Tuesday, September 13, 2016
6:30 PM. – Regular Meeting

Training Room WT-2A
2nd Floor, West Tower – City Hall

Members: Glenda Coupland (Chair)
Frank Raymond (Vice-Chair)
Harvinder Bajwa
Harpreet Bhons
Vicki Faulkner
Sherri Hopkins
Karyn Pelkie
Mary Pettingill
Raymond Shaver
Therese Anne Sidler
Franco Spadafora
City Councillor Pat Fortini - Wards 7 and 8

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact: Chandra Urquhart, Legislative Coordinator.
Telephone: 905-874-2114 or TTY 905-874-2130 or cityclerksoffice@brampton.ca

Note: Some meeting information may also be available in alternate formats, upon request.
Agenda
Accessibility Advisory Committee

Please ensure all cell phones, personal digital assistants (PDAs) and other electronic devices are turned off or placed on non-audible mode during the meeting.

1. Approval of Agenda

2. Declarations of Interest under the Municipal Conflict of Interest Act

3. Minutes
3.1. Minutes - Accessibility Advisory Committee - August 9, 2016

4. Presentations/Delegations
4.2. David Margiotta, Project Manager, Region of Peel, TransHelp, re: Accessible Transportation Master Plan Update.
4.3. Doug Miller, Senior Manager, and Kim Krawczyk, Project Manager, Toronto and Region Conservation Authority, re: Development of a Fitness Trail at Heart Lake Conservation Area.

5. Municipal Accessibility Plan Priorities

6. Other/New Business

7. Correspondence
8. **William Osler Health Centre Accessibility Advisory Committee**

9. **Information Items**

9.1. News Release - **Government of Canada** - What does an Accessible Canada mean to you?

9.2. Toronto Star News Article - **Blind MP to draft Canada's First National Accessibility Law.**

10. **Future Agenda Items**

11. **Construction Projects**

12. **Question Period**

13. **Public Question Period**

14. **Adjournment**

   Next meeting: October 11, 2016
The meeting was called to order at 6:37 p.m. and adjourned at 7:29 p.m.

1. **Approval of Agenda**

   AAC019-2016 That the agenda for the Accessibility Advisory Committee Meeting of August 9, 2016, be approved as printed and circulated.

   Carried

2. **Declarations of Interest under the Municipal Conflict of Interest Act**

3. **Minutes**

   3.1. **Minutes - Accessibility Advisory Committee - June 14, 2016**

   The minutes of the Accessibility Advisory Committee Meeting of June 14, 2016, will be approved by Council on September 14, 2016. The minutes are provided for Committee’s information.

4. **Presentations/Delegations**

5. **Municipal Accessibility Plan Priorities**

6. **Other/New Business**

7. **Correspondence**

8. **William Osler Health Centre Accessibility Advisory Committee**

9. **Information Items**
9.1. Report from Jane Iacobucci, Manager, Council and Administrative Services, re: *Administrative Monetary Penalty System (AMPS) – Program Enhancements Resulting from Ontario Regulation 149/15* (File: Bl.x)

Peter Fay, City Clerk, provided an overview of the subject report. He highlighted the changes to the AMPS program and accessible parking infractions guidelines:

- In accordance with Ontario Regulation 149/15, accessible parking infractions are now subject to the AMPS program
- Previous regulation included a monetary cap of $100 on parking violations under AMPS and did not include accessible parking infractions
- Amendments to the City’s Traffic By-law and Administrative Penalty By-law are required to effect the changes
- Administrative penalty reduction/cancellation guidelines
- Parking penalty infractions and exemptions
- Non-exemptions for parking penalty notices with a valid accessible parking permit

Staff responded to questions and provided clarification regarding the following:

- Comment that snowploughs are impacted by overnight parking on the street in the winter
- Fines for illegal use of accessible parking permits may be as much as $5000
- Enforcing the by-law on accessible permit holders for parking on private property
- Penalty for parking large motor vehicles on the street
- Residents of apartment buildings with an accessible parking permit may be penalised for parking in an accessible visitor parking space

Roberta Van Belkom, Enforcement Officer, introduced Nikolai Belyntsev, Supervisor, Enforcement and By-law Services.

Roberta Van Belkom, Enforcement Officer, provided an overview on the number of accessible parking spaces investigated and orders to comply issued. She provided details on open investigations, the number of tickets issued for parking without a permit and obstruction of the access aisles.

The following motion was considered:

AAC020-2016 That the Accessible Parking Enforcement Update – Q2 2016, to the Accessibility Advisory Committee Meeting of August 9, 2016, be received.

Carried


Wendy Goss, Accessibility Coordinator, provided an overview of the changes to the Accessible Customer Service Standard effective July 1, 2016. The main changes include:

- All employees must receive accessible customer service training
- More health professionals are authorized to recommend the need for a service animal
- Clarification whether a support person is needed to accompany a person with a disability for purposes of health/safety and waving of fee/fare if so determined
- All accessibility standards are now included of the Integrated Accessibility Standards Regulation

Ms. Goss noted that the City has updated its policies to reflect the changes. A quick reference guide was included with the agenda that details the changes.
The following was considered:

AAC021-2016 That the information from Wendy Goss, Accessibility Coordinator, to the Accessibility Advisory Committee Meeting dated August 9, 2016, re: Changes to the Accessible Customer Service Standard – Quick Reference Guide be received.

Carried

9.4. Information re: Changes to Provincial Ministries

Wendy Goss, Accessibility Coordinator, advised that there have been some changes to Ontario Ministries. A Minister responsible for Accessibility has been appointed. The Minister’s role is to ensure that people with disabilities have access to new employment opportunities and realize their full potential and oversee the implementation of the Accessibility for Ontarians with Disability Act.

The following motion was considered:

AAC022-2016 That the information from Wendy Goss, Accessibility Coordinator, to the Accessibility Advisory Committee Meeting dated August 9, 2016, re: Changes to Provincial Ministries, be received.

Carried

10. Future Agenda Items

Staff responded to questions with respect to building improvements from an accessibility perspective in the vicinity of Queen Street and Main Street.

No future agenda items were added.
11. **Construction Projects**

12. **Question Period**

   1. Staff responded to questions on the following:
      a. Size of doorways in stores
      b. Aisle width in stores
      c. Lack of wheelchair accommodation in stores
      d. Counters that in accessible

      Staff advised that doorways would have to be constructed in accordance to the Ontario Building Code. The City has no authority with respect to the interior design of buildings; however, there is a potential for change given the Provincial changes to the Accessible Customer Service Standard.

13. **Public Question Period**

14. **Adjournment**

AAC023-2016 That the Accessibility Advisory Committee do now adjourn to meet on Tuesday, September 13, 2016 at 6:30 p.m. or at the call of the Chair.

Carried
Request for Delegation

Date:  Sept. 13 6:30 p.m.

Agenda Item (if applicable): Bylaw Changes

Name of Individual(s): Keith McKibben

Position/Title: Self - Accessibility changes

Address for Contact: Keith McKibben Amaranth

Note: a delegation is limited to not more than five minutes.

Subject Matter to be Discussed
- Bylaw changes for handicapped person
- Better Conditions Length of Time
- As per sheet of concerns

Note: by submitting a formal presentation to accompany my delegation: □ Yes □ No

If required the following audio-visual equipment/software for my presentation:
□ Computer Notebook □ DVD Player □ PowerPoint
□ Other - please specify: Paper Reports enclosed

Delegates are requested to provide to the City Clerk's Office well in advance of the meeting date: (i) 25 copies of all background material and/or presentations for publication with the meeting agenda and/or distribution at the meeting, and (ii) for PowerPoint and other visual presentations, an electronic copy of the presentation (e.g., DVD, CD, .ppt file) to ensure compatibility with corporate equipment.

Once the above information is received by the City Clerk's Office, you will be contacted by a Legislative Coordinator to confirm your placement on the appropriate agenda.

Information on this form is collected under authority of the Municipal Act, SO 2001, c.25 and/or Planning Act, R.S.O. '90, c.P.13 and will be used in the preparation of the applicable council/committee agenda and will be attached to that agenda. Questions about the collection of personal information should be directed to the Deputy City Clerk, Corporate Services, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, tel. 905-874-2115.
Good morning Mr. McKibbon,

With respect to your concerns about accessible parking in the City of Brampton, I met with my Manager and Director to review what options might be available for you to address these concerns. It seems the best option would be for you to start by making a delegation to our Accessibility Advisory Committee. Minutes from the AAC meeting are sent to Committee and Council for their review and direction.

Our Accessibility Advisory Committee is scheduled to meet on the second Tuesday of each month at 6:30 pm on the second floor of the West Tower (the new extension of City Hall). Potential AAC meeting dates are August 9, September 13 and October 11. I have attached a copy of the delegation request form that we would need you to complete and return to our Legislative Coordinator, Chandra Urquhart prior to the meeting. If you have any questions about completing the form, please contact Chandra @ 905-874-2114 or by email at chandra.urquhart@brampton.ca.

Just to confirm the items that I believe you would like to speak to are:

- The use of accessible parking spaces and access aisles for the parking of non-vehicular transportation - wheelchairs, scooters, e-bikes etc.;
- Wait times for answering calls to Enforcement (e.g. the offender is gone before someone can get through and/or an Enforcement Officer attends); and
- The ability to have residents/parking space users record information like license plate and vehicle make/model and vehicle colour for people misusing the accessible parking spaces (no permit), have that information given to Enforcement and have a warning letter sent out.

Accessibility training for Bylaw department

Should you have any questions, please do not hesitate to contact us.
November 29 2015

2 Wellington Street West,
Brampton, Ontario.
L6Y4R2

Attention Wendi Hunter: As per discussion about Handicap Parking

I met with the Orangeville By Law Department and the lady that enforces it to get the by law changed:

1. Fines be changed to a maximum of $5,000
2. Must have a handicapped person with them. This is being abused badly. After people are deceased, some people continue to use the handicap sticker.
3. Permits to be renewed every 3 years, not the 6 years now. They are going to the Government to get a change of time.
4. Bylaw phone numbers on the sign for Monday to Friday and police phone numbers for afterhours and weekends. They made new small signs like your city has.

I was at the McDonalds at 50 Kennedy Road. I was parked in the handicap spot by the south entrance. I got to the doors and noticed an elderly couple trying to get in the doors. The wife was in a wheelchair. They had to park south of the through traffic lane, probably 100 feet away from the doors. I helped them in. It is very difficult to get in the doors maneuvering a wheelchair. I went to the doors facing west at Kennedy Road. These doors are accessible and there was 3 or 4 parking places. I told the lady in the wheelchair I was going to speak to the manager. She said it was easier and more economical to make the doors accessible than change the signs and make the ramp. I spoke to someone in the by law department and was told they would go to the McDonalds and check the accessibility. I was told they would be given 14 days to comply or be shut down. Three weeks later I went and spoke to Wendy in the by law department.

On November 26 I went and spoke to Wendy about the McDonalds on Kennedy Road. She told me before that she thought I had it being done. I said that it is not up to me to tell the owners. Wendy said they would not tell McDonalds they had 14 days to fix it or be closed down. Well, they did!

Wendy was very upset with me and said didn’t know who I was talking to as there are over 50 people working in the bylaw department. She told her there should not be any problem sending someone there to speak up for the handicapped. She said they could not tell people what to do. Wendy said she thought I had spoken to the manager. I had but I do not have the authority of the by law people. This has gone on far too long.

September 9, 2015 in Brampton, a vehicle backed into the handicapped parking. A lady was talking on her cell phone. I had taken the vehicle licence plate number, the make and the colour. I phoned the bylaw office and it took 15 minutes to get someone on the phone. The vehicle left. The officer told me they could do nothing if the car was gone. She told me to phone the police department. They told me they could do nothing because it was not in the bylaws. I went to the City Hall and told the lady on the second floor that I wanted the bylaw changed so that the police can send a warning letter to the offenders.

The next day a lady phoned me and asked if I wanted bylaw changed. I said yes. I thought she said her name was Sal. I told her what happened and to let me know the results as this was not stopping here.
I have had MS for 40 years and I have to use handicapped parking now that I have had a fall. In 1991 I took on the Federal and Provincial government because they did not allow RRSP’s on disability income. I got legislation changed for 230,000 Canadians. Now it is called wage loss replacement income and RRSP’s are allowed. Deanna Grotzinger of MS Canada said that it was a David and Goliath situation taking on the governments and I WON.

I feel for the people with disabilities. I have been there for 40 years and learned to live on a lower income. Then when I became 65, I had less income again. Now I am 76 and we need disabled people to be taken care of.

I would like this letter to be taken to Council and see that justice is done. I don’t want another 3 months of aggravation.

Andrew of the By Law department spoke to me and gave me Roby T 905 458 3424 ext 63211. I phoned at least 3 times long distance and left messages with my phone number. There was no return call.

I have been talking to Shelburne about their handicapped parking situation. We will be having a meeting. They have one small mall with no handicapped parking. In the last 2 weeks there has been illegal parking at Shelburne Home Hardware. One had been paged to move and the other left before getting told.

Obviously I could write a book on these items. I did receive a letter thanking me for my efforts on handicapped parking by the Town of Orangeville. The rights of handicapped people to handicapped parking needs to be recognized. If nothing is said nothing happens.

Keith McKibbon

Amaranth, ON
This letter, hand delivered, all started September 2015.

Letter to go to Council never did

Approximately 2 months later, hand delivered a copy up to the Mayor on the 6\textsuperscript{th} floor. Mayor Lynne Jeffries called me 4 days later and thanked me for taking the time to take it to her. She would turn it over to the Accessibility Committee.

About two months later, I phoned Wendy Goss and nothing had come across her desk. Wendy Goss said she would get the letter from Wendy Hunter. She said she would be in touch. She was. I met with Wendy Goss and her secretary about by law changes. We had a satisfactory meeting and I would get copies for September 13 at 6:30 West Tower 2\textsuperscript{nd} floor.

1991 with the Federal government took 6 months. It is hard to understand people not wanting to get involved for the handicapped.
Introducing...

Home 2 (to) Hub – Pilot Project
What is Home 2 Hub?

People with disabilities have transportation options. Every day, many people with disabilities use conventional transit services to go to school, work or the mall. The Home to Hub (H2H) pilot project is an opportunity for TransHelp to learn about transit integration so it can better provide service to its clients.
How does it work?

Change of Service Delivery

to

return
How does it work? (continued)

1. Identify participants and eligible trips
2. Participant picked up at home by TransHelp
3. Participant dropped off by TransHelp at Conventional Transit Hub
4. Participant takes conventional transit to destination
How does it work?
(continued)

TransHelp takes Participant to home

Participant is dropped off at conventional transit hub and picked up by TH

Participant takes conventional transit from original destination
Why were people interested in participating?

- Conventional Transit in Brampton and Mississauga is nearly 100% accessible
- AODA Compliance
- By connecting with Conventional Transit, TransHelp clients can take more trips to more locations at more flexible times
- To leave a legacy and be a champion of promoting an integrated approach to transit in Peel
- Conventional Transit in Brampton and Mississauga is nearly 100% accessible
Who are some of our volunteer ambassadors?

**Participant # 1** is 47 years old. He uses a motorized scooter to get around. Every Monday, he goes from home to the Brampton Senior Centre. In the Home 2 Hub Pilot, he takes TransHelp to go from home to the Bramalea Go Station, where he boards the 15a Bramalea bus that takes him to his destination. The bus stop at the Bramalea Go, as well as at his destination is fully accessible.

**Participant # 4** is 17 years old. He is very excited about getting an internship with a company in downtown Toronto to finish off his summer. As a Home 2 Hub participant, he will take TransHelp to Clarkson Go Station, where he will then take the Lakeshore Go Train to Union Station. He will then transfer over to WheelTrans that will take him the rest of the route to his destination. He plans on doing this every weekday, there and back, for one month. He also plans on using the Go Transit support system that will have a Go Attendant help him on and off the train both ways. He uses an electric chair to get around.
Early Results

- 5 TransHelp Clients started the pilot on July 25
- 81 anticipated trips completed through Home 2 Hub by the end of August
- Participants have reported that they love the flexibility of taking integrated trips!

Reporting back to AAC

Once the pilot finishes and feedback is collected and organized – we will share with you the experiences and lessons learned.
The FUTURE of TransHelp

Question: What’s your advice on ways to engage our community and keep the larger audience informed?
Questions?

David Margiotta, Program Manager, ATMP
David.Margiotta@peelregion.ca

Mike Bechard, Project Advisor, ATMP
Mike.bechard@peelregion.ca
Delegation Request

Please complete this form for your request to delegate to Council or Committee on a matter where a decision of the Council may be required. Delegations at Council meetings are generally limited to agenda business published with the meeting agenda. Delegations at Committee meetings can relate to new business within the jurisdiction and authority of the City and/or Committee or agenda business published with the meeting agenda. All delegations are limited to five (5) minutes.

Attention: City Clerk’s Office, City of Brampton, 2 Wellington Street West, Brampton ON L6Y 4R2
Email: cityclerksoffice@brampton.ca Telephone: (905) 874-2100 Fax: (905) 874-2119

Meeting: □ City Council □ Corporate Services Committee □ Economic Development Committee □ Planning & Infrastructure Services Committee □ Community & Public Services Committee □ Accessibility Advisory Committee

Meeting Date Requested: Tuesday August Agenda Item (if applicable): Heart Lake Fitness Trail

Name of Individual(s): Kate Pankov, Doug Miller (Senior Manager)

Position/Title: Supervisor, Business Development Special Projects

Organization/Person being Represented: Toronto and Region Conservation

Full Address for Contact: 5 Shoreham Dr. Downsview, ON M3N 1S6

Telephone: (416) 261-6600 x. 6418 Email: kpankov@trca.on.ca

Subject Matter to be Discussed: Development of a Fitness Trail at Heart Lake Conservation Area

Action Requested: Seeking input and feedback from AAC on trail, equipment, etc.

A formal presentation will accompany my delegation: □ Yes □ No

Presentation format: □ PowerPoint File (.ppt) □ Adobe File or equivalent (.pdf) □ Picture File (.jpg) □ Video File (.avi, .mpg) □ Other:

Additional printed information/materials will be distributed with my delegation: □ Yes □ No □ Attached

Note: Delegates are requested to provide to the City Clerk’s Office well in advance of the meeting date:
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HEART LAKE CONSERVATION AREA
OUTDOOR FITNESS EQUIPMENT

Brampton Accessibility Advisory Committee
September 13th, 2016
Agenda

1. Property Overview
2. Master Plan Summary
3. Outdoor Fitness Equipment
4. Accessible Equipment Site Details
5. Project Schedule
Property Overview

[Image of property overview map]
Heart Lake Conservation Area

**Amenities:**
- Washrooms
- Pool and Splash Pad
- Picnic Sites
- Boat Rentals
- Tree Top Trekking Ropes Course
- Trails
- Pets Permitted on Leash

**Open Daily April 30 – October 10**
- May: 9am – 6pm
- June/July: 9am – 9pm
- August: 9am – 8pm
- September Mon-Fri: 9am – 4pm
  Sat – Sun: 9am– 7pm
- October Mon - Fri: 9am – 4pm
  Sat – Sun: 9am – 6pm
Outdoor Fitness Equipment
Site 31: Accessible Opportunities

- Close proximity to parking
- Suitable grades
- Centrally located
Site 31: Equipment; Parking; Path
Mobile Equipment
Instructions on Use

Instructional Signage

Mobile Applications
## Project Schedule

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Open to the public: Spring 2017
What does an accessible Canada mean to you? Be part of the conversation.

Online consultations now open to inform the development of planned accessibility legislation

July 13, 2016          Ottawa, Ontario          Employment and Social Development Canada

The Government of Canada is leading a national consultation process to inform the development of legislation that will transform how the Government of Canada addresses accessibility. Starting today, Canadians can participate in the online component of this national consultation process and share their ideas on how to improve accessibility and the inclusion of Canadians with disabilities. Canadians are encouraged to participate in the online consultation by completing a questionnaire available in English, French, American Sign Language or Langue des signes québécoise and in their preferred format such as digital, handwritten, video or audio submissions. Canadians can provide their input online or by telephone, mail, email, fax and TTY.

The Government of Canada is seeking input to inform the development of this planned new legislation, including:

- feedback on the overall goal and approach;
- to whom it could apply;
- what accessibility issues and barriers it could address;
- how it could be monitored and enforced; and
- what else the Government of Canada could do to improve accessibility.

In-person consultations, including roundtable and public sessions, will start in September across Canada. Canadians are also encouraged to follow @AccessibleGC on Twitter, Accessible Canada on Facebook and to follow the hashtag #AccessibleCanada. The consultation process will run until February 2017.
The Government of Canada is committed to eliminating systemic barriers and delivering equality of opportunity to all Canadians living with disabilities and to ensuring all Canadians are able to participate equally in their communities and workplaces. This consultation is an important step in this direction.

Quote

“I am excited to start hearing from Canadians on how we can better address accessibility issues. This is a big step in helping to ensure our communities become more inclusive for all Canadians. From the beginning, it has been our goal to do things differently; to involve Canadians in the matters that affect them. The feedback we hear through this process will help shape the new legislation.”

– The Honourable Carla Qualtrough, Minister of Sport and Persons with Disabilities

Further information

News Release: What does an accessible Canada mean to you?
Planned Accessibility Legislation
Marrakesh Accession
#AccessibleCanada

Contacts

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Press Secretary
Office of the Minister of Sport and Persons with Disabilities
819-934-1122 / TTY: 1-866-702-6967

Media Relations Office
Employment and Social Development Canada
819-994-5559
media@hrsdc-rhdcc.gc.ca
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Backgrounder

Consultation to Inform the Development of Accessibility Legislation
Minister Qualtrough, Canada’s first Minister of Sport and Persons with Disabilities, was mandated by the Prime Minister to lead an engagement process with Canadians – including Canadians with disabilities, provinces, territories, municipalities, and other stakeholders – that would inform planned legislation to transform how the Government of Canada addresses accessibility.

The consultation process is open from July 2016 until February 2017. Starting now, Canadians are able to participate in the online consultation by completing a questionnaire available in English, French, American Sign Language or Langue des signes québécoise and in the preferred format such as digital, handwritten, video or audio submissions. Canadians can provide their input online or by telephone, mail, email, fax and TTY.

Starting in September, in-person public consultations are planned to take place in the following cities:

- St. John’s, Newfoundland and Labrador
- Halifax, Nova Scotia
- Charlottetown, Prince Edward Island
- Moncton, New Brunswick
- Québec City, Quebec
- Montréal, Quebec
- Ottawa, Ontario
- Toronto, Ontario
- Thunder Bay, Ontario
- Winnipeg, Manitoba
- Regina, Saskatchewan
- Calgary, Alberta
- Edmonton, Alberta
- Vancouver, British Columbia
- Victoria, British Columbia
- Iqaluit, Nunavut
- Yellowknife, Northwest Territories
- Whitehorse, Yukon

As well, Minister Qualtrough is planning a number of more focused roundtable discussions with key stakeholders.

For the most up-to-date information on in-person venues and dates, and to participate online, please visit www.Canada.ca/Accessible-Canada.

Marrakesh Treaty

On June 30, Canada became the 20th country to accede to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, which will bring the Treaty into force in three months’ time on September 30, 2016.
The accession to this Treaty comes after the Act to Amend the Copyright Act (access to copyrighted works for other subject-matter for persons with perceptual disabilities) has received royal assent. These amendments mean that Canadians who are visually impaired or print disabled will have better access to books and other copyrighted materials.

The Government of Canada is providing $2 million in funding this year to Canadian National Institute for the Blind (CNIB) through the Social Development Partnerships Program – Disability component to continue to support CNIB in its production of alternate format published materials for people with print disabilities. People with print disabilities include those with visual impairments, people with impairments which affect reading comprehension (such as learning disabilities), and people who are unable to hold or turn the pages of a book.

**Enabling Accessibility Fund**

The Enabling Accessibility Fund (EAF) was originally announced as a three-year, $45-million program to support community-based projects across Canada. It was then renewed for another three years prior to being renewed on an ongoing basis at $15 million per year to continue to improve accessibility for Canadians with disabilities. Since its creation, the EAF has funded over 2,300 projects.

The EAF offers up to $50,000 in funding. Project costs will be shared between the recipient and government. Contributions equal to or greater than 35 percent of the total eligible costs of the project must be provided by sources other than the federal government (which can include the applicant’s own organization). This call for proposals will close on July 26, 2016.

For more information about how to submit proposals, please visit [www.Canada.ca/Accessible-Canada](http://www.canada.ca/accessible-canada).

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**Date modified:**
2016-07-13
Government of Canada activities and initiatives

Apply now to the PM's Youth Council

If you are aged 16 to 24, now is your chance to apply to become a member of the PM’s Youth Council.

Tell visiting family and friends about eTA

Canada's entry rules have changed. Tell visiting family and friends about eTA (Electronic Travel Authorization).

Rio 2016 Olympic and Paralympic Games

Sport Canada is involved in international sport events such as the upcoming Olympic and Paralympic Games in Rio in 2016 by coordinating with government and sport partners as well as supporting the official federal government delegation that represents Canada at the Games.
Accessibility Legislation

What does an ACCESSIBLE CANADA mean to you?

DISCUSSION GUIDE
What does an accessible Canada mean to you?

This publication is available for download at canada.ca/publicentre-ESDC

It is also available upon request in multiple formats (large print, Braille, audio cassette, audio CD, e-text diskette, e-text CD, or DAISY), by contacting 1 800 O-Canada (1-800-622-6232). By teletypewriter (TTY), call 1-800-926-9105.

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ESDC
Cat. No.: SSD-160-06-16
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Message from the Honourable Carla Qualtrough, Minister of Sport and Persons with Disabilities

In Canada we’ve made considerable progress in making our society more inclusive. We see this throughout our communities. But there is still work to do.

Canadians with disabilities continue to face barriers in their daily lives. Persistent gaps remain in areas such as employment, income and social inclusion.

As Minister of Sport and Persons with Disabilities, I have been asked to lead a consultation process that will inform the development of new accessibility legislation.

Canadians with disabilities, their families, and the organizations that represent them have been integral to many of the advancements Canada has made in accessibility. To draw on this knowledge and experience, as well as that of businesses, community organizations and government partners, the Government of Canada is conducting consultations to gather input on options for the new legislation.

We have a long road ahead, but this is a big step in helping to ensure our communities become more inclusive for all Canadians.

What does an accessible Canada mean to you? Please take the time to participate in our online consultation or attend one of our in-person public sessions.

Together, we will make history.
1. Consultation Objectives

Canadians, communities and workplaces benefit when everyone can participate equally in everyday life. There has been much progress in making our society more inclusive, but we can do better.

This is why the Government of Canada is committed to developing new accessibility legislation to promote equality of opportunity and increase the inclusion and participation of Canadians who have disabilities or functional limitations.

Many Canadians continue to face barriers that affect their ability to participate in daily activities that most people take for granted. These could include:

- physical and architectural barriers that impede the ability to move freely in the built environment, use public transportation, access information or use technology;
- attitudes, beliefs and misconceptions that some people may have about people with disabilities and what they can and cannot do; and
- outdated policies and practices that do not take into account the varying abilities and disabilities that people may have.

In developing this new legislation, the Government of Canada is consulting Canadians both in person and online.

The Government of Canada is seeking your ideas for this new legislation, including:

- feedback on the overall goal and approach;
- whom it should cover;
- what accessibility issues and barriers it should address;
- how it could be monitored and enforced;
- when or how often it should be reviewed;
- how and when to report to Canadians on its implementation; and
- how to more generally raise accessibility awareness and support organizations in improving accessibility.

How to Participate

The purpose of this guide is to encourage and facilitate discussion. Questions are included throughout to solicit your views on what the legislation could look like.

There are several ways for you to get involved: attend one of the many in-person engagement sessions taking place in communities across the country, participate online, or provide your comments by email, phone, fax, TTY, ASL and LSQ video, or mail. Contact information is provided in the section entitled “How to Reach Us” at the end of this guide.

All of the feedback we receive will be incorporated into reports that will be made available online on the consultation website at [Canada.ca/Accessible-Canada](http://Canada.ca/Accessible-Canada) and in alternate formats, on request.
2. **Attitudes and Awareness**

We all have a role to play in improving accessibility. From individuals to community organizations, businesses to governments, there are actions we can take to build a more inclusive society.

Accessibility legislation is an important step. Experience shows, however, that no matter how well designed legal measures are, legislation on its own is only part of the answer. To achieve lasting change, accessibility has to become part of our everyday thinking.

To help do this, legislation would be complemented by various initiatives to raise awareness of the importance and benefits of accessibility and of what individual Canadians and organizations can do, in general, to improve accessibility and remove barriers.

Ultimately, the objective is for all of us to see accessibility differently—not as a series of boxes to check off to show we’ve done the minimum required, but as an integral part of everything we do.

**Questions for feedback**

- How can the Government of Canada raise awareness of and change attitudes in relation to accessibility (in the short term and long term)?
- How can the Government of Canada show leadership in improving accessibility and removing barriers for Canadians with disabilities?
- Do you have examples of collaborative models that have led to the creation of shared expectations and sustained culture change within organizations in relation to accessibility?

3. **Background and Context to the Development of Accessibility Legislation**

3.1. **Canada’s Constitutional Framework**

In Canada, lawmaking power is divided between the Parliament of Canada and the provincial and territorial legislatures. The Parliament of Canada passes laws in areas under federal jurisdiction, such as banking, broadcasting and cross-border transportation. Provincial/territorial legislatures pass laws in areas such as education, social assistance and municipal government.

Accessibility legislation passed by Parliament would apply to organizations and areas under federal jurisdiction.
3.2. Making Laws at the Federal Level

Legislation has two main parts: An Act and regulations.

An Act is a law that has been passed by the Parliament of Canada. It is a legal statement that sets out goals in a particular area and provides authority to carry out certain activities. A draft act, called a bill, is introduced to Parliament and requires the approval of the House of Commons, the Senate and the Governor General of Canada to become law.

Regulations, which are sometimes referred to as delegated or subordinate legislation, set out the specific rules and procedures for carrying out the goals of an Act. Like Acts, they have binding legal effect. However, they are not made by Parliament, but by persons or bodies to whom Parliament has delegated the authority to make them, such as the Governor in Council (Cabinet), a Minister or an administrative agency. Authority to make regulations must be expressly delegated by an Act.

3.3. Existing Federal Law in Relation to Canadians with Disabilities

Canada has a number of laws in place that protect the human rights of Canadians with disabilities and promote income security and equal employment opportunities. These include, for example, the Canadian Charter of Rights and Freedoms, the Canadian Human Rights Act and the Employment Equity Act. As well, the Government of Canada has standards and regulations in a number of areas—including broadcasting, telecommunications and transportation—to improve accessibility and remove barriers for Canadians with disabilities.

In general, Canada’s current legal approach to disability is focused on protecting the human rights of Canadians with disabilities and relies on individual complaints to address what can be larger, systemic issues. In our system, the onus is usually on the person who has experienced discrimination to then seek recourse. This process can be challenging for individuals and has been slow to address ongoing inequalities and lack of accessibility.

It is envisioned that, by taking a proactive and systemic approach to improving accessibility and removing barriers, legislation would complement the laws that already exist in Canada to protect the human rights of Canadians with disabilities and build on existing federal accessibility standards and regulations.

Canada’s ratification of the Convention on the Rights of Persons with Disabilities in March 2010 reaffirmed the Government of Canada’s commitment to ensure greater accessibility and opportunities for persons with disabilities. The Convention covers a wide range of topics related to accessibility and inclusion. For example, Article 9 of the Convention calls on governments to take appropriate measures to ensure persons with disabilities have access, on an equal basis with others, to the physical environment, to transportation, to information and communications, and to other facilities and services open or provided to the public. Accessibility legislation will support the Government of Canada’s ongoing implementation of the Convention.

3.5. Accessibility Laws in Other Jurisdictions

Various countries around the world have introduced accessibility legislation, including, for example, the United States (Americans with Disabilities Act; ada.gov (only available in English)) and Australia (Disability Discrimination Act; humanrights.gov.au (only available in English)). In Canada, Ontario (Accessibility for Ontarians with Disabilities Act; Ontario.ca/page/accessibility), Manitoba (Accessibility for Manitobans Act; accessibilitymb.ca) and Quebec (Loi assurant l’exercice des droits des personnes handicapées en vue de leur intégration scolaire, professionnelle et sociale; ophq.gouv.qc.ca) have introduced such legislation. Nova Scotia has announced its intention to do so, and British Columbia, as part of its Accessibility 2024 action plan, has said that it will consult on options for legislation in that province.

Each of these laws takes a different approach to improving accessibility—some, for example, take a regulatory approach, while others use less prescriptive performance goals—which reflects the unique circumstances of each jurisdiction. We can, however, still learn from the experiences of these other jurisdictions. For example, how were individuals and organizations engaged in the development of the laws, and what supports are provided to help organizations improve accessibility and remove barriers?
4. Topics for Discussion on Accessibility Legislation

4.1. What is the goal of the legislation?

The overall goal of the legislation is to increase the inclusion and participation of Canadians in society and promote equality of opportunity by improving accessibility and removing barriers in areas of federal jurisdiction.

Questions for feedback
- Do you have any input regarding this goal?
- How should the legislation define “accessibility” and/or “barrier”?

4.2. What approach should the legislation take to improve accessibility and remove barriers?

Research suggests that accessibility legislation in other jurisdictions has taken one of two broad approaches: 1) a prescriptive approach that sets out specific accessibility requirements in law or 2) an outcome-based approach that identifies desired outcomes and establishes a planning and reporting process that organizations are to follow to achieve those outcomes. These approaches aren’t mutually exclusive, however, and aspects of one can be used in the other.

Prescriptive Approach

With a more prescriptive approach, the legislation could:
- provide authority for the Government of Canada to use regulations to establish detailed accessibility standards in areas of federal jurisdiction;
- describe the process or processes that the Government would use to develop the accessibility standards, as well as the areas or activities to which the standards would apply; and
- describe compliance measures that the Government would use to ensure the accessibility standards have been implemented appropriately.
Outcome-Based Approach

With an outcome-based approach, the legislation could set accessibility objectives that organizations would then try to achieve. With this approach, the legislation could enable collaborative processes for organizations to, for example, develop, publish and implement accessibility plans that would set out specific goals and commitments, as well as strategies for meeting those goals. Compliance could be monitored through measures such as reporting requirements and periodic reviews.

Questions for feedback

- Overall, which approach or approaches do you think would be best for accessibility legislation? Are there other approaches that you would suggest?
- If a prescriptive-type approach were to be taken, do you have any input on how standards could be developed?
- If an outcome-based approach were to be taken, do you have any input on how accessibility outcomes could be established?

4.3. Who should be covered by the legislation?

The legislation will outline the types of organizations to which it will apply. Within federal jurisdiction, the legislation could potentially apply to:

- Parliament of Canada
- Departments, agencies and institutions of the Government of Canada
- Federal Crown corporations
- Federally-regulated businesses and industries (e.g. banking, broadcasting, cross-border transportation)
- Federal courts
- Canadian Armed Forces
- Royal Canadian Mounted Police
- Other federal lands

Questions for feedback

- Are there other organizations within federal jurisdiction that should be covered by the legislation?
- Are there organizations that should be exempt from the legislation?
- The legislation could potentially set out different requirements and timelines for different types and sizes of organizations. Do you have any comments or suggestions for this?
4.4. What accessibility issues and barriers should the legislation address?

The legislation could specify the accessibility issues it will address, or describe a process for identifying these issues, or use some combination of the two.

For example, the legislation could state that it will improve accessibility and remove barriers in specific areas, such as:

- the built environment;
- program and service delivery;
- the procurement of goods and services;
- employment;
- transportation; and
- information and communications.

The legislation could also describe a process that the Government of Canada would follow to identify and prioritize areas for improving accessibility and removing barriers. Examples of potential mechanisms include:

- **Advisory Council**—the Government of Canada could create and support a permanent advisory committee comprised of Canadians with disabilities and other stakeholders.

- **Consultations**—the Government of Canada could consult periodically with Canadians with disabilities and other stakeholders.

**Questions for feedback**

- We have listed six areas where accessibility could be improved. Of these, which are the most important to you? Are there other areas that should be included?

- We have listed some potential mechanisms that the legislation could describe for the ongoing identification and prioritization of accessibility issues. What do you think of these mechanisms? Are there other mechanisms you would suggest?

- Canada has a number of laws in place to address human rights issues and improve accessibility. Do you have any comments on how the new accessibility legislation could interact with these existing laws? Should the legislation describe a process by which these laws would be reviewed and potentially revised?

- Should the legislation build on accessibility standards already developed by provincial/territorial governments and other countries?
4.5. How should compliance with the legislation be monitored and enforced?

The legislation would likely contain a section or sections that describe how compliance with the legislation would be monitored and enforced. The exact monitoring and enforcement mechanisms used would depend on the approach or approaches the legislation ultimately takes (i.e. prescriptive or outcome-based).

Potential monitoring mechanisms include:

- **Action plans**—the legislation could require organizations to submit action plans that would detail how they will improve accessibility and remove barriers for persons with disabilities.

- **Progress reports**—the legislation could require organizations to periodically submit progress reports that would detail their progress in improving accessibility and removing barriers.

- **Reviews and audits**—the legislation could detail how action plans and progress reports could be verified through reviews, audits and/or inspections.

- **Complaints mechanisms**—the legislation could detail how Canadians could submit complaints concerning an organization that may not be meeting its obligations under the legislation.

The legislation could also describe mechanisms to address issues of non-compliance. These enforcement mechanisms could include, for example:

- An informal or formal mediation process to address compliance issues;

- Public reporting of organizations that are non-compliant;

- Orders that detail an organization’s areas of non-compliance and give a timeframe for the organization to become compliant; and/or

- Monetary penalties.

**Questions for feedback**

- What monitoring mechanisms do you think should be considered for the legislation (including ones not listed here)?

- What enforcement mechanisms do you think should be considered for the legislation (including ones not listed here)?
4.6. How should organizations be supported to improve accessibility?

The legislation could include or be accompanied by programs or supports to help and encourage organizations to improve accessibility and remove barriers.

Some potential programs or supports include:

- Measures that encourage, support and recognize organizations that show accessibility leadership. This could include, for example, reduced reporting requirements, public recognition and promotion, or monetary incentives;
- The creation of a Centre of Expertise on Accessibility and Barrier Removal to provide information and tools to help organizations improve accessibility and remove barriers; and/or
- Financial support for conducting and sharing research and best practices on accessibility and barrier removal.

Questions for feedback

- Do you have suggestions for how the Government could help organizations to improve accessibility and remove barriers?
- Do you have suggestions for how the Government could encourage, support and recognize organizations that show accessibility leadership?

4.7. How will we know if the legislation is effective in improving accessibility and removing barriers?

The legislation could include a section or sections that detail when and how the Government of Canada would report on the implementation and effectiveness of the legislation, and when and how the legislation itself would be reviewed.

Questions for feedback

- In relation to the implementation and effectiveness of the legislation, how often would you want the Government of Canada to report to Canadians?
- What kinds of things should this report look at?
- How often should the legislation be reviewed?
- Are there specific considerations for how any such review should be conducted?
5. **How to Reach Us**

The best way to find out more information or to submit your comments is through the consultation website: [www.Canada.ca/Accessible-Canada](http://www.Canada.ca/Accessible-Canada)

You can also contact us by:

- **Email:** accessible-canada@hrsdc.gc.ca
- **Phone:** 1-844-836-8126
- **TTY:** 819-934-6649
- **Fax:** 819-953-4797

Or by mail at the following address:

Consultation – Accessibility Legislation  
c/o Office for Disability Issues  
Employment and Social Development Canada  
105, rue Hôtel de ville, 1st floor, Bag 62  
Gatineau, QC  
K1A 0J9

Prior to submitting comments by mail, email, video, audio or fax, or before calling if you are choosing to participate by telephone, please make sure to review the Privacy Notice Statement at the end of this discussion guide. By submitting your comments, you are consenting to participation in this consultation. You are also consenting to, and acknowledging that, you have reviewed, understood, and agree to the Privacy Notice Statement.

ESDC may choose to publicly reference an individual’s comments. If you would like your name associated with your comments, please indicate in your submission that you consent to your name being associated with your comments, and include how you would like your name to appear.
Privacy Notice Statement

Participation in this consultation is voluntary, and acceptance or refusal to participate will in no way affect any relationship with Employment and Social Development Canada (ESDC) or the Government of Canada.

Information provided to ESDC related to this consultation can be subject to access to information and privacy requests and will be administered in accordance with the Access to Information Act and Privacy Act.

The information is collected under the authority of the Department of Employment and Social Development Act (DESDA) for the 2016–2017 Accessibility Legislation Consultation. It may be used by ESDC, including the Office for Disability Issues, other Government of Canada departments, or other levels of government, for policy analysis and research; however, these uses and/or disclosures of your personal information will never result in an administrative decision being made about you.

Any personal information provided to ESDC will be administered in accordance with the DESDA, the Privacy Act and other applicable laws. However, those providing information are requested not to provide any identifying personal information about themselves or anyone else (other than name, organization and contact information). In the event that you provide unsolicited personal information for the purpose of attribution, your unsolicited personal information could be used in publicly available reports on the consultation and elsewhere as deemed appropriate by ESDC. If personal information is provided by an individual member of the general public (who is not an individual participating in the consultation on behalf of, or as a representative of, a stakeholder organization), ESDC shall make every effort to remove the identifying personal information prior to including the individual’s responses in the data analysis, unless otherwise noted. Your submission, or portions thereof, may be published on Canada.ca, included in publicly available reports on the consultation, compiled with other responses to the consultation in an open-data submission on Open.Canada.ca or shared throughout the Government of Canada or with other levels of government.

You have the right to the protection of, access to and correction of your personal information, which is described in Personal Information Banks ESDC-PSU-914 or ESDC-PSU-938. Instructions for obtaining this information are outlined in Info Source at infosource.gc.ca. Info Source may also be accessed online at any Service Canada Centre.

You have the right to file a complaint with the Privacy Commissioner of Canada regarding the institution’s handling of your personal information.

To obtain information related to this consultation, a request may be submitted in writing to ESDC pursuant to the Access to Information Act. When making a request, reference should be made to the name of this discussion paper.
Blind MP to draft Canada’s first national accessibility law

Carla Qualtrough, a former Paralympian and human rights lawyer, is seeking input on the legislation.

Carla Qualtrough, Ottawa’s minister responsible for Canadians with disabilities, announced a series of national discussions on the first national accessibility legislation. (ANDREW LAHODYNSKYJ / TORONTO STAR) | ORDER THIS PHOTO

By LAURIE MONSEBRAATEN Social justice reporter
Sat., Aug. 27, 2016

Carla Qualtrough, who is legally blind, grew up learning alternative ways of doing almost everything.

“When I was growing up, it was called accommodation. But today it’s called innovation,” said Qualtrough, 44, Canada’s federal minister of sport and first-ever minister responsible for people with disabilities.

The human rights lawyer, former Paralympian and world championship swimming medalist is helping Canadians think about disability in a new way as she crafts the country’s first national accessibility legislation.

Under the current legal framework, people with disabilities can only defend their rights once they have been ignored, a process the minister called “exhausting, expensive and unfairly burdensome.”

“When systems and spaces are accessible, every Canadian wins. Barriers are bad for business,” Qualtrough told a gathering last week at Whitby’s Abilities Centre, where she announced a series of national round-tables and town hall meetings this fall.

The government has received more than 700 submissions since online consultations on the new law began in July. Canadians have until February 2017 to give their views.

Qualtrough will report on the consultations next spring and said she hopes to have legislation ready to introduce in the Commons by the end of 2017 or early 2018.

The MP from Delta, B.C., said she was thrilled when Prime Minister Justin Trudeau gave her the double-barreled portfolio — encompassing her two life passions — and told her to “go out and change the world.”

“No pressure,” she quipped. “The creation of this cabinet position makes it very clear that people with disabilities are important to our government and that we deserve to be considered in every decision around the cabinet table.”
Canadians with disabilities
By the numbers

14%
Percentage of Canadians aged 15 and older with a disability that limits their daily activities.

<table>
<thead>
<tr>
<th>411,600</th>
<th>127,700</th>
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<td>People aged 15 to 64 not employed, whose disability does not prevent them from working.</td>
<td>Unemployed people with disabilities who have post-secondary educations.</td>
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50%
Percentage of Canadian human rights complaints related to disabilities between 2011 and 2015.

6%
Percentage of Canadian human rights complaints related to inaccessible services.

<table>
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<th>2.1 million</th>
<th>$15 million</th>
<th>$4 million</th>
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<tr>
<td>Canadians 15 or older at risk of facing physical or communication barriers.</td>
<td>Annual budget of Canada’s Enabling Accessibility Fund, which helps improve accessibility in communities and workplaces across</td>
<td>Increase in annual federal accessibility fund by 2018.</td>
</tr>
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Just as Ginger Rogers once noted how she had to perform the same artistic feats as her dance partner, Fred Astaire — but backwards and in high heels — people with disabilities are masters of innovation, Qualtrough said.

“Imagine the creativity that persons with disabilities must employ every day to navigate buildings, products and services that were not designed with their needs in mind,” she said.

“Development of creative products, ways of doing things and — ultimately— a different way of looking at the world” are key to Canada’s quest for accessibility, she added.

Qualtrough, who has worked in human rights at both the federal and provincial levels and served as staff for several Liberal cabinet ministers on Parliament Hill between 1999 and 2005, knows her way around Ottawa. But the busy mother of four, including two teenaged stepchildren and her own 6- and 3-year-old kids, admits she hesitated when asked to run for office a year and a half ago.

She's glad she took the plunge.

“It’s a very interesting time in the evolution of disability rights,” she said. For the government to create a cabinet position and to give it to someone with a disability — “it’s a big deal,” she added.

Toronto lawyer David Lepofsky, co-chair of Barrier-Free Canada, which called for a national law during last year’s election, is also excited about Qualtrough’s appointment and her mandate.

“It’s great that the federal government is going to do a national consultation on this to hear from people,” said Lepofsky, who is also blind.

Canada is late to the table when it comes to accessibility legislation. The United States has had the Americans with Disabilities Act since 1990. The landmark Accessibility for Ontarians with Disabilities Act was introduced in 2005, with a goal of making the province fully accessible by 2025.

Ontario’s experience will help guide the federal law, Qualtrough said. But she will also be looking at how other provinces and countries legislate accessibility and learn from their successes and shortcomings.

One of Qualtrough’s main goals is to develop a common definition for disability that would apply to all federal laws and regulations and eventually be adopted by the provinces.

“Let’s try and harmonize our approach to disability across the federal government. That would be huge for Canadians.”
Qualtrough expects public consultations, the country’s first national conversation about accessibility, will provide valuable input for Ottawa’s legislation and other federal programs such as the Canada Pension Plan Disability Benefit, the Disability Tax Credit and the Registered Disability Savings Plan.

It may even show provincial and municipal governments where they are coming up short.

“We know we are going to hear way more than what is going to be covered by the law. And that is intentional,” she said.

The consultation may also bolster calls for a basic or guaranteed income for people with disabilities, said Qualtrough, who is personally in favour of the idea.

“It’s something that could certainly come out of this — not as an actual program but a direction that Canadians want the government to look into,” she added.

But can we afford to make Canada more accessible and boost support for people with disabilities?

“I don’t think we can afford not to,” Qualtrough said. “With our labour shortages and our aging population . . . and all the challenges in society. If we don’t get this right, we are missing a huge opportunity.”

- THREE INNOVATORS -

Maayan Ziv, 26, created AccessNow, an online platform that uses crowd sourcing to pinpoint the accessibility status of locations on an interactive map. The Ryerson University master’s student, who has muscular dystrophy and uses an electric wheelchair, developed the app out of frustration over trying to meet friends in inaccessible bars and restaurants in Toronto.
“We need to create a culture shift that turns accessibility from being something about people with disabilities to being something that’s inclusive — that benefits everyone.”

Quayce Thomas developed "Timsle," which uses social networks to promote healthy, active living. (ANDREW LAHODYNSKYJ/TORONTO STAR)

Quayce Thomas, 22, a Carleton University architecture student, has developed Timsle, a Fitbit-style app that promotes healthy active living using social networks, helps people with disabilities meet academic or other goals, and help prevent depression.

“I love using the example of the iPhone. Each night before I go to bed, while I’m putting my clothes away, I say: ‘Hey Siri. Wake me up in eight hours.’ I have not touched my phone . . . My technology isn’t aware of what my level of ability is. It simply performs the function because it is what I need.”

Micah Rakoff Bellman is the designer of "Lift", which provides a flexible work space for home cooks. (ANDREW LAHODYNSKYJ/TORONTO STAR)

Micah Rakoff Bellman, 24, an Industrial Design graduate, is the designer of Lift, a height-adjustable and movable table that allows seniors and people with disabilities to cook at home with a comfortable, flexible work surface.

“For me it means empathy. . . and designing accessibility into everything we do from the outset, and not as an add-on or afterthought.”

Read more about: British Columbia