



## STAFF REPORT ACTION REQUIRED

### 2012 Progress Report: Accessibility for Ontarians with Disabilities Act (AODA) Implementation

<b>Date:</b>	October 19, 2012
<b>To:</b>	Executive Committee
<b>From:</b>	Joseph P. Pennachetti, City Manager
<b>Wards:</b>	All
<b>Reference Number:</b>	

#### SUMMARY

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This report provides a framework that outlines the City's strategies to meet its legislative obligations under the Accessibility for Ontarians with Disabilities Act; and, its policy commitments to creating an accessible City.

In June 2011, the Ontario government released the AODA's Integrated Accessibility Standards Regulation (IASR) which results in the harmonization of accessible standards in Information and Communication, Employment, and Transportation and also requires the City to integrate accessibility criteria in procurement. The requirements currently in regulation are being phased in between 2011 and 2021.

Beginning in 2012, the City's Accessibility Plan is being presented in a multi-year format, initially covering the years 2012 – 2016 (Appendix 1). The newly legislated multi-year plan provides the overall approach of how the City will meet the requirements of the Integrated Accessibility Standard Regulations. The multi-year accessibility plan will be posted on the City's website in January 2013 and made available in accessible formats upon request.

In future, the Plan will be updated within 5 years, to enable the City to keep on track for meeting requirements, highlight achievements that have been made and make any adjustments needed to meet the timelines under the IASR.

#### RECOMMENDATIONS

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**The City Manager recommends that:**

1. City Council receive this report for information.

## **Financial Impact**

There are no financial impacts as a result of receipt of this report. In future, financial impacts resulting from meeting AODA compliance requirements will be addressed and considered within the capital and operating budget process.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **Equity Impact Statement**

This report provides a framework that outlines the City's strategies to prevent and remove barriers to accessibility. The City's multi-year accessibility plan ensures the City's legislative obligations and policy commitments to creating an accessible City; and goals in equity, diversity and human rights are met within required timelines and consistently applied.

## **BACKGROUND INFORMATION**

AODA implementation status reports are provided to City Council on an ongoing basis in accordance with the Ontarians with Disabilities Act (ODA), 2001 and the Accessibility for Ontarians with Disabilities Act (AODA), 2005. This is a further report on the implementation of the new requirements made under the Integrated Accessibility Standard Regulations (AODA), 2011.

### **Chronology of implementation:**

The City's Accessibility Plan was submitted to the Accessibility Directorate of Ontario in 2003 and posted publicly on the City's website along with annual updates from 2004 – 2008.

(<http://www.toronto.ca/diversity/accessibilityplan/pdf/accessibilityplan.pdf>)

In August 2009, while not yet legislated, City Council adopted the "City of Toronto Statement of Commitment to Creating an Accessible City", which is consistent with the principles of the AODA. This corporate policy statement affirms the City's commitment to meeting the requirements of existing legislation and to its own policies and goals related to the identification, removal and prevention of barriers to people with disabilities and becoming a barrier free city.

([http://www.toronto.ca/diversity/aoda\\_statement-commitment.htm](http://www.toronto.ca/diversity/aoda_statement-commitment.htm))

In March 2010, the City Manager reported to City Council on the status of implementing the Customer Service Standard, established under the AODA. A report was also filed with the Accessibility Directorate of Ontario verifying that the City had met all its requirements; while providing a summary of the steps taken to meet the requirements of the Accessible Customer Service Standard.

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EX41.2>)

The City continues to address the identification, removal and prevention of barriers to persons with disabilities through our by-laws, policies, programs, practices and services;

and strives to make accessibility a part of everyday business through legislated and non-legislated initiatives.

City Council's endorsement of the City of Toronto's Accessibility Design Guidelines (May 2004), is an example of a non-legislated initiative. Use of the Guide has led to consistent and effective accessibility planning, demonstrating the City's commitment to making accessibility a part of everyday business and promoting the inclusion of Toronto residents and visitors. Barriers have been identified, removed or prevented in many City owned buildings and public spaces through the City of Toronto's Accessibility Design Guidelines.

([http://www.toronto.ca/diversity/accessibility\\_design\\_guidelines.htm](http://www.toronto.ca/diversity/accessibility_design_guidelines.htm))

### **Legislative Requirements**

Ontario's Integrated Accessibility Standards Regulation (IASR) came into force on July 1, 2011. The IASR brings together accessible standards for Information and Communications, Employment and Transportation under one regulation and harmonizes requirements common to each standard. An additional requirement for the City is to incorporate accessibility criteria and features when purchasing goods, services and facilities. The IASR was preceded by the Accessible Customer Service Standard, which has been in effect since January 2010.

The IASR does not replace or affect existing legal obligations under the Ontario Human Rights Code and other existing laws with respect to the accommodation of persons with disabilities.

Each of the accessibility standards articulates specific requirements and compliance deadlines which will be phased in across the province between 2011 and 2021. The IASR is enforceable and applies to public, private and non-profit sectors. Contraventions of major impact can be assessed at \$100,000 per day for a corporation; and \$50,000 per day for an individual or unincorporated association.

### **IMPLEMENTATION FRAMEWORK**

Implementation of the IASR requires a multi-faceted strategy which includes both an internal and external approach, a review of City policies to ensure alignment with the legislation and the establishment of a multi-year accessibility plan.

#### **1. Internal Approach**

In October 2011, the Office of Equity, Diversity and Human Rights (EDHR) proposed an AODA implementation plan to the City Manager and Deputy City Managers after receiving input from staff focus groups during the months of July and August. In view of the City's obligations under the IASR, the City Manager and Deputy City Managers established a steering committee to manage the overall implementation of the Integrated Accessibility Standard Regulation; and appointed the Office of Equity, Diversity and Human Rights to Chair and convene meetings of the Steering Committee (SC).

The SC initially included representation from Strategic Communications, Human Resources, Public Realm, Purchasing and Materials Management and may expand, as the need arises to include subject matter expertise and working groups.

To date, the Steering Committee has:

- i. Reviewed the IASR and conducted a comprehensive analysis for each standard as needed, to define the scope of work required for inclusion in the accessibility plan.
- ii. Developed a multi-year accessibility plan which outlines the City's strategy to identify, remove and prevent barriers and meet the compliance requirements of the Integrated Accessibility Standards Regulation, created under the AODA; and, have reported there are no impacts on the 2013 budgetary cycle.

## **2. External Approach**

Toronto is committed to becoming a barrier free City by striving to remove and prevent barriers to people with disabilities in its multiple roles as employer, service provider, grants provider, and purchaser of goods and services.

The City continues to be proactive in its efforts to enhance accessibility for people with disabilities and actively consults with the public, people with disabilities and the City's Disability Issues Committee to meet these goals.

### **City's Disability Issues Committee**

In February 2012, the Disability Issues Committee launched its new term with a special event inviting experts in the field to speak on some of the changes underway in Ontario based on requirements under the AODA's Integrated Accessibility Standards Regulation and Human Rights legislation. The event was well attended and provided a legislative context for accessibility improvement in City.

The Committee, chaired by Councillor Vaughan consists of 12 members with a blended composition of disability organizations and citizen appointees which provides expert advice on strategies and actions required to achieve the City's access, equity and human rights objectives; and, in meeting requirements under the ODA and AODA.

<http://app.toronto.ca/tmmis/decisionBodyProfile.do?function=doPrepare&decisionBodyId=601#Meeting-2012.DI2>

### **Addressing Built Environment and Physical Accessibility Issues**

Although proposed standards for accessible built environments and design of public spaces is still in draft and not yet law, the City has been able to establish multi-year plans based on the Accessibility Design Guidelines (ADG), adopted by City Council, 2004. In addition, routine inclusion of accessibility requirements in RFP criteria works to promote the use of accessibility measures in new City construction.

### **Embedding Accessibility and Equity in City Processes**

The 2010 Election Accessibility Plan was created to ensure that electoral services are accessible to electors and candidates, and to eliminate barriers for persons with disabilities. The plan continues to evolve enabling staff to adapt and innovate as new opportunities are identified or become available. Voting places are now accessible and numerous accessibility initiatives allow more electors to vote privately and independently.

The City continues to work towards barrier free programs and services to achieve its goals of providing equality of access, opportunity and outcomes for all members of Toronto's diverse population.

### **3. Alignment with AODA Requirements**

In 2009, the City established and posted a Statement of Commitment to Creating an Accessible City along with guidelines for the Accessible Standard for Customer Service.

The new 2011 accessibility regulation requires the City to ensure alignment of its accessibility policies with AODA legislation. Now that new accessibility standards are in effect, guidelines pertaining to the City's Accessible Customer Service implementation will be integrated with the guidelines for Information and Communication, Employment and Transportation (aspects not covered by public transit); as well as, accessibility in procurement. The consolidated guidelines will be posted on the City's website with the City of Toronto Statement of Commitment to Creating an Accessible City and will now be referred to as, Meeting Accessibility Standards: Accessibility for Ontarians with Disabilities Act. (Appendix 2)

Guidelines for implementing the requirements for the built and exterior environment will be incorporated when the proposed standard becomes law.

[http://www.toronto.ca/diversity/aoda\\_statement-commitment.htm](http://www.toronto.ca/diversity/aoda_statement-commitment.htm))

[http://www.toronto.ca/diversity/aoda\\_customer-service-commitment.htm](http://www.toronto.ca/diversity/aoda_customer-service-commitment.htm))

### **4. Multi-Year Accessibility Plan**

The multi-year accessibility plan is a compact summary of accessibility policies and strategic direction to guide staff in the development of barrier free City policies, programs and services, in accordance with the schedules set out in the AODA Integrated Accessibility Standards. For example, in January 2013, processes for meeting accessibility obligations in procurement will be posted; and similarly, processes for meeting accessibility obligations in recruitment, staffing or redeployment will be documented and communicated to appropriate staff.

In January 2013, the City's accessibility plan will be publicly posted in a multi-year format initially covering the years 2012 – 2016 and will be reviewed and updated once every 5 years. The newly legislated multi-year plan provides the overall strategic direction of how the City will meet the requirements of the following standards and requirements:

- Information and Communication
- Employment
- Transportation (aspects which do not include public transit as the Toronto Transit Commission will post its own multi-year plan)
- Integrate accessibility requirements when acquiring good, services or facilities.

The City is also required to post annual status reports on measures taken to implement accessibility.

The last remaining standard on the built environment is under review and not yet law. This standard is expected to reduce barriers for people with disabilities in both buildings and the exterior environment and will likely apply only to new construction and major renovations.

## **CONCLUSION**

Consistent with its legislative obligations and policy commitments, the City of Toronto strives to provide its services, programs and facilities in a way that provides equal treatment and equitable benefits; and, in a manner which respects the dignity and independence of people of all abilities. The multi-year accessibility plan summarizes the City's commitment to removing and preventing barriers in order people with disabilities can live, work, play and participate fully in the life of the City.

## **CONTACT**

Uzma Shakir, Director, Office of Equity, Diversity and Human Rights,  
Ph: 416-392-1108, [ushakir@toronto.ca](mailto:ushakir@toronto.ca)

Bernita Lee, Consultant, Office of Equity, Diversity and Human Rights,  
Ph: 416-397-5251, [blee@toronto.ca](mailto:blee@toronto.ca)

## **SIGNATURE**

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Joseph P. Pennachetti  
City Manager

## **ATTACHMENTS**

- Appendix 1: City of Toronto Multi-Year Accessibility Plan
- Appendix 2: Meeting Accessibility Standards: Accessibility for Ontarians with Disabilities Act