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UPDATE ON THE IMPLEMENTATION OF THE ONTARIANS WITH DISABILITIES ACT, 2001

The Community Services and Housing Committee recommends the adoption of the recommendations contained in the following report, May 25, 2004, from the Commissioner of Community Services and Housing:

1. RECOMMENDATIONS

It is recommended that:

1. The Region coordinate a workshop for local municipalities and the members of the local Accessibility Advisory Committees to learn about new *Ontarians with Disabilities Act, 2001* (ODA) legislative requirements and share information once changes are enacted by the Provincial government.
2. This report be sent by the Regional Clerk's Office to all local municipalities and local Accessibility Advisory Committees.

2. PURPOSE

The purpose of this report is to provide information on the development of York Region's second accessibility plan and provide an update on the status of York Region's implementation of the ODA.

3. BACKGROUND

On September 18, 2003, Regional Council approved and released *Understanding Barriers: York Region's First Annual Accessibility Plan*. This Plan was prepared under the requirements outlined in the ODA. *Understanding Barriers* includes initiatives from every Regional department as well as York Regional Police and encompasses every aspect of the Region's business including programs, services, regional facilities, policies, practices, by-laws and procedures.

In 2004, the requirements under ODA include implementation and monitoring of *Understanding Barriers*, development of the Region's second accessibility plan and ongoing support to the York Region Accessibility Advisory Committee (AAC). This report provides an update on the ongoing work and planning being carried out to ensure that the Region continues to meet its legislated ODA requirements.

4. ANALYSIS AND OPTIONS

4.1 Implementation of *Understanding Barriers: York Region's First Annual Accessibility Plan*

Implementation of the initiatives included in *Understanding Barriers* is underway in all Regional departments as well as York Regional Police. Many initiatives included in the Region's first accessibility plan build on work that was already underway to identify, remove and prevent barriers to persons with disabilities. Each department, supported by the Community Services and Housing Department, is coordinating and implementing the initiatives included in their departmental accessibility plan. A majority of the initiatives being carried out in the first year are focused on barrier identification. Through these initiatives, departments will identify where barriers may exist within regional programs, services, policies, practices, facilities and by-laws as outlined in the Plan. The results of the barrier identification initiatives will be used in the development of the Region's future accessibility plans.

4.1.1 Involvement of the York Region AAC

The York Region AAC's legislated duties include advising Regional Council on the implementation and effectiveness of its accessibility plan. Each department is responsible for monitoring the implementation of their own departmental accessibility plan. Many initiatives include gathering input and feedback from stakeholders of a particular program area or from the York Region AAC. The York Region AAC meets at least 6 times annually and several departments have already sought the AAC's advice. The York Region AAC will continue to hear presentations and advise on a variety of initiatives as part of its legislated role.

4.1.2 Evaluation Strategy for the Region's Accessibility Plans

The York Region Accessibility Plan Policy Framework, adopted by Regional Council in February 2003, stated that York Region's first annual accessibility plan would provide a baseline to establish where the Region is in the accessibility process. The Policy Framework also stated that an appropriate evaluation methodology and tools that departments can use in the evaluation of the Region's accessibility plans would be developed in the first year.

Evaluation is a key part of program planning and will begin with the evaluation of *Understanding Barriers*. An important aspect of the evaluation strategy will be to recognize the different core businesses of each department. Over time evaluation of the Region's accessibility plans will enable staff to identify trends and possible priority areas that will assist future accessibility planning to be proactive and strategic. The evaluation strategy will also address how the evaluations results will be publicly reported.

4.1.3 Support to Local Municipalities

As directed by Regional Council, work continues to share information and work with local municipalities on ODA implementation.

Both the York Region AAC and local AACs have expressed an interest in working more closely together. Options were developed for the York Region AAC's consideration and were accepted by AAC members. It was agreed that the following actions would be taken:

- 1) York Region AAC members will receive minutes from local AAC meetings.
- 2) York Region AAC members who are also members of local Accessibility Advisory Committees will provide regular updates at York Region AAC meetings.
- 3) A meeting of all Accessibility Advisory Committee Chairs in York Region will be planned.
- 4) Once any new ODA legislative changes are in place, the AAC would like to have a workshop for all local AACs to learn about any new requirements and to share information.

Regional staff also met with members of the Municipal Staff Reference Group in early March to share information and lessons learned from the first year of accessibility planning. It was also agreed that the Municipal Staff Reference Group will meet at least twice annually. On a less formal and ongoing basis the group continues to share information and work together to address common issues. Members of the staff level reference group requested that training and information be provided by York Region for all municipalities in the Region once any new legislative changes to the ODA are in place.

4.2 York Region's Accessibility Planning as a Provincial Best Practice Tool

The Ontario Accessibility Directorate is the provincial body responsible for the ODA. With the expected strengthening of the ODA, municipalities will require more practical tools for developing their accessibility plans. The Directorate intends to highlight York Region as a Best Practice for the accessibility planning process that was developed and used in creating *Understanding Barriers*.

Specifically, the province wants to develop a case study on York Region's process that would be posted on the Directorate's web site as a resource tool to assist other municipalities to fulfill their legal obligations under the ODA.

4.2.1 Handbook for Accessibility Advisory Committees

The York Region AAC was also approached by the Ontario Accessibility Directorate to participate on a Provincial advisory committee to provide advice and feedback in the development of a Handbook being developed by the Directorate to assist local AACs in carrying out their legislated mandate. The Provincial committee includes representatives from across the province. York Region AAC is being represented on the Provincial committee by Regional Councillor Danny Wheeler.

4.3 Future Legislative Changes to the ODA

The Provincial government held a series of public consultation meetings in February and March 2004 to gather input and feedback on how to make the ODA stronger and more effective. The need to strengthen the ODA was strongly supported by those who participated in the consultation sessions. According to the provincial government's web site, hundreds of participants attended the seven public meetings and over 200 submissions have been received from groups and individuals.

In a Provincial news release dated April 29, 2004, the Minister responsible for the ODA stated that "...we are moving quickly on our plan to introduce measures to make the ODA strong and effective and bring about real, positive change for all Ontarians". The Minister went on to say, "Our recent public consultations on the Act have confirmed the need for greater awareness of the barriers to accessibility facing people with visible and invisible disabilities."

It is anticipated that both legislative and non-legislative changes will be introduced to the ODA by the Provincial government this fall.

Issues raised most often at the session were:

- The need for a strong, enforceable ODA.
- A variety of issues related to the Ontario Disability Support Program (ODSP) especially the need to increase all levels of support.
- Expansion of ODA requirements to the private sector.
- The need to address barriers for people with sensory and invisible disabilities.
- Other issues such as the need to address attitudinal barriers, establish standards, clarification of definitions in the Act, better public education about people with disabilities, employment equity and housing.

The recommendations adopted by Regional Council on March 25, 2004 were submitted to the Minister of Citizenship and Immigration who is responsible for the ODA for her consideration. The Region's recommendations have been endorsed by the Council of the Township of King. Peel Region has also expressed support for York Region's recommendations and intends to share York Region's recommendations with the members of the Peel Accessibility Advisory Committee.

Copies of York Region's report have also been requested by, and sent to, other municipalities in the GTA, the Toronto Transit Commission, York Region's nine local municipalities, local hospitals and school boards.

An analysis of any new requirements for municipalities will be done when the changes are introduced.

4.4 Development of York Region's Second Accessibility Plan

In addition to the work underway to implement *Understanding Barriers*, planning is also underway for the development of the Region's second accessibility plan.

4.4.1 Integration with York Region's 2005 Business Planning Process

As stated in the Accessibility Plan Policy Framework, arrangements are being made to integrate the development of York Region's second accessibility plan with the Region's 2005 annual business planning process. This will enable accessibility planning to become an integral part of the Region's business planning process, ensure fair access to regional resources and allow accessibility measures to be balanced with other regional plans.

4.4.2 Public Consultation

The development of the Region's second accessibility plan will include consultation with the public to gather input from residents in York Region. It is suggested that the consultation be held as a focus group session. Representatives from organizations across York Region that represent or provide services to people with disabilities will be invited to attend the focus group to share ideas and provide feedback. The focus group will also include people with a range of disabilities as well as broad geographic representation from across the Region.

The focus group session will be held in the fall of 2004.

4.5 Relationship to Vision 2026

The implementation of the ODA in York Region, including the development of *Understanding Barriers*, was grounded in the strategic direction of Vision 2026. As ODA implementation continues, work will focus on ensuring that accessibility planning is integrated into many of the Region's planning processes and strategic initiatives to help achieve the Region's goal of Creating Strong, Caring, Safe Communities.

5. FINANCIAL IMPLICATIONS

Ongoing costs to administer and manage ODA implementation were approved as part of the 2004 Budget and Business Plan.

The total cost to implement the initiatives included in *Understanding Barriers* has been identified by Departments to be approximately \$1,643,640 for 2004. Of this gross amount, an estimated 30% of the cost will be funded by the Province of Ontario for initiatives relating to long-term care facilities and housing. If funding is not received from the Province, these initiatives will be included in a future accessibility plan when funding is granted. Transit and solid waste initiatives account for 50% of the total gross amount and many of these costs were identified earlier in the Region's longer-term strategies and initiatives (e.g. York Region Transit 5-Year Service Plans). The remaining 20% of initiatives included in the Plan were submitted and approved within the individual Department's 2004 Budget requests.

The impact of any new legislative or non-legislative changes introduced by the Provincial government to ODA requirements for municipalities will need to be assessed once changes have been introduced.

6. LOCAL MUNICIPAL IMPACT

As outlined earlier in this report, both the York Region AAC and local AAC members have expressed an interest in working more closely together. This interest has been echoed at the staff level and several initiatives are underway to promote the ongoing sharing of information and experiences related to accessibility planning and ODA implementation. Specifically, local municipalities have requested that the Region coordinate a workshop to provide training and information regarding any legislative changes made by the Provincial government to the ODA legislation once those changes are in place.

The York Region AAC and Regional staff will continue to work with the local municipalities to share information and find ways to continue to work together and support one another in ODA implementation. By supporting and working with local municipalities on ODA implementation, all of the residents within York Region will be able to benefit from a coordinated response to enhancing accessibility for people with disabilities.

7. CONCLUSION

Implementation of York Region's first annual accessibility plan is well underway. Over the coming months, support will continue to be provided to the York Region AAC as they carry out their mandate to provide Regional Council with advice on the preparation, implementation and effectiveness of the Region's accessibility plan. Additionally, the development of an evaluation strategy and integration of annual accessibility planning with the Region's business planning process are important steps in conducting the identification, removal and prevention of barriers strategically and effectively. Staff will also continue to work with our partners in the local municipalities and other municipalities across the Province to share information and experiences related to accessibility planning to enhance accessibility to Regional programs and services for people with disabilities.

The Senior Management Group has reviewed this report.