

EXECUTIVE COMMITTEE OF COUNCIL

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: ACCESS ADVISORY COMMITTEE AND PROPOSED TERMS OF REFERENCE

RECOMMENDATIONS:

1. THAT Council approve the creation of an Access Advisory Committee, with the proposed Terms of Reference *attached* in *Appendix 1*.
2. THAT a copy of this report be forwarded to the Social Planning Committee for information.

REPORT

The Executive Committee of Council, at its meeting held on 2022 May 03, received and adopted the *attached* report seeking Council approval for the creation of an Access Advisory Committee, and proposed Terms of Reference.

Respectfully submitted,

His Worship, Mayor Mike Hurley
Chair

Councillor Mike Hillman
Vice Chair

Copy: Chief Administrative Officer Acting CFO GM Corporate Services GM Engineering GM Parks, Recreation and Cultural Services GM Planning and Development OIC-RCMP GM Community Safety Chief Human Resources Officer Fire Chief Chief Librarian City Solicitor

TO: CHAIR AND MEMBERS
EXECUTIVE COMMITTEE OF COUNCIL

DATE: 2022 April 19

FROM: GENERAL MANAGER
CORPORATE SERVICES
GENERAL MANAGER
PLANNING AND DEVELOPMENT

FILE: 14500 00

SUBJECT: ACCESS ADVISORY COMMITTEE AND PROPOSED TERMS OF REFERENCE

PURPOSE: To create an Access Advisory Committee, and propose Terms of Reference for an Access Advisory Committee.

RECOMMENDATIONS:

1. THAT Council approve the creation of an Access Advisory Committee, with the proposed Terms of Reference *attached in Appendix 1*.
2. THAT a copy of this report be forwarded to the Social Planning Committee for information.

REPORT

1.0 INTRODUCTION

In 2021 June, the *Accessible British Columbia Act* received royal assent. The *Act* is a provincial law that establishes a framework for government to work in partnership with people with disabilities and the broader community to identify, remove, and prevent barriers to the full and equal participation of people with disabilities in BC.

The responsible Provincial ministry, the Ministry of Social Development and Poverty Reduction, has released preliminary guidance for public sector organizations and local governments regarding requirements of Part 3 of the *Accessible B.C. Act*. Part 3 of the *Act* requires government and prescribed organizations (including local government) to establish an accessibility committee, which will provide input and direction towards:

- development of an organizational accessibility plan; and
- creating a mechanism for public feedback on accessibility.

The Ministry anticipates that relevant organizations will be prescribed under Part 3 of the *Act* in phases, and that organizations will have at least one year to comply after they are prescribed. The Ministry further anticipates having the first regulation in place in late 2022/early 2023.

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From: General Manager Corporate Services
General Manager Planning and Development
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The City currently has a staff-led Access Advisory Committee, which was established in 1988, to provide advice and direction to the Planning and Development Department on access and inclusion issues. The Committee is chaired by staff (Social Planning) and reports to Council via the Social Planning Committee. In the opinion of staff, the advent of the *Accessible B.C. Act*, necessitates a modification to the operations of the existing Committee. This is discussed in further detail in *Section 3.0* below.

2.0 POLICY CONTEXT

Civic involvement in accessibility and inclusion is aligned with the following Council-adopted policies and plans/strategies: *Corporate Strategic Plan* (2017), *Social Sustainability Strategy* (2011), *Equity Policy* (1994, updated 2020), and the *Healthy Community Policy* (1991).

3.0 ACCESS ADVISORY COMMITTEE OF COUNCIL

As mentioned above, the existing staff-led Burnaby Access Advisory Committee (BAAC) was established in 1988 to provide advice and direction to the Planning and Development Department on access and inclusion issues. The group is comprised of Burnaby residents, as well as staff from a number of City departments (Parks, Recreation and Cultural Services; People and Culture; Engineering), Burnaby Public Library, and the Fraser Health Authority. Resident members are either persons with disabilities themselves, family members of persons with disabilities, or representatives from organizations supporting persons with disabilities.

The Committee is chaired by staff (Social Planning) and reports to Council via the Social Planning Committee. The current main functions of the Committee are:

- making the city more inclusive and accessible for persons with disabilities by addressing the physical, social and attitudinal barriers that prevent their full participation in aspects of community life;
- helping identify and prioritize what accessibility improvements are required in City facilities and providing input on the design of new civic policies, programs and buildings; and
- organizing the annual National AccessAbility Week and the United Nations International Day of Disability observance in Burnaby.

As a staff-led Committee, it operates outside of the Burnaby Procedure Bylaw (2004), and can only recommend approaches and actions – not direct them. Membership is also more informal, and several members have served for many years.

While the Committee has provided invaluable input over the years of its existence, the requirements and breadth of the anticipated prescriptions under Part 3 of the *Act*, necessitate, in the opinion of staff, that the Committee be formalized as a Committee of Council. This formalization will provide the necessary prominence and create a body within the City's administrative and decision-making structure, which will be able to provide direction on a City-wide accessibility plan and its implementation. Staff recommend that this change be considered to take place in time for an inaugural meeting to be held in early 2023, in order to align with an anticipated prescription timeline from the Province.

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General Manager Planning and Development
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As per Section 9 of the *Accessible B.C. Act*, membership composition of any organizational access committee is required to be at least half persons with disabilities or individuals who support, or who are from organizations that support, persons with disabilities. It is also required that the membership of the committee reflect both the overall diversity of the community/province, as well as the diversity of person with disabilities. The legislation also clarifies that at least one of the members is an Indigenous person.

If formation of an Access Advisory Committee as a formal Committee of Council is approved, it is proposed that this recruitment take place at the same time as annual recruitment for all civic committees, boards and commissions (Fall of 2022). Members of the existing Access Advisory Committee will also be encouraged to apply.

Appropriate budget for access supports including sign language interpretation, real-time captioning, note taking services, and assistive listening devices etc., will be included in the Boards, Committees, and Commissions 2023 budget and subsequent budget cycles.

Based on the discussion above, proposed Terms of Reference of the recommended Access Advisory Committee are *attached* to this report as *Appendix 1*.

4.0 RECOMMENDATIONS

In order to fulfill the pending requirements of the *Accessible B.C. Act* for local governments, staff recommend that Council approve the creation of an Access Advisory Committee, with the proposed Terms of Reference *attached* in *Appendix 1*. In addition it is recommended that a copy of this report be forwarded to the Social Planning Committee for information.



D. Dattani, General Manager
CORPORATE SERVICES



E.W. Kozak, General Manager
PLANNING AND DEVELOPMENT

RM:sa

Attachment

Copied to: Chief Administrative Officer
Deputy Chief Administrative Officer and Chief Financial Officer
General Manager Engineering
OIC – RCMP
General Manager Community Safety
Chief Human Resources Officer
General Manager Parks, Recreation and Cultural Services
Fire Chief
Chief Librarian
City Solicitor
City Clerk



**Access Advisory Committee
Terms of Reference
2022 April**

1. Purpose:

The Access Advisory Committee advises Council on improving access and inclusion for community members with disabilities.

Authority:

- Community Charter, Part 5, Division 4, S.142 (Select Committees of Council)

Background:

- In 2021 June, the Accessible B.C. Act received royal assent. The Act establishes a framework for government to work in partnership with people with disabilities and the broader community to identify, remove, and prevent barriers to the full and equal participation of people with disabilities in B.C. Part 3 of the Act requires local government to establish an accessibility committee.
- The City of Burnaby has had an operating Access Advisory Committee since 1988, reporting to City Council through the Social Planning Committee.
- Given the passing of the Accessible B.C. Act, the Access Advisory Committee is being reformed as a Select Committee of Council.
- Accordingly, in 2022 April, Access Advisory Committee was established.

2. Functions:

- 2.1. Assist in identifying accessibility and inclusion barriers to individuals within the community or interacting with the organization.
- 2.2. Recommend on how to remove and prevent any identified barriers.
- 2.3. Advise on development of an organizational accessibility plan.
- 2.4. Create a mechanism for public feedback on accessibility.

3. Membership:

- 3.1. As per s. 142 of the Community Charter,

"(1) A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.

(2) At least one member of a select committee must be a council member.

(3) Subject to subsection (2), persons who are not council members may be appointed to a select committee."

3.2. As per s. 9 of the Accessible B.C. Act,

(2) An accessibility committee must, to the extent possible, have members who are selected in accordance with the following goals:

(a) at least half of the members are

(i) persons with disabilities, or

(ii) individuals who support, or are from organizations that support, persons with disabilities;

(b) the members described in paragraph (a) reflect the diversity of person with disabilities in B.C.;

(c) at least one of the members is an Indigenous person;

(d) the committee reflects the diversity of persons in B.C.

3.3. Membership consists of up to three (3) representatives from Council, and up to seven (7) resident representatives.

3.4. Membership term is three (3) years with the opportunity for one (1) renewal.

3.5. A member who is absent from three (3) consecutive meetings of the Committee without leave of the Committee or without reason satisfactory to the Committee shall forthwith cease to be a member.

3.6. Staff support is provided by the Planning and Development Department; Parks, Recreation and Cultural Services Department; Engineering Department; People and Culture Department; Burnaby Public Library; and the Office of the City Clerk.

4. Meetings:

4.1. Committee meetings will be scheduled in accordance with criteria outlined in Sections 35 and 36 of the Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).

4.2. Meeting procedures are regulated according to Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).

5. Reference Information:

- Burnaby Procedure Bylaw 2004 (Bylaw No. 11714)
- Corporate Strategic Plan (2017)
- Burnaby Social Sustainability Strategy (2011)
- Burnaby Equity Policy (1994, Updated 2020)