

REMOVING BARRIERS TO UNDERSTANDING ACCESSIBILITY LEGISLATION IN MANITOBA



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AGENDA

WHAT WE WILL DISCUSS TODAY

- Provide context for accessibility legislation across Canada
- Outline accessibility legislation and requirements in Manitoba
- Look at trends and best practices across Canada
- Discuss how municipalities (and planners!) can go above and beyond legislation
- Questions and discussion

WHY I'M PASSIONATE ABOUT THIS

- Community Planner & Accessibility Consultant
- Proudly a person with a disability
- Working in accessibility advocacy and education for much of my life
- Want to make communities more inclusive for all in all projects and services



ACCESSIBILITY PROJECTS ACROSS CANADA

■ British Columbia

- District of North Vancouver Accessibility Plan and Implementation Strategy
- District of West Vancouver Accessibility Plan
- City of Burnaby Accessibility Plan
- City of Coquitlam Accessibility and Inclusion Plan
- Village of Cumberland Accessibility and Inclusion Assessment
- City of West Kelowna Age Friendly and Accessible Active Transportation Audit
- Regional District of Nanaimo IDEA Audit of Corporate Service Delivery

■ Alberta

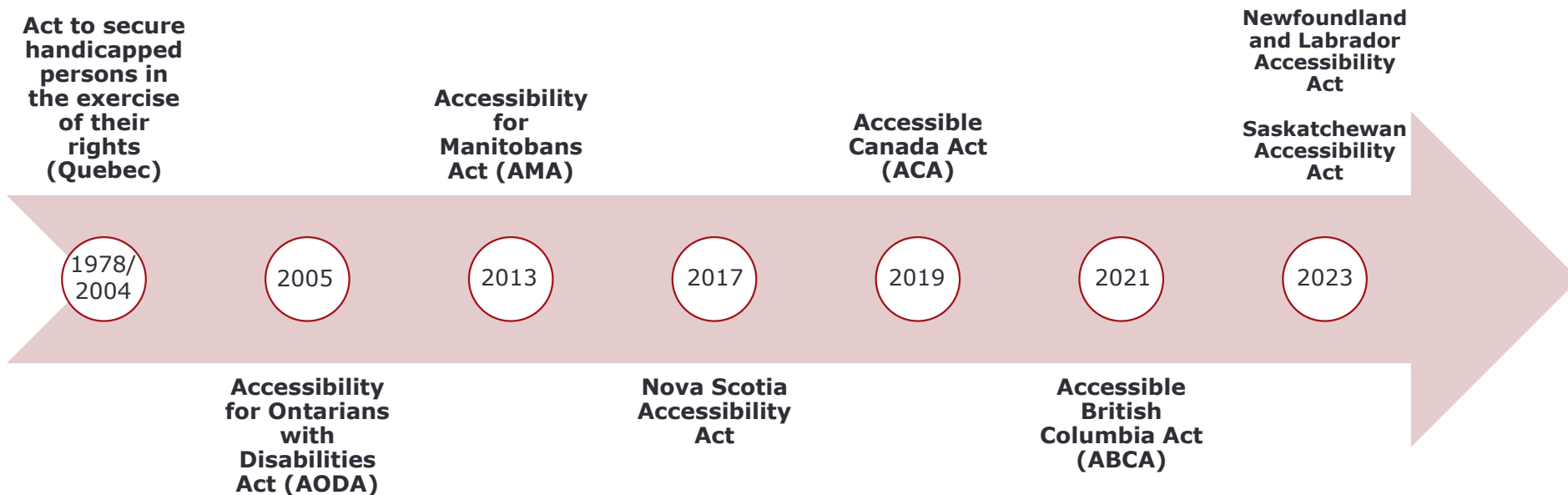
- City of Lethbridge Accessibility Design Standards and Infrastructure Audit

■ Manitoba

- City of Flin Flon Accessibility Plan Engagement



NATIONAL CONTEXT FOR ACCESSIBILITY



WHAT ARE OUR ACCESSIBILITY REQUIREMENTS?

A MANITOBA CONTEXT

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MANITOBA HUMAN RIGHTS CODE

Municipalities have ongoing duties under the Human Rights Code, including:

- Duty to accommodate to the point of undue hardship
- Non-discriminatory access to services and employment

The *Accessibility for Manitoban's Act* complements the Human Rights Code and does not act as a replacement or alternative.

ACCESSIBILITY FOR MANITOBANS ACT

To achieve accessibility by preventing and removing barriers with respect to

- employment
- accommodation
- the built environment (facilities, buildings, structures, premises, public transportation and transportation infrastructure)
- the delivery and receipt of goods, services and information
- a prescribed activity or undertaking

PRINCIPLES

- **Access:** Persons should have barrier-free access to places, events and other functions that are generally available in the community.
- **Equality:** Persons should have barrier-free access to those things that will give them equality of opportunity and outcome.
- **Universal design:** Access should be provided in a manner that does not establish or perpetuate differences based on a person's disability.
- **Systemic responsibility:** The responsibility to prevent and remove barriers rests with the person or organization that is responsible for establishing or perpetuating the barrier.

WHAT ARE BARRIERS?



Physical/Architectural



Information & Communications



Attitudinal



Technological



Systemic (an enactment, policy, or practice)

ACCESSIBILITY FOR MANITOBANS ACT

Public sector bodies must prepare an accessibility plan that addresses the identification, prevention, and removal of barriers in policies, programs, practices, and services.

AN ACCESSIBILITY PLAN **MUST:**

- Be updated every 2 years (next round is 2028).
- Be presented in an accessible format and available to the public.
- Have been prepared in consultation with persons people with disabilities or representative organizations.

ACCESSIBILITY FOR MANITOBANS ACT

Public sector bodies must prepare an accessibility plan that addresses the identification, prevention, and removal of barriers in policies, programs, practices, and services.

AN ACCESSIBILITY PLAN MUST **INCLUDE**:

- Listing progress in identifying, preventing, and removing barriers.
- Proposing actions for the 2-year plan to identify, remove, and prevent barriers.
- Sharing metrics to track and assess progress and effects on barriers.
- Proposed policies, programs, practices and services related to accessibility.
- Proposed enactments or by-laws that will be administered related to accessibility.

ACCESSIBILITY FOR MANITOBANS ACT

Public sector bodies must prepare an accessibility plan that addresses the identification, prevention, and removal of barriers in policies, programs, practices, and services.

MORE SIMPLY, AN ACCESSIBILITY PLAN SHOULD **ASK**:

- What has been done so far?
- What will we do in the next two years?
- How will we track if we are successful?
- Do we, or will we implement or follow any new policies or laws related to accessibility?
- Is this plan accessible to read and available to the community?
- Have we consulted people with disabilities to make and implement this plan?

ACCESSIBILITY STANDARDS (REGULATIONS)

- Provide barrier free access to goods, services, events, and communications
- Have an accessible process for receiving feedback
- Provide training to staff who interact with the public

**ACCESSIBLE
CUSTOMER SERVICE
STANDARD
REGULATION**

- Provide reasonable accommodations for employees / recruitment
- Provide training to staff who recruit, manage, supervise, hire, or write policy
- Create personalized accommodation plans and emergency response plans as applicable

**ACCESSIBLE
EMPLOYMENT
STANDARD
REGULATION**

- Provide accessible communications, web content, applications
- Provide training to staff who create communications, procure information and technology
- Inform the public of how they can request accessible materials
- Have an accessible feedback process

**ACCESSIBLE
INFORMATION AND
COMMUNICATION
STANDARD**

WHAT ABOUT THE ACCESSIBLE CANADA ACT AND ACA/CSA STANDARDS?

While the Accessible Canada Act does not directly apply to municipalities, it still matters and can support future accessibility progress.

Provinces and municipalities increasingly align their practices with ACA related standards for consistency and best practice.

THE ACCESSIBLE CANADA ACT

- Sets national policy direction toward a barrier free Canada by 2040
- Drives development of national accessibility standards through Accessibility Standards Canada (ASC)

CSA AND ASC STANDARDS

- Are voluntary for municipalities, unless adopted through policy or design guideline.
- Represent accepted best practices for accessible built environments.
- Used as authoritative guidance where provincial standards are still evolving.
- Increasingly cited in accessibility plans, design manuals, and RFPs.

Jurisdiction	Act	Date	Currently Legislated Standards	Municipal Requirements	Plan Timelines
Quebec	<i>Act to secure handicapped persons in the exercise of their rights</i>	1978 / 2004	Provides duties, policy directions, and institutional mandates with supporting regulations.	<ul style="list-style-type: none"> Municipalities above population thresholds must produce an “annual action plan.” 	Annually
Ontario	<i>Accessibility for Ontarians with Disabilities Act</i>	2005	<ul style="list-style-type: none"> Customer Service Standard Information & Communication Standard Transportation Standard Employment Standard Design of Public Spaces Standard 	<ul style="list-style-type: none"> Establish an accessibility advisory committee (pop ≥ 10,000) Prepare an accessibility plan comply with all standards publish annual progress updates 	Every 5 years
Manitoba	<i>The Accessibility for Manitobans Act</i>	2013	<ul style="list-style-type: none"> Accessible Customer Service Standard Regulation Accessible Employment Standard Regulation Accessible Information and Communication Standard Regulation Accessible Transportation Standard Regulation 	<ul style="list-style-type: none"> comply with all standards prepare an accessibility plan consult persons with disabilities make plans publicly available 	Every 2 years
Nova Scotia	<i>Accessibility Act</i>	2017	<ul style="list-style-type: none"> Built Environment Accessibility Standard 	<ul style="list-style-type: none"> Comply with all standards 	Not set
British Columbia	<i>Accessible British Columbia Act</i>	2021		<ul style="list-style-type: none"> establish an accessibility committee create a public feedback mechanism prepare and update an accessibility plan 	Every 3 years
Newfoundland & Labrador	<i>Accessibility Act</i>	2021		<ul style="list-style-type: none"> Prepare an accessibility plan Comply with accessibility standards 	Every 3 years
Saskatchewan	<i>The Accessible Saskatchewan Act</i>	2023		<ul style="list-style-type: none"> Prepare an accessibility plan (details and timeline to be set by standards) 	Not set
New Brunswick	<i>Accessibility Act</i>	2024		<ul style="list-style-type: none"> Municipal requirements will be defined through future regulations and standards 	Not set

WHAT REQUIREMENTS ARE WE MISSING?

TAKING A CLOSER LOOK

- Prepare an accessibility plan ✓
- Comply with all standards ✓
- Consult persons with disabilities ✓
- Make plans publicly available ✓
- Publish annual progress updates ⇅
- Establish an accessibility committee ✗
- Establish an accessibility advisory committee (pop ≥ 10,000) ✗
- Create a public feedback mechanism ✗⇅

HOW DOES MANITOBA COMPARE?

STRENGTHS

- One of only three provinces that has standards/regulations to follow, which are regularly being updated
- Plans need to be regularly updated and reviewed
- Plans require consultation with people with lived experience
- Plans are customizable to the organization

SO HOW DOES MANITOBA COMPARE?

CHALLENGES

- The legislation does not outline an end-goal for a fully accessible province
 - It also does not prescribe organizations to set goal dates.
- Legislation only gives some instruction on how to complete plans, where more information could help guide municipalities.
- Compliance is more tied to following Standards than the actions set in Plans.
- Does not require regular consultation with people with disabilities or the establishment of accessibility committees.

WHAT DOES THIS MEAN FOR YOU?

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*Removing Barriers to Understanding Accessibility
Legislation in MB - MPPI 2026*

WHERE I OFTEN SEE GAPS

AS MUNICIPALITIES

- Plans focus heavily on the built environment and not other barriers outside of the Standards
- Plans are specifically action-focused and lack visions, goals, objectives, or guiding principles
- Dates or goal ends are not included
- Accessible communications are not being implemented

AS PLANNERS

- Public engagement does not fully consider accessibility needs
- Documents provided to clients are not in accessible formats or designs, meaning they are not compliant

HOW CAN WE DO BETTER?

WHAT I'VE LEARNED

- Treat legislation as a starting point, not a check list
- Follow “nothing about us, without us” in process and consistently
- For each action, establish goals, timelines, and metrics of success

HOW CAN WE DO BETTER?

HOW YOU CAN APPLY IT

- Consider supplementing 2-year plans with a broader visionary document that includes goals and objectives
- Find more regular support from people with lived experience. Consider establishing municipal, district, or regional accessibility committees or have advisors to regularly consult with.
- Include implementation plans to outline metrics of success, responsibilities, timelines, and priorities.

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THANK YOU

QUESTIONS & DISCUSSION

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