

Accessibility Legislative Framework and City of Brampton Context

In 2001, the Province of Ontario enacted the Ontarians with Disabilities Act (ODA) to regulate provincial government and specific public sector organizations in relation to establishing annual accessibility plans, accessibility advisory committees and imposing specific obligations related to accessibility. Due to the limited scope of the ODA, the Province enacted the Accessibility for Ontarians with Disabilities Act (AODA) in 2005. The AODA was designed to provide stronger and more wide-ranging regulations to create an Ontario that is fully accessible for people with disabilities, and to improve accessibility for Ontarians to all public establishments by 2025. Under the Act, the government established the Integrated Accessibility Standards Regulation (IASR, O. Reg. 191/11) that include requirements for the identification, removal and preventions of barriers in five areas:

- Customer Service,
- Information & Communication,
- Employment,
- Transportation, and
- Design of Public Spaces.

The AODA prescribes timelines (Appendix 2) for the Ontario government and other designated public sectors and private sector organizations to meet requirements and specifies administrative penalties for non-compliance.

The Ontario Human Rights Code (The Code) works together with AODA and ODA to promote equality and accessibility. The Code prohibits discrimination on the basis of disability, race, gender, age and mandates that all individuals have the right to equal treatment in accessing housing, employment, goods, services and facilities. Failure to provide individuals with disabilities with equal access to a facility or equal treatment in a service would constitute discrimination under the Code and can be subject to a human rights complaint.

Minimum accessibility standards for buildings continue to be regulated through the Ontario Building Code (OBC).

In 2005, with assistance from the City of Brampton Ontarians with Disabilities Act Staff Committee and Technical Sub-Committee, the City adopted its own [Accessibility Technical Standards](#) to work alongside and compliment the OBC and AODA requirements. These standards apply to the design of City parks, facilities, exterior public spaces and parking areas to promote accessible access for individuals of all abilities. Where conflicts arise between scoping and/or dimensional requirements of the Technical Standards and legislation by other levels of government, the legislation

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providing the highest level accessibility standards shall apply, but never less than the minimum requirements of the current OBC and IASR.

The City of Brampton Accessibility Technical Standards have been developed to respond to the design, development and construction of new facilities and exterior public spaces as well as the retrofit and renovation of existing facilities and public spaces that the City owns, operates or leases. The Accessibility Technical Standards address the needs of people of all ages and abilities with emphasis on the needs of persons with disabilities. These standards incorporate the belief in universal design recognizing the broad diversity of people who use facilities.

Universal design is defined as:

“The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.”

The philosophy of universal design is based on the seven design principles:

- Equitable Use
- Flexibility in Use
- Simple and Intuitive Use
- Perceptible Information
- Tolerance for Error
- Low Physical Effort
- Size and Space for Approach and Use”

The City’s statement of commitment to accessibility was established and approved by Council in 2012. It solidifies the City’s commitment to enhance accessibility in Brampton:

“Recognizing that prevention of barriers, reducing and removing existing barriers and enhancing access to our goods, services and facilities is essential to providing increased opportunities that foster independence, inclusion and dignity for people of all abilities and ages.”

Since December 2012, Council has been presented with a Multi-Year Municipal Accessibility Plan (MAP) which is a requirement of the AODA. This plan outlines the City’s initiatives/strategies to remove existing and prevent new barriers to accessibility over a 5-year period or sooner. The current MAP summarizes how the City will improve

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accessibility for persons with disabilities and builds upon the accomplishments of the previous accessibility plans, The plan is reviewed by the Accessibility Advisory Committee (AAC) annually and required compliance reporting is submitted to the Province. The current [MAP](#) was approved in December 2019 and the next compliance report must be filed in December 2021.