



Corporate Report

DEPARTMENT/ DIVISION	City Manager's Office - Office of the City Clerk	REPORT	R 135/2022
DATE PREPARED	08/07/2022	FILE	
MEETING DATE	09/12/2022 (mm/dd/yyyy)		
SUBJECT	Accessibility Progress Report		

RECOMMENDATION

This Report is for information only.

LINK TO STRATEGIC PLAN

LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.

SERVE: Advance service excellence through a citizen focus and best use of technology.

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.

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 is well positioned to respond 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. The City of Thunder Bay currently has one full-time staff member (Municipal Accessibility Specialist) dedicated to projects related to accessibility. The Specialist provides advice and assistance to municipal staff from across the corporation as well as supporting the Accessibility Advisory Committee (AAC) and the Administrative Accessibility Working Group (AAWG). The AAC is a requirement of the Act; the AAWG includes members of Administration from all departments within the corporation. In addition to these staff and volunteers, the Deputy City Clerk provides oversight and direction to initiatives and projects that relate to accessibility.

Compliance Requirements

The Ontario Regulation 191/11: Integrated Accessibility Standards Regulation (IASR) is a grouping of five standards that was developed under the Accessibility for Ontarians with Disabilities Act (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 the 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.

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 electronically in an accessible format for those who require it. 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 IT Department in order to ensure they are well versed on how to create and modify documents to make them accessible.

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 Requirement (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 the 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. The Compliance Assurance Branch was satisfied, in the case of the City of Thunder Bay, that Corporate Information Technology, the Office of the City Clerk, and other departments were diligently attempting to remediate accessibility issues and create new, accessible electronic documents and webpages that meet the WCAG 2.0 Level AA requirements.

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.

Transit Services 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 now provides dual operator training during which new Transit operators are trained on both Conventional and Lift+ buses. Not only does this allow Transit the flexibility to schedule an operator on either system, it also ensures that passengers with disabilities receive accessible customer service on whichever system they use.

In 2021, Transit was required by the Ministry for Seniors and Accessibility Compliance Assurance Branch to complete a mandatory desk audit. The audit focused on five areas of compliance: training records, transit stops, priority seating, service disruptions, and alternative fare payment options. The audit also required clarification on the 2015-2025 Transit Accessibility Plan. Transit staff responded to the desk audit in a timely manner with assistance from the Municipal Accessibility Specialist and successfully passed the audit with no further concerns from the Compliance Assurance Branch.

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. Fourteen new sidewalk ramps with tactile plates were installed in 2021 at ten 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 on a monthly basis 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 members with a visual impairment, and two members 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 outside requests for the Built Environment Group to provide consultation on projects outside of municipal facilities including the Thunder Bay Regional Health Sciences Centre and NorWest Community Health Centre.

Barrier Identification and Removal

Attachment A is provided and identifies the 2021 Identification of Accessibility Barriers/Improvements that have been ongoing within the City of Thunder Bay to address and respond to concerns related to accessible needs for community members utilizing city facilities.

Highlighted Projects include:

- Delaney Arena ramped barrier-free viewing area above ice level
- Fort William Gardens hand rail design and placement
- Churchill Pool change room upgrades
- Addition of low-floor Lift+ specialized buses
- Centennial Park Woodland Adventure Playground with accessible walkways, play surface and sitting area
- Northwood Splash Pad with accessible walkways from the sidewalk and parking area, sitting area with shade structure and spray components

Future work is planned for 2022-2023 and includes:

- New Jumpstart Inclusive Playground and Adult Fitness Area at Boulevard Lake
- New accessible path of travel from the Jumpstart Inclusive Playground to the beach, including Mobi-Mats and specialized beach wheelchairs
- Dease Park accessible permanent concrete surface and boarded play surface to double as a winter rink with new accessible walkways
- Continued implementation of accessible pedestrian crossovers at various locations

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 once a month and regularly provides feedback with respect to concerns that need to be addressed by Administration.

The Covid-19 pandemic made public consultation through annual Open House events in 2020, 2021 and 2022 difficult to plan and execute. The 2020 open house was cancelled due to health and safety reasons related to Covid-19 and the 2021 open house was held as a series of online videos, which received positive feedback from the public. The 2022 open house was held outdoors for the first time in McGillivray Square and included representation from City facilities and services as well as community service agencies. A flag raising of the Disability Pride flag was also held. The open house 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 now regularly attend AAC meetings rather than await an invitation from the AAC.

The AAC has participated in the consultation process relative to the following City of Thunder Bay initiatives:

- 2019-2024 Multi-Year Accessibility Plan
- Development of the City's first high-traffic roundabout at Edward St. and Redwood Ave.
- Centennial Park Woodland Adventure Playground
- Boulevard Lake Jumpstart Inclusive Playground
- Potential Red River Rd. closure and redesign

FINANCIAL IMPLICATION

There are no financial implications associated with this report.

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

Attachment A - 2021 Accessibility Barriers and Improvements, City of Thunder Bay

PREPARED BY: Scott Garner, Municipal Accessibility Specialist

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER) Norm Gale, City Manager	DATE: September 1, 2022
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