

Committee Report

To:	Chair Sholtz and Members of the Grey County Joint Accessibility Advisory Committee
Committee Date:	August 25, 2020
Subject / Report No:	CCR-JAAC-11-20
Title:	Fulfilling Municipal Accessibility Requirements
Prepared by:	Kathie Nunno
Reviewed by:	Heather Morrison
Lower Tier(s) Affected:	Georgian Bluffs, Grey Highlands, Hanover, Southgate, The Blue Mountains and West Grey
Status:	Recommendation adopted by Committee as presented on August 25, 2020 per Resolution JAAC01-20; Endorsed by Committee of the Whole September 10, 2020 per Resolution CW161-20; Endorsed by County Council September 24, 2020 per Resolution CC75-20;

Recommendation

1. That Report CCR-JAAC-11-20 regarding fulfilling municipal accessibility requirements be received for information;
2. And that the report be circulated to the Clerk's and Planning departments of Grey County's local municipalities for information.

Executive Summary

Municipalities must comply with accessibility legislation. This report addresses the legislated responsibilities as they apply to Grey County.

Nothing About Us Without Us is a motto to promote awareness of inclusions of persons with disabilities. When consultation occurs early in the process, there is time to consider suggested improvements to remove the barriers and challenges that people with disabilities encounter. Consultation with persons with disabilities is addressed throughout most of the legislation.

When we make Ontario accessible to people with disabilities, everyone benefits.

Detailed Background and Discussion

There are detailed requirements specified in the legislation. This report provides an overview.

Accessibility Advisory Committee (“Committee”)

- Grey County is required to have an accessibility advisory committee where the majority of the members of the Committee are persons with disabilities.
- Two or more municipalities may have a joint accessibility advisory committee.

Duty of Council

- The council shall seek advice from the committee on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises
 - (a) that the council purchases, constructs or significantly renovates;
 - (b) for which the council enters into a new lease; or
 - (c) that a person provides as municipal capital facilities under an agreement entered into with the council
- The Council shall supply site plans to the accessibility advisory committee in a timely manner for the purpose of the review.

On May 9, 2019, Grey County Council endorsed resolution JAAC04-19 from the April 8, 2019 Committee meeting as follows:

That participating local municipalities submit the following draft site plans as early as practicable in the application process to the Grey County Joint Accessibility Advisory Committee (for review and comment):

- **Newly developed or redeveloped public spaces;**
- **Municipal offices;**
- **Community centres;**
- **Recreation centres; and**
- **Other sports facilities.**

Reporting

Complete accessibility compliance reports as required by the Ministry for Seniors and Accessibility. The next one will be in 2021.

Integrated Accessibility Standards

General

- Create a statement of organizational commitment to meet the accessibility needs of

persons with disabilities in a timely manner.

- Make policies publicly available and provide them in an accessible format when requested.
- This report does not discuss accessibility legislation for taxicabs. That legislation pertains to municipalities who license taxicabs.
- Provide job-specific accessibility training for the Employment, Information & Communications, Design of Public Spaces and Transportation standards.

Accessibility Plans

- Create and keep current a multi-year accessibility plan that outlines the strategy to prevent and remove barriers and meet legislated requirements. Include a section for conventional transit including a description of procedures for dealing with accessibility equipment features.
- Hold one annual public meeting involving persons with disabilities to provide feedback on the accessibility plan.
- Post the plan on the website.
- Review and update the plan at least once every five years in consultation with the accessibility advisory committee.
- Prepare and publicly post an annual accessibility status report.

Accessible Customer Service Standard

- Provide training on this standard to all employees, volunteers, every person who participates in developing policies. Every person who provides goods, services, or facilities on behalf of Grey County is required to receive accessibility training.
- Develop, implement and maintain policies for provision of goods, services, or facilities to persons with disabilities.
- Maintain a policy regarding use of service animals and support persons.
- Provide notice for scheduled and temporary disruptions to customer service.
- Document and post an accessible feedback process on the County website. Feedback must be addressed in a timely manner.
- Upon request, provide communication in an accessible format or with communication support in a timely manner and at no more than the regular cost charged.

Design of Public Spaces Standard

Design of Public Spaces Standard applies when building new or making significant

alterations to existing public spaces.

- The multi-year accessibility plan must outline how the requirements under the Design of Public Spaces Standard will be met.
- Incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities that may be relevant to the accessibility features of public spaces such as outdoor play spaces, outdoor public use eating areas and/or exterior paths of travel.
- Municipalities must consult with the public, people with disabilities, and their accessibility advisory committees:
 - When constructing new service counters or replacing existing service counters, when constructing a new waiting area or redeveloping an existing waiting area;
 - Before building new or making major changes to existing recreational trails to help determine particular trail features;
 - When building new or making major changes to existing outdoor play spaces considering the needs of children and caregivers of all abilities;
 - On the design and placement of rest areas along the exterior path of travel when building new or making major changes to existing exterior paths of travel; and
 - When constructing new or redeveloping off-street parking facilities which includes parking facilities at municipally owned public buildings.

Transportation Standard

- If a municipality offers buses or other public transit, it must:
 - Plan to provide accessible bus stops and shelters in the community. This applies both to building new ones and to renovating or replacing existing ones. Consult with the accessibility advisory committee and parties involved in the organization and planning;
 - Set out the steps to take to build accessible bus stops and shelters in the municipality's accessibility plan;
 - Make information about accessibility and features of the vehicles, routes and services available to the public;
 - Take reasonable steps to accommodate persons with disabilities on a vehicle where the accessibility equipment is not functioning and repair the equipment as soon as possible;
 - Provide signage as legislated;
 - Provide accessibility training on the safe use of accessibility equipment and features, acceptable modifications to procedures where there are temporary

barriers, emergency preparedness and response procedures;

- Create and maintain emergency preparedness and response policies and make these available to the public;
- Make sure all vehicles are equipped with lifting devices, ramps, or portable bridge plates as described. Deploy lifting devices, ramps or portable bridge plates upon request;
- Announce and electronically display all stops.
- Except when not practical to do so, a conventional transportation service provider that does not provide specialized transit makes sure that persons with disabilities who are unable to use conventional transit services are provided with an alternate accessible method of transit. This can be a referral to specialized transit service in the same jurisdiction.
- Make sure all vehicles are equipped with grab bars, handholds, handrails or stanchions where appropriate;
- Make sure there is enough time for persons with disabilities to safely board, be secured and deboard and provide assistance on request;
- Transit operators must promptly report where a transit stop is temporarily inaccessible or where a temporary barrier exists;
- Make sure mobility aids and assistive devices are stored within reach or, if not possible, within the baggage compartment. Ensure the return of the aids and devices in a manner safe for everyone;
- Make sure there is clearly-marked priority seating for persons with disabilities and that this seating meets the legislated standards; and

Employment Standard

- Maintain written policies for recruitment and safe return to work.
- Notify employees and the public about accommodation for applicants in the recruitment processes.
- Create and document individual accommodation plans and return to work processes as needed.
- Provide individualized workplace emergency response information as needed.
- Notify successful applicants about policies for accommodating employees with disabilities.

Information and Communications Standard

- Arrange for accessible formats and communications supports on request.

- Notify the public about the availability of accessible formats.
- Maintain accessible websites and website content (WCAG 2.0, level AA).
- Provide educational or training resources or materials in an accessible format as necessary.

Legal and Legislated Requirements

O. Reg. 191/11: Integrated Accessibility Standards

Accessibility for Ontarians with disabilities Act, 2005, S.O. 22005, c. 11

Ontarians with Disabilities Act, 2001, S.O. 2001, C.32

The Ontario Human Rights Code

Planning Act, RSO 1990 c. P.13

Financial and Resource Implications

Currently, Grey County doesn't have a specific budget for accessibility. . Accessibility-related expenses currently come out of departmental operating budgets such as signage and training

Relevant Consultation

- ☒ Internal (Planning staff, HR staff, Transportation staff, Communications staff, Long-Term Care staff, Housing staff, Information Technology staff)
- ☒ External (other Ontario municipalities; the Ministry for Seniors and Accessibility; Ontario accessibility legislation)

Appendices and Attachments

Grey County Joint Accessibility Advisory Committee Terms of Reference

Grey County Joint Accessibility Advisory Committee

Purpose:

To comply with ODA and AODA legislation and to provide recommendations to Grey County Council participating local municipal councils, regarding accessibility-related issues and improvements to services.

Participating local municipalities include: The Township of Georgian Bluffs, The Municipality of Grey Highlands, The Town of Hanover, The Township of Southgate, The Town of The Blue Mountains, and The Municipality of West Grey

Scope of Responsibility:

- a) Advise councils each year about the preparation, implementation and effectiveness of each municipality's multi-year accessibility plan.
- b) Provide advice when requested by Council on the accessibility for persons with disabilities to a building, structure or premises:
 - a. Purchased, constructed, majorly renovated, owned or operated by Grey County and participating municipalities;
 - b. Considered for lease;
 - c. Provided as a municipal capital facility under an agreement, in accordance with the *Municipal Act*.
- c) Review in a timely manner the site plans and drawings described under Section 41 of the *Planning Act* when requested.
- d) In response to circulated plans, the Committee will review and provide timely comment to the appropriate council, or its designates, on site plans prepared for major renovations and newly constructed developments including new commercial, institutional, industrial, major residential and other development subject to site plan control under a participating municipality.
- e) Perform other functions required by the Accessibility for Ontarians with Disabilities Act (AODA) and its regulations.
- f) Reviewing programs and services and provided accessibility advice to make practices more inclusive.

Voting Membership

The Grey County Joint Accessibility Advisory Committee will consist of up to seven members. Membership will include:

- a) The majority of voting members must be persons with disabilities, as defined

under the AODA;

- b) A caregiver of a person with a disability;
- c) A public advocate for people with disabilities with a high degree of accessibility knowledge.
- d) One representative from Grey County Council

Members will be appointed by County Council for the term of council and members are eligible for re-appointment.

Non-Voting Members:

The Grey County Joint Accessibility Advisory Committee's non-voting members will consist of:

- a) One staff resource from each participating local municipality
- b) Grey County staff responsible for accessibility

Chair and Vice Chair:

The Chair and Vice Chair shall be elected from the voting membership annually.

Meetings:

Meetings will occur at the call of the Chair, or as determined by the committee (approximately four times per year).

Quorum:

A quorum shall consist of more than 50% of the membership of the Committee.

Compensation:

Public voting members will be reimbursed mileage or other similar travel costs.

Statutory Authority:

Ontarians with Disabilities Act (ODA), Accessibility for Ontarians with Disabilities Act (AODA), Grey County Procedural By-Law, Local Municipal Procedural By-Laws

Reporting Relationship:

The Accessibility Advisory Committee will report to Grey County Committee of the Whole and meeting minutes will be circulated with the participating local municipalities.

Lead Staff:

Grey County Administrative & Accessibility Coordinator
Designated liaison for each local municipality
Grey County Clerk
Grey County Deputy Clerk/Legislative Coordinator