

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
12 November 2020 / 12 novembre 2020**

**and Council
et au Conseil
25 November 2020 / 25 novembre 2020**

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**Submitted by
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-OCC-GEN-0028

**SUBJECT: CITY OF OTTAWA MUNICIPAL ACCESSIBILITY PLAN (COMAP) –
FIVE-YEAR PLAN (2020-2024)**

**OBJET: LE PLAN D'ACCESSIBILITÉ MUNICIPAL DE LA VILLE D'OTTAWA
(PAMVO) – PLAN CINQUIENNAL (2020-2024)**

REPORT RECOMMENDATION

That the Finance and Economic Development Committee recommend that Council approve the 2020-2024 City of Ottawa Municipal Accessibility Plan, as outlined in Document 1 and 2 of this report.

RECOMMANDATION DU RAPPORT

Le Comité des finances et du développement économique recommande au Conseil municipal d'approuver le Plan d'accessibilité municipal de la Ville d'Ottawa pour 2020-2024, selon les modalités exposées dans les pièces 1 et 2 du présent rapport.

EXECUTIVE SUMMARY

Under the Integrated Accessibility Standards Regulation (IASR) of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the City of Ottawa is required to “establish, implement, maintain and document a multi-year accessibility plan”. The City is required to report on this plan annually, and the plan is to be updated and reviewed at least every five years. This report (**Document 1**) highlights the City’s requirements under the AODA and the initiatives that comprise the new 2020-2024 City of Ottawa Municipal Accessibility Plan (COMAP). A detailed listing of all initiatives can be found in **Document 2**.

To develop multi-year accessibility plans, the City is required to consult with its Accessibility Advisory Committee, persons with disabilities and the public. In 2019, the City’s Corporate Accessibility Office facilitated widespread consultation with stakeholders across the City, using the City’s Equity and Inclusion Lens as a guide to ensure the diversity of people with disabilities’ perspectives were included. A full report on these accessibility consultations, and highlights of what we heard are included in **Document 3**.

The City’s first multi-year plans (2012-2016 and 2016-2020) focused primarily on how the City of Ottawa implemented the applicable clauses contained in the IASR as they came into effect, in a phased approach. The IASR includes general accessibility standards governing training, policies and procurement and specific requirements in the areas of customer service, information and communication, employment, transportation and the design of public spaces. In 2020, all current requirements in the IASR have come into effect with the exception of section 14.4 (Accessible websites and web content, Web Content Accessibility Guidelines 2.0 level AA), which will come into effect on January 1, 2021. This plan includes information on the tremendous efforts undertaken to meet this deadline, as well as initiatives that will be ongoing as we continue to work towards full WCAG 2.0 AA compliance.

These former plans have led to the removal of many barriers in City services, programs and facilities. The City is proud of its commitment to meeting the requirements of the AODA, while recognizing that barriers continue to exist and that there is still much work

to be done to achieve full inclusion. This new plan will continue to build on our successes from previous years. It also includes new initiatives created as a result of feedback received from the 2019 accessibility consultations, from service requests, or from emerging best practice.

SYNTHÈSE ADMINISTRATIVE

En vertu du Règlement sur les normes d'accessibilité intégrées (RNAI) de la Loi de 2005 sur l'accessibilité pour les personnes handicapées de l'Ontario (LAPHO), la Ville d'Ottawa doit « établir, mettre en œuvre, tenir à jour et consigner par écrit un plan d'accessibilité pluriannuel ». Elle doit rendre compte de ce plan chaque année, en plus de le mettre à jour et de le réviser au moins une fois tous les cinq ans. Le rapport (**pièce 1**) met en lumière les obligations de la Ville dans le cadre de la LAPHO et les initiatives qui constituent le nouveau Plan d'accessibilité municipal de la Ville d'Ottawa (PAMVO) pour 2020-2024. Le lecteur peut consulter dans la **pièce 2** la liste détaillée de toutes les initiatives.

Afin de mettre au point ses plans d'accessibilité pluriannuels, la Ville doit se concerter avec le Comité consultatif sur l'accessibilité, les personnes handicapées et le public. En 2019, le Bureau de l'accessibilité de la Ville a animé une vaste consultation auprès des intervenants sur tout le territoire d'Ottawa, en s'en remettant à l'Optique de l'équité et de l'inclusion pour veiller à tenir compte de la diversité des points de vue des personnes handicapées. Le rapport complet de cette consultation sur l'accessibilité et les faits saillants de ce qui a été dit sont reproduits dans la **pièce 3**.

Les premiers plans pluriannuels de la Ville (2012-2016 et 2016-2020) portaient essentiellement sur les moyens grâce auxquels la Ville d'Ottawa mettait en œuvre, en suivant une approche échelonnée, les articles pertinents du RNAI. Le RNAI prévoit des normes générales d'accessibilité régissant la formation, les politiques et l'approvisionnement, ainsi que des exigences précises dans les secteurs du service à la clientèle, de l'information et de la communication, de l'emploi, du transport et de la conception des espaces publics. En 2020, toutes les exigences du RNAI sont entrées en vigueur, à l'exception du paragraphe 14(4) (Sites et contenus Web accessibles, Règles pour l'accessibilité des contenus Web [WCAG] 2.0 [niveau AA]), qui produira ses effets le 1^{er} janvier 2021. Ce plan comprend de l'information sur les efforts exceptionnels déployés pour respecter cette échéance, de même que sur les initiatives qui se poursuivront alors que nous continuerons de tâcher de respecter l'intégralité des Règles WCAG 2.0 (niveau AA).

Ces anciens plans ont permis d'éliminer de nombreux obstacles, les services, les programmes et les infrastructures de la Ville, qui est fière de sa volonté de respecter les

exigences de la LAPHO, tout en sachant qu'il continuera d'y avoir des obstacles et qu'il y a encore beaucoup de travail à accomplir pour réaliser intégralement l'inclusion. Le nouveau plan continuera de miser sur nos succès des années précédentes. Il prévoit aussi de nouvelles initiatives lancées dans la foulée des commentaires exprimés pendant les consultations de 2019 sur l'accessibilité et dans les demandes de service ou des pratiques exemplaires émergentes.

BACKGROUND

The implementation of the *Accessibility for Ontarians with Disabilities Act, 2005* and its regulations, continues to be a priority for both City of Ottawa Council and staff. The City has worked collaboratively with the Province of Ontario, the City's Accessibility Advisory Committee and the community to implement the legislation and identify and remove barriers to City services, programs, websites and facilities.

The City reports compliance to the Province every two years. Additionally, the City is required to provide an update on its accessibility plan annually. The City of Ottawa Municipal Accessibility Plan Update Report is presented to Council each year.

The provisions of the AODA and particularly its standards pertaining to transportation services do not apply to OC Transpo as it is federally and independently regulated. OC Transpo does however provide annual accessibility updates through the COMAP report and has committed to meeting the spirit and intent of the AODA. Transit Services has undertaken several initiatives towards that objective, as outlined in this report.

The Ottawa Public Library and Ottawa Public Health, although governed by separate boards, report on AODA compliance with the City. Ottawa Police Services is considered a separate "large organization" and as such abides by different compliance timelines.

DISCUSSION

See **Document 1** for the 2020-2024 City of Ottawa Municipal Accessibility Plan. See **Document 2** for a full listing of the accessibility initiatives contained in the 2020-2024 COMAP.

Any impacts to the 2020-2024 COMAP due to COVID-19 will be reported on in next year's annual report.

The City's 2020-2024 multi-year COMAP focuses on:

1. Initiatives that strive to meet or maintain compliance with the *Accessibility for Ontarians with Disabilities Act (AODA), 2005, Integrated Accessibility Standards Regulation (IASR)*, which includes general requirements and the following Standards:

- a. Customer Service;
 - b. Information and Communications;
 - c. Employment;
 - d. Transportation; and,
 - e. The Design of Public Spaces.
2. Implementing additional non-legislated initiatives to increase the accessibility of City services, programs and facilities. The non-legislated initiatives were identified by City departments in consultation with residents to improve services or remove barriers to participation.

RURAL IMPLICATIONS

Two in-person consultations were held in rural locations, and information was shared with all rural Councillors for wide distribution. Many initiatives contained in this report also benefit rural residents.

CONSULTATION

The Accessibility Advisory Committee (AAC) has been advised of the City's status with respect to the AODA and has been apprised of the content of this report. The AAC continues to provide feedback to the City on City initiatives on an ongoing basis.

ADVISORY COMMITTEE(S) COMMENTS

Your Accessibility Advisory Committee (AAC) welcomes the opportunity to provide its comments on the proposed 2020-2024 City of Ottawa Municipal Accessibility Plan (2020-2024 COMAP). First, the AAC wishes to thank City staff for their demonstrated commitment to consult with our committee and to carefully consider our advice. Our positive working relationship with City staff to date has been crucial to the advancement of disability inclusion in Ottawa.

It is estimated that one in five Canadians (or 6.2 million) aged 15 years and over has one or more disabilities that impact them in their daily activities, according to the 2017 Canadian Survey on Disability. For the City of Ottawa with a growing aging population this 20% represents at least 200,000 residents.

The 2020-2024 COMAP is a significant initiative – it is the plan that will lead our City to 2025, the year by which the *Accessibility for Ontarians with Disabilities Act* aims to make the province fully accessible. It is therefore vital that the 2020-2024 COMAP be ambitious in its goals and commitments, and we encourage you to scrutinize the proposal before you with the looming 2025 milestone in mind.

While our City has undoubtedly made progress in building a disability-inclusive Ottawa (our nation-leading accessible elections being a particular point of pride), it is clear that systemic ableism continues to exist in our communities and institutions. We are particularly conscious of the intersectional barriers faced by our fellow Ottawans with disabilities who are also racialized. We are conscious also of the impacts of systemic ageism on our neighbours who are seniors and who have their own unique needs related to accessibility. It is vital, therefore, that all City initiatives and activities are analyzed through a rigorous equity and diversity lens, where accessibility is a central component, and where the lived experiences of seniors and disabled persons in Ottawa are a paramount consideration. It is crucial that our City be transparent on how it is proactively removing accessibility barriers, and that these actions are communicated to Ottawans in plain language.

We call on our City to increase communication and training on city accessibility standards and disability-inclusion initiatives to educate and promote accessibility more broadly; both within the corporation and to all residents of Ottawa. We also call on our City to actively consult organizations of persons with disabilities and of seniors, including organizations that directly represent Indigenous, LGBTQ, and ethno-cultural seniors and disabled persons.

As well, we urge our City to ensure that sign language interpretation is provided by default for all public meetings, news conferences, and major events. Just as the law establishes Ontario as a bilingual province, we must also recognize that American Sign Language and the Langue des signes québécoise are the first languages of Ottawa's Deaf communities. The City should also study the prevalence of Indigenous sign languages in Ottawa to better understand any potential need for interpretation services in those languages as well.

Finally, it must be noted that the proposed 2020-2024 COMAP comes at an unprecedented time, where the COVID-19 public health emergency has changed our ways of life and has made painfully evident the vulnerabilities faced by our senior and disabled neighbours who live in long-term care homes or supported living, or who navigate life with underlying health conditions that make them vulnerable to the community spread of viruses and diseases. We are mindful of the intersectional impacts of these conditions for those who are racialized and who receive inequitable health care, such as Indigenous individuals. Persons with disabilities and seniors must have equitable access to all COVID-19-related supports and services in our City without discrimination, including healthcare. Our communities must do better on these fronts. We must learn all we can from the harsh lessons this pandemic has to teach us. An

accessible and disability-inclusive Ottawa is one where seniors and persons with disabilities with underlying health conditions can live in safety and dignity.

Our 2020-2024 COMAP must provide a roadmap to a fully accessible and disability-inclusive Ottawa by 2025.

LEGAL IMPLICATIONS

There are no legal impediments to Committee and Council's approval of the recommendations of this Report.

RISK MANAGEMENT IMPLICATIONS

Risk implications with this report are associated with complying with the AODA legislative obligations.

The AODA states that if a director concludes that a person or organization has contravened a provision of an accessibility standard or of any other regulation, the director may, by order, require the person or organization to do either or both of the following:

- 1. Comply with the accessibility standard or other regulation within the time specified in the order.*
- 2. Subject to subsection (6), pay an administrative penalty in accordance with the regulations. 2005, c. 11, s. 21 (4).*

If a person or organization fails to comply with an order and no appeal of the order is made within the time specified, a director may, make an order requiring the person or organization to pay an administrative penalty in accordance with the regulations.

Every person who is guilty of an offence under this Act is liable on conviction,

(a) to a fine of not more than \$50,000 for each day or part of a day on which the offence occurs or continues to occur; or,

(b) if the person is a corporation, to a fine of not more than \$100,000 for each day or part of a day on which the offence occurs or continues to occur.

ASSET MANAGEMENT IMPLICATIONS

Many of the initiatives in this report positively affect the City's built environment and apply the City's Comprehensive Asset Management Policy Guiding Principles. They are customer focused and better enable its assets to meet future challenges, including changing demographics and populations, customer expectations, legislative requirements, technological and environmental factors. The City's COMAP initiatives continually improve City assets and are innovative to meet the needs of the City's

residents, visitors and employees with disabilities. Work undertaken follows the City of Ottawa Accessibility Design Standards.

Comprehensive Asset Management (CAM) is an integrated business approach involving planning, finance, engineering, maintenance and operations geared towards effectively managing existing and new infrastructure to maximize benefits, reduce risk and provide safe and reliable levels of service to community users. This is accomplished in a socially, culturally, environmentally and economically conscious manner.

The initiatives documented in this report are consistent with the City's CAM Program objectives. The City of Ottawa's Municipal Accessibility Plan supports a forward-looking approach to meet future challenges, including changing demographics and populations, legislative and environmental factors.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

All information and initiatives outlined in this report aim to remove or reduce barriers to accessibility in the areas of customer service, information and communication, employment, transportation and procurement. Each year, the City of Ottawa demonstrates its commitment to accessibility by consulting with the Accessibility Advisory Committee on City projects that advance the accessibility agenda for City residents, visitors and employees.

ENVIRONMENTAL IMPLICATIONS

The AODA, which governs the work outlined in this report, has specific and general exceptions in the Design of Public Spaces section of the regulation, which protects the environment as described below:

Clause 80.15 Exceptions, general:

Exceptions to the requirements that apply to recreational trails and beach access routes are permitted where obligated organizations can demonstrate one or more of the following:

- 1. The requirements, or some of them, would likely affect the cultural heritage value or interest of a property identified, designated or otherwise protected under the Ontario Heritage Act as being of cultural heritage value or interest*

2. *The requirements, or some of them, would affect the preservation of places set apart as National Historic Sites of Canada by the Minister of the Environment for Canada under the Canada National Parks Act (Canada)*
3. *The requirements, or some of them, would affect the national historic interest or significance of historic places marked or commemorated under the Historic Sites and Monuments Act (Canada)*
4. *The requirements, or some of them, might damage, directly or indirectly, the cultural heritage or natural heritage on a property included in the United Nations Educational, Scientific and Cultural Organization's World Heritage List of sites under the Convention Concerning the Protection of the World Cultural and Natural Heritage.*
5. *There is a significant risk that the requirements, or some of them, would adversely affect water, fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values, whether the adverse effects are direct or indirect.*
6. *It is not practicable to comply with the requirements, or some of them, because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where surrounding rocks bordering the recreational trail or beach access route impede achieving the required clear width. O. Reg. 413/12, s. 6.*

TECHNOLOGY IMPLICATIONS

As described in the WCAG sections of this report, technology plays a significant role in providing the City with the ability to meet the AODA accessible websites and web content clauses. ITS, ServiceOttawa and all other City departments are engaged in the WCAG Implementation Strategy which strives to meet AODA compliance by January 1, 2021.

TERM OF COUNCIL PRIORITIES

The City of Ottawa accessibility initiatives outlined in this report directly impact and support Council's Strategic Priorities. All departmental initiatives are designed to advance equity and inclusion for the city's diverse population through continuous planning and execution of barrier removal in all City programs, services and facilities.

SUPPORTING DOCUMENTATION

Document 1 – 2020-2024 City of Ottawa Municipal Accessibility Plan

Document 2 – 2020-2024 City of Ottawa Municipal Accessibility Plan Initiatives

Document 3- City of Ottawa Accessibility Consultation Report

DISPOSITION

Efforts to meet AODA compliance requirements throughout the corporation are coordinated through the Corporate Accessibility Office. Specific initiatives, goals and programs outlined in the five-year plan have been assigned to operational departments and progress is monitored by the Office of the City Clerk. All City departments are responsible for the implementation of the City's COMAP plan and for compliance with the AODA and the IASR.