

Clause 15 in Report No. 8 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 17, 2018.

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## Update on the Accessibility for Ontarians with Disabilities Act, 2005 and the York Region Accessibility Advisory Committee

Committee of the Whole recommends adoption of the following recommendations contained in the report dated April 19, 2018 from the Commissioner of Community and Health Services:

1. Council approve the revised York Region Accessibility Advisory Committee Terms of Reference set out in Attachment 1.
2. The Regional Clerk circulate this report to the York Region Accessibility Advisory Committee and the York Regional Police Services Board for their information.

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Report dated April 19, 2018 from the Commissioner of Community and Health Services now follows:

### 1. Recommendations

It is recommended that:

1. Council approve the revised York Region Accessibility Advisory Committee Terms of Reference set out in Attachment 1.
  2. The Regional Clerk circulate this report to the York Region Accessibility Advisory Committee and the York Regional Police Services Board for their information.
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2. Purpose

This report provides an update on recent activities related to the *Accessibility for Ontarians with Disabilities Act, 2005* (the Act). It also recommends changes to the York Region Accessibility Advisory Committee Terms of Reference and plans to recruit Committee members for the 2019 to 2022 term.

### 3. Background and Previous Council Direction

York Region must comply with provincial accessibility laws

York Region must comply with the Act, which requires the mandatory implementation of accessibility standards and the completion of accessibility reports within prescribed deadlines.

Accessibility standards are laws that government, businesses, non-profits and public sector organizations must follow to meet accessibility standards. The standards help organizations identify and remove barriers to improve accessibility for people with disabilities in five areas of daily life: information and communications, employment, transportation, design of public spaces and customer service. These standards support the provincial goal of making Ontario more accessible by 2025. The Region remains compliant with all the requirements of the Act.

Accessibility Advisory Committees are required under the *Accessibility for Ontarians with Disabilities Act, 2005*

The Act requires municipalities to establish accessibility advisory committees. The York Region Accessibility Advisory Committee advises Council and York Regional Police on the requirements and implementation of accessibility standards and the preparation of accessibility reports. A majority of its members must be people with disabilities under the Act.

The 2015 to 2018 York Region Accessibility Advisory Committee continued to meet its legislated mandate

The York Region Accessibility Advisory Committee played an integral role in the success of the Region's accessibility achievements. Over its 2015 to 2018 term, its activities included:

- Advising on compliance with the provincial accessibility legislation and implementation of compliance measures including submission of two Accessibility Reports to the Province in 2015 and 2017, and release of the [Region's annual accessibility status reports](#) in 2016 and 2017
- Advising on the review and update of the [York Region Multi-Year Accessibility Plan 2015 to 2021](#)
- Reviewing and advising on more than thirty projects. Some examples include: York Region's new Brand standards, the Transit Assistance Program, the Social Housing Innovation Fund, the Yonge Street and Davis Drive Streetscape Master Plan, the Seniors Strategy, the Water

Update on the *Accessibility for Ontarians with Disabilities Act, 2005* and the York Region Accessibility Advisory Committee

Reclamation Centre, the Unionville Seniors Hub, York Region's Administrative Centre Annex and the York Regional Police Vulnerable Person Registry

- Participating in a number of focus groups, facility tours and hands-on testing sessions to offer accessibility advice on Regional projects such as new transit terminals, the travel training centre and several mobile applications
- Participating in national and provincial accessibility legislation consultations, reviews and forums
- Hosting a forum during National Access Awareness Week that brought together accessibility advisory committees from local municipalities, school boards and hospitals to learn from one another about best practices in building livable and accessible communities

#### 4. Analysis and Implications

Province announces the third legislative review of the *Accessibility for Ontarians with Disabilities Act, 2005*

The Province is required to conduct comprehensive reviews of the entire Act every three years and of each standard under the Act every five years. In February 2018, the Province appointed the Honourable David C. Onley to conduct the third comprehensive review of the entire Act.

Reviews of the employment, information and communications, and transportation standards are currently underway. The Province is also developing new accessibility standards for health care and education sectors.

Staff will seek opportunities to provide input into these various reviews. Once the outcomes of these reviews are known, staff will assess Regional implications and report back to Council as appropriate.

The York Region Accessibility Advisory Committee's Terms of Reference are reviewed in the fourth year of every Council Term

The York Region Accessibility Advisory Committee's Terms of Reference is reviewed and amended by Council, if needed, in the fourth year of every Council term. The Terms of Reference were last reviewed and revised by Council in [May 2014](#).

Update on the *Accessibility for Ontarians with Disabilities Act, 2005* and the York Region Accessibility Advisory Committee

Staff have reviewed the York Region Accessibility Advisory Committee's Terms of Reference, and recommend revisions. The revised Terms of Reference is included as Attachment 1. Highlights of these recommended revisions include:

- **Composition:** Revised to be consistent with other advisory Committees of Council – large urban, small urban and rural areas are now referred to as urban, urbanizing and rural areas
- **Term of Office:** Updated to clarify that resident members who have served one term, which is four years, are eligible for re-appointment without application for the next four years
- **Resignation of Members:** Revised to clarify that if there is a resignation during the term, Council or the Regional Chair may choose to appoint another member to serve the remainder of the term
- **Other Updates:** Several housekeeping changes to update format and committee names. To enhance accessibility, the Terms of Reference were rewritten in a plain language format

Current members of the York Region Accessibility Advisory Committee will complete their term in 2018

Under the Terms of Reference, the York Region Accessibility Advisory Committee will have a minimum of seven, to a maximum of fifteen members, including three members of Council. The Regional Chair is an ex-officio member. The Committee membership includes people with different types of abilities and backgrounds and who come from urban, urbanizing and rural areas of the Region, offering a variety of perspectives.

The current 2015 to 2018 York Region Accessibility Advisory Committee was appointed by Council in [February 2015](#). It is comprised of twelve citizen members, two Council members including Regional Councillor Vito Spatafora (Committee Chair), Town of Richmond Hill and Mayor Justin Altmann, Town of Whitchurch-Stouffville and the Regional Chair and CEO Wayne Emmerson as an ex-officio member.

The current Committee will complete its term in September 2018. Seven of the current citizen members are eligible to serve for another four year term.

Update on the *Accessibility for Ontarians with Disabilities Act, 2005* and the York Region Accessibility Advisory Committee

Recruitment for the 2019 to 2022 York Region Accessibility Advisory Committee will begin fall 2018, with the new Accessibility Advisory Committee appointed by Council spring 2019

York Region residents with disabilities, or individuals who are part of a York Region organization that serves people with disabilities, are eligible to apply.

The recruitment campaign will include outreach through local and ethnic media, social media, local municipalities, Regional information kiosks and facilities, and community agencies that represent or serve people with disabilities.

Applications will be offered online and in alternate formats. From the applications received, qualified applicants will be contacted for an interview. Based on the results of the interview and screening process, recommendations will be made to Council for appointments in spring 2019.

Up to three members of Council can be appointed to the York Region Accessibility Advisory Committee, and these appointments are made by Regional Council.

## 5. Financial Considerations

There are no financial implications associated with the recruitment of the York Region Accessibility Advisory Committee. Ongoing costs to administer corporate accessibility initiatives are approved through departmental budgets and are a part of general operations.

## 6. Local Municipal Impact

Some local municipalities will also be engaging in recruitment activities related to the appointment of their Accessibility Advisory Committees. Staff will continue to share information and work together with the Municipal Diversity and Inclusion Group which includes accessibility professionals from local municipalities, York Regional Police, hospitals, school boards, conservations authorities and agencies.

## 7. Conclusion

The *Accessibility for Ontarians with Disabilities Act, 2005* requires municipalities to establish Accessibility Advisory Committees. The current York Region Accessibility Advisory Committee will complete its term in September 2018. Recruitment activities for the 2019 to 2022 York Region Accessibility Advisory Committee will establish the new Accessibility Advisory Committee by spring 2019.

The Region will continue to recruit members to the York Region Accessibility Advisory Committee that represent a range of abilities, reflect the diversity of York Region and are representative of the urban, urbanizing and rural areas of the Region.

For more information on this report, please contact Lisa Gonsalves, Director, Strategies and Partnerships Branch at 1-877-464-9675 ext.72090.

The Senior Management Group has reviewed this report.

April 19, 2018

Attachment (1)

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Accessible formats or communication supports are available upon request



## York Region Accessibility Advisory Committee

### Terms of Reference

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#### Description

The York Region Accessibility Advisory Committee is a committee appointed by York Regional Council, for the Regional Municipality of York as required by the *Accessibility for Ontarians with Disabilities Act, 2005* (the Act). It provides advice to York Regional Council and York Regional Police, to make it easier for people with disabilities to access its programs, services and facilities. The York Region Accessibility Advisory Committee reports to Regional Council through the Community and Health Services section of Committee of the Whole.

#### Mandate

The mandate of the York Region Accessibility Advisory Committee is to provide York Regional Council, York Regional Police and staff with advice on the implementation and effectiveness of Ontario's accessibility legislation and the preparation of accessibility reports. Members will provide input on implementation activities that will assist York Regional Council and York Regional Police in realizing long term corporate strategies and visions while achieving compliance with the Act.

#### Support the implementation of accessibility legislation

The York Region Accessibility Advisory Committee will be responsible for providing feedback and advice to the Committee of the Whole and York Regional Council regarding the Multi-Year Accessibility Plan (the Plan), including:

1. The implementation and effectiveness of the Plan
2. Ensuring the Plan addresses the identification, removal and prevention of barriers in the Region's bylaws, policies, programs, practices, services and facilities
3. Assessing needs, identifying barriers and issues of concern as they relate to persons with disabilities
4. Using knowledge and expertise to provide strategic advice to Committee of the Whole and York Regional Council on ways to remove and prevent barriers to persons with disabilities
5. Advising Committee of the Whole and York Regional Council on the requirements and implementation of accessibility standards and the preparation of Accessibility Reports

**Provide feedback and advice on creating, improving and maintaining access to services and facilities, to persons with disabilities**

The York Region Accessibility Advisory Committee will be responsible for:

1. Advising Committee of the Whole and York Regional Council on the accessibility of buildings, structures or premises (or parts thereof) that the Region purchases, constructs, significantly renovates, leases and uses as a Regional municipal building, as required
2. Performing other functions that are specified in accessibility legislation
3. All matters brought before the York Region Accessibility Advisory Committee should fall within the Accessibility Mandate set out in these Terms of Reference

The York Region Accessibility Advisory Committee will be responsible for ensuring all matters brought before its members for discussion and consideration will:

1. Directly relate to the Region's efforts to be accessible and inclusive as expressed in Vision 2051
2. Focus on accessibility matters directly related to the Region's obligations to implement and maintain the requirements of all applicable accessibility legislation
3. Be directed to Regional staff if the accessibility matters fall outside of its mandate

**Definitions**

"Accessibility Legislation" means Ontario's *Accessibility for Ontarians with Disabilities Act, 2005*, and its' regulations, standards and policy directives that are implemented by the Province of Ontario in support of this legislation.

"Accessibility Report" means a compliance report that a person or organization must file with the Province if an accessibility standard applies to the person or organization.

"Accessibility Standard" means a rule that persons and organizations must follow to identify, remove and prevent barriers to accessibility.

"Barrier" means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, information and communications barrier, an attitudinal barrier, a technological barrier, a policy or practice; ("obstacle").



“Disability” as defined in the Ontario Human Rights Code means:

- (a) Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device
- (b) A condition of mental impairment or a developmental disability
- (c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
- (d) A mental disorder
- (e) An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*

“Multi-Year Accessibility Plan” is a document approved by York Regional Council and is made available to the public. The plan includes:

- (a) The Region’s workplan to identify, remove and prevent barriers to people with disabilities and to meet its requirements under the *Accessibility for Ontarians with Disabilities Act, 2005*
- (b) All other information and actions required under the *Ontarians with Disabilities Act, 2001* and *Accessibility for Ontarians with Disabilities Act, 2005*

“The Region” means The Regional Municipality of York

“York Regional Police” includes its governing body the York Regional Police Services Board.

## **Membership**

### **Composition**

The York Region Accessibility Advisory Committee will have a minimum of seven to a maximum of fifteen members from across the Region including three members of Council. The Regional Chair is an ex-officio member. The majority of members must be residents of York Region with a range of disabilities representative of urban, urbanizing and rural areas of York Region.

Membership may also include:

York Region residents who may not have a disability, but may be selected based on their interest or particular expertise in the identification, removal and prevention of barriers. Individuals from organizations representing people with disabilities and that provide services to York Region residents, but may not be a resident of York Region

York Regional Council has final approval of the representatives to ensure the York Region Accessibility Advisory Committee is reflective of the diversity of York Region and the disability community. Resident members will be required to sign a Committee Membership Responsibility Agreement (see Appendix 1)

### **Qualifications**

To support the delivery of the York Region Accessibility Advisory Committee's mandate, preference will be given to persons with experience and knowledge of accessibility matters, including accessibility legislation and disability awareness.

### **Eligibility Considerations**

Individuals appointed to the York Region Accessibility Advisory Committee will:

1. Be eligible to vote in York Region, as set out in Ontario's *Municipal Elections Act, 1996*. Individuals who represent organizations, that provide services in York Region, to the Region's residents with disabilities, may be appointed to the York Region Accessibility Advisory Committee without having to be eligible to vote in York Region
2. Not be engaged in any unresolved litigation with the Region or its Boards
3. Not be an employee of York Region and York Regional Police

### **Recruitment**

The call for citizen representation will be publicly advertised through local and ethnic media, social media, local municipalities, Regional information kiosks and facilities and community agencies that represent people with disabilities. Applications will be offered online and in alternate formats and will be submitted to the Office of the Regional Clerk. Qualified applicants will be interviewed by a panel of Regional staff.

### **Terms of Office**

1. Members appointed to the York Region Accessibility Advisory Committee will serve for a term of up to four years to coincide with the term of York Regional Council. Citizen members who have served for one term are eligible for re-

appointment without application for the next four (4) years. Members may serve for a maximum of two consecutive Council terms, subject to Council approval.

2. Citizen members who have served for the maximum term will not be eligible for re-appointment for the next four (4) years
3. If a citizen member is appointed in the middle of a term, the maximum term of a citizen member will not exceed eight (8) consecutive years

### **Appointment of Chair and Vice-Chair**

The York Region Accessibility Advisory Committee Chair will be a member of York Regional Council appointed by Council. The York Region Accessibility Advisory Committee will elect a Vice-Chair.

### **Membership Review**

The membership will be reviewed and evaluated annually by staff based on the ability of members to carry out advisory duties; attendance; participation; legislative requirements, and a member's ability to fulfill the requirements as outlined in the Membership Responsibility Agreement (see Appendix 1).

### **Resignation of Members**

Resignation of a member during the term must be given in writing to the Chair of the York Region Accessibility Advisory Committee, who will advise York Regional Council through the Committee of the Whole. York Regional Council or the Regional Chair may choose to appoint another member to serve the remainder of the term. To maintain a high level of commitment, members may be required to resign if they have been absent for three consecutive meetings without good cause.

### **Membership Responsibility**

Each member of the York Region Accessibility Advisory Committee is an independent representative of the Committee and should aim to represent the concerns of multiple disabilities and groups. Members are:

1. Expected to be familiar with the accessibility legislation and these Terms of Reference
2. Expected to work together for the purpose of developing a common approach that is reasonable and practical
3. Expected to contribute their expertise actively during meetings

4. Required to declare any situation that is, or has the potential to be, a conflict of interest
5. Subject to the requirements of the Membership Responsibility Agreement (see Appendix 1)

## **Reimbursement of Expenses**

Citizen members of the York Region Accessibility Advisory Committee serve without remuneration. Citizen members will be compensated by the Region for any approved travel expenses related to carrying out their duties as York Region Accessibility Advisory Committee members following the Region's expense claims policy. Reimbursement of any approved travel expenses will be made at the end of each calendar year.

## **Meetings**

A majority of the membership will constitute a quorum with at least one member of York Regional Council and one citizen member present, unless the membership is comprised of an equal number, in which case the quorum is one-half of the membership.

York Region Accessibility Advisory Committee meetings will be held every other month. No meetings are held in July and August. Additional meetings may be scheduled by the Chair of the York Region Accessibility Advisory Committee as needed. Meetings will be held at the Region's Administrative Centre located at 17250 Yonge Street in the Town of Newmarket, except as otherwise directed by the York Region Accessibility Advisory Committee.

Meetings will be open to the public and will be conducted following York Region's [Procedure Bylaw](#), unless otherwise stated in these Terms of Reference. Public notice of any location changes for meetings will be made in advance of the meeting.

Members who are persons with disabilities will be provided with the supports or resources related to their disability and that are deemed necessary for the member to participate on the York Region Accessibility Advisory Committee.

## **Staff Support**

Community and Health Services Department staff will provide expertise and other assistance to the York Region Accessibility Advisory Committee.

The Regional Clerk's Office will coordinate and support the Committee's meetings. Regional staff will co-ordinate involvement of other Regional Departments, including York Regional Police as necessary and prepare reports as required for the work of the Committee.

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Any support required by a subcommittee or working group that may be struck and approved by York Regional Council will be determined on an ad-hoc basis dependent on the needs of the subcommittee and the availability of resources.

Expenses for the normal ongoing work of the York Region Accessibility Advisory Committee will be provided as part of the Region's operating budget.

## **Conduct and Procedures**

### **General**

Where not otherwise specified in these Terms of Reference, conduct and procedures of the York Region Accessibility Advisory Committee will be conducted following the Region's [Procedure Bylaw](#).

### **Conflict of Interest**

Citizen member conflict of interest matters will be addressed through the York Region Accessibility Advisory Committee Membership Responsibility Agreement (see Appendix 1). The Agreement must be signed by all members.

### **Reporting Structure**

Activities of the York Region Accessibility Advisory Committee will be reported to York Regional Council through the Community and Health Services section of the Committee of the Whole through circulation of minutes of the meeting.

### **Amendments to the Terms of Reference**

These Terms of Reference will be reviewed and amended in the fourth year of every Council term. York Regional Council will have the authority to make changes to these Terms of Reference as required.

Created: December 2002

Updated: May 2018

## York Region Accessibility Advisory Committee Terms of Reference

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### Membership Responsibility Agreement

I, \_\_\_\_\_ [NAME], understand I have the following responsibilities as a member of the York Region Accessibility Advisory Committee.

My role is to:

- Assist York Regional Council in making it easier for people with disabilities to access York Region's programs, services and facilities by offering feedback and advice on the implementation of Ontario's Accessibility Legislation
- Assist York Regional Council in improving social and health supports in York Region as expressed in the Region's Vision 2051 document
- Aid in the identification, removal and prevention of barriers to people with disabilities

As a member of the York Region Accessibility Advisory Committee, I understand and agree to carry out the responsibilities set out in this Membership Responsibility Agreement and further detailed in the Terms of Reference.

I understand that if I fail to fulfill these responsibilities, I may be removed as a member of the York Region Accessibility Advisory Committee.

### Responsibilities

1. It is considered a conflict of interest if I give advice, in the course of carrying out my duties, that directly benefits my personal, financial or business interests
2. I am ultimately responsible and accountable for using good judgement in the course of carrying out my duties
3. If I am asked to speak publicly to an organization or professional association, as a member of the York Region Accessibility Advisory Committee I must notify the Region
4. If I choose to speak as a private citizen at a conference, meeting or other public forum and I am not speaking as a representative of the Region, I understand that I do not appear to represent the opinion or policy of the Region and may not present any information I have received or reviewed as a result of my membership on the York Region Accessibility Advisory Committee
5. If I am approached by the media I will refer all inquiries to the Region's Community and Health Services Department
6. I understand that the information discussed at York Region Accessibility Advisory Committee meetings becomes public record

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7. I will not use confidential information shared with the York Region Accessibility Advisory Committee about Regional initiatives or use Regional material for personal, financial or business use without written consent from the Region
8. I will not use the York Region Accessibility Advisory Committee mail, phone or email communication list for personal or business purposes and understand that this information must only be used to conduct the business of the York Region Accessibility Advisory Committee
9. I will not use my personal email, listserv, social media accounts or other modes of communication to represent the opinions or policies of the Region

I understand and agree that I will be a member of the York Region Accessibility Advisory Committee starting on [REDACTED] [DATE] and ending on [REDACTED] [DATE] unless my membership ends early for any of the reasons outlined in this Membership Responsibility Agreement or the Terms of Reference.

**Acceptance of appointment to the York Region Accessibility Advisory Committee:**

**Confirmation of Orientation:**

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**Member Signature**

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**Staff Signature**

**Name:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Orientation Date:** \_\_\_\_\_

Created: June 2010  
Updated: May 2018