

# **An Accessibility & Inclusiveness Study For the City of Langley**



**December 3, 2007**

*Submitted to:*

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# **I. Executive Summary**

In May 2007 the City of Langley retained the Social Planning and Research Council of BC (SPARC BC) to undertake research for the preparation of a Plan for Accessibility and Inclusion in the City of Langley. The plan focused on four key issue areas:

- Municipal Policies and Practices
- Physical Accessibility
  - Public facilities
  - Parks and Recreation
  - Restaurants
  - Lodging
  - Shopping and Entertainment
- Accessible Tourism; and
- Inclusive Employment Practices

To guide the study, the City of Langley established a Steering Committee that included people with disabilities, the business community, and agencies serving people with disabilities. An Open House was held in June to seek public input into the issues to be addressed by the study, and to develop an inventory of sites to be audited over the summer. In September, a workshop was held to give stakeholders an opportunity to review the audit results and set priorities for the City's Plan for Accessibility and Inclusion. This report presents the recommendations that resulted from the Audit, the Workshop, and the Steering Committee, for Council's consideration.

## **Study Objectives**

The purpose of the Study is to develop a comprehensive strategy to make the City of Langley accessible and inclusive for people with disabilities. In particular, this Study:

- a) Inventories the existing conditions in the City of Langley's built environment as they relate to accessibility and inclusion;
- b) Identifies issues and opportunities to improve accessibility and social inclusion in the City; and

- c) Presents a plan and implementation strategy for making the City of Langley a model community for accessibility and inclusiveness.

## **Key findings**

In general, City of Langley does a good job of accessibility and inclusion. The City of Langley has provided leadership through Council's commitment to becoming a model community for accessibility and inclusiveness, and City Council adopted the 10X10 Challenge, committing the City to increasing employment of people with disabilities by ten percent by 2010.

The City's Official Community Plan recommends that building and site design address physical accessibility. New municipal buildings are fully accessible, and older buildings have been retrofitted. Parks are mostly accessible, although some improvements could be made to several of the washrooms. The City has also addressed pedestrian access: curb cuts and audible pedestrian signals have been installed at major intersections.

Despite of all that is going well in the City of Langley, there is always room for improvement. Several minor and not so minor improvements are recommended to municipal facilities to demonstrate the City of Langley's ongoing commitment to accessibility. Several important recommendations were made during the stakeholder Open House and Workshop to enhance pedestrian safety and convenience.

The accessibility audit also resulted in recommendations for hotels, restaurants and commercial businesses to improve their accessibility in support of Langley's goal of accessible tourism.

## **Proposed Accessibility and Inclusion Plan**

Activities identified for Year 1 of the plan include:

1. Establish an advisory committee on accessibility and inclusion
2. Address (& inspect) safety issues identified during the audit

3. Introduce a “Gold Star”<sup>1</sup> plan to recognize accessible businesses, and establish a funding program to assist businesses and organizations to become fully accessible
4. prioritize improvements to physical accessibility to some municipal facilities, starting with Municipal Hall, and
5. Establish an accessibility and inclusion program with an annual budget

Year 2 and 3 activities include

1. Additional physical improvements to public facilities, parks and pedestrian access
2. Capacity building among staff
3. Introduction of Policies in the areas of
  - i. Inclusive hiring practices
  - ii. Accessible streets
  - iii. Access to municipal information
  - iv. Emergency preparedness plan specifically addressing the needs of people with disabilities
  - v. Adaptable/visitable<sup>2</sup> design for residential facilities
  - vi. Full service options at gasoline stations

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<sup>1</sup> See Attachment 1 for Criteria for Gold Star recognition.

<sup>2</sup> See Attachment 2 for definitions of terms used throughout this report.



## **II. Introduction**

The purpose of the Study is to develop a comprehensive strategy to make the City of Langley accessible and inclusive for people with disabilities. In particular, this Study:

- a) Inventories the existing conditions in the City of Langley's built environment as they relate to accessibility and inclusion;
- b) Identifies issues and opportunities to improve accessibility and social inclusion in the City; and
- c) Presents a plan and implementation strategy for making the City of Langley a model community for accessibility and inclusiveness.

## **III. The Context of the Project**

*Whether we are born with a disability, ... acquire a disability later in life, ... or are simply encountering the realities of old age, we are all only temporarily able-bodied.*<sup>3</sup>

With the 2010 Paralympic Games in Vancouver and Whistler on the horizon, the City of Langley is looking to position itself as a model community for accessibility and inclusiveness.<sup>4</sup> The City's vision recognizes both the potential of developing the new market niche of 'accessible tourism' (which is expected to grow as the regional population ages)<sup>5</sup> and the importance of creating a community that is completely inclusive – a community where everyone is able to live more independently and participate more fully.

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<sup>3</sup> Patrice Pratt and Jonathan Ross/TDH Strategies (2005) *The Accessible/Inclusive Cities and Communities Project (Draft Report)*, p. 2.

<sup>4</sup> Distinguishing between 'accessibility' and 'inclusion' serves to draw out two dimensions of active participation in a community. Accessibility is about removing physical or structural barriers to participation – it's what gets you in the room. Inclusion goes further – it's knowing that once you are in the room, your presence, participation and contributions are recognized. (because you use the same quote on the next page, you may want to delete this footnote.)

<sup>5</sup> The City of Langley Economic Development Strategy notes this trend in tourism (p. 97), stating: "In Canada, by the year 2011, the age group of 44-64 year olds will number 10.2 million, up from 6.4 million today. Significant potential during the next decade will be with the 75+ age group."

Significantly, the City of Langley's recent Economic Development Strategy Plan has singled out tourism as an economic sector with considerable potential for acting "as a catalyst for creating new partnerships and business activity throughout the community" (p. 4).<sup>6</sup> The goal of positioning itself as an industry leader with an emphasis on accessible tourism makes sense. It is known, for example, that the market of people with disabilities, conservatively estimated at 14% of the BC population, is largely untapped, that the day trip market for Langley is sizable and growing (both north and south of the border) and, according to the Accessible/Inclusive Cities Project's experience with ten BC communities, that "business considerations are a key motivator in building accessible and inclusive communities" (p. 5).

While the City of Langley has had a Mayor's Advisory Committee on Accessibility for some time and "ensures that its facilities are maintained at a high level of accessibility,"<sup>7</sup> it nevertheless sees its efforts to date as limited and ad hoc. In calling for a comprehensive study of both accessibility and social inclusion, the City is taking note of what the disabled community has told all British Columbians – namely, that the active participation of disabled community members depends on two things. The first, accessibility, is about removing physical or structural barriers to participation (largely but not entirely in the built environment) – 'it's what gets you in the room,' advocates say. The second, inclusion, goes further – 'it's knowing that once you are in the room, your presence, participation and contributions are recognized.'<sup>8</sup> Working towards participation of this kind on the part of everyone in Langley clearly meets the City's goal for this project – "to enhance the welfare of City residents."

An accessible community is not a "special" measure for people with disabilities. An accessible community is good for every member of that community, be it a mother pushing a baby buggy, a young person who's temporarily injured in some sports activity, or a person who uses a wheelchair, etc.

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<sup>6</sup> This is the basic premise of *2010 Legacies Now* in its support of the 'Measuring Up Guide,' a tool that promotes full inclusion of people with disabilities throughout B.C.'s communities.

<sup>7</sup> SPARC BC (2006/06) *Access Links: Community Accessibility Contacts*, p. 24.

<sup>8</sup> Avril Orloff (2005) *Measuring Up: A 2020 Vision for Inclusive Cities*, *Abilities*, No. 64, p. 32. See also SPARC BC (1996) *Making Space for Everyone: A Guide to Creating Accessible Cities*; Inclusive Cities Canada (2004) *Background Paper and Project Overview, Phase 1*; SPARC BC (2006) *Everybody's Welcome: A Social Inclusion Approach to Program Planning and Development for Recreation and Park Services*; and Patrice Pratt and Jonathan Ross/TDH Strategies (2005) *The Accessible/Inclusive Cities and Communities Project (Draft Report)*.

Although the City of Langley is designated as one of seven Regional Town Centres in the Metro Vancouver<sup>9</sup>'s *Livable Region Plan* and has evolved into an important regional hub, the City's current population stands at about 25,000 and is growing relatively slowly. Accordingly, a plan for improving accessibility and inclusiveness that can be implemented on a small scale and on a step-by-step basis is realistic. At the same time, much of the City's physical terrain is flat, local priorities already include growing the tourist industry, revitalizing the downtown, beautifying its streets, and enhancing personal safety. The 2010 Olympic and Paralympics undoubtedly provide a unique opportunity to both showcase the community and galvanize support for the initiative.

For all of these reasons, and because much of the 'expertise' in such matters resides locally in the community of people with disabilities, the City recognized that engaging the community in identifying the issues and developing the solutions is critical to the success of this Study.

## **IV. STUDY FINDINGS**

### **Literature Review**

#### 1. Legislative Framework for Accessibility

Municipal governments are delegated responsibilities and powers from the Provincial government. In BC, regulations governing municipal responsibilities are outlined in the *Local Government Act* and the *Community Charter*. A brief outline of the regulations that impact on a municipality's authority to introduce bylaws and other regulations to promote accessibility follows. For a detailed discussion of municipal authority in the area of accessibility, see SPARC BC's *Model Municipal Bylaws for Accessibility* (forthcoming)<sup>10</sup>.

### **The Community Charter**

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<sup>9</sup> Formerly GVRD.

<sup>10</sup> This Report will be made available to the City of Langley upon completion

Section 7 of the *Community Charter* establishes what the legislature considers to be the purposes of a municipality. These include: (a) providing for good government of a community; (b) providing for services, laws and other matters for community benefit; (c) providing for stewardship of the public assets of the community; and (d) fostering the economic, social and environmental well-being of the community. Section 8 of the *Community Charter* establishes the broad categories of powers that municipalities in British Columbia possess. Under Section 8(3)(1), municipalities are prevented from developing and enforcing building standards that are more stringent than those in the building code. This is a crucial clause, as it restricts the municipality's ability to pass bylaws requiring accessible, adaptable or visitable<sup>11</sup> buildings and structures. The response of many municipalities has been to develop voluntary guidelines for developers, along with some incentives that are further discussed later in this report.

Section 10 further spells out the limits of municipal jurisdiction in relation to provincial law, confirming that a municipal bylaw has no effect if it is inconsistent with a Provincial enactment. This means that if a person can only comply with a bylaw by violating provincial law, then the bylaw is invalid.

Section 12(1) gives municipalities the power to discriminate and differentiate between people, places and circumstances. This is a helpful tool in developing accessible bylaws. For instance, it allows municipalities to designate people with disabilities as a class of people who can then become beneficiaries of bylaws designed to enhance their interests. The full section reads:

12 (1) A municipal bylaw under this Act may do one or more of the following:

(a) make different provisions for different areas, times, conditions or circumstances as described by bylaw;

(b) establish different classes of persons, places, activities, property or things;

(c) make different provisions, including exceptions, for different classes established under paragraph (b).

12 (2) A council may, in exercising its powers under section 8 (1) [natural person powers], establish any terms and conditions it considers appropriate.

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<sup>11</sup> See Attachment 2 for definitions of terms used throughout this report.

This section allows municipalities to make special provisions for target groups, such as people with disabilities (for example, designating certain parking spaces).

Section 15(1) of the Community Charter allows for municipalities to control the issuance of licenses, permits or approvals, by establishing standards, codes or rules. Municipal licensing powers are some of the strongest tools available to a municipal council. For example, a municipality can require that gas stations serve people with disabilities by providing a full service option to customers in order to receive a license to sell gasoline.

Part 5 of the Community Charter authorizes councils to establish advisory committees for public consultation. One member of a select committee must be a council member. Section 904 of the *Local Government Act* allows municipal governments to establish different density regulations for a zone, one of which is generally applicable and another, higher density one which will apply if the owner meets certain conditions, such as the provision of amenities or affordable and special needs housing.

## **The Local Government Act**

Section 905 of the Local Government Act gives municipal governments the power to enter into “housing agreements” to make sure that a certain percentage of houses are accessible for people with disabilities. However, such an agreement will not vary the use or density from that permitted in the applicable zoning bylaw.

Section 906(1) allows municipalities to require that parking spaces be reserved for people with disabilities. The section reads:

906 (1) A local government may, by bylaw, require owners or occupiers of any land, building or structure to provide off-street parking and loading spaces for the use, building or structure, including spaces for use by disabled persons, and may

(a) classify uses, buildings and other structures and differentiate and discriminate between classes with respect to the amount of space provided,

(b) exempt from any requirement of a bylaw made under this subsection or subsections (2) and (3),

- (i) a class of use, building or structure, or
- (ii) a use, building or structure existing at the time of the adoption of a bylaw under this subsection,
- (c) impose different requirements for different areas and zones or different uses within a zone, and
- (d) establish design standards, including the size, surfacing, lighting and numbering of the spaces.

The *Local Government Act* also gives municipalities the power to engage in community planning. The power is primarily established in section 876 of the Act.<sup>12</sup> Section 878(1)(a) is also important because it gives municipalities the power to include “policies of the local government relating to social needs, social well-being and social development.” It is this clause which authorizes municipalities to develop an accessibility plan as part of their community plan.

Section 36(11) of the *Motor Vehicle Act* grants legislative authority for a municipal government to regulate taxi companies.<sup>13</sup> A regulation under the Act establishes rules for accessible taxis.<sup>14</sup> This means that municipalities, having the power to regulate and license taxis, can require taxi companies to provide some taxis which meet the provincial accessibility requirements.

## 2. Funding for Accessibility and Inclusion Initiatives

The City of Langley’s Accessibility and Inclusion Plan corresponds to Phase 2 of the 2010 Legacies *Measuring Up* Program. Additional funding is available through Phase 3 of *Measuring Up* (to a maximum of \$25,000) for implementation

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<sup>12</sup> 876 (1) A local government may, by bylaw, adopt one or more official community plans.

(2) An official community plan

(a) must be included in the adopting bylaw as a schedule, and

(b) must designate the area covered by the plan.

(3) In developing an official community plan, the local government must consider any applicable guidelines under section 870 [provincial policy guidelines].

<sup>13</sup> s. 36(11) The council of a municipality may by bylaw provide for the regulation, in accordance with this section, of chauffeurs in the municipality and for the issue of permits to chauffeurs by the chief of police.

<sup>14</sup> B.C. Reg. 26/58, *Motor Vehicle Act*

of accessibility initiatives identified during Phase 2. It is recommended that the City of Langley apply for Phase 3 funding to implement this Accessibility and Inclusion Plan. Another program that Langley can apply to for funding is the Province's new "Let's Play" program, which offers up to \$50,000 for accessible playgrounds. In addition to these funding programs, Federal and Provincial programs support social development, employment initiatives, and housing for people with disabilities. The City of Langley can encourage businesses in the City to employ people with disabilities, and provide them with information about the programs that are available to facilitate this employment. The City itself can take advantage of these programs, including those that help employers find qualified employee prospects. See Attachment 6 for a summary of federal and provincial programs that support accessibility and inclusion, and links to additional information.

### 3. City of Langley's Accessibility and Inclusion Policies and Practices

The City of Langley has provided much needed leadership in the area of accessibility and inclusion. The City has made a commitment to becoming a model community for accessibility and inclusiveness, and City Council adopted the 10X10 Challenge, committing the City to increasing employment of people with disabilities by ten percent by 2010. They have also appointed representatives to the 10X10 Committee. The City's Official Community Plan recommends that building and site design address physical accessibility. See Attachment 7 for a full listing of Langley policies and practices that enhance Accessibility. In addition to these initiatives, the City has recognized the need for a systematic approach to addressing accessibility and inclusion and is one of the first municipalities in the province to undertake an accessibility and inclusiveness study.

### 4. Best Practices in Accessibility and Inclusion

Best practices in the areas of community planning and policy development, physical access, accessible tourism and employment were examined during the literature review. In the realm of physical access, standards for public facilities, streets and pedestrian circulation, parking, and municipal parks and recreation were explored. The Province of Ontario has more rigorous accessibility requirements than does British Columbia and has thus provided a wealth of resources. Bylaws adopted by various British Columbia municipalities also proved to be invaluable. For a full discussion of best practices and model

bylaws, see SPARC BC's *Model Municipal Bylaws for Accessibility* (forthcoming)<sup>15</sup>.

The City of Langley is well on its way to being a leader in accessibility and inclusion, but there is plenty to learn from other jurisdictions. The Ontarians with Disabilities Act requires municipalities to develop an annual accessibility plan. The Act requires that municipalities create an advisory committee, conduct an accessibility audit, and develop an accessibility plan. Areas that are generally addressed in these plans include physical accessibility, access to information, accessible programs and services, hiring practices, and municipal grant programs. The City of Langley, in absence of a similar act in British Columbia, has implemented all the requirements contained in the Ontario Act. The Council of the City of Langley may, however, wish to advocate for a similar Act for British Columbia.

An accessibility advisory committee should include people with a broad range of disabilities, although they can also include other people such as business and health sector representatives. These committees assist the municipality in conducting accessibility audits of municipal practices, programs and the built environment, developing accessibility plans and conducting an annual review and update of the plan, provide guidance on the development of policies and regulations related to accessibility, and help municipal staff review development applications for accessibility. While the City of Langley established a Steering Committee for the development of the Accessibility and Inclusiveness Plan, it is recommended that the City of Langley use an advisory committee to guide implementation of the Plan as well.

Progressive municipalities in BC have adopted policies and regulations in the following areas:

- Accessible municipal literature/Access to information
- Accessible parking bylaws
- Pedestrian access
- Adaptable, universal and accessible design
- Hiring practices
- Taxi bylaws
- Street and traffic bylaws
- Housing policy (including accessible design and density bonusing)
- Full service provisions for gas stations.

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<sup>15</sup> This Report will be made available to the City of Langley upon completion



## **Audit Findings**

In general, City of Langley does a good job of accessibility and inclusion. New buildings are fully accessible, and older buildings have been retrofitted. Parks are mostly accessible, although some improvements could be made to several of the washrooms. Curb cuts and audible pedestrian signals have been installed at major intersections. Despite of all that is going well in Langley, there is always room for improvement. Several minor and several more comprehensive improvements to municipal facilities will demonstrate the City of Langley's ongoing commitment to accessibility. Several important recommendations were made during the stakeholder Open House and Workshop to enhance pedestrian safety and convenience.

Five hotels/motels were audited as part of this study. The newer hotels in the City of Langley are reasonably accessible, with some improvements possible in the accessible guest rooms, particularly in regards to accessible bathing. Some of the older facilities can be retrofitted to achieve a reasonable level of access. Two of the facilities are not accessible, and are unlikely to achieve accessibility until major renovations or replacement is undertaken.

The level of accessibility among restaurants varied, with some achieving a good level of accessibility, and others that could become accessible with minor improvements. Each hotel and restaurant will be sent a written report on the results of their audit, with recommendations for improvements.

Most businesses have flush thresholds, and keep their aisles reasonably clear of clutter. Suggestions have been made to some store operators to improve accessibility. The 20400 Block of Fraser Highway presents some challenges, as most store fronts along the north side of that block have steps leading up to the store entrance. In some cases, access ramps have been constructed. Detailed findings of the Audit are described in Attachment 8.

## **Results of Priority-setting Workshop**

At the September Workshop, stakeholders identified increasing accessibility of businesses in the downtown core as high priority, particularly the accessibility of restaurants. They strongly supported the establishment of a "Gold Star" program to recognize businesses that are accessible. The concept involves rating businesses on a continuum from "not accessible" (no stars) to "exemplary" (4

stars), and recognizing accessible businesses in a number of ways (presenting them with certificates at a Council meeting during Access Awareness Week in June, announcing the recipients on the City Web Site, providing the businesses with an accessibility sticker, etc). See Attachment 1 for the proposed criteria for the Gold Star program.

Rated next in priority by the stakeholders were safety issues: providing a raised “lip” or railing at the viewing area at Brydon Lagoon (to prevent wheel chairs or strollers from rolling over the edge), increasing accessibility of the pedestrian signal button at the North East corner of Fraser and Number10 highways, and removing obstacles in pedestrian pathways. Next in priority were various improvements to City Hall and Library and various parks. For a complete list of prioritized items, see Attachment 9.

## **V. CITY OF LANGLEY PLAN FOR ACCESSIBILITY & INCLUSIVENESS**

In all, 75 recommendations for improving physical accessibility in the City of Langley were identified as a result of the Open House, Audit, and Workshop. The review of best practices resulted in a list of potential municipal policy responses, as well as municipal practices for promoting inclusion. While some of the recommendations can be implemented at little or no cost, some do have cost and resource implications, and the reality of municipal budgets and work loads means that these initiatives will need to be phased. Even when all proposed improvements are made, advances in technology and building techniques and standards are likely to mean accessibility is never “done”, but is a process of ongoing improvement. Now that the accessibility audit and draft plan are complete, an annual review of progress and development of an annual implementation plan will ensure that the City of Langley stays on track and remains “The Place to Be” for Accessibility and Inclusiveness.

A proposed Plan for Accessibility and Inclusiveness is presented here for Council consideration. Some of the Year 1 items may need to be postponed to subsequent years due to budget limitations. Access to new funding sources and shifting community priorities could result in changes to the plan, but an annual review can ensure that the plan continues to be responsive to community needs.

### **YEARS 1-2**

## 1. Establish an advisory committee or a community coalition on accessibility and inclusion

It is important to provide ongoing opportunities for community involvement and seek consumer<sup>16</sup> advice in the implementation of the City of Langley Accessibility and Inclusion Plan. One approach to achieving these objectives is to establish a municipal advisory committee.

An advisory committee on accessibility and inclusion should include City of Langley residents with a wide range of disabilities, as well as a Council representative. It should include at least one member of municipal staff (e.g. from Planning, Parks and Recreation, or Engineering, for example), and it is advisable to include members of the business community or service agencies. The City of Langley has a number of options: they can invite the members of the Steering Committee who assisted in the development of this plan, to sit on a new Accessibility and Inclusion Committee. The City may also wish to consider establishing a joint advisory committee with neighbouring municipalities (such as the Township of Langley and Aldergrove). Alternatively, the City may wish to expand the membership and mandate of the existing Parks, Recreation and Culture Committee.

While the responsibilities of the Committee can vary, at the minimum, the Committee should assist the Municipality in monitoring the implementation of the Accessibility Program and Plan, and provide guidance on policy development. An advisory committee can also review development applications for accessibility. A proposed Terms of Reference modelled on the North Shore Advisory Committee on Disability Issues is attached (Attachment 10).

During the Steering Committee review of the Draft Plan, interest was expressed in making the Accessibility and Inclusion initiative broader than just a municipal program. With this in mind, the advisory body could take the form of a coalition of community groups and organizations that are interested in accessibility and inclusion. Other community based models include developing a community accessibility planning table (modelled on the Child Care Planning Tables that are operating in many municipalities), or actually forming a new non-profit society

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<sup>16</sup> People with disabilities are generally referred to as 'consumers' when a support service for people with disabilities is being planned, and it is customary for people with a wide range of disabilities to be consulted during the planning phase to ensure that the service meets their various needs.

with membership from various stakeholder groups and with consumer representation.

## 2. Address safety issues

1. Add a safety lip or railing at the edge of the viewing platform at Brydon Lagoon to prevent wheel chairs and strollers from rolling off the edge.
2. Improve pedestrian “island” at No. 10 Highway and Fraser Highway – NE corner. (approach to signal push button). This Island should ideally be larger, with a more gentle slope from the roadway on to the island. See Attachment 8 for details.
3. Move garbage receptacles and other “street furniture” blocking pedestrian pathways on sidewalks in the Business Improvement Area
4. Add signage at the library emergency exit (inaccessible) to direct patrons in wheelchairs to the accessible exit.

## 3. Encourage businesses in the City of Langley to become accessible, and to increase employment of people with disabilities.

1. Introduce a Gold Star Program for accessible businesses (See Attachment 1).

At the priority-setting workshop, stakeholders identified increasing the accessibility of businesses as a high priority. This priority also helps the City meet its objective of accessible tourism. Municipalities are limited in their ability to demand accessibility initiatives from private operators and land owners, but can encourage businesses to become more accessible in a number of ways.

As part of the Accessibility and Inclusion Study, the consultants have conducted audits of hotels, restaurants and major commercial areas in the City, and suggestions will be sent to business owners/managers.

The City of Langley can encourage Businesses to take measures to address the accessibility issues that were identified, by creating a “Gold Star Program” that recognizes accessible business. Businesses that were not part of the original audit could be encouraged to contact the City of Langley if they wish to participate in the Gold Star Program by undertaking a free accessibility audit.

Those facilities that already meet accessibility requirements and those that follow the suggestions arising out of the audit can be recognized by the City with a “Gold Star” accessibility designation. The City can recognize these businesses publicly at a Council meeting, and publicize the accessible facilities on their web site, in publications and also add them to the Canadian Abilities Foundation *Access Guide* web site (see <http://www.abilities.ca/agc/index3.php?pid=2&cid=287>)

2. Provide grants for accessibility initiatives

In order to assist businesses and organizations in addressing the accessibility issues identified during the audit, the City of Langley can implement a grant program. While municipalities cannot provide grants or other forms of assistance to businesses, a grant could be provided to a non-profit organization such as the Rick Hansen Wheels in Motion or the Regional Disabled Person’s Association and the recipient organization could work in partnership with businesses to retrofit existing buildings for accessibility. A possible source of funding for this could be the Phase 3 funds of the Measuring Up Program of 2010 Legacies Now. The Rick Hansen Foundation may also have funds available for this purpose.

3. Encourage businesses to hire people with disabilities

The City of Langley can also work closely with the Chamber of Commerce and the Downtown Langley Business Association to encourage local businesses to hire people with disabilities. The City can encourage businesses located in the City of Langley to adopt affirmative hiring policies, and can provide information on hiring people with disabilities. Excellent brochures are available through WorkAble Solutions ([www.workablesolutionsbc.ca](http://www.workablesolutionsbc.ca)). The City can also let businesses know about funding programs that are available to support accessible employment initiatives (see Attachment 6).

## 4. Focus on physical accessibility in municipal facilities

Eighty-four recommendations to improve physical accessibility in the City of Langley were identified during the study<sup>17</sup>, and stakeholders prioritized these recommendations during the September workshop. Once safety issues are addressed, it is recommended that the Municipality “start at home” by undertaking several improvements to municipal facilities. The following list of items received priority ratings during the September workshop.

1. Replace washroom sign in Municipal Hall with larger, high contrast sign.
2. Lower mail box/property tax box
3. Lower check out counter in library
4. Provide ramps to concrete pads at City Park
5. City Park and Sendall Gardens – provide accessible picnic tables with extended table top; asphalt pad and paved path to accessible table
6. Make accessibility improvements to park washrooms
7. Provide/improve bus shelter(s) along Logan Avenue.

## YEARS 2-5

### 1. Continue addressing physical barriers to accessibility in the City of Langley

It will likely take several years for the City of Langley to address all the issues of physical accessibility that were raised during the Open House, Audit and Workshop. The City of Langley should work with the advisory body on accessibility and inclusion to develop an annual implementation plan, including the establishment of annual priorities for addressing physical accessibility. The results of the audit and prioritization workshop (Attachments 8 and 9) can assist the City to select the projects to be implemented each year as the City budget allows. However, other priority issues may arise, and the advisory body’s guidance will be invaluable in this regard.

### 2. Build the capacity of municipal staff

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<sup>17</sup> This total includes 6 recommendations for Twin Rinks, and 6 initiatives to encourage businesses to become accessible.

### 1. Provide customer service training for staff

Very often services providers are uncomfortable in direct contact situations with persons with disabilities because they don't know what is required from them. There is a range of disabilities which may have different implications for customer service. Usually, these customers require no additional assistance, although many of them will appreciate it. Staff training provides municipal staff with a level of comfort and skill in accommodating people with special needs. Even where the staff member may not know how to best meet the needs of a particular client, they will gain valuable skills in respectfully interacting with people with disabilities (particularly with people with communication barriers). Often, simply increased awareness and good communication skills on the part of staff are more important than knowing specifically how to best assist someone with a disability in any particular situation. Providing good service often means being willing to ask "What can I do to help you with this?" and just being willing to help as best as one can.

### 2. Provide training for community planners and permit officers in universal/adaptable/visitable design principles

Courses and workshops are advertised on the Planning Institute of BC's web site, and PIBC members can gain credits for the compulsory Continuing Professional Development Program for attending a course on Universal or Adaptable Design or on the concept of "visitability". SFU's Urban Design Program has regular offerings in this regard.

### 3. Explore development of an inclusive hiring practices policy

People with disabilities are an untapped resource and can assist in addressing local labour shortages. The Canadian labour supply per capita is projected to decline beginning around 2012. New entrants into the labour market, such as people with disabilities, youth, and immigrants, could help to offset this situation.

A municipal inclusive hiring practices policy should include a commitment to employment equity, and a commitment to forward job postings to organizations that assist people with disabilities to find employment. See Attachment 11 for a model inclusive hiring practices policy.

The municipality can register with WorkAble Solutions, an initiative sponsored by the Minister's Council on Employment for Persons with Disabilities and BC Human Resources Management Association (HRMA).

The WorkAble Solutions website offers employers an exclusive site to post employment opportunities for persons with disabilities and search through lists of skilled job-seekers with disabilities. Employers and job-seekers with disabilities

can also use the website to access resources and connect with community agencies that work with employers and persons with disabilities.

WorkAble Solutions also provides employers and Human Resources professionals with tools to support recruitment and retention. All the materials are easily accessible online at [www.workablesolutionsbc.ca](http://www.workablesolutionsbc.ca).

In addition to following its own employment equity policies, the municipality can follow procurement policies that favour doing business with organizations that support employment of people with disabilities.

#### 4. Explore development of an accessible street bylaw

An accessible street bylaw is designed to make the transportation infrastructure of the municipality more accessible and user friendly for people with a variety of different disabilities. A model bylaw is contained in Attachment 12, and is based upon accessibility plan guidelines developed by the City of Toronto.<sup>18</sup> The bylaw states that “all pedestrian routes shall be safe and easy to use by a wide range of persons with disabilities. Pedestrian routes shall be easily identifiable, clearly separated from vehicular routes, and free of obstacles at all times of the year.” The bylaw then establishes guidelines to make numerous aspects of municipal streets more accessible. The bylaw’s guidelines should be implemented with all new construction, and in other areas in accordance with the municipality’s accessibility plan. Areas covered by this bylaw include: bridges; crosswalks; curb ramps/curb cuts; grades and elevation changes; lay-bys for vehicles; paths, sidewalks and walkways; pedestrian routes; ramps; stairs and steps; traffic islands on public right of way; bus/public transit shelters; bus stops; emergency vehicle access; street furniture and vending machines; passenger loading zones; boardwalks; crosswalk/pedestrian signals; lighting for exterior areas not including roads; traffic signals; garbage cans and recycling bins; benches and seats; bicycle racks; mail boxes; snow-melting and snow removal.

#### 5. Explore development of guidelines for access to municipal information

In a knowledge-based economy where access to and exchange of information is almost essential to participating in society and in the economy, accessible communication is an increasingly important subject. A draft Guidelines for Access to Municipal Information is included in this report as Attachment 13.

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<sup>18</sup> *City of Toronto: Accessibility Plan Guidelines*,  
<http://www.toronto.ca/diversity/accessibilityplan2003>



These Guidelines address readability and plain language, availability of alternative formats for printed material, and web accessibility standards.

It is anticipated that current and future advances in technology will allow the City of Langley to increase accessibility of municipal information at reasonable cost. For example, programs that offer live captioning (for Council meetings and other public meetings), or programs that allow written text to be transcribed into audio format, will likely be available in the future at reasonable cost.

For an example of current voice to text technology, see <http://www accuraterealttime.com/about.aspx>.

For an example of current text to voice technology, see <http://www.nextup.com/TextAloud/index.html>

## 6. Review emergency preparedness plans and emergency services

The Municipal Emergency Preparedness Plan should address the needs of people with disabilities. First responders need to address the evacuation requirements for vulnerable people in the event of an emergency. Municipal emergency services often work in collaboration with municipal Geographic Information Systems specialists to identify households that include people with special needs. Emergency volunteer training should include a component on accommodating the needs of people with various disabilities. Local Block Watch captains can be invaluable resources in ensuring that the needs of people with disabilities in their neighbourhoods are addressed during an emergency. The municipal emergency management staff can also provide emergency training to residents to help them prepare for emergencies, including people with disabilities. Finally, municipal emergency evacuation plans for any municipally owned buildings should also address the needs of people with disabilities.

## 7. Explore development of adaptable design guidelines for residential development

Under Section 8(3)(1) of the Community Charter, municipalities are prevented from developing and enforcing building standards that are more stringent than those in the building code. This is a crucial clause, as it restricts the

municipality's ability to pass bylaws requiring accessible, adaptable or visitable<sup>19</sup> buildings and structures. The response of many municipalities has been to develop voluntary guidelines for developers, along with incentives such as density bonusing for provision of accessible or adaptable suites. Examples of adaptable design guidelines from the City of North Vancouver and the District of North Vancouver are included as Attachment 14.

## 8. Explore development of an accessible gasoline stations regulation

There is a growing trend towards having self-serve gasoline stations that do not provide a full service option. While many consumers benefit from self-serve because it saves them money, the absence of service can mean difficulties for some people with disabilities. Municipalities can remedy this problem through their power to regulate business under section 8(6) of the *Community Charter*, which can be used in conjunction with the licensing and standards authority that municipality's have under section 15 of the *Community Charter*.

The bylaw's primary requirement is that in order to receive a licence to sell gasoline in the municipality covered by the bylaw, a gasoline station must provide a full service option to customers who chose to use it. Failure to provide a full service option would be punishable by revocation of the licence (See a model fuel station bylaw in Attachment 15). Ideally, this service would be available to persons with disabilities at an equivalent cost to that of a self serve station so that they are not punished with the higher cost just because they are unable to fill up for themselves.

## BEYOND YEAR 5

1. Establish an accessibility and inclusion program and an annual implementation plan with the guidance of the advisory committee/coalition on access and inclusion

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<sup>19</sup> See Attachment 2 for definitions of terms used throughout this report.

2. Provide a consistent annual accessibility budget for implementation of the plan
3. Work with other municipalities to advocate for changes to BC legislation relating to accessibility.

People with disabilities ought, to the fullest extent possible, to enjoy the benefits of full citizenship, and municipal governments need to take proactive steps to ensure this goal's realization. This requires that the physical infrastructure, transportation networks, information systems, programs and services of a community be as accessible as possible and that policy development processes be inclusive. In British Columbia, municipalities have limited ability to meet these objectives. To fully realize accessibility, passing provincial legislation similar to Ontario's *Accessibility for Ontarians with Disabilities Act*<sup>20</sup> is imperative. Improvements can also be made to the BC Building Code<sup>21</sup>, and municipalities would benefit from legislation that permits them to enforce parking rules on private lots (such as shopping centres). It is recommended that the City of Langley work with SPARC BC and other municipalities to advocate to the Union of BC Municipalities for changes to BC legislation governing accessibility for people with disabilities.

#### 4. Consider additional accessibility policies

The City of Langley has done a good job in making public facilities accessible. However, Council may wish to consider formalizing their commitment to full accessibility by adopting formal policies which set accessibility standards. Examples of model bylaws are available in SPARC BC's BC's *Model Municipal Bylaws for Accessibility* (forthcoming)<sup>22</sup>.

##### 4.1. Accessible public facilities bylaw

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<sup>20</sup> *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11*

<sup>21</sup> For example, the requirement for a higher accessible toilet has been removed from the BCBC, reducing accessibility

<sup>22</sup> This Report will be made available to the City of Langley upon completion

An accessible public facilities bylaw (Attachment 16) aims to provide a set of ideas that municipalities can adopt to make their public facilities more accessible. The bylaw is aimed at municipally owned and operated facilities, as well as facilities that provide municipal services to the public. At this time, municipalities in British Columbia cannot impose stringent and intensive mandatory requirements upon other bodies because of B.C. Regulation 86/2004, imposed under the concurrent authority powers in section 9 of the *Community Charter*. However, municipalities could establish this bylaw as a set of requirements for all municipal buildings, and encourage developers of private commercial facilities and other buildings accessible to the public to voluntarily follow the municipality's example.

It is important to note that municipal bylaws must comply with the minimum requirements of the B.C. Building Code. If there remain any errors that do not meet the minimum requirements of the code, it should be noted that the minimum requirements of the code must be met or exceeded.

## 4.2. Accessible parks bylaw

An accessible parks bylaw aims to make municipal parks and municipally-owned outdoor recreation facilities accessible for people with disabilities. Access to recreation, exercise, amusement and the cultural life of the community are fundamental human rights.<sup>23</sup> People with disabilities are entitled to enjoy infrastructure that the community develops to provide for those needs. The standards should be implemented in all new facilities, and upgrades to existing facilities should be implemented in accordance with the priorities outlined in the municipal accessibility plan. Areas covered by the bylaw include: campgrounds; docks; grandstands and viewing areas; outdoor swimming pools and wading pools; parks play spaces; picnic areas; sports, fields and spectator areas; terraces and patios; trails and footbridges; viewing areas; waterfront areas; wilderness and conservation areas; outdoor public address systems; signage and way finding; garbage cans and recycling bins. See Attachment 17 for a model accessible parks bylaw.

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<sup>23</sup> See Article 24 of the *Universal Declaration of Human Rights*, "Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay," and Article 27(1), "Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits."



### 4.3. Accessible parking bylaw

Accessible parking is a crucial component of an accessible transportation system. Freedom of mobility and respect for equality rights should include structuring our transportation system in a way which ensures accessibility. While section 3.8.3.4.(2) of the B.C. Building Code has minimal requirements for the number of accessible parking stalls that must be provided, these are not sufficient to adequately meet the needs of people with disabilities. Under this section of the building code, an accessible parking space only has to be provided when more than 50 parking stalls are provided, and thereafter only at a ratio of 1 for every 100 or part thereof.<sup>24</sup> Section 3.8.3.4.(1) of the Code also establishes minimal requirements for the dimensions of accessible parking spaces. The City of Langley currently requires that 5% of parking spaces be designated accessible. While this exceeds the Building Code minimums, the City of Langley may wish to consider adopting a bylaw similar to the City of Vancouver, which specifies the number of designated spaces depending upon the use of the facility. For example, special needs residential facilities in the City of Vancouver are required to make the first two parking spaces accessible, with 10% accessible spaces after that. See Attachment 18 for a model accessible parking bylaw.

The City of Langley can work with the proposed advisory committee on access and inclusion to review the need for an accessible parking bylaw, including establishment of

- minimum dimensions for the size of accessible parking stalls,
- different requirements for minimum numbers of accessible parking stalls depending on the type of facility the parking is adjacent to, and
- fines for parking without a valid parking permit.

### 4.4. Accessible taxi bylaw

Another tool for ensuring that the transportation system is accessible for people with disabilities is a strong bylaw providing an adequate level of accessible taxi coverage and requiring that taxi companies respond to requests for service from people with disabilities. An accessible taxi bylaw authorizes the City to set the

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<sup>24</sup> While the B.C. Building Code is not available to the public for free, there is an accessibility handbook on the internet which include section 3.8.3.4.(1) and (2) of the code. The section can be viewed at:

<http://www.housing.gov.bc.ca/building/handbook/ramps.html#parking>

number of taxi licences that it will issue; and the proportion of these licences that will be accessible taxi licences (for example, 15%). An accessible taxi licence requires that a taxi comply with the regulations for accessible taxis that exist under the *Motor Vehicle Act*.<sup>25</sup>

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<sup>25</sup> *Motor Vehicle Act* [RSBC 1996] Chapter 318; *Motor Vehicle Act Regulations* B.C. Reg. 26/58, O.C. 1004/58