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Ministry of Municipal Affairs Accessibility Plan 2003-2004

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Introduction

In 2001, there were an estimated 1.5 million people in Ontario with self-disclosed disabilities. This number is expected to increase as the population ages.

In December 2001, the *Ontarians with Disabilities Act, 2001* (ODA) was passed into law. Its purpose is to improve opportunities for people with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the province.

One of the requirements under the ODA is that Ontario government ministries, municipalities, hospitals, school boards, colleges, universities, and public transportation organizations develop annual accessibility plans to make programs, services and buildings more accessible to people with disabilities. The plans must be made available to the public.

In the Speech from the Throne, delivered on November 20, 2003, the Ontario government confirmed its commitment to working with Ontarians with disabilities on meaningful legislation that will allow them to fully participate in building a stronger province.

This document is the first annual accessibility plan for the Ministry of Municipal Affairs. The plan describes improvements to accessibility that the ministry has made to date and its commitments for the balance of the 2003-2004 fiscal year.

Report on Achievements

This ministry has made the majority of its services and facilities more accessible to people with disabilities. Initiatives include: assisting municipalities to meet their own requirements under the ODA; consulting on amendments to the *Ontario Building Code* to improve accessibility; making the services of the Ontario Rental Housing Tribunal more accessible; and, accommodating the accessibility needs of our employees.

Ministry Services

Assistance to Municipalities:

Under the ODA, municipal governments are among the key public sector institutions that are mandated to foster change and meet the specific accessibility needs of their own policies, programs and services. To assist municipalities, the Ministry of Municipal Affairs (MMA) has:

- developed an information sheet for municipalities on changes to the *Planning Act* resulting from passage of the ODA
- sponsored municipal ODA compliance training sessions for municipalities at the ministry's regional

conferences and supported a session at the Ontario Professional Planners Institute Conference to review the impact of the ODA on municipal planning

- ensured that employees are kept informed of the ODA legislation requirements for municipalities, and
- worked with the Ministry of Citizenship and Immigration to identify ways in which the ministry could help municipalities meet ODA requirements.

The *Municipal Act, 2001* came into effect January 1, 2003 and contains provisions for a local municipality to:

- impose conditions as a requirement of a business to obtain, continue to hold or renew a licence, to require the premises of the business, or part of the premises, to be accessible to people with disabilities, and,
- require the owners or operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, to provide designated parking spaces for vehicles displaying a disabled parking permit.
- If it does so, the local municipality,

(a) shall prescribe the conditions of use of the disabled parking permit and prohibit the improper use of the permit; and

(b) may provide for the removal and impounding of any vehicle, at the owner's expense, parked or left contrary to the bylaw.

The *Municipal Elections Act, 1996* was amended to ensure that a municipal clerk, when choosing a location for voting, has regard to the needs of electors with disabilities.

Financial Information Return:

Municipalities are required to submit a Financial Information Return (FIR) - a year-end financial reporting tool used to send financial information to our ministry. All municipalities and/or their municipal auditors can download the FIR application and supporting documentation needed for its completion from our website.

To bring the ministry in compliance with ODA legislation:

- all downloadable PDF files were compliant with ODA requirements by December 31, 2002
- all downloadable MS Excel files used by municipalities and auditors to complete the FIR were also ODA compliant by December 31, 2002
- a process was established to ensure that all current and future documents and/or content posted to the FIR site are ODA-compliant

Land Use Planning:

We worked with the Ministry of Citizenship and Immigration to amend the *Planning Act*. As a result of the ODA legislation, the Planning Act was amended to reflect ODA requirements:

- section 2 was amended to add “accessibility for persons with disabilities” to the matters of provincial interest that the Minister of Municipal Affairs, the council of a municipality, a local board, a planning board and the Municipal Board shall have regard to when carrying out their responsibilities under the Planning Act, and,
- subsection 51(24) was amended to add a requirement that, when considering a draft plan of subdivision, planning approval authorities shall have regard to accessibility for people with disabilities.

Social Housing:

The *Social Housing Reform Act, 2000* created a new requirement that existing social housing units that were previously modified to accommodate households with disabilities could only be offered to households with similar needs.

The Act also added a requirement that, if needed, such qualifying households be offered a rent-geared-to-income subsidy. These policies apply to public housing formerly owned by the Ontario Housing Corporation as well as to non-profit housing previously administered by the ministry before the transfer of social housing.

The Act also requires that municipal service managers maintain the same number of modified units as existed prior

to the transfer. This is part of the service level standard and must be reported annually in the service manager information return (SMAIR). In addition, it will also be required that a proportion of any new units created under municipal housing programs must be accessible to people with disabilities. The exact proportion of units will be established in a regulation that is currently being developed.

Ontario Building Code Amendments:

The Ontario Building Code (OBC) regulates the construction of new buildings and the alteration and change of use of existing ones. Currently, the OBC contains requirements that help ensure buildings in Ontario provide barrier-free access to members of the community. These include barrier-free access to and throughout the building, accessibility design standards for areas and features including washrooms, building controls, fire detection and areas of refuge.

In 2002, we held a series of public consultations in which there was strong participation from the disabled community.

An extensive consultation on the content of the next edition of the OBC, expected in 2006, was held between February 12 and May 12, 2003. The ministry conducted an Internet-based consultation on technical changes to the OBC that included, among others:

- proposed regulations requiring 10 per cent of suites in newly built hotels and motels meet minimum accessibility requirements
- requirements for the adaptability of 10 per cent of suites in new residential apartment buildings to be more accessible as needs require
- increased flexibility in the requirements for universal washrooms in most public buildings to provide for greater access
- requirements for visual signal devices for fire alarms in parts of most public buildings to aid people who are hearing impaired, and
- increasing minimum corridor and door widths in buildings to accommodate wider wheelchairs and scooters.

The ministry's Technical Code Committees are currently reviewing proposals resulting from the Spring 2003 consultation. Certain technical changes to the OBC, including those that will introduce new requirements related to accessibility for people with disabilities, may be "fast tracked" for possible introduction in 2004.

The *Building Code Act, 1992*, as amended by the *Building Code Statute Law Amendment Act, 2002*, and the Building Code, as amended by O.Reg. 305/03, introduce requirements for building practitioners, including building officials and designers, to become qualified. Qualification requires the successful completion of ministry examinations that evaluate knowledge of the technical requirements of the OBC, including knowledge of the barrier-free requirements.

Recent amendments to the Building Code Act include a provision for the enforcement of standards and requirements, including barrier-free requirements. These were added at the request of the Ministry of Citizenship to strengthen enforcement of the barrier-free requirements of the OBC.

The Building Code website is an important tool for communicating with the public and receiving its questions and comments. The website has been developed according to accessibility guidelines.

Ontario Small Town and Rural (OSTAR) Infrastructure initiative:

The OSTAR infrastructure initiative provided provincial funding to the:

- County of Simcoe to upgrade the main entrance of its administration centre and the council chambers to ensure that access is barrier-free; and
- Township of Baldwin to install a wheelchair ramp to the municipal building.

Communicating with the Public:

The ministry has worked to remove barriers to communicating with the public by:

- making certain that our ministry websites (www.mah.gov.on.ca, www.obc.mah.gov.on.ca,

www.orht.gov.on.ca, www.reddi.gov.on.ca, www.smartgrowth.gov.on.ca) are accessible as required by the ODA

- ensuring that all publications posted on ministry websites are accessible. Alternate formats are also available on request.
- installing a TTY machine (with a toll free number) to improve public access to the ministry so that those who are hard of hearing can call customer assistance. A customer assistance officer was trained to operate this equipment.
- wherever possible, staging ministry public events in accessible venues
- posting all open ministry job competitions on our ODA-compliant ministry website - thus making them accessible in various formats.

Ontario Rental Housing Tribunal:

The Ontario Rental Housing Tribunal (ORHT) has made its offices and services more accessible to people with disabilities by:

- ensuring all offices are wheelchair accessible
- lowering counters
- printing a Braille overview of the *Tenant Protection Act, 1997*
- offering audio-tapes of our public education materials to the visually impaired
- providing TTY capability on ORHT's 1-888 customer service line to those who are hard of hearing
- meeting monthly with a legal aid representative to discuss any client's special needs
- using sign language interpreters at hearings if required
- reflecting ODA guidelines in all public education materials
- redesigning ORHT's website in December, 2002 to be more accessible and easier to navigate

Ministry as Employer

Employment Accommodations:

To accommodate the needs of our employees with disabilities, we offered:

- advice and assistance to managers to help them meet their obligation to provide accessible accommodation
- consultation and advice to managers to help solve accommodation issues
- assessment and evaluation of workstations; recommendations on ways to resolve any accommodation issues
- advice and resource information to our regional offices on accommodation issues and,
- administration of the Injury, Illness and Employment Accommodation program (IIEA) program. Under this program, managers are offered help, advice and information on how they may accommodate the needs of employees with disabilities who choose to remain on the job or return to work.

Where one of our branches identifies a specific staff accessibility issue, a process is in place to ensure that managers are provided with advice and resource information on appropriate accommodation.

Training

We promoted and monitored ODA e-learning training to ensure compliance with the ODA's training requirements. The objective was to fulfill the government's obligation to meet employees' accessibility needs and the needs of its job applicants with disabilities. E-learning has made training more accessible to ministry staff with disabilities.

This training is offered to OPS managers and supervisors by Shared Services Bureau Generic training. At the time of submission, 100 per cent of ministry managers and supervisors had completed training.

Working and Advisory Groups

In 2003, an ODA Accessibility Planning Working Group was established to coordinate accessibility planning at the ministry. In 2004, an ODA Advisory Group will be established to guide identification and barrier-removal issues. Its members will include MMA staff with disabilities and those that have an expertise in disability issues. These members will provide insights and advice for the Accessibility Plan process.

Facilities Accommodation:

We are currently undertaking limited renovations to our offices to accommodate changing space requirements. Along with previous renovations, construction has met or exceeded Building Code requirements and reflects industry ergonomic standards.

Commitments and Strategies For 2003-2004

During the 2003-2004 fiscal year, we will focus on:

- developing a process to ensure that proposals for new Acts, regulations, policies, programs and services are assessed with respect to their effect on people with disabilities
- creating the ODA Advisory Group
- continuing the consideration of regulatory amendments that relate to accessibility within the OBC, regulations to implement Bill 124, the *Building Code Statute Law Amendment Act, 2002*, and the *Social Housing Reform Act, 2000*.

The ministry will also continue developing its Accessibility Plan and improve accessibility in communications, facilities and technology.

Methods to be taken to prevent new barriers

We will develop a process to ensure that proposals for new Acts, regulations, policies, programs and services are assessed to review their impact on people with disabilities. As part of this process, we will:

- assess operating proposals included in the 2004-2005 business planning submissions
- guide policy and program development staff on how to include accessibility in proposals
- review the protocol for developing Cabinet and Management Board submissions, to ensure that proposals are considered from the perspective of those with disabilities, and,
- include accessibility issues in all new program evaluations committed to in 2003-2004.

Business areas to be reviewed

Acts & Regulations - target date: March 31, 2004

Develop a process and a multi-year schedule to review all existing ministry acts and regulations to ensure the appropriate use of language with respect to barriers to people with disabilities.

Continue the process of developing a regulation under the *Social Housing Reform Act, 2000*, to prescribe the proportion of any new units created under municipal housing programs that must be accessible to people with disabilities.

Policies and Programs- target date: March 31, 2004

Publish a "Planning for Barrier Free Development" guide. This handbook is intended to guide municipalities in considering accessibility issues and eliminating barriers to accessibility when designing public spaces.

As part of the five-year review, consider changes to the Provincial Policy Statement to reflect ODA requirements.

Practices and Services- target date: March 31, 2004

Review staff development strategies and identify potential barriers to personnel with disabilities to participate in training opportunities.

As part of implementing the new qualification requirements for building practitioners, the Building and Development Branch is developing a Qualification and Registration Tracking System. Similar to the Building Code website, the system is being developed in accordance with accessibility guidelines.

The Building and Development Branch offers training courses that cover the administration and technical requirements of the Building Code. Course content includes the barrier-free requirements set out in the Building

Code.

Actions to be taken

Barrier Identification and Prevention- target date: March 31, 2004

- To develop the ministry's 2004-05 Accessibility Plan, the ministry will:
 - survey staff to identify existing barriers to accessibility at the ministry
 - develop and implement an information and education strategy for ministry staff prior to conducting research and surveys; and,
 - complete a ministry Accessibility Quotient survey

The resulting data will serve as the foundation to identify commitments and strategies in the 2004-05 Accessibility Plan.

- Once Ontario Realty Corporation Guidelines are in place, the ministry will develop a process and schedule to conduct an accessibility audit in all reception/public areas. This measure is designed to identify communication and architectural barriers in regional services offices.
- The ministry will continue to meet employees' and job applicants' accommodation needs within Management Board Secretariat's (MBS) guidelines.
- When distributed by Management Board Secretariat, all staff with responsibility for procurement will receive the "Guidelines for Implementing the Procurement Provisions of the *Ontarians with Disabilities Act*."

The ministry has made the Shared Services Bureau generic training in ODA on meeting the accessibility needs of OPS employees and job applicants as part of the mandatory training for new managers and supervisors.

Improved accessibility in communications - target date: March 31, 2004

- Redesign the ministry's internal staff Intranet site to be accessible as required by Section 6 of the ODA.
- Post the accessibility of venues in advertisements or promotional material for major public events.
- Ensure that all future Internet content is accessible as required by Section 6 of the ODA.
- Issue a ministry-wide communication reminding staff that all public meetings must be fully accessible. This includes logistics of meetings, physical and communication requirements, including such aids as sign language interpreters, real-time captioning etc. available upon request.

Improved accessibility of facilities- target date: March 31, 2004

- Work with landlords to ensure that all hallways are clearly lit and free of clutter, and that lighting in targeted facilities provides optimal safety and convenience for visitors and employees with visual impairments.
- Ensure signage serves all clients – including being written in plain language, clearly posted, readable and at an appropriate height.
- Ensure that construction and office redesign continues to be based on good ergonomic design.
- Ensure that lease renewals are done in accordance with the anticipated ORC guidelines on ODA.
- Make a commitment to ongoing accessibility for both staff and clients.

Improved accessibility in technology- target date: March 31, 2004

- Semi-annually, audit the ministry's public Internet sites for ODA compliance.
- Continue to include accessible website design principles through ongoing training for web publishers.

For more information

Questions or comments about the ministry's accessibility plan are always welcome.

Please phone:

General inquiry number: 416-585-7041

TTY number: 1-416-585-6991

1-800 number: 1-866-220-2290

E-mail: oda@mah.gov.on.ca

Ministry website address: www.mah.gov.on.ca

Visit the Ministry of Citizenship's Accessibility Ontario Web portal at:
www.gov.on.ca/citizenship/accessibility. The site promotes accessibility and provides information and resources on how to make Ontario a barrier-free society.

Alternate formats of this document are available free upon request from:

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