

Corporate Report

REPORT NUMBER 210-2023-City Manager's Office-Office of the City Clerk	
DATE PREPARED August 1, 2023	FILE
MEETING DATE August 28, 2023	
SUBJECT 2023 Accessibility Progress Report	

RECOMMENDATION

This Report is for information only.

LINK TO STRATEGIC PLAN

- **Safety and well-being.** Our community is healthy, safe, and strong.
- **Sustainability.** We advance a thriving economy and environment.

These pillars of the Strategic Plan are inherent to the 2019-2024 Multi-year Accessibility Plan.

EXECUTIVE SUMMARY

This Report provides an update of the City's progress on achieving the compliance required through the *Accessibility for Ontarians with Disabilities Act, 2005*, (the "Act").

Along with the Act, the City of Thunder Bay must also be in compliance with the Integrated Accessibility Standards Regulation (O.Reg. 191/11) (the "Regulation") in order to establish and maintain barrier-free access to municipal facilities, services, information, communications, employment and transportation. To date, the City is well positioned in meeting the deadlines required by the legislation and we are seeing ongoing improvements in capital projects across the corporation that meet the needs of people living and working in our community with a disability. There are also challenges in meeting the needs of the accessible public that relate to funding challenges, infrastructure gaps and creating achievable priorities for improvement and upgrade.

Section 4(3)(b) of O. Reg. 191/11 requires all designated public sector organizations to prepare an annual status report on the progress of measures taken to implement the

multi-year accessibility plan. Following presentation to City Council, the report will be posted on the City's website.

DISCUSSION

The City of Thunder Bay is a leader in the area of accessible programs and services for those with accessible needs. Engagement with the disabled community through the Accessibility Advisory Committee includes direct communications through the website, social media, and engagement opportunities, in addition to receiving feedback via phone, electronic and regular mail and through various organizations in our community.

Communication with those with accessible needs is a priority and has been emphasized by corporate training and an overall commitment to making our city accessible to those living with a disability.

In March 2021, City Council adopted the 2019-2024 Multi-year Accessibility Plan and the Corporate Accessibility Policy (Policy No. 08-01-04).

The City of Thunder Bay responds to concerns relating to accessibility in municipal spaces and facilities as a result of the support from a variety of members of administration and committees on a regular basis. The City of Thunder Bay currently has one full-time staff member (Municipal Accessibility Specialist) dedicated to projects related to accessibility. The Specialist supports the Accessibility Advisory Committee (AAC) and acts as a resource to administrative staff across the corporation who require advice and assistance on responding to needs of those requiring accommodation or ensuring the programs and services we offer are as accessible as possible. The AAC is a requirement of the Act and the committee is made up of individuals with disabilities from our community. In addition to these staff and volunteers, the City Clerk and Deputy City Clerk provide oversight and direction to initiatives and projects that relate to accessibility.

Compliance Requirements

The *Integrated Accessibility Standards Regulation* (O.Reg. 191/11) (IASR) is a grouping of five standards that was developed under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). The City of Thunder Bay must follow the IASR to prevent and remove barriers for people with disabilities. The City of Thunder Bay must also provide mandatory biennial compliance reports to the Ministry for Seniors and Accessibility Compliance Assurance Branch (formerly the Accessibility Directorate of Ontario).

The 2019-2024 Multi-year Accessibility Plan highlights twelve "Strategies and Actions for Barrier Identification and Removal" that each department uses as a benchmark to achieve compliance in their respective areas.

The Multi-year Accessibility Plan is currently being renewed for presentation to Council in the second quarter of 2024.

Information and Communications Standard

The standard outlines requirements for organizations to create, provide, and receive information and communications that are accessible for people with disabilities. For example, the City of Thunder Bay must provide information and communications in an accessible format to people with disabilities upon request and in a timely manner.

The City of Thunder Bay is committed to providing information in accessible formats for those who require it. Staff will work with residents to determine the accessible format required by the individual. The city's website is reviewed on a regular basis to ensure content and documents are in an accessible format and city staff regularly attend training provided by the CIT Division in order to ensure they are well versed on how to create and modify documents to make them accessible.

Website Non-Compliance

In 2021, the Ontario Network of Accessibility Professionals (ONAP) undertook a voluntary peer review of accessible website compliance in meeting the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA requirements legislated in the Integrated Accessibility Standards Regulation (IASR) of the AODA. The peer review, which included the City of Thunder Bay, concluded that none of the peer municipalities could, in good faith, report to the Ministry for Seniors and Accessibility Compliance Assurance Branch that they were 100 percent compliant with this requirement.

The reason for reporting non-compliance is due to the ever-changing nature of technology and software provided by vendors, the unique knowledge required to create accessible electronic documents by staff, and the skill of the consumer to access the electronic documents or webpages using their preferred assistive technology.

In 2022, the Compliance Assurance Branch initiated an audit of all City of Thunder Bay websites and social media, indicating that compliance must be reached by January 1, 2024, or the City of Thunder Bay would face financial penalties prescribed under the AODA (up to \$100,000 per day as per the Act). Presently, Corporate Information Technology, the Office of the City Clerk, and Corporate Communications are the key partners in a working group to manage this response. City staff across the corporation in all departments have been assigned as team leads and are actively remediating accessibility issues on the City's website and creating new, accessible electronic documents, webpages and social media pages that meet the WCAG 2.0 Level AA requirements. This work is intensive and can be complex. Training modules have been developed and support is available to team leads. This work is projected to be completed prior to the deadline in order to ensure the City of Thunder Bay is compliant with the Information and Communications Standard.

Employment

The standard requires that employers must make their workplace and employment practices accessible to potential or current employees with disabilities. For example, employers that make an offer of employment to a successful job applicant must inform the applicant of their organization's policies for accommodating employees with disabilities.

Employment practices across the City of Thunder Bay are accessible, including how the City hires, retains, and provides career development opportunities.

Transportation

The transportation standard sets out the requirements for transportation service providers. Particularly, features and equipment on vehicles, routes, and services offered must be accessible to people with disabilities. For example, no conventional or specialized transportation service is permitted to charge a fare to a support person who is accompanying a person with a disability.

Thunder Bay Transit strives to meet and exceed its accessibility requirements outlined in the Transit 2015-2025 Accessibility Plan to communicate the AODA compliance and accessibility improvements within both Thunder Bay Transit and Lift+ Specialized Transit Services.

Transit has sought the input of the Accessibility Advisory Committee's Built Environment Working Group as well as the Municipal Accessibility Specialist to review and offer recommendations regarding the Electronic Fare Management System (EFMS) to be installed across Transit's conventional and specialized fleet in 2023-2024.

Design of Public Spaces

The design of public spaces standard outlines the need for newly constructed or redeveloped public spaces to be accessible for people with disabilities. For example, the City of Thunder Bay must provide barrier-free exterior paths of travel around all of its facilities.

The City's Engineering department has been actively installing Tactile Walking Surface Indicators at newly rebuilt intersections. Fifty-three new sidewalk ramps with tactile plates were installed in 2022 at 22 intersections across Thunder Bay.

Customer Service

The City of Thunder Bay has mandatory training for all members of Council, employees and volunteers on the Customer Service Standard and Ontario Human Rights Code,

which includes policies and procedures on providing goods and services to people with disabilities in the areas of:

- An Accessibility Policy incorporating dignity, independence integration, and equity;
- Use of service animals and support persons;
- Notice of temporary service disruptions;
- Provision of a feedback process for the public to submit concerns about accessibility; and,
- Use of assistive devices.

Accessibility Advisory Committee (AAC)

Members of the Accessibility Advisory Committee (AAC) are Council's representatives relative to accessibility issues affecting municipal facilities, programs, and services and provide advice on the development and implementation of the 2019-2024 Multi-Year Accessibility Plan and the effectiveness of the Plan and the City's status on the ongoing requirements of legislation relative to the AODA. The AAC is comprised of appointed citizen members who represent those living in our community with a disability. Members consult on municipal undertakings by the City of Thunder Bay and provide advice and context for City Council as they make decisions that affect accessibility and those living with a disability in our community.

The AAC is comprised of:

- 1 person who is hard of hearing or late deafened;
- 1 person who has a mental health-related disability;
- 1 person who has a mobility-related disability;
- 1 person with a developmental disability;
- 1 person who is blind or visually impaired;
- 1 person with a brain injury;
- 1 older adult with a disability;
- 1 person with a speech impairment;
- 1 person with a learning disability;
- 1 parent or guardian of a child or youth with a disability;
- 1 caregiver to a person with a disability;
- 1 member of Council;
- 1 citizen at large;
- 1 service agency representative with a mandate/responsibility for people with disabilities.

The AAC meets at least eight times throughout the year and holds an annual Open House that welcomes community participation and provides information and discussion relative to issues affecting those with accessible needs in our city. They are an actively engaged advisory committee who dedicate considerable volunteer time and expertise to providing input and context to ongoing issues affecting those with accessible needs in our community.

The AAC has developed effective working relationships with city departments and regularly receives information from administration including Transit, Roads, Engineering, Planning Services, Building Services, Licensing & Enforcement, Parks, and the City Manager's Office.

The AAC also has a sub-committee known as the Built Environment Working Group. The Built Environment Working Group has been active since 2013 and regularly visits city facilities and advises on capital improvements that impact those living with a disability in our community. This group is comprised of two individuals with a visual impairment, and two individuals with mobility disabilities. Members have knowledge in the area of construction and a high degree of familiarity with regulations relative to the Ontario Building Code and the AODA.

The Built Environment Working Group has been integral in providing consultation early in the process for capital projects and has worked with administration when possible to adopt best practices relative to capital works that may have a high impact on those with accessible needs. There have also been requests for the Built Environment Group to provide consultation on projects outside of municipal facilities, most recently for the renovations at Magnus Theatre.

Barrier Identification and Removal

The following list outlines 2022-2023 projects completed that work to remove barriers to access at city facilities, these include:

- Delaney Arena installation of ramped barrier-free viewing area above ice level with signage to designate the areas.
- Fort William Gardens installation of signage for the designated viewing area signage.
- Jumpstart Inclusive Playground and Adult Fitness Area at Boulevard Lake.
- New accessible path of travel from the Jumpstart Inclusive Playground to the beach at Boulevard Lake.
- Mobi-Mat portable accessible beach mat and specialized beach wheelchair at Boulevard Lake to allow for independent or assisted access for those with mobility disabilities.
- Purchase of water/beach (Boulevard/Sandy Beach) and trail/snow wheelchairs (2 at Boulevard) for rent.

- Hoyer lift at Boulevard Lake to allow access for those with disabilities to the water.
- Pool lift with higher bodyweight capacity at the Canada Games Complex – 600lbs from 350lbs.
- Inclusion Services have purchased a variety of gripping aids for adaptable fitness with a support person or for independent work.
- Accessible workout machines at the Canada Games Complex.
- Installation of power door actuators at the Kinsmen Northwood Centre, North McIntyre Rec Centre, and Fort William Gardens.
- Implementation of eScribe Meeting Management software which provides for accessible viewing and screen reading for City Council meeting agendas and minutes.
- Accessible 2022 Municipal Elections Polling Stations and Internet voting.
- In 2022, approximately 1,700 sidewalks with trip edges were ground down by 20mm or padded with asphalt across the City.
- City staff across the corporation are currently remediating all PDFs on the website from the which do not meet accessibility standards. In the coming months all PDFs posted online will be fully accessible prior to publishing.
- Establishment of working group to address website accessibility compliance. A specific focus will be working with website editors/publishers to ensure new materials added to the website are fully accessible going forward.
- Strategic Initiatives & Engagement – Corporate Communications has led a shift in the Corporation to provide content directly online through the website, social media, and other digital platforms to make content easily accessible for all. Examples include: content directly posted on webpages vs. PDFs or paper documents; using online web forms vs. fillable PDFs; sharing key City messaging through online channels.
- Strategic Initiatives & Engagement – Corporate Communications ensures all videos posted on the City website and our YouTube channel include the closed captioning option.
- The City's Creative Design Agency of Record ensures publications produced for the City, e.g., posters, documents, graphics, have fully have accessible text; the font size and colour contrast meet accessibility standards.
- Advertisements for in-person events produced by the City include a contact listed for accessibility needs and information on how to request an accommodation.
- Strategic Initiatives & Engagement – Corporate Communications has conducted a Clear Language Pilot Project to improve readability, including language, fonts, and consistency, of City documents issued to the public. The Pilot Project was conducted on Tax Bills, Water Bills and letters, and Parking Fine Notices. The assessment has been completed and recommended edits for clear language improvements will take place in the coming month. This pilot will be further explored to assess if it can be expanded on a broader scope for Corporate materials.
- Audible Pedestrian Signals – 1 new intersection activated at Balmoral St. and Central Ave.

- Curb Ramps/Tactile Walking Surface Indicators – approximately 53 quadrants have been updated on 22 intersections.
- New Paved Multi-Use Recreation Trails – Oliver Road between Golf Links and Keith Jobbit Drive, approximately 420m of new pathway.

Future work is planned for 2023-2024 and includes:

- New inclusive playground at Vickers Park.
- Accessible washroom at Algoma Child Care Centre.
- Dease Park accessible permanent concrete surface and boarded play surface to double as a winter rink with new accessible walkways.
- Further accessibility improvements to the Canada Games Complex.
- Launch of closed captioning for all meetings of City Council and Committee of the Whole.
- Removal of stairs on Melon St. walkway.
- Review of City facilities to be used for the 2024 Ontario Winter Games.

Consultation

Consultation is a regular part of the Accessibility Plan and a main focus of the AAC. Working with the AAC is an integral part of connecting with the community regarding concerns, issues and projects that are required in order to address issues in municipal facilities relative to accessible needs. As previously noted, the AAC meets at least eight times a year and regularly provides feedback with respect to concerns that need to be addressed by Administration.

On June 1, 2022, the AAC held its annual public open house in McGillivray Square in front of City Hall, which coincided with National AccessAbility Week. Service agencies, including George Jeffrey Children's Centre, Ontario March of Dimes, Easter Seals, Rainbow Collective, and City departments including Transit and Inclusion Services, were also present to provide information to the public. A flag raising was held and the event was well attended by the public.

Consultation is also an important part of the AAC's work related to the City of Thunder Bay's overall accessibility plan. It is a standard with the corporation for departments to present information or plans to the AAC prior to it being presented to City Council or the public so that input can be provided in the early stages of planning related to any issues affecting accessibility. A number of staff from Community Services, Human Resources and Engineering regularly attend AAC meetings rather than await an invitation from the AAC.

In the past year, the AAC has participated in the consultation process relative to the following City of Thunder Bay initiatives:

- 2019-2024 Multi-Year Accessibility Plan.

- Transit and Lift+ Electronic Fare Management System.
- Canada Games Complex changerooms and parking lot.
- Vickers Park inclusive playground.
- Port Arthur Stadium accessible viewing area.

FINANCIAL IMPLICATION

There are no financial implications associated with this report at this time. Should there be further issues of non-compliance under the Act where financial penalties would apply, administration will report to City Council.

CONCLUSION

This report is presented for information only.

BACKGROUND

In Ontario, approximately 2.6 million people have a disability. This means roughly one in four Ontarians live with a disability and face various types of accessibility challenges in their everyday life. Also, as the aging population is expected to grow in the next 25 years, it is projected that the number of people living with a disability is also expected to grow in our province.

Under the *Accessibility for Ontarians with Disabilities Act, 2005*, and requirements through the *Integrated Accessibility Standards Regulation* (O.Reg. 191/11) (IASR), the City of Thunder Bay must comply with this legislation in order to create and maintain barrier-free access to City facilities, programs, services, information, communications, employment and transportation.

Mandatory compliance is legislated with biennial reporting to the provincial accessibility directorate. Penalties apply if compliance requirements are not met. Non-compliance fines may result in penalties of up to a maximum of \$100,000 per day for corporations.

In March 2021, City Council adopted the 2019-2022 Multi-Year Accessibility Plan and the Corporate Accessibility Policy (Policy No. 08-01-04).

REFERENCE MATERIAL ATTACHED

None.

REPORT PREPARED BY

Corporate Report 210-2023-City Manager's Office-Office of the City Clerk

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REPORT SIGNED AND VERIFIED BY

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08/15/2023