

**COUNCIL MEETING**  
**COMMUNITY SERVICES**

**REPORT CS-2024-08**  
**July 30, 2024**

**SUBJECT:**           **Accessibility for Ontarians with Disabilities Act (AODA)  
Compliance Update**

**CO-AUTHOR:**       **Grant Munday, Director of Planning & Development  
Services**

**CO-AUTHOR:**       **Jessica Ruddell, Director of Community Services**

**APPROVING:**       **Rob Axiak, CAO**

---

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CS-2024-08 – Accessibility for Ontarians with Disabilities Act (AODA) Compliance Update.

**RELATIONSHIP TO STRATEGIC PLAN**

This recommendation is aligned to Council’s strategic priority of ensuring “**Health and Wellbeing**” to promote personal health and well-being by offering an abundance of activities that meet the diverse needs and interests all while, advocating for improved health care throughout the city, and supporting the need for safety and security.

**EXECUTIVE SUMMARY:**

The City is committed to compliance with Accessibility for Ontarians with Disabilities Act (AODA). The purpose of this report is to provide an update on the City’s compliance with AODA and provide information regarding accessibility requirements and progress to date.

In recent years, messaging from the Province of Ontario regarding the deadline for AODA compliance has shifted. The current message from the Province is that the January 1, 2025 date is not a hard deadline for compliance, as they realize that compliance activities go beyond this date, require multi-year accessibility plans, will require compliance reports to the province, etc.

The City of Welland is fully compliant with AODA legislation.

## **BACKGROUND:**

The Accessibility for Ontarians with Disabilities Act (AODA) is a statute enacted in 2005 by the Legislative Assembly of Ontario to develop, implement, and enforce standards for accessibility related to goods, services, facilities, employment, accommodation, and buildings. When the standards were passed into law in 2005, the target date for reaching legislative compliance with this standard was on or before January 1, 2025. This act and targets were set by a minority liberal provincial government at the time.

The AODA applies to every person or organization in the public and private sectors in the Province of Ontario. Public sector organizations, like the City of Welland, with more than 20 employees, must complete and submit the Accessibility Standards Checklist every two years. To achieve compliance, there are a series of requirements including general requirements, information and communication requirements, customer service requirements, employment requirements, design of public space requirements and finally requirements around accessibility advisory committees. The City of Welland's 2023 Accessibility Compliance Checklist, as submitted to Ministry for Seniors and Accessibility on October 27, 2023 is attached as Appendix 1. The Accessibility Compliance Checklist can be audited by the province anytime.

## **DISCUSSION:**

The City of Welland is fully compliant with AODA legislation.

General requirements as outlined in legislation for reports and policies are publicly available on the City's website on the [Accessibility Advisory Committee page](#) in an accessible format including:

- [Accessibility Policy, SER-015-009](#)
- [Multi-year Accessibility Plan \(2018- 2023\)](#)
- [2023 Accessibility Compliance Report](#)

Staff are working to develop an updated Multi-year Accessibility Plan. The previous plan concluded in 2023. The Accessibility Advisory Committee (AAC) will be engaged on this updated plan.

### **Information and communication**

Information and communications requirements as outlined in legislation are also publicly available on the City's website on the [Accessibility page](#). Users of our website are encouraged to provide feedback and submit any requests for how we can improve access to City services. Additionally, the website conforms to World Wide Web Consortium Web Content Accessibility Guidelines 2.0 Level AA.

### **Customer Service**

Customer Service requirements as outlined in legislation are met through mandatory staff and volunteer training and the provision of information in an

accessible information, including large print or braille, in a timely way at no cost. Additionally, communication formats, assistive devices, service animal, support persons, temporary disruption notices are provided throughout our facilities, programs and services.

## **Employment**

Employment requirements as outlined in legislation are met through an Employment Standard policy that supports all persons, including those with disabilities, by identifying, removing, and preventing accessibility barriers that may prevent the full participation of persons with disabilities in the workplace. This includes providing individualized workplace emergency response, individual accommodation plans, accessible formats and communication support for employees, recruitment, assessment, and selection accommodations for applicants with disabilities, support in returning to work, including individual accommodation plans, and support for career development, advancement and redeployment.

## **Design of Public Spaces**

Design of Public Spaces requirements as outlined in legislation are met as this standard only applies to new construction and renovated existing public spaces. Staff ensure that any new construction or redeveloped outdoor public use eating areas, outdoor play spaces, off-street parking, service counters, fixed queuing guides and waiting areas are compliant with the Design of Public Space Standards. Renovation is defined in section 11.3.3.1 of the Ontario Building Code. The City's commitment to the design of public space compliance can be demonstrated through multiple recent projects including Memorial Park Pool, Empire Sportsplex and the Rotary Splash as well as renovation at Maple Park Pool and the Welland Stadium.

On December 12, 2023, Council approved report CS-2023-33 to award a contract to The Herrington Group to perform an assessment of City of Welland facilities and provide a report for the state of their compliance with AODA legislation. The Herrington Group completed the assessment of the City of Welland facilities and submitted their report to staff on March 19, 2024. The report has been included as Appendix 1. This AODA facility audit report provided recommendations for action where existing City facilities do not meet the minimum requirements of legislation, corrective actions, and estimated costs associated with the work. Facilities staff have reviewed the report for completeness and validated the auditor's findings.

Additionally, The Herrington Group has also provided Priority 1, 2 and 3 recommendations for Phase 1 – see Appendix 2. The intent is that staff will complete some Priority 1 recommendations for January 1, 2025. During the 2025 and 2026 budget processes, staff will request additional capital funds to complete additional Phase 1, Priority 2 and 3 recommendations.

## Accessibility Advisory Committees

Accessibility Advisory Committee (AAC) requirements as outlined in legislation are met through the establishment of a dedicated committee. This committee primarily consists of members who have disabilities, ensuring that their perspectives are well-represented. The committee's responsibilities include regularly reviewing site plan drawings to provide expert advice on how to meet and implement accessibility standards. This ongoing review process helps to identify potential accessibility issues and ensures that the design and execution of projects are in line with established accessibility guidelines, promoting inclusivity and usability for all individuals.

As a municipality, we have two options as per the AODA on how we fulfill this requirement:

1. A City of Welland Accessibility Advisory Committee, or
2. A joint accessibility advisory committee with other municipal partners.

Many individual municipalities have elected to use a joint accessibility advisory committee as volunteer resources with the required expertise and insights can be difficult to find. Additionally, joint committees allow municipal participants to leverage learning and expertise from others to further benefits locally.

### **FINANCIAL:**

The Herrington Group, as subject matter experts, have advised that the recommended improvements that impact life safety should be the focus and priority for completion, and efforts for continual improvement for the remaining Priority 1 improvements can be planned and completed through 2025 and 2026, as required.

Included in the report presented by The Herrington Group are estimated costs to complete life safety items, provided by a cost consultant. To meet the requirements of priority items in 2024 as Phase 1, an estimated cost of **\$181,400.00 + HST**, has been provided.

As we know, the City set funding aside in anticipation of these accessibility requirements. Details on the existing approved funding is below:

<b>Funding Source</b>	<b>Remaining Budget Funding</b>
Facilities Accessibility AODA Compliance: 10-430-23465	\$ 42,817.37
Facilities Accessibility Upgrades: 10-430-24454	\$150,000.00
<b>TOTAL FUNDING AVAILABLE</b>	<b>\$192,817.37</b>

The above funding to complete AODA work was approved through the 2023 and 2024 budget processes.

Additional capital funding will be requested during the budget process to complete phase 2 and 3 requirements as outlined by The Herrington Group.

**CONCLUSION:**

The City's commitment to accessibility is evident, with various initiatives underway or completed, as noted above. The purpose of this report is to provide an update on the City's compliance with AODA and provide information regarding accessibility requirements and progress to date.

In recent years, messaging from the Province of Ontario regarding the deadline for AODA compliance has shifted. The current message from the Province is that the January 1, 2025 date is not a hard deadline for compliance, as they realize that compliance activities go beyond this date, require multi-year accessibility plans, will require compliance reports to the province, etc.

The City of Welland is fully compliant with AODA legislation.

**ATTACHMENT:**

Appendix 1 – City of Welland Accessibility Report – Executive Summary  
Appendix 2 – City of Welland Accessibility – Phasing Matrix