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<b>HR Guideline:</b> AODA Integrated Accessibility Standards Regulation	<b>Guideline #:</b> 31
<b>Effective Date:</b> June 1, 2023	<b>Approved by:</b>  <hr/> George Zegarac, CEO

## Purpose

This guideline is drafted in accordance with the Integrated Accessibility Standards, Ontario Regulation 191/11 under the *Accessibility for Ontarians with Disabilities Act, 2005* ("AODA") and addresses how Waterfront Toronto achieves or will achieve accessibility for persons with disabilities by meeting the requirements of the Regulation.

The requirements of the Regulation include:

- the establishment, implementation, maintenance and documentaton of a multi-year accessibility plan, which outlines Waterfront Toronto's strategy to prevent and remove barriers and meet its requirements under this Regulation;
- the incorporation of accessibility features when designing, procuring or acquiring self-service kiosks;
- training; and
- the specific requirements under the Information and Communication Standards, the Employment Standards and the Design of Public Spaces Standards.

This guideline is supported by procedures/departmental guidelines that outline the detailed processes and accommodations pursuant to this policy, as well as by the *Human Rights Code*.

## Definitions

- Accessible formats** may include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.
- Accommodation** means the special arrangements made or assistance provided so that customers with disabilities can participate in the experiences available to customers without disabilities. Accommodation will vary depending on the customer's unique needs and will be provided, up to the point of undue hardship.
- Amenities** means items that provide conveniences or services for use by the public, examples of which include drinking fountains, benches and garbage receptacles.

- d) **Communication supports** may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.
- e) **Communications** means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.
- f) **Curb ramp** means a ramp that is cut through a curb or that is built up to a curb.
- g) **Depressed curb** means a seamless gradual slope at transitions between sidewalks and walkways and highways, and is usually found at intersections.
- h) **Disability** means:
  - a. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
  - b. a condition of mental impairment or a developmental disability;
  - c. a learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
  - d. a mental disorder; or
  - e. an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.
- i) **Environmental mitigation** means activities that are intended to reduce, mitigate, prevent or compensate for adverse effects of human activities or items, including paths, play spaces, trails and parking, upon fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values.
- j) **Environmental restoration** means activities that are intended to benefit fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values.
- k) **Information** includes data, facts and knowledge that exist in any format, including text, audio, digital or images, and that conveys meaning.
- l) **Maintenance** means activities that are intended to keep existing public spaces and elements in existing public spaces in good working order or to restore the spaces or elements to their original condition, example of which include painting and minor repairs.
- m) **Recreational trails** means public pedestrian trails that are intended for recreational and leisure purposes.
- n) **Redeveloped** means planned significant alterations to the public spaces, but does not include maintenance activities, environmental mitigation or environmental restoration.
- o) **Rest area** means, in respect of recreational trails and exterior paths of travel, a dedicated level area that is intended for public use to allow persons to stop or sit.
- p) **Volunteer** may include a person who voluntarily undertakes a task on behalf of Waterfront Toronto.

## Statement of Organizational Accessibility Commitment

Waterfront Toronto values openness and inclusivity and is committed to the principles outlined in the AODA and to meeting the needs of people with disabilities, in a timely manner, through the implementation of the requirements of the AODA.

### Requirements

#### General

##### **(1) Accessibility Plans**

- I. The multi-year Waterfront Toronto Accessibility Plan (“the plan”) outlines Waterfront Toronto's strategy to prevent and remove barriers for persons with disabilities, and to meet its requirements under Ontario Regulation 191/11.
- II. The plan is posted on the Waterfront Toronto website, [www.waterfronttoronto.ca](http://www.waterfronttoronto.ca), and will be provided in alternate formats upon request.
- III. The plan will be reviewed and updated at least once every five years.

##### **(2) Self- Service Kiosks**

- I. Waterfront Toronto will consider incorporating accessibility features when designing and/or procuring new self-service kiosks.

##### **(3) Training**

- I. Waterfront Toronto ensures that training is provided on the requirements of accessibility standards referred to within the Integrated Accessibility Standards, Ontario Regulation 191/11 and on the *Human Rights Code* as it pertains to persons with disabilities for,
  - a. all employees and volunteers;
  - b. all persons who participate in developing Waterfront Toronto's policies; and
  - c. all other persons who provide goods, services or facilities on behalf of Waterfront Toronto.
- II. Training provided is appropriate to the duties of employees, volunteers and other persons.
- III. Training is provided as soon as practicable to employees, volunteers and other persons.
- IV. Where there are changes to this guideline, training will be provided with regard to those changes.
- V. Waterfront Toronto will maintain a record of the dates of when training is provided and the number of individuals to whom it was provided.

## **Information and Communication Standards**

### **(4) Feedback**

- I. Waterfront Toronto has a feedback process in place for receiving and responding to feedback about Waterfront Toronto's accessibility policies and practices from employees and others. Feedback can be provided in person, via e-mail, or by contacting us via telephone. Feedback and complaints will be forwarded to Waterfront Toronto's VP of Human Resources and Administration and will be addressed accordingly.
- II. Waterfront Toronto will ensure its feedback process is accessible to persons with disabilities and is provided in accessible formats and with communication supports upon request.

### **(5) Accessible Formats and Communication Supports**

- I. Waterfront Toronto will, upon request, provide or arrange for the provision of accessible formats and communication supports for persons with disabilities;
  - a. in a timely manner that takes into account the person's accessibility needs due to disability, and;
  - b. at a cost that is no more than the regular cost charged to other persons.
- II. Waterfront Toronto will consult with the person making the request in determining the suitability of an alternative format or communication support.
- III. Waterfront Toronto will also notify the public about the availability of accessible formats and communication supports.

### **(6) Accessible websites and web content**

- I. Waterfront Toronto will ensure that its websites are accessible to as many people as possible. When new internet, intranet websites and web content on those sites are developed, they will conform with the WCAG 2.0 guidelines, in accordance with the Integrated Accessibility Standards regulation.
  - a. All new internet websites and web content on those sites will comply to the WCAG 2.0 Level A by January 1, 2014.
  - b. As of January 1, 2021 all internet, intranet and web content will conform with the WCAG 2.0 Level AA, other than: success criteria 1.2.4 Captions (Live) and success criteria 1.2.5 Audio Descriptions (Pre-recorded).
  - c. Websites and web content, including web-based applications, that Waterfront Toronto controls directly or through a contractual relationship that allows for modification of the product, are included in this timeline, where practicable,
  - d. In determining practicability, consideration will be given to the availability of commercial software, or tools, or both, and whether planned or initiated implementation timelines (before January 2012) will be significantly impacted.

### **(7) Emergency Information**

- I. If Waterfront Toronto prepares emergency procedures, plans or public safety information and makes the information available to the public, Waterfront Toronto will provide the information in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

## **Employment Standards**

### **(8) *Recruitment***

- I. Waterfront Toronto notifies its employees and the public about the availability of accommodation for applicants with disabilities in its recruitment processes.
- II. During a recruitment process, applicants who are individually selected to participate in an assessment or selection process are notified that accommodations are available upon request in relation to the materials or processes used.
- III. If a selected applicant requests an accommodation, Waterfront Toronto consults with the applicant, having regard for the applicant's accessibility needs, on the provision of a suitable accommodation.
- IV. When making an offer of employment, Waterfront Toronto will notify the successful applicant of its policies for accommodating employees with disabilities.

### **(9) *Informing employees of supports***

- I. Waterfront Toronto informs its employees of its policies used to support employees with disabilities, including, but not limited to, policies on job accommodation that take into account the employee's accessibility needs due to a disability.
  - a. New employees will be informed of applicable policies as soon as practicable after they begin their employment.
  - b. Where there are changes to existing policies on the provision of job accommodation, all employees will be provided updated information.

### **(10) *Accessible formats and communication supports for employees***

- I. When an employee requests it, Waterfront Toronto will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for;
  - a. information that is needed in order for the employee to perform the employee's job; and
  - b. information that is generally available to employees in the workplace.
- II. Waterfront Toronto will consult with the employee making the request in determining the suitability of an accessible format or communication support.

### **(11) *Workplace emergency response information***

- I. Waterfront Toronto provides individual workplace emergency response information to employees who have a disability:
  - a. where the disability is such that individual information is necessary; and

- b. where Waterfront Toronto is aware of the need for accommodation due to the employee's disability.
- II. If an employee with individualized workplace emergency response information requires assistance, and provides consent, Waterfront Toronto will ensure that the necessary information is shared.
- III. Individualized information is provided as soon as practicable after Waterfront Toronto becomes aware of the need for accommodation due to an employee's disability.
- IV. Waterfront Toronto will review the individualized workplace emergency response information:
  - a. when the employee moves to a different location;
  - b. when the employee's overall accommodation needs or plan are reviewed; or
  - c. when Waterfront Toronto reviews its general emergency response policies.
- (12) Documented individual accommodation plans**
  - I. Waterfront Toronto will maintain a written process for the development of Individual Accommodation Plans for employees with disabilities.
- (13) Return to work**
  - I. Waterfront Toronto will maintain a documented return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work. This return to work process will not replace or override any other return to work process created by or under any other statute (e.g., the *Workplace Safety Insurance Act, 1997*).
- (14) Performance Management**
  - I. Where Waterfront Toronto uses performance management in respect of its employees, the accessibility needs of employees with disabilities, and individual accommodation plans, are taken into account.
- (15) Career Development and Advancement**
  - I. Where Waterfront Toronto uses career development and advancement in respect of its employees, the accessibility needs of employees with disabilities, and individual accommodation plans, are taken into account.
- (16) Redeployment**
  - I. Where Waterfront Toronto uses career development and advancement in respect of its employees, the accessibility needs of employees with disabilities, and individual accommodation plans, are taken into account in redeployment.

## **Design of Public Spaces Standards**

Waterfront Toronto also has responsibilities under the Design of Public Spaces Standards when its public spaces are newly constructed or redeveloped on or after January 1, 2017.

Where Waterfront Toronto constructs or redevelops public areas in its premises, the design criteria in the Design of Public Spaces Standards will be followed, including with respect to the following to the extent applicable.

When required, Waterfront Toronto will also consult with the public and persons with disabilities on the matter of technical requirements before constructing new or redeveloping existing public spaces.

**(17) Recreational Trails**

I. Waterfront Toronto will ensure all technical accessibility requirements of its recreational trails are met, with the exception of (a) trails solely intended for cross-country skiing, mountain biking or the use of motorized snow vehicles or off-road vehicles; and (b) wilderness trails, backcountry trails and portage routes.

**(18) Beach Access Routes**

I. Waterfront Toronto will ensure all technical requirements of routes that are constructed and are intended for pedestrian use by the public and that provide access from off-street parking facilities, recreational trails, exterior paths of travel and amenities to an area of a beach that is intended for recreational use by the public are met.

II. All technical requirements are met for areas where a recreational trail or beach access route is equipped with,

- a. Boardwalks.
- b. Ramps.

**(19) Outdoor Public Use Eating Areas**

I. Waterfront Toronto will ensure all accessibility requirements of outdoor spaces that consist of tables that are found in public areas such as public parks, and are specifically intended for use by the public as a place to consume food, will be met.

**(20) Outdoor Play Spaces**

I. Waterfront Toronto will ensure all accessibility requirements of outdoor spaces that include play equipment, such as swings, or features such as logs, rocks, sand or water, where the equipment or features are designed and placed to provide play opportunities and experiences for children and caregivers, will be met.

**(21) Exterior Paths of Travel**

I. Waterfront Toronto provides and intends to maintain accessible paths of travel that are outdoor sidewalks or walkways designed and constructed for pedestrian travel and are intended to serve a functional purpose and not to provide a recreational experience.

II. Waterfront Toronto meets all technical requirements for structures that are connected to, provided on, or provided along exterior paths of travel, including:

- a. Ramps;
- b. Stairs;
- c. Curb ramps;
- d. Depressed curbs; and
- e. Rest areas.

**(22) Off-street Parking Facilities**

I. Waterfront Toronto will ensure newly constructed or redeveloped off-street parking it maintains will meet the applicable accessibility requirements as outlined in applicable sections of the IASR.

II. When maintenance work is being performed at off-street parking facilities, or there are temporary disruptions at such facilities, if accessible parking spaces are impacted, Waterfront Toronto will, to the extent reasonably practicable, post public notices at the facility, provide alternate accessible parking spaces, and provide directions to other nearby parking facilities where accessible parking facilities may be available.

## **(23) Obtaining Services**

### **Service Counters**

- I. Waterfront Toronto provides and intends to maintain at least one service counter that is accessible to people who use mobility aids such as wheelchairs.
  - a. the counter is low enough for someone sitting in a mobility aid;
  - b. the counter has sufficient clear space for the person's knees;
  - c. the floor space in front of the counter must be sufficiently clear so as to accommodate a mobility aid; and
  - d. the service counter is clearly identified with sufficient signage.

### **Fixed Queuing Guides**

- I. Waterfront Toronto provides and intends to maintain fixed queuing guides that are accessible to people who use mobility aids and have vision impairments by ensuring that:
  - a. the guides provide sufficient width to allow for the passage of mobility aids and mobility assistive devices;
  - b. the guides have sufficiently clear floor area to permit mobility aids to turn where queuing lines change direction; and
  - c. the guides are cane detectable.

### **Waiting Areas**

- I. Waterfront Toronto provides and intends to maintain waiting area seating that includes:
  - a. at least three percent of seating in waiting areas that have seating fixed to the floor that is accessible for someone using a mobility aid; and
  - b. no fewer than one accessible seating space.

## **(24) Maintenance**

- I. Waterfront Toronto's multi-year accessibility plan includes its preventative and emergency maintenance procedures for the accessible parts of its public spaces, including posting of regular maintenance schedules and letting people know about alternatives.
- II. Procedures for handling temporary disruptions in service when an accessible part of Waterfront Toronto's public spaces stops working is also part of the plan.



- III. Upon completion of the design and construction of public spaces, projects or responsibilities that are assumed by third parties are no longer under the care, responsibility, supervision, or ownership of Waterfront Toronto. Waterfront Toronto assumes no responsibility for the continued maintenance of, nor attainment of, accessibility standards for these projects.

## **Customer Service Standards**

Please refer to Waterfront Toronto's AODA Guideline #30, available on Waterfront Toronto's website, for a review of Waterfront Toronto's commitment to meeting the accessibility requirements under the AODA's Customer Service Standards.

## **Modifications and Questions**

Any guideline of Waterfront Toronto's that does not respect and promote the dignity and independence of people with disabilities will be modified or removed.

If anyone has a question about this guideline, or if the purpose of this guideline is not understood, an explanation will be provided by Waterfront Toronto's VP of Human Resources and Administration, Rose Desrochers [rdesrochers@waterfronttoronto.ca](mailto:rdesrochers@waterfronttoronto.ca).