COBOURG	STAFF REPORT Regular Council Meeting	
TO:	Mayor and Council Members	
FROM: TITLE:	Jamie Kramer Accessibility Coordinator	
DATE OF MEETING:	November 23 rd , 2020	
TITLE / SUBJECT:	The Town of Cobourg's Multi-Year Accessibility Plan 2020 to 2024	
REPORT DATE:	November 16, 2020	File #:

1.0 STRATEGIC PLAN

Pillar – PEOPLE - The Town supports and cares for the social and physical well-being of its citizens.

The Multi-Year Accessibility Plan falls under **Action #5: Invest in programs, services, and infrastructure to make Cobourg more accessible**. All work has been done in consultation with the Accessibility Advisory Committee.

- Review and update the Town of Cobourg's Accessibility Policy.
- Develop and Implement a continuation of the Multi-Year Accessibility Plan.
- Implement the Multi-Year Accessibility Plan and provide an annual report to Council on the progress.

2.0 PUBLIC ENGAGEMENT

The initial draft was created with the assistance of the Chair of the Accessibility Advisory Committee.

A draft was sent to the Accessibility Advisory Committee for their October 21st, 2020 meeting.

A draft was provided to the Mayor and members of Council on October 26th to provide insights and suggestions.

A draft was provided to the public on EngageCobourg from October 27th until November 12th to provide insights and suggestions for moving forward. This was communicated to a variety of different groups including the Accessibility Advisory Committee.

A final version was presented to the Accessibility Advisory Committee at their meeting on November 18th, 2020.

All suggestions and recommendations were used to create the final draft of the Multi-Year Accessibility Plan.

3.0 RECOMMENDATION

THAT Council review the memo from the Accessibility Coordinator for information purposes; and

FURTHER THAT Council adopt the revised version of the Accessible Customer Service Policy; and

FURTHER THAT Council adopt the revised version of the Integrated Accessibility Standards Policy; and

FURTHER THAT Council adopt the Multi-Year Accessibility Plan 2020 to 2024 for the Town of Cobourg as required pursuant to Section 4 of Ontario Regulation 191/11 Integrated Accessibility Standards as well as to renew commitment to Persons with Disabilities who live, work, visit, and play in Cobourg; and

FURTHER THAT Council direct Staff to bring forward status reports to Council Meetings on an annual basis presenting an update on the Multi-Year Accessibility Plan 2020 to 2024; and

FURTHER THAT Council direct Staff to bring forward reports to Council Meetings on an "as needed" basis presenting status updates and concerns from the Accessibility Advisory Committee; and

FURTHER THAT Council direct Staff to bring forward accessibility costs on a project by project basis for 2021 for maintenance, upgrades, and new initiatives related to Accessibility as outlined in the Multi-Year Accessibility Plan 2020 to 2024 with initial budget amounts to be presented at the 2021 Budget review process for Council deliberations; and

FURTHER THAT Council direct Staff to bring forward annual budgetary considerations for accessibility related concerns during the 2022 budget consideration period.

4.0 ORIGIN AND LEGISLATION

On June 13, 2005, the AODA received Royal Assent and is now law. The AODA requires the Government of Ontario to work with the disability

community and the private and public sectors to jointly develop standards to be achieved within stages of five (5) years or less, leading to an accessible Ontario in twenty (20) years, or by 2025. The aims of this act were realized through accessibility standards setting items to be addressed.

The Accessibility for Ontarians with Disabilities Act, 2005 was enacted to serve as a framework for the establishment of accessibility in five (5) different areas:

- 1. **Customer Service**, to help remove barriers for People with Disabilities so they can access goods, services, or facilities,
- 2. **Information and Communications**, to help organizations make their information accessible to People with Disabilities,
- 3. **Transportation**, to make it easier for everyone to travel in the province,
- 4. **Employment**, to help making hiring and employee support practices more accessible, and
- 5. **Design of Public Spaces**, to help organizations make new and redevelopment outdoor public areas accessible.

The standards support the principles of the AODA to ensure dignity, integration, independence, and equal opportunity and each standard has specific timelines for implementation. The AODA is in place for the purpose of ensuring that People with Disabilities are not discriminated against. Implementation for both public and private sectors is to be phased in over time to achieve the objectives of a fully accessible province by 2025.

While the last pieces of implementation occur before 2025, the legislation will remain as law, with the need for the Town of Cobourg to remain in compliance with the AODA and the Integrated Standards. Further, there may be updates to the AODA and/or the Integrated Standards near 2025, especially as some of the standards are using compliance metrics that have since changed. For example, there is a newer international standard for website compliance (WCAG 2.1 came into effect in 2018 and there is a draft of WCAG 2.2).

In addition, the Government of Canada passed the *Accessible Canada Act* and is developing the Standards, which may impact how Ontario adapts their understanding of accessibility in the future.

Part of the requirements for the Town of Cobourg to be compliant with the AODA is to have a Multi-Year Accessibility Plan. Under Section 4 of the Integrated Accessibility Standards, the Town of Cobourg must:

- Establish, implement, maintain and document a multi-year accessibility plan, which outlines the organization's strategy to prevent and remove barriers and meet its requirements under this Regulation;
- Post the accessibility plan on their website, if any, and provide the plan in an accessible format upon request; and
- Review and update the accessibility plan at least once every five years.
 O. Reg. 191/11, s. 4 (1).

In addition, the Town of Cobourg must:

- Establish, review and update their accessibility plans in consultation with persons with disabilities and if they have established an accessibility advisory committee, they shall consult with the committee. O. Reg. 191/11, s. 4 (2).
- Prepare an annual status report on the progress of measures taken to implement the strategy referenced in clause (1) (a), including steps taken to comply with this Regulation; and
- Post the status report on their website, if any, and provide the report in an accessible format upon request. O. Reg. 191/11, s. 4 (3); O. Reg. 413/12, s. 3 (1).

The Multi-Year Accessibility Plan 2020 to 2024 begins the process of meeting those legislative requirements. The current draft version takes into consideration:

- Legislative requirements,
- Accessibility Advisory Committee priorities, and
- Feedback gathered from residents of the Town of Cobourg.

Barrier Types and Definitions

The AODA outlines five (5) types of barriers that Persons with Disabilities may encounter when accessing goods and services in Ontario. These are:

- 1. **Attitudinal Barriers**: Behaviours, perceptions, and assumptions that discrimination against Persons with Disabilities. These barriers often emerge from a lack of understanding, which can lead people to ignore, to judge, or to have misconceptions about a Person with a Disability.
- Organizational or Systemic Barriers: Policies, procedures, or practices that unfairly discriminate and can prevent individuals from participating fully in a situation. Organizational or Systemic barriers are often put into place unintentionally.
- 3. **Architectural or Physical Barriers**: Elements of buildings or outdoor spaces that create barriers to Persons with Disabilities. These barriers relate to elements such as the design of a building's stairs or doorways, the layout of rooms, or the width of halls and sidewalks.
- 4. **Information or Communication Barriers**: Occur when sensory disabilities, such as hearing, seeing, or learning disabilities, have not been considered. These barriers relate to both the sending and receiving of information.
- 5. **Technology Barriers**: A device or technological platform is not accessible to its intended audience and cannot be used with an assistive device. Technology can enhance the user experience, but it

can also create unintentional barriers for some users. Technology barriers are often related to **Information or Communication Barriers**.

Accessibility Advisory Committee

Ontario's accessibility laws require the Town of Cobourg to have an accessibility advisory committee to advise Council on preparing accessibility plans and achieve the actions within the plan. It is legislated that a majority of members must be People with Disabilities.

The following information outlines the Town of Cobourg's Accessibility Advisory Committee.

Composition

Seven (7) Members; One (1) Councilor/Coordinator and six (6) Citizens appointed by Council.

Authority

- Town of Cobourg Procedural By-law 003-2016,
- Town of Cobourg Accessibility Customer Service Policy,
- Town of Cobourg Integrate Accessibility Standards Policy,
- The Ontarians with Disabilities Act, 2001 (ODA), and
- The Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

Purpose

The role of the Accessibility Advisory Committee is to provide sound advice and recommendations to the Cobourg Municipal Council on matters relating to the goal of ensuring that individuals with disabilities shall be assured access to basic services generally available in the community.

Manda**te**

The Accessibility Advisory Committee shall:

- Review and advise the Cobourg Municipal Council on matters relating to the accessibility of municipal buildings, facilities, programs, and services,
- Review and provide input in a timely manner on site plans, draft plans of subdivisions, and planning policies and drawings described in Section 41 of the *Planning Act* that may have an impact on accessibility,
- Raise the profile of accessibility issues in the community and promote initiatives that support a universally accessible community,
- Review current and proposed federal, provincial, or municipal policies relating to accessibility,
- Assist in the implementation and monitoring of general public awareness regarding accessibility,
- Consult and co-operate with other agencies and organizations involved with accessibility issues, and

 Keeping current about Council-approved policies and Town related initiative that may impact the community and the needs of People with Disabilities in Cobourg.

The Committee shall provide advice on the implementation of the *Ontarians* with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005, as required through regulation in the following:

- Development of accessibility plans for the municipality and the goals and objectives for the year,
- Advise Council annually, as required by the AODA, regarding the preparation, implementation, and effectiveness of the Town of Cobourg annual accessibility plan,
- Provide feedback on the accessibility plans for municipality administered, contracted, or licensed transit providers in consultation with Persons with Disabilities.
- Provide advice on the identification, removal, and prevention of barriers to People with Disabilities in the Town By-laws, policies, facilities, programs, and services, and
- Perform all other functions that are specified in the Accessibility for Ontarians with Disabilities Act, 2005 and/or its regulations, including consultation requirements as outlined in the Design of Public Spaces Standards in the Integrated Accessibility Standards.

The Cobourg Accessibility Advisory Committee will also:

1. Annually complete a status report delivered to Council and the public in order to outline the progress of measures taken to implement the Multi-Year Accessibility Plan and the accessibility objectives for that year.

Additionally, an annual review of the Plan will be conducted with the Plan being updated as required to include any new identified priority action items and/or as new legislation is brought forward.

5.0 BACKGROUND

On October 26, 2020, a draft version of the Multi-Year Accessibility Plan 2020 to 2024 was presented at the Committee of the Whole meeting. The draft Plan was then released to the public via Engage Cobourg to participate in understanding the public's priorities to ensure we are focusing attention and resources in the areas that matter most to our citizens.

Between March to July 2016, a draft of the Multi-Year Accessibility Plan was provided to the Accessibility Advisory Committee along with an Integrated Accessibility Standards Policy and Customer Service Policy. In 2017, Council approved in principle the Multi-Year Accessibility Plan 2016-2019. Since then, work has been conducted to undertake the accessibility of the Town of Cobourg.

The <u>Accessibility webpage on the Town of Cobourg's website</u> has been updated to reflect new information on an ongoing basis.

This report, and the attached documents, are the requirements for the Town of Cobourg to be in compliance with the *Accessibility for Ontarians with Disabilities Act*, 2005.

6.0 ANALYSIS

Disability impacts the lives of many Ontarians, and the numbers of people with disabilities is increasing as the population ages. Today, over 15% of Ontario's population has a disability, including more than 40% of people over age 65. About 1.85 million people in Ontario have a disability. That's one in seven people. Over the next 20 years, as the population ages, the number will rise to one in five Ontarians. More than half of the population has a friend or a loved-one with a disability, and is influenced by them when deciding which businesses to solicit.

Improving accessibility is not only the right thing to do, it's also the smart thing to do.⁶ The Royal Bank of Canada estimates that people with disabilities have discretionary spending power of about \$25 billion annually across Canada.⁷

The AODA was introduced in 2005 with the goal of removing barriers to make it easier for persons with disabilities to participate in their workplaces and communities. The legislation introduced various standards related to information, communications, transportation, public spaces, customer service and employment, which have been rolling out progressively over the last 14 years.

Under the *Accessibility for Ontarians with Disabilities Act, 2005*, the Town of Cobourg is responsible for complying with the "public sector" standards and timelines. In 2020, that includes:

- December 31, 2020: the deadline for organizations with twenty (20) or more employees in Ontario to file an Accessibility Compliance Report, and
- 2. **January 1, 2021**: the deadline for organizations with fifty (50) or more employees in Ontario to make website and web content accessible.

³ Ibid.

¹ ExcellenceCanada. "Accessibility Legislation in Ontario." *AccessibilityConsultants*, 2020, accessibilityconsultants.ca/resources/legislation.

² Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Lemay, Anne. "2020 Accessibility To-Do List (Ontario)." *Gowling WLG*, 15 Jan. 2020, gowlingwlg.com/en/insights-resources/articles/2020/2020-accessibility-to-do-list-ontario/.

⁹ Ibid.

While these are new deadlines to meet, there are compliance standards to meet year over year during new or redesigned aspects of the Town, including transportation, built environments, and employment standards. As new barriers to accessibility are reported to the Town, we actively work to identify, remove, or resolve them using the resources we have; however, unexpected impacts may cause a setback to the quality of life for Persons with Disabilities in Cobourg or a violation of the AODA.

Further, the Town of Cobourg's Strategic Plan 2019 to 2022 outlines the importance of investing in programs, services, and infrastructure to make Cobourg more accessible. The elements within this report, the Multi-Year Accessibility Plan, and updated policies work towards achieving this goal. It should be noted that while not explicitly stated, accessibility is a part of all the Pillars in the Strategic Plan.

Multi-Year Accessibility Plan 2020 to 2024

The Multi-Year Accessibility Plan 2020 to 2024 takes into consideration the needs of the community, through consultation with the Accessibility Advisory Committee, as well as best practices in accessibility. It draws on the achievements of other communities as well to shape the Objectives, including:

- 1. City of Cambridge's Multi-Year Accessibility Plan 2018-2021,
- 2. City of Toronto's Multi-Year Accessibility Plan 2020-2025,
- 3. March of Dimes' Multi-Year Accessibility Plan,
- 4. Norfolk Country's Multi-Year Accessibility Plan 2018-2022,
- 5. Ontario Public Service's Multi-Year Accessibility Plan 2017-2021,
- 6. Region of Peel's Multi-Year Accessibility Plan 2018-2025,
- 7. Town of Bracebridge's Multi-Year Accessibility Plan 2019-2024, and
- 8. Township of Zorra's Multi-Year Accessibility Plan 2019-2022.

There are no costs attached to any of the "Objectives" or "Actions to Take" in the Multi-Year Accessibility Plan; however, each of them requires resources, including niche knowledge and/or training, which could require financial resources to be allocated.

The Multi-Year Accessibility Plan 2020 to 2024 extends the commitments outlined in the Multi-Year Accessibility Plan 2016 to 2019. It refreshes them based upon feedback from Persons with Disabilities, and renews the commitment of the Town to accessibility.

The Plan outlines fifty-five (55) Actions for the Town of Cobourg to take under eighteen (18) objectives. These are categorized based upon the Standard that they fall under, with additional information about the AODA requirement they make.

The Town of Cobourg's Multi-Year Accessibility Plan will set out how the Town will continue to be an accessible organization over the next five (5) years. The Town will continue to focus on the following six (6) areas:

1. People,

- 2. Policies, procedures, and best practices,
- 3. Communications and technology,
- 4. Transit and transportation,
- 5. Infrastructure and the built environment, and
- 6. Training, education, and awareness.

Most organizations have a five (5) year plan for accessibility, which is refreshed on an annual basis, to ensure that evolving needs for accessibility are met. This will also allow for feedback and barrier reports to be taken into consideration and addressed while still ensuring the longevity of accessibility in the Town of Cobourg.

As the AODA's last implementation schedule ends in 2025, the end of the Multi-Year Accessibility Plan was strategically chosen to be 2024 to allow for updates to the Plan to be made when the Ontario Government introduces new legislation for accessibility, as it is anticipated to occur prior to the end of the schedule in 2025. As previously noted, our commitments to accessibility do not end in 2025.

The Action Items in the Multi-Year Accessibility Plan were created in combination with the Accessibility Advisory Committee, as well as what is required to be compliant with the AODA, and to go above and beyond the scope of the law to provide functional and universally accessibility to Persons with Disabilities in Cobourg. These Action Items address the five (5) types of barriers that Persons with Disabilities may encounter when accessing goods and services in Ontario.

The Action Items outline the following information:

- What the action is,
- What resources are required,
- What barrier it addressed.
- Who is responsible for the action,
- What timeframe it will be completed in, and
- What Integrated Standard it complies with.

Action Items are given timeframes for implementation under the following categories:

- Short Term (2020 to 2021): Items that will be worked on and completed by the end of 2021.
- **Medium Term (2022 to 2023)**: Items that will be worked on and completed by the end of 2023.
- Long Term (2023 to 2024): Items that will be worked on and completed by the end of 2024.
- **Ongoing**: Items that will be conducted on an ongoing basis, especially to ensure that they are done to assist with the Town of Cobourg remaining in compliance with the legislation.

• **Annually**: Items that will be done on an annual basis, typically reviewing policies, awareness events, etc.

Some Action Items may combine categories (i.e. Short Term, Ongoing) as the initial work will be completed by the end of the category and will require monitoring, addressing, and reporting on an ongoing basis to remain in compliance with the legislation.

Highlights of Action Items

- 1. Ensure existing and new information available to the public is up to date, in plain language, and in an accessible format.
- 2. Provide staff with resources to assist with ending stigma around Disability, especially "invisible" disabilities.
- 3. Create and present a monthly or bimonthly status report to the Accessibility Advisory Committee and/or Town Council.
- 4. Review and refine the signage for public areas in the downtown area.
- 5. Determine opportunities to provide paid employment placements to Persons with Disabilities across the Town.
- 6. Promote and expand mentoring opportunities internally and externally.
- 7. Review and refine the Wheels policy and application on an annual basis.
- 8. Consider the need for the Town of Cobourg to create Facility Accessibility Design Standards.
- 9. Improve Accessibility in the Downtown core.
- 10. Continue to recognize businesses making strides in accessibility.

The full Multi-Year Accessibility Plan 2020 to 2024 is attached as **Appendix A**.

2020 Progress

Even with the COVID-19 pandemic, there were still significant strides made for accessibility in 2020. Many initiatives changed in priority status; however, the AAC is still committed to ensuring accessibility in Cobourg.

The following projects have been continued during the course of 2020:

- Reviewed 12 site plans so far during 2020 for:
 - 1111 Elgin Street West,
 - 377 William Street.
 - 415 King Street West,
 - 425 and 425A King Street East,
 - 428-432 King Street East.
 - 545 King Street East,
 - 66 Strathy Road (Smart Centres)
 - Block 94 East Village 10-plex,
 - DePalma Lands Hotel,
 - Lands Generally North of D'Arcy Street and Nickerson Drive,

- South East Corner of New Amherst Boulevard and Charles Wilson Parkway (Par of Block 123, Plan 39M-901), and
- Van Dyk/CTC Lands.
- Created information and awareness campaigns to be used on an ongoing basis for Accessibility Awareness Week.
- The Accessibility Advisory Committee endorsed a motorized winch system for the 2020 budget.
 - This will be installed in the coming months, when it is safe to do so with COVID regulations.
- Worked with the Accessibility Coordinator to update the Multi-Year Accessibility Plan.

With the approval of the Multi-Year Accessibility Plan 2020 to 2024 and Accessibility Policies, there will be two (2) more significant updates and initiatives that have been created to assist with accessibility at the Town of Cobourg.

Accessibility Policies

In addition to the newly update Multi-Year Accessibility Plan, the Accessibility Coordinator also updated the two policies that are required by the AODA:

- 1. Integrated Accessibility Standards Policy (LEG-ADM17), and
- 2. Accessible Workplace and Customer Service (HR-AP-A12).

These policies have been attached as **Appendix B** and **Appendix C**, respectively. These policy updates ensure that the Town of Cobourg remains in compliance with the legislation and that the public has the most up-to-date and accessible information.

The Integrated Accessibility Standards Policy has been updated to outline the new requirements under the Customer Service Standard and Design of Public Spaces Standard.

Prior to the hiring of an Accessibility Coordinator, the Accessible Workplace Policy was a Human Resources policy; however, this has changed and been updated to fall under Legislative Services. The Accessibility Coordinator is now responsible for the refinement and implementation of this policy.

The Accessible Workplace Policy has changed to be the "Accessible Workplace and Customer Service Policy" to combine the Policy and Procedure aspects. This allows the public to have access to all the necessary information to understand how the Town of Cobourg will best meet their needs of customer service as well as meet the requirements under the Integrated Accessibility Standards.

Once approved, both of these policies will be available on the website on the Accessibility webpage for the public to view and understand, especially prior to their visit to Town facilities. Further, Staff will receive communications and/or training on the updates to the policies as appropriate. Revisions will occur on

an annual basis, or when new legislation is introduced that affect them. Revisions that are more involved than editing typos, dates, names, titles, etc. will be brought to Town Council for approval.

Next Steps

Once approved by Council, Staff will begin implementing the Objectives and Action Items in the Multi-Year Accessibility Plan and enact the updated policies. This work will be done in tandem with the work being done for the Equity, Diversity, and Inclusion Strategy/Plan that has been requested by Council.

Part of this work will include creating a holistic Inclusion, Diversity, Equity, and Accessibility (IDEA) Lens to assist staff incorporate those elements into the work they do. This will act as a resource in addition to requesting assistance from the Accessibility Coordinator on all projects. This will be done in tandem with, and as part of, the EDI Strategy development and implementation.

Moving forward, the Accessibility Coordinator should be contacted prior to any work being done to provide guidance and insight into how accessibility may be addressed and integrated into new projects, policies, programs, events, celebrations, and procedures at the Town of Cobourg.

In addition, steps and plans will be undertaken to create a public engagement strategy for 2021 to ensure that the full needs of the community are being met with regards to Transportation in Cobourg. This work will be done in collaboration with other departments, Advisory Committees, and initiatives on an ongoing basis to ensure work is not being done twice.

7.0 FINANCIAL IMPLICATIONS/STAFFING/BUDGET IMPACT

While there is no cost to implementing a Multi-Year Accessibility Plan, there are financial implications to ensuring an accessible Cobourg. Many of the issues and complaints raised by the Accessibility Advisory Committee were with regards to transportation, infrastructure, and communications – all of which require resources, either human or financial, to ensure that they are accessible.

It is understandable that with COVID-19, there may be restrictions on budgetary considerations; however, accessibility is a compliance issue as well as a human rights issue.

Staff is proposing that for the year 2021, Council direct Staff to bring forward accessibility costs on a project by project basis. After an initial year of determining the best course of action for budgets, staff will bring forward further budgetary issues as well as what is necessary for the Multi-Year Accessibility Plan in the coming years.

The work would be conducted by the Accessibility Coordinator in tandem with other departments, the Accessibility Advisory Committee, Council, and other stakeholders and rights holders, as necessary.

As the work spans over the course of five (5) years, there is a need for a continuous staffing to oversee the work to be done under the broad scope of accessibility.

As noted in the objectives for the plan, there is the ability to research, leverage, and apply for accessibility related grants through the provincial and/or the federal governments on an ongoing, project-by-project basis.

After an initial year of determining the best course of action for budgets, staff will bring forward further budgetary issues as well as what is necessary for the Multi-Year Accessibility Plan in the coming years.

Currently Staff is requesting an initial budget amount of \$19,4500 to ensure that there is infrastructure for the website compliance that is required for January 1, 2021 as well as creating more accessibility in Customer Service through video remote interpreting services. It will also assist with marketing and campaigns to assist with the Transportation Multi-Year Accessibility Plan in 2021. This budget request will be made at the 2021 Budget deliberations as part of the Legislative Services Budget Presentation.

The work would be conducted by the Accessibility Coordinator in tandem with other departments, the Accessibility Advisory Committee, Council, and other stakeholders and rights holders, as necessary. As the work spans over the course of five (5) years, there is a need for a continuous staffing to oversee the work to be done under the broad scope of accessibility.

8.0 CONCLUSION

With the recommendations outlined, staff are encouraging Council to approve the Multi-Year Accessibility Plan 2020 to 2024. The Multi-Year Accessibility Plan will address accessibility related issues in Cobourg and begin to create a Town that meets and exceeds the needs of Persons with Disabilities.

9.0 <u>AUTHORIZATION ACKNOWLEDGMENT (SENIOR MANAGEMENT/CAO)</u>

Jamie Kramer

amie Kramer

Accessibility Coordinator

Brént Larmer

Municipal Clerk/Manager, Legislative Services

Tracey Vaughan
Chief Administrative Officer