancouver agree to the same ban.
- D. THAT the Park Board be requested to consider preparing a program whereby individuals unable to participate in the 2023 Stanley Park Train due to accessibility are compensated via free tickets for the 2024 Train, or some other means.

* * * * *