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ACCESSIBILITY STATUS REPORT ON REACHING A NEW STANDARD FOR ACCESSIBILITY: YORK REGION'S 2011/ 2012 ACCESSIBILITY PLAN

The Community and Health Services Committee recommends:

- 1. Receipt of the memorandum from Adelina Urbanski, Commissioner, Community and Health Services, dated October 10, 2012 regarding 'Accessibility for Ontarians with Disabilities Act, 2005 Update – Proposed Design of Public Spaces Standards'; and**
- 2. Adoption of the recommendations contained in the following report dated September 25, 2012, from the Commissioner of Community and Health Services.**

1. RECOMMENDATIONS

It is recommended that:

1. Council approve the amendments to the York Region Accessibility Advisory Committee Terms of Reference as outlined in *Council Attachment 1* to this report, with amendments effective January 1, 2013.
2. The Regional Clerk forward this report to the York Region Accessibility Advisory Committee, The Regional Municipality of York Police Services Board and the Accessibility Directorate of Ontario for their information.

2. PURPOSE

This report provides an update on the implementation of *Reaching a New Standard for Accessibility: York Region's 2011/2012 Accessibility Plan* as required under the *Ontarians with Disabilities Act, 2001* (ODA) and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), including implementation of the *Integrated Accessibility Standards Regulation* (IASR) under the AODA.

This report also presents the revised Terms of Reference for the York Region Accessibility Advisory Committee as outlined in *Council Attachment 1* to this report, which removes reference to the York Region Accessibility Advisory Committee -AODA Subcommittee.

3. BACKGROUND

The Region's 2011/2012 Accessibility Plan has been adapted to meet the requirements of the ODA and the AODA

Ontario has two active accessibility Acts – the *Ontarians with Disabilities Act, 2001* (ODA) and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

The ODA, which applies to the Ontario Public Service and broader public sector, came into effect in 2001 and requires all municipalities in the Province to prepare an annual accessibility plan. This plan must address the identification, removal and prevention of barriers to accessibility for people with disabilities in municipal bylaws, policies, practices, programs, services and facilities. Municipalities are also required to report on the measures taken to implement the plan.

The AODA came into effect in 2005 with the goal of making Ontario accessible by 2025. This will be achieved by developing, implementing and enforcing accessibility standards relating to customer service, information and communications, employment, transportation and built environment. Unlike the ODA, the AODA applies to both public and private organizations and contains multi-year accessibility planning requirements.

Beginning in 2013, York Region will move from annual to multi-year accessibility plans with annual status reports. The multi-year accessibility plans will include the Region's strategy to meet the IASR requirements, while continuing to identify, remove, and prevent barriers to accessibility for people with disabilities.

Status of the accessibility standards under the AODA

York Region continues to play a key role in developing and implementing accessibility standards by participating on the Association of Municipalities of Ontario Barrier Free Working Group and through other professional organizations.

The following table outlines the status of the accessibility standards under the AODA:

Table 1
Status of the Accessibility Standards under the AODA

AODA Standard	Purpose	Status
Accessibility Standards for Customer Service Regulation (429/07)	To make the customer service operations of organizations accessible for people with disabilities.	York Region achieved compliance by January 1, 2010, as required by the regulation.
Integrated Accessibility	Integrate information and communications, employment	Came into force July 1, 2011. York Region has achieved

AODA Standard	Purpose	Status
Standards Regulation (191/11)	and transportation accessibility standards into one regulation to be implemented in phases. These standards will make the way information is sent and received, and employment and transportation services more accessible.	compliance with the July 1, 2011 and January 1, 2012 requirements. The Province posted proposed technical amendments to the IASR for a 45-day public review period on August 15, 2012.
Proposed Accessible Built Environment Standards	Help prevent and remove barriers in building and design of public spaces for people with disabilities.	Not yet passed into law by the Province. The Province posted the proposed Design for Public Spaces Standards for a 45-day public review period on August 15, 2012.

The proposed amendments to the IASR include accessibility standards for the design of public spaces

On August 15, 2012, the Province posted the proposed amendments to the IASR for a 45-day public review period concluding on October 1, 2012. The amendments include accessibility standards for the design of public spaces with the goal to remove accessibility barriers in public spaces and buildings. The proposed standards address planning for accessibility in a range of public spaces, including trails, beaches, playgrounds, parking lots, exterior paths of travel, including sidewalks, accessibility pedestrian signals and service counters. Designated public sector organizations, including York Region, will be required to apply these standards to new construction and planned redevelopment on or after January 1, 2016. Accessibility standards for buildings will happen at a later date through Ontario's Building Code. The draft standards also propose minor technical amendments to the IASR, which are intended to clarify some of the requirements and make it easier for organizations to implement them.

York Region's concerns and recommendations regarding the proposed accessibility standards for the design of public spaces and overall amendments to the IASR were forwarded to the Province within the provided review period. This information was also conveyed in an October 10, 2012 communication to the Community and Health Services Committee.

Both accessibility Acts require an accessibility advisory committee

Both the ODA and the AODA require that municipalities establish accessibility advisory committees. Under the ODA, the municipal accessibility advisory committee has the duty to advise Council on the preparation, implementation and effectiveness of annual

accessibility plans. This role was expanded under the AODA to include advising Council about the requirements and implementation of the accessibility standards and the preparation of accessibility reports.

The York Region Accessibility Advisory Committee (YRAAC) was established in 2003, as per requirements of the ODA. The YRAAC advises Council and York Regional Police on how to improve access to Regional programs and services for people with disabilities. The current YRAAC is comprised of:

- 10 citizen members from across the Region
- Regional Councillor Vito Spatafora as Chair
- Regional Councillor Danny Wheeler
- York Region Chairman and CEO Bill Fisch as an ex-officio member

4. ANALYSIS AND OPTIONS

York Region's Accessibility Plan increases access to Regional services, programs and facilities

On January 26, 2012, Council approved *Reaching a New Standard for Accessibility: York Region's 2011/2012 Accessibility Plan* through adoption of Clause No. 2 of Report No. 1 of the Community and Health Services Committee.

The *2011/2012 Accessibility Plan* describes how individual departments and York Regional Police are working together to make Regional programs, services and facilities more accessible. In response to the IASR under the AODA, the Plan also included initiatives that comply with accessibility standards while continuing to identify, remove and prevent barriers. The following provides an update on the initiatives included in the *2011/2012 Accessibility Plan*.

Ten additional initiatives added to the 2011/2012 Accessibility Plan

Since its approval in January 2012, 10 additional accessibility initiatives have been added to the *2011/2012 Accessibility Plan*, increasing the number of initiatives under the Plan to 163.

Of the 163 initiatives, 32 are related to barrier identification and 131 are aimed at removing and preventing barriers to Regional programs and services, including York Regional Police. Of these, 156 are completed or underway and seven initiatives are planned. Sixty-five of these accessibility initiatives were aimed at meeting the compliance requirements for July 1, 2011, January 1, 2012 and January 1, 2013 within the IASR.

During the first year of implementation of the *2011/2012 Accessibility Plan*, some important milestones have been achieved:

- The Region received an Excellence Canada – Ontario Accessibility Award from People Access in January 2012. The award recognizes excellence in implementing the requirements of the Accessibility Standards for Customer Service Regulation of the AODA and for going above and beyond to serve people with disabilities.
- In June 2012, York Region hosted another successful National Access Awareness Week celebration in partnership with the Municipal Staff Reference Group (a collaboration of accessibility professionals from York Region, York Regional Police, local municipalities, school boards and hospitals). The event included a motivational speaker and an inclusive choir that contributed to increasing awareness about accessibility.

Some of the new initiatives now in the *2011/2012 Accessibility Plan* include:

- York Regional Police will be increasing access to facilities and services at the York Region Community Safety Village for children with disabilities through creation of a new accessible pathway to be complete by year end.
- This year, Environmental Services has conducted 18 *Water for Tomorrow* seminars across the Region that incorporated information regarding best practices on options for accessible gardens and techniques to accommodate various needs.
- Community and Health Services (Housing and Long Term Care) enhanced accessibility at the Maple Health Centre by installing information boards at accessible areas to provide residents with improved access to facility information. Talking and/or picture boards have also been made available in a variety of languages to enable nonverbal residents to communicate their feelings, needs and wants to staff and family members. Improvements such as additional parking and wider sidewalks were made to the parking lot, increasing access and safety for the Centre's clients and their family members.
- The department also enhanced safety and accessibility in two of the Region's social housing buildings for seniors by extending the floor tile replacement initiative in the Town of Newmarket and by upgrading bathrooms in Town of East Gwillimbury buildings.

YRAAC provides valuable input and advice through the accessibility planning process

In 2011/2012, the YRAAC remained active in the Region's accessibility planning activities and provided valuable feedback and input. The YRAAC:

- Provided advice on the development of *Reaching a New Standard for Accessibility: York Region's 2011/2012 Accessibility Plan*.
- Contributed to the semi-annual *Accessibility News* newsletter for York Region staff. One member of the YRAAC shared his positive experience with the newly-implemented procedure for transporting personal assistive devices from public places in York Region to local hospitals upon request.
- Participated in the 2012 Annual Regional Emergency Exercise, providing valuable insight into the needs of people with disabilities and special needs.
- Attended a provincial workshop, *Actioning Accessibility Through Customer Service: How communities can engage businesses to improve accessibility*, where Committee members shared information, good practices and resources on how to engage local businesses for compliance with the *Accessibility Standards for Customer Service Regulation*.

The YRAAC Terms of Reference may be amended to respond to the release of new Provincial Regulations under the AODA

Section 13.0 of the YRAAC Terms of Reference includes a provision for its re-evaluation in the fourth year of every Council Term, with Council having the prerogative to make changes as required. Section 13.0 also allows for modifications in response to the release of Provincial Regulations under the AODA.

This report makes a number of recommendations for amendments to the Terms of Reference since last approved by Council in 2010, based on the enactment of the IASR of the AODA on July 1, 2011.

New accessibility planning format makes the YRAAC AODA-Subcommittee no longer needed

The YRAAC-AODA Subcommittee (hereafter referred to as the Subcommittee) was established under section 5.3 of the YRAAC Terms of Reference. Its purpose is to review the Region's compliance with the AODA and report to the YRAAC. The Subcommittee is comprised of members from the YRAAC, including up to three members from Council and two citizen members. The Chair of the YRAAC also serves as the Chair of the Subcommittee.

In response to the new IASR multi-year accessibility planning requirements, the Region has combined ODA and AODA accessibility planning into one integrated plan on a go-forward basis. This action makes the Subcommittee redundant, with ODA and AODA compliance review and reporting now the responsibility of the YRAAC as a whole.

Remove YRAAC-AODA Subcommittee from YRAAC Terms of Reference

It is recommended that the Subcommittee be concluded and that the Terms of Reference be amended throughout to remove all references to the Subcommittee. The mandate of the YRAAC (1.0 Mandate) and sub-mandates to meet the requirements of the ODA and AODA (1.1 ODA Mandate and 1.2 AODA Mandate) will be updated accordingly. The amended YRAAC mandate will also reflect direction on assisting Council in realizing the Region's long term corporate strategies.

Accessibility planning definition requires amendment

With the integration of ODA and AODA accessibility planning, it is recommended that the definition of accessibility plan (2.3 "accessibility plan") in the Terms of Reference be updated to reference the accessibility planning requirements of both Acts.

It is also recommended that the Terms of Reference be updated throughout to reflect the current name of the Community and Health Services Committee and the acronym 'YRAAC' not 'AAC.' A copy of the revised Terms of Reference is included as *Council Attachment 1* to this report.

Link to key Council-approved plans

Initiatives included in the 2011/2012 Accessibility Plan align with York Region's strategic direction

The *2011/2012 Accessibility Plan* aligns with York Region's strategic direction and priorities included in *Vision 2051*, the *2011- 2015 Strategic Plan*, specifically the priority area to "Improve Social and Health Supports" and the Community and Health Services Department's *Multi-Year Plan* in seeking to foster social inclusion.

5. FINANCIAL IMPLICATIONS

Ongoing costs to administer and manage the implementation of the ODA and AODA were approved as part of the 2011 and 2012 Business Plans and Budgets, and integrated as part of general operations.

6. LOCAL MUNICIPAL IMPACT

The Region continues to share information and work with the local municipalities and their Accessibility Advisory Committees on the implementation of the ODA and the AODA requirements.

7. CONCLUSION

In 2011/2012, much progress has been made to make York Region more inviting and inclusive of people with disabilities. The integration of accessibility into business practices and processes across all departments has made Regional programs, services and facilities accessible.

The Region continues to implement both the ODA and AODA simultaneously, with plans underway for a multi-year accessibility plan mandated by the IASR. The multi-year accessibility plan will include the Region's strategy to achieve compliance with the ongoing requirements of the IASR, while continuing to identify and address additional barriers to accessibility for people with disabilities.

For more information on this report, please contact Lisa Gonsalves, Managing Director, Strategic Service Integration and Policy, at Ext. 2090.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)



Community and Health Services Department
Office of the Commissioner

MEMORANDUM

TO: Members of Community and Health Services Committee

FROM: Adelina Urbanski, Commissioner of Community and Health Services

DATE: October 10, 2012

RE: ***Accessibility for Ontarians with Disabilities Act, 2005 Update –
Proposed Design of Public Spaces Standards***

This memorandum provides an update on the recent posting of the proposed amendments to the *Integrated Accessibility Standards Regulation* (IASR) under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) that include the *Design of Public Spaces Standards* and minor technical amendments to the IASR. This document also provides an overview of the implications for York Region.

The goal of the proposed standards is to remove accessibility barriers in public spaces and buildings

The proposed standards address planning for accessibility in a range of public spaces, including trails/beach access routes, playgrounds, accessible parking, exterior paths of travel including sidewalks and accessibility pedestrian signals and service counters. Accessibility standards for buildings will be released at a later date through Ontario's Building Code. If the proposed standards become law, designated public sector organizations will be required to apply these standards to new construction and planned redevelopment on or after January 1, 2016. This will mainly impact the Region's public facilities, Housing and Long Term Care buildings, forest trails and transportation services. The proposed standards also include minor technical amendments to the IASR to clarify some of the requirements and make it easier for organizations to implement them.

The proposed *Design of Public Spaces Standards* were posted for a 45-day public review period concluding on October 1, 2012

The Provincial Standard Development Committee for this standard will consider the input from the public review before submitting the proposed standard to the Minister for consideration to be passed into law.

York Region provided recommendations to enhance the proposed standards

York Region continues to support the objectives and spirit of the AODA. The Regional Chairman and CEO, Bill Fisch sent a response on behalf of the Region to the Minister of Community and Social Services outlining proposed recommendations to meet the AODA objectives in a way that reflects local issues and needs, respects municipal capacity, resources and the progressive work the Region has done to better serve people with disabilities. A copy of this response is attached.

Overall, York Region is on track to meet the requirements proposed in the standards. Many of the requirements have already been implemented or planned as part of the Region's ongoing work under the accessibility legislations.

Adelina Urbanski
Commissioner, Community and Health Services

LG/lid

Attachment - 1



Bill Fisch, B.Com., LLB, J.D.
Chairman and CEO

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September 20, 2012

Honourable John Milloy
Ministry of Community and Social Services
6th Floor, Hepburn Block
80 Grosvenor Street
Toronto ON M7A 1E9

Dear Minister Milloy:

Re: Comments on the Proposed Design for Public Spaces Standards

I am writing to highlight issues and recommendations from The Regional Municipality of York regarding the proposed amendments to the *Integrated Accessibility Standards Regulation* (IASR) under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) that include the *Design of Public Spaces Standards*.

York Region continues to support the objectives and spirit of the AODA and would like to provide recommendations to enhance the proposed *Design of Public Spaces Standards* and the overall implementation of the AODA. The Region requests that the Government consider the following recommendations when finalizing the proposed amendments:

Clarity

Without limiting obligated organizations' ability to respond to local needs, it is recommended that ambiguous wording throughout the document be clarified. For instance, the terms "public space," "outdoor playing space" and "adjacent to water" can be interpreted in many ways and require clarification.

Service Related Elements

The proposed standards do not provide technical requirements for service counters and fixed queuing guides. This may lead to inconsistent application and levels of accessibility across the Province. It is recommended to include specific technical requirements for service counters and fixed queuing guides to encourage equal access.

Accessible Parking

While York Region acknowledges the value of prescriptive requirements for consistent implementation, in the case of the requirement for four per cent accessible parking spaces, the Province should consider allowing for discretion in application to meet local needs.

Alignment with Other Standards

The proposed *Exterior paths of travel, curb ramps* standards (Section 80.25(1)) and the *Ontario Provincial Standard Drawing* (OPSD) (Section 310.030) do not align. The OPSD provides technical guidelines that were adopted as best practice by many municipalities, including York Region. The proposed standard prescribes a maximum cross slope of curb ramps below the OPSD threshold, which may lead to hazardous conditions. It is recommended to align the proposed standards with the OPSD and any other applicable provincial guidelines.

Accessible Pedestrian Signals

The proposed requirement prescribes the installation of accessible pedestrian signals at all new pedestrian street crossings and when replacing existing pedestrian signals. In some rural areas, there are intersections that do not have pedestrian paths of travel leading to it. It is recommended to exempt from this requirement pedestrian crossings that are not connected by a pedestrian path of travel because they are not being utilized by pedestrians.

In addition, York Region supports the requirement to provide announcements where two pushbutton assemblies are installed on a single post. However, it is suggested that the intended objective would be better achieved through the use of a tone or vibration signal rather than verbal announcement to accommodate people with all types of sensory disabilities.

Reporting Requirements

The proposed standards increase the reporting requirements and include reporting on maintenance procedures in the multi-year accessibility plans and the steps taken to comply with the IASR requirements within status reports. These reporting requirements and those in the IASR and the *Ontarians with Disabilities Act* (ODA) are administratively burdensome. Currently, York Region is required to submit a multi-year accessibility plan, annual accessibility status report and provide an accessibility report to the Province within the next two years. Some consideration should be given to the timely repeal of the ODA and the frequency of reporting requirements to allow municipalities to focus resources on implementation.

Priority Seating

York Region is pleased with the proposed change of the term “courtesy seating” to “priority seating.” This is a welcomed amendment that will allow for fair service and alignment with the spirit of the Ontario Human Rights Code which ensures that every person, regardless of abilities, has the right to equal treatment with respect to service, goods and facilities.

Municipal Funding

The proposed standards will impose additional financial costs on municipalities without the accompanying funding to implement them. York Region recommends that the Government consider a funding formula that cost-shares implementation expenditures in a way that does not place undue burden on local municipal budgets and staffing resources.

I am pleased to report that York Region has been breaking barriers to accessibility by integrating accessibility into business practices and processes across the Region. Since 2005, York Region

has implemented over 700 accessibility initiatives making Regional programs, services and facilities more accessible.

In 2012, York Region received the Excellence Canada – Ontario Accessibility Award from People Access, recognizing excellence in implementing the requirements of the *Accessibility Standards for Customer Service Regulation* under the AODA and for going above and beyond to serve people with disabilities. York Region takes pride in its reputation as an industry leader and accessibility champion.

In conclusion, York Region is committed to the successful implementation of the AODA. These recommendations have been provided to help ensure that AODA objectives are met in a way that reflects local issues and needs, respects municipal capacity, resources and the progressive work we have done to better serve people with disabilities. We appreciate the opportunity to provide input on the proposed *Design for Public Spaces Standards* and amendments to the IASR as we move one step closer to an accessible Ontario.

Yours truly,

A handwritten signature in cursive script, appearing to read "Bill Fisch".

Bill Fisch
Chairman and CEO

York Region Accessibility Advisory Committee Terms of Reference

1.0 Mandate

The York Region Accessibility Advisory Committee (YRAAC) shall assist Council in making it easier for people with disabilities to access York Region's programs, services and facilities by advising on the implementation of the *Ontarians with Disabilities Act, 2001* (ODA) and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) in York Region.

The YRAAC shall also assist Council in realizing the Region's long term corporate strategies and vision expressed in Vision 2051 which includes improving social and health supports in York Region.

1.1 ODA Mandate

The YRAAC will advise the Region, including York Regional Police, on the implementation and effectiveness of the accessibility planning requirements of the ODA which focus on the identification, removal and prevention of barriers to people with disabilities.

1.2 AODA Mandate

The YRAAC will advise the Region, including York Regional Police, on the requirements and implementation of the accessibility standards and 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" 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; 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*. **REMOVE** ("handicap"); consistent with Ontario Human Rights Code and Accessible Customer Service Policy.

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

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

2.4 “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.

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 Council through the Community and Health Services 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 and Health Services Committee and Council regarding the (**REMOVE** annual) accessibility plan (which is approved by 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, services and facilities;
- (b) At the beginning of each term, the YRAAC 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, YRAAC members will provide strategic advice to Community and Health Services Committee and 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*

The YRAAC will advise on the Region’s implementation of the requirements of the AODA and shall be responsible for the following:

- (a) Advise Community and Health Services Committee and Council about the requirements and implementation of accessibility standards and 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 and Health Services Committee and 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.

4.4 Other Duties

- (a) Establish subcommittees/working groups of its members, with 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 2.2 above;
- (b) Up to three members of Council, including one member from the Community and Health Services Committee, plus the Regional Chairman and CEO as an ex-officio member, will be on the YRAAC;
- (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 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 REMOVE The YRAAC – AODA Subcommittee will be appointed by Council and will be comprised of members from the YRAAC including: up to three members from Council and two citizen members.

5.4 Qualifications

- (a) Except as provided in paragraph (b) of this section, members of the YRAAC shall be qualified electors of York Region pursuant to the *Municipal Elections Act*;
- (b) Members who are appointed to the YRAAC 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 does 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 a maximum of two (2) consecutive Council terms subject to Council approval. In the event of a mid-term appointment, the maximum term of a member shall not exceed eight (8) consecutive years;
- (b) The membership will be reviewed annually by 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; and fulfillment of the requirements of the *Membership Responsibility Agreement* (Appendix 1);
- (c) Citizen members who have served for the maximum term as defined in subsection (a) will not be eligible for re-appointment for the next four (4) years.

6.2 Chair and Vice-Chair

- (a) A member of 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;

REMOVE

- (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 and Health Services Committee. Council or the Regional Chairman and CEO 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 YRAAC is an independent representative to the YRAAC 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;
- (e) Members will be subject to the requirements of the *Membership Responsibility Agreement* as outlined in Appendix 1.

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 on the YRAAC (e.g. sign language interpretation services, Braille translation services, transportation, support care services).

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 YRAAC. Appropriate public notice of any location changes for YRAAC meetings must be made.

11.0 Resources

- (a) The ODA/AODA 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 (**REMOVE** an AODA subcommittee of the YRAAC or any other) a subcommittee that may be struck and approved by Council will be determined on an ad-hoc basis dependent on the needs of the subcommittee and the availability of resources;
- (b) The ODA/AODA 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 and Health Services Committee and 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. 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: October 2012

The YRAAC Terms of Reference was approved by Council (**DATE APPROVED**), Report Number (**XX**) of the Community and Health Services Committee

Membership Responsibility Agreement

The York Region Accessibility Advisory Committee (YRAAC) assists Council in making it easier for people with disabilities to access York Region's programs, services and facilities by advising on the implementation of the Ontarians with Disabilities Act, 2001 (ODA) and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) in York Region.

Individual members are subject to the following responsibilities in the carrying out their duties as a Member of the YRAAC. Failure to fulfill these responsibilities may result in the removal of the Member from the YRAAC.

- 1) A YRAAC Member will be considered to have a conflict of interest when the advice given by the YRAAC member in the course of exercising his or her duties directly benefits the Member's personal, financial or business interests.
- 2) The YRAAC Member is ultimately responsible and accountable for using good judgement in the course of exercising his or her duties.
- 3) A YRAAC Member who is asked to speak publicly to an organization or professional association (as a result of their membership on the YRAAC) must notify the Region. YRAAC Members who are speaking at a conference or meeting who are not representing the Region must not appear to represent the opinion or policy of the Region and may not present any information gained as a result of membership on the YRAAC.
- 4) Members approached by the media shall refer all inquiries to the Region's Community and Health Services Department.
- 5) Members shall recognize that information discussed at YRAAC meetings becomes public record.
- 6) YRAAC Members shall not use confidential information shared with the YRAAC about Regional initiatives or use Regional material for business uses without written consent from the Region.

Name of YRAAC Member

Signature

Date

Created: June 2010

Updated: October 2012