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February 27, 2017

The Honourable Carla Qualtrough, Member of Parliament
Minister of Sport and Persons with Disabilities
c/o Consultation - Accessibility Legislation
Office for Disability Issues
Employment and Social Development Canada
105 Hotel-de-ville St., 1st floor, Bag 62
Gatineau QC K1A 0J9

Dear Minister:

Re: Proposed Federal Accessibility Legislation

The Regional Municipality of York, in the province of Ontario, appreciates the opportunity to provide comment on the proposed Federal Accessibility Legislation, posted for public input in July 2016.

Great progress has been made across Canada to create inclusive and accessible communities and developing federal legislation is a positive step towards helping achieve this vision. Though the proposed legislation may not directly apply to municipalities such as York Region, with almost 1.2 million residents and a strong history of accessibility leadership and commitment from York Regional Council, we strongly support consistent access to services and facilities under federal jurisdiction for residents with disabilities.

Overall Goal and Approach

York Region supports the spirit of the proposed goal of the legislation which is "to increase the inclusion and participation of Canadians in society and promote quality of opportunity by improving accessibility and removing barriers in areas of federal jurisdiction." We recommend the goal should further specify the types of barriers this legislation would aim to remove. For instance, this goal can be further enhanced by adding "...improving accessibility and removing barriers **to inclusion** in areas of federal jurisdiction." This more clearly identifies the intent and aim for the federal legislation.

In addition, the Region recommends the legislation include a section with definitions harmonized with other provincial accessibility legislation to ensure consistent application across all federal organizations and jurisdictions. Consistent definitions promote seamless access for people with disabilities both federally and provincially.

York Region suggests an outcome-based approach may best suit the legislation's intention of improving accessibility and removing barriers. Following this less prescriptive approach, confirming what organizations must do in broad terms, allows organizations the flexibility to determine how best to achieve compliance and promotes seamless access across providers.

Whom should the legislation cover and what accessibility issues and barriers should the legislation address?

The Region agrees the legislation should apply to those organizations within federal jurisdiction, including the Parliament of Canada and its departments, agencies and institutions. It should address barriers and promote policies and practices in specific areas such as transportation and the built environment, but it should also address systemic and attitudinal barriers which can prevent access to programs, services and facilities.

It is important to include people with disabilities and other stakeholders in the legislation's development and ongoing review process. The Region supports the Federal Government establishing a permanent advisory committee comprised of Canadians with disabilities and other stakeholders, as well as conducting ongoing consultation with the disability community.

Although federal legislation will apply to organizational bodies within federal jurisdiction, when people access services it is important that accessibility features are consistent across all jurisdictions. Current accessibility-related legislation, including building codes and professional standards, vary across the provinces. It is recommended the legislation be less prescriptive and broad enough to recognize and respect these differences.

How should compliance with the legislation be monitored and enforced? When or how often should it be reviewed? How and when to report on its implementation?

York Region endorses an action plan model approach to accessibility planning, monitoring and reporting for the federal legislation. This approach allows an organization the opportunity to review and report on its approach to accessibility planning and provides a framework for the organization to monitor compliance while also requiring an organization to implement non-legislated accessibility initiatives beyond compliance.

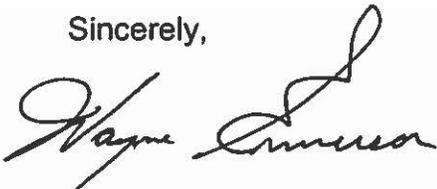
How should organizations be supported to improve accessibility?

Training is an important support for organizations implementing the legislation and creating culture change in attitudes, beliefs and misconceptions. Organizations under federal jurisdiction should provide accessibility legislation-related training to all employees, volunteers and agents working with the public on the organization's behalf, not just those who interact with the public. The Region recommends this model for the federal legislation.

Organizations implementing the legislation can also be supported by access to purpose-built resources in advance of the enactment date. This may include training modules, a best practice repository, templates and guidelines to implement the standards. The Government of Canada may also consider making funding available to legislated organizations for implementation activities.

In conclusion, with the development of this proposed legislation, the Federal Government is in a positive position to set a strong accessibility standard in communities across Canada so provinces without accessibility legislation in place will be encouraged to take further action. York Region supports the development of federal accessibility legislation and the opportunity to provide input as we move closer to an accessible Canada.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Emmerson". The signature is fluid and cursive, with a large initial "W" and "E".

Wayne Emmerson,
Chairman and CEO

Copy to: York Region Accessibility Advisory Committee

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