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Report To: General Government Committee

Date of Meeting: September 9, 2024 **Report Number:** LGS-031-24

Authored by: Jeannette Whynot, Accessibility Coordinator

Submitted By: Rob Maciver, Deputy CAO/Solicitor, Legislative Services

Reviewed By: Mary-Anne Dempster, CAO

By-law Number: **Resolution Number:**

File Number:

Report Subject: Clarington Accessibility Design Standards

Recommendations:

1. That Report LGS-031-24, and any related delegations or communication items, be received;
2. That the CAO is authorized to approve Clarington Accessibility Design Standards, and to apply the standards to municipally owned facilities unless it is not technically and/or financially feasible to do so;
3. That the CAO is authorized to approve updates to the standards as Provincial Legislation changes and best practices in the industry emerge; and
4. That all interested parties listed in Report LGS-031-24, and any delegations be advised of Council's decision.

Report Overview

This report provides an overview of how the Clarington Accessibility Design Standards (CADS) will support Clarington's Strategic Plan vision of being a connected, dynamic and welcoming community. The CADS will ensure new municipal facilities, and applicable renovation projects, are accessible and inclusive and meet the needs of our diverse community.

1. Background

- 1.1 Clarington's [2024-27 Strategic Plan](#) outlines our vision of being a connected, dynamic, and welcoming community. Inclusion and diversity are key priorities in our Strategic Plan.
- 1.2 Report [LGS-015-24](#) established Clarington's updated Multi-Year Accessibility Plan (MYAP), which reaffirmed the Municipality's commitment to providing our community with goods, services and facilities that are accessible and inclusive to all. It also committed the Municipality to reducing barriers to municipal programs, services, and infrastructure.
- 1.3 The CADS will support these commitments by outlining specific requirements for both accessibility and sustainability in our facilities.

2. Other Municipal Accessibility Design Standards

- 2.1 Ontario municipalities have been creating and/or adopting accessibility design standards since 2005. Recognizing that the *Ontario Building Code (OBC)*, and later the *Accessibility for Ontarians with Disabilities Act (AODA)*, did not provide enough guidance on how to make spaces accessible, municipalities took it upon themselves to create their own guides and standards. These standards provided prescriptive guidance on how to make their facilities and spaces accessible.
- 2.2 The City of Toronto created their first Accessibility Design Guidelines in 2005 and updated them in 2021. The City of London created their own Accessibility Design Guidelines in 2007 and most recently updated them in 2021. The City of Markham established their own in 2011 and revised it in 2022. The Town of Oakville developed their Universal Design Standards in 2015 and revised them in 2018 and 2020.
- 2.3 Municipalities across Ontario have been adopting the Design Standards from Toronto, London, Markham and Oakville since they were published.

3. Clarington Accessibility Design Standards

- 3.1 It is proposed that the CADS would inform the design stages of all new construction and extensive renovations in municipally-owned facilities. It is a best practices document on how to make buildings and other municipal spaces as inclusive and accessible as possible.
- 3.2 The CADS are intended to provide an accessible, inclusive, and user-friendly built environment through design and with the thoughtful use of materials and equipment. It reconciles legislative requirements from the OBC and AODA and incorporates recent ergonomic research from the United States, and best practices from other Canadian municipalities and organizations. All the accessibility design requirements use Universal Design Principles as the core principle. The following illustrate the types of standards within CADS as they relates to the legislative requirements:
- The OBC requires a turning radius of 1700mm in a universal washroom. Ergonomic research has demonstrated that this turning radius will accommodate 70-80% of mobility devices. To ensure universal washrooms are truly inclusive, the CADS requires universal washrooms to have a 2500mm turning radius because it will accommodate 95-100% of mobility devices.
 - The AODA requires service counters to be usable by a person in a seated mobility aid (i.e. wheelchair) but does not explicitly outline what height the counter should be, or the knee clearance needed. The CADS offers explicit measurements, based on ergonomic research and known best practices, to ensure service counters are accessible.
 - The CADS also provides guidance on things that impact accessibility but which are not addressed by the OBC or AODA. For example, the CADS describes how to use paint to ensure colour contrast for doors and walls. It also describes where to place room signage and how to create inclusive office spaces.
- 3.3 If complying with aspects of the CADS is found technically unfeasible, or financially prohibitive, the minimum requirements in the latest edition of the OBC, AODA, or other applicable code shall govern. The goal of the CADS is to ensure it is implemented as much as possible, within reason.
- 3.4 It is anticipated that the applicable department/project lead, on an applicable municipal project, will consult with the Senior Leadership Team to determine the feasibility and financial implications of the design that goes beyond OBC, and the AODA and will consider input from Clarington's Accessibility Coordinator when making their decision.

- 3.5 This document will give Municipal staff a reliable resource to further Council's goals of being an accessible and inclusive community.
- 3.6 Since the CADS is operational in nature, it is appropriate that the CAO be delegated with the authority for approval. This authority would extend to any future updates that are needed to keep the CADS current. Attachment 1 is a current draft of the proposed CADS.

4. Financial Considerations

- 4.1 There are no specific financial impacts resulting from the recommendations in this report. As the CADS is applied to projects, there may be financial impacts depending on what the project involves. Any costs associated with following the CADS will be captured through capital budgets. Many of the accessibility guidelines will have no, or limited, financial considerations.

5. Strategic Plan

L.2.5. Maintain, protect and invest in Municipal infrastructure and assets.

C.3.1: Recognize and celebrate the growing diversity of the community.

C.3.2: Reduce barriers to municipal programs, services and infrastructure.

6. Concurrence

This Clarington Accessibility Design Standards have been reviewed by the Manager of Infrastructure, and Staff from the Community Services Division who concur with the recommendations of this report.

7. Conclusion

It is respectfully recommended that Council authorize the CAO to approve Clarington Accessibility Design Standards, and to apply the standards to municipally owned facilities unless it is not technically and/or financially feasible to do so.

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Attachments:

Attachment 1 – Draft Clarington Accessibility Design Standards

Interested Parties:

Clarington's Accessibility Advisory Committee