



York Region Accessibility Advisory Committee Terms of Reference

1.0 Mandate

The York Region Accessibility Advisory Committee (YRAAC) shall assist Council in improving opportunities for persons with disabilities by promoting the implementation of the *Ontarians with Disabilities Act, 2001* (ODA) and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) in York Region. The AODA will eventually replace the ODA, however, while the ODA and AODA exist simultaneously, the YRAAC will be required to perform a dual role.

To assist the YRAAC in meeting its mandate, Regional Council will establish an AODA Subcommittee of the YRAAC with specific responsibilities to monitor and assess the Region's implementation of the AODA requirements.

The YRAAC shall also assist Regional Council in realizing the Region's vision as stated in Vision 2026, which promotes access to Regional programs and services for York Region's citizens.

1.1 ODA Mandate

The YRAAC will advise Community Services and Housing Committee and Regional Council each year, as required by the ODA, on its annual accessibility plan which will focus on the identification, removal and prevention of barriers to people with disabilities. The YRAAC shall also advise Regional Council on the implementation and effectiveness of its accessibility plan.

1.2 AODA Subcommittee Mandate

An AODA Subcommittee of the YRAAC will monitor and assess the Region's compliance with AODA accessibility standards. The AODA Subcommittee's review will be reported to the YRAAC who will advise Community Services and Housing Committee and Regional Council on the Region's compliance with the accessibility standards and in the preparation of accessibility reports.

2.0 Definitions

2.1 "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, an information and communications barrier, an attitudinal barrier, a technological barrier, a policy or practice; ("obstacle")

2.2 “disability” 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; or
- (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*; (“handicap”).

2.3 “accessibility plan” is a document approved by Regional Council on an annual basis which is made available to the public. The Plan includes:

- (a) a report on the measures the Region has taken to identify, remove and prevent barriers to persons with disabilities;
- (b) a report on how the Region assesses its proposals for by-laws, policies, programs, practices and services to identify barriers;
- (c) a list of the by-laws, policies, programs, practices and services the Region will review in the coming year to identify barriers;
- (d) a report on the measures that the Region will undertake in the coming year to identify, remove and prevent barriers;
- (e) all other information required by Regulations to the Ontarians with Disabilities Act, 2001.

2.4 “accessibility report” means:

A report that a person or organization must file with the province if an accessibility standard applies to the person or organization.

2.5 “accessibility standard” means:

A rule that persons and organizations must follow to identify, remove and prevent barriers to accessibility.

3.0 Reporting Structure

The YRAAC will report to Regional Council through the Community Services and Housing Committee.

4.0 Duties

4.1 Duties to support the implementation of the Ontarians with Disabilities Act, 2001

The YRAAC shall be responsible for the following:

- (a) Advise Community Services and Housing Committee and Regional Council regarding the annual accessibility plan (which is approved by Regional Council) generally including the implementation and effectiveness of the plan to ensure that it addresses the identification, removal and prevention of barriers in the Region's by-laws, policies, programs, practices, and services.
- (b) At the beginning of each term, the AAC will assess the needs of persons with disabilities and identify issues of concern as they relate to barriers to persons with disabilities. Using their knowledge and expertise, AAC members will provide strategic advice to Community Services and Housing Committee and Regional Council on ways to remove and prevent those barriers.

4.2 Duties to support the implementation of the Accessibility for Ontarians with Disabilities Act, 2005

Based on the YRAAC - AODA Subcommittee's review and recommendations on the Region's compliance with the requirements of the AODA, the YRAAC shall be responsible for the following:

- (a) Monitoring and advising Community Services and Housing Committee and Regional Council on the Region's compliance and implementation of accessibility standards and in the preparation of accessibility reports.

4.3 Duties to support the implementation of both the ODA and AODA

The YRAAC shall be responsible for the following:

- (a) Advise Community Services and Housing Committee and 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.
- (b) Perform other functions that are specified in the Regulations to these Acts when they are developed.



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4.4 Other Duties

- (a) Establish subcommittees/working groups, of its members, with Regional Council's approval, as deemed necessary by the Region to address specific issues connected to the accessibility of persons with disabilities (e.g. public transit).
- (b) Notify and make recommendations regarding accessibility issues to other jurisdictions and organizations on issues that fall outside of the Region's scope and mandate.

5.0 Membership

5.1 Composition and Size

The YRAAC will consist of seven to fifteen members from across the Region (i.e. large urban, small urban and rural areas of the Region). The composition of the YRAAC is as follows:

- (a) The majority of members must be people with disabilities and, where feasible, will represent a range of disabilities as defined in Section 2 above.
- (b) Up to three members of Regional Council, including one member from the Community Services and Housing Committee, plus the Regional Chair as an ex-officio member, will be on the Committee.
- (c) Citizens-at-large who may not have a disability will be selected based on their interest or particular expertise in the identification, removal and prevention of barriers.
- (d) Organizations representing people with disabilities and that provide services to York Region residents may be part of the YRAAC.

5.2 Regional Council will make a determination of the specific number of representatives within each of these membership categories following an assessment of the range of applicants and their skills.

5.3 The YRAAC – AODA Subcommittee will be appointed by Regional Council and will be comprised of members from the YRAAC including: up to three members from Regional Council and two citizen members.

5.4 Qualifications

- (a) Except as provided in paragraph (b) of this section, members of the York Region Accessibility Advisory Committee shall be qualified electors of York Region pursuant to the *Municipal Elections Act*.
- (b) Members who are appointed to the Committee pursuant to section 5.1(d) are not required to reside within York Region provided they represent an organization in York Region that provides services to York Region residents with disabilities.
- (c) A regional employee would not qualify to be a member of the YRAAC."

6.0 Membership Selection and Term

6.1 Term of YRAAC Citizen Members

- (a) YRAAC citizen members may serve for four consecutive one-year terms and at the pleasure of Regional Council. Members may be reappointed for an additional four consecutive one-year terms. The length of tenure of a Committee member cannot be longer than eight (8) consecutive years.
- (b) The membership will be reviewed annually by Regional Council. Membership will be reviewed and evaluated based on the following criteria: ability of members to carry out advisory duties; attendance and whether the current membership meets the needs and new requirements of the AODA.
- (c) Citizen members who have already served a three-year term, can only sit for another term of Regional Council or four consecutive one-year terms.

6.2 Chair and Vice-Chair

- (a) A member of Regional Council will be appointed by Council to the position of Chair of the YRAAC.
- (b) The YRAAC will elect a Vice-Chair in accordance with the Region's Procedure By-Law.
- (c) The Chair of the YRAAC will also serve as Chair of the YRAAC-AODA Subcommittee.
- (d) The Vice-Chair of the YRAAC-AODA Subcommittee will be elected in accordance with the Region's Procedure By-law.

7.0 Resignations

7.1 Any resignation from the YRAAC during the term of the YRAAC shall be tendered in writing to the Chair of the YRAAC, who will advise Council through the Community Services and Housing Committee. Regional Council or the Regional Chair shall appoint, considering the advice of the YRAAC, where feasible, a replacement member who will serve the remainder of the term.

7.2 In order 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.

8.0 Membership Responsibility

- (a) Members shall be familiar with the ODA and the AODA and these Terms of Reference.
- (b) Each member of the Committee is an independent representative to the Committee and does not represent the concerns of only one disability or group. The members shall work together for the purpose of developing a common approach that is reasonable and practical.
- (c) Members are expected to contribute their expertise actively during YRAAC meetings.
- (d) Members shall declare any situation that is, or has the potential to be, a conflict of interest.

9.0 Reimbursement of Expenses

- (a) Members of the YRAAC serve without remuneration, but will be compensated by the Region for any approved travel expenses related to carrying out their duties as YRAAC members.
- (b) Members who are persons with disabilities will be provided with the resources related to their disability and that are deemed necessary for them to fully participate in the Committee (e.g. sign language interpretation services, Braille translation services, transportation, support care services, etc.).

10.0 Frequency of Meetings

Meetings will be held every other month (except July and August, when no regular meetings will be held) or on an as needed basis. The Chair of the YRAAC may call special meetings. All meetings will be held at the Region's Administrative Centre (17250 Yonge Street, Newmarket) except as otherwise directed by the Committee. Appropriate public notice of any location changes for YRAAC meetings must be made.

11.0 Resources

- (a) The ODA Staff Committee, under the leadership of the Community and Health Services Department will provide advisory staff support to the YRAAC. Any advisory support required by an AODA subcommittee of the YRAAC or any other subcommittee that may be struck and approved by Regional Council will be determined on an ad-hoc basis dependent on the needs of the subcommittee and the availability of resources.
- (b) The ODA Staff Committee will, where feasible, and to the extent where human resources will allow, provide the YRAAC with information to enable it to provide sound strategic advice to Community Services and Housing Committee and Regional Council. Other staff expertise will be made available, where feasible, and to the extent where human resources will allow, to support the YRAAC.
- (c) The Regional Clerk's Office will provide administrative support to the YRAAC and any of its subcommittees in accordance with the Region's Procedure By-Law.

12.0 Procedure

All meetings will be conducted in accordance with Region's Procedure By-law except as otherwise provided herein.

13.0 Evaluation and Review

The Terms of Reference for the YRAAC will be re-evaluated in the fourth year of every Council term. Regional Council will have the prerogative of making changes to the Terms of Reference as required. The Terms of Reference could be modified due to the upcoming release of the Provincial Regulations of the *Accessibility for Ontarians with Disabilities Act, 2005*, and/or the eventual repeal of the *Ontarians with Disabilities Act, 2001*.

Created: December 2002

Updated: March 2008

YORK-#542012-v1-YRAAC_Terms_of_Reference_March_2008.DOC