

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2013**

Item 6, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 19, 2013.

#### **6 ACCESS TO SERVICES BY THOSE WITH DISABILITIES**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Community Services, dated February 26, 2013, be approved; and**
- 2) That the following be approved in accordance with Communication C6 from the Commissioner of Community Services, dated February 26, 2013:**
  - 1. That the chart entitled “Participation in Special Needs Programs 2006-2012” be included in the report of the Commissioner of Community Services under the heading of “Special Needs Programs and Program Participation in Vaughan”.**

#### **Recommendation**

The Commissioner of Community Services, in consultation with the Director of Recreation and Culture, recommends:

- 1) That the following report regarding the implication of providing reduced fees for recreational programs for citizens with disabilities be received.**

#### **Contribution to Sustainability**

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 4, and Objective 4.1:

- To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

#### **Economic Impact**

There is no economic impact respecting the recommendation in this report.

#### **Communications Plan**

Information on the matter of recreation program fees for citizens with disabilities has been communicated to the Vaughan Accessibility Advisory Committee at their meeting on January 29, 2013. Their comments are shown in this report under section “Vaughan Accessibility Advisory Committee (VAAC)”. Any decision of Council will be reported back to the Committee for their information. As well, staff have contacted surrounding municipalities to identify their policies with respect to this subject.

#### **Purpose**

The purpose of this report is to report back to Council regarding the Member's Resolution of June 19, 2012 which requested that staff report on the implication of providing reduced fees for recreational programs such as fitness memberships, registered programs and camp programs for citizens with disabilities.

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#### **Background - Analysis and Options**

On June 19, 2012, Council directed staff to provide a report on the implication of providing reduced fees for recreational programs such as fitness memberships, registered programs and camp programs for citizens with disabilities.

The analysis in this report includes the following information:

- requirements under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA);
- Human Rights Code - criteria to define disability;
- current fee assistance programs provided by the City of Vaughan;
- commentary by the Vaughan Accessibility Advisory Committee;
- a municipal comparison; and
- implication of reducing fees and the budget impact; and,
- current programming provided to citizens with special needs and disabilities.

#### **Accessibility for Ontarians with Disabilities Act (AODA)**

The City, through the Accessibility Policy and Accessibility Plan, has a strong framework that guarantees the equal rights of people with disabilities. The City of Vaughan seeks to reduce barriers and increase opportunities to ensure the full participation of people with disabilities in society.

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA), is a law passed by the Ontario legislature that allows the government to develop specific standards of accessibility and to enforce them. The purpose of the accessibility standards is to move organizations in Ontario forward on accessibility.

The AODA establishes accessibility standards in various areas, including customer service Ontario Regulation 429/07. While there is no specific requirement in the AODA for reduced fees for persons with disabilities, the AODA does require that the City establish policies when providing goods or services to the public. According to Regulation 429/07 passed under the AODA, this policy must ensure that goods or services are provided in a manner that respects the dignity and independence of persons with disabilities, that the goods and services be integrated, and that persons with disabilities are given an opportunity equal to that given to others to the good or service. The City has passed such a policy (Customer Service Standards) whereby support persons accompanying persons with disabilities will not be charged an entrance fee to a recreational program.

#### **Human Rights Code**

Additionally, the Ontario Human Rights Code provides for equal rights and opportunities, and freedom from discrimination. The Code recognizes the dignity and worth of every person in Ontario. It applies to the areas of employment, housing, facilities and services, contracts, and membership in unions, trade or professional associations.

The Human Rights Code (Section 10 (1)) defines “disability” as follows:

1. 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;

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2. a condition of mental impairment or a developmental disability;
3. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
4. a mental disorder, or
5. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

#### **Fee Assistance Programs**

The Recreation and Culture Department administers three fee assistance programs which facilitate equal participation opportunities to low-income families including persons with disabilities. The three programs are:

1. City of Vaughan, Recreation and Culture Department – RecAssist
2. Canadian Tire – Jumpstart
3. York Region – Play Program and Camp Program

Both the RecAssist and York Region programs are applied using the Low Income Cut-offs (LICO) as identified through Revenue Canada on an annual basis. Proof of residency and Notice of Assessments are required as part of the application.

Staff are currently undertaking a review of the RecAssist criteria to ensure it is as fair and reasonable as possible for citizens with unique financial challenges, such as the disabled. This review will be completed by the end of 2013. Census statistics show that citizens with disabilities have an average household income that is less than the average population. According to the 2006 Canada census, the average household yearly income for families with children with disabilities was \$69,440, which is only 81.4% of the average household income for families with children with no disabilities (\$85,294). These factors will be closely considered as part of the review.

Through these financial assistance programs, since 2009, approximately 2,000 participants have received close to \$500,000 of fee assistance for recreation programs. It should be noted that the RecAssist program is 100% supported through fundraising. Recreation and Culture has directly raised over \$20,000 since 2009, to be used for this program and in 2011 \$20,000 was donated from funds raised by the Mayor's Gala. The remaining funds have been utilized in partnership with the Regional Municipality of York, and through the Canadian Tire Jumpstart program.

Finally, although too extensive to outline for the purposes of this report, it should be noted that the Federal government does provide tax credits for persons with a severe and prolonged impairment in physical or mental functions. It allows them to claim certain expenses to reduce the amount of income tax he or she has to pay in a year.

#### **Vaughan Accessibility Advisory Committee (VAAC)**

The inclusivity of citizens with disabilities is a corporate-wide vision shared by Vaughan Council and staff and is identified in Vaughan's Vision 2020. The City plays an important role in ensuring access for residents with disabilities. The role of the VAAC is to advise Council to support the City's work in identifying and removing barriers to lay the foundation for a barrier-free, inclusive community.

At the January 29, 2013 meeting of the VAAC, staff consulted with and provided a presentation to the committee on the topic of reduced fees to citizens with disabilities. Presented was information from the AODA, Human Rights Code, municipal benchmarking and current financial assistance programs administered by Recreation and Culture (e.g. RecAssist)..

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The discussion was extensive resulting in the following themes:

1. Reducing fees for anyone based solely on a disability is not necessarily fair or equal in that financial challenges impact other citizens;
2. A system to assess need and provide assistance should be applied fairly to everyone;
3. One of the purposes of the AODA is to ensure that everyone is treated equally;
4. Identifying and defining disability (visible and otherwise) would be difficult;
5. Other agencies such as March of Dimes, are established to provide some forms of assistance to those that qualify;
6. The RecAssist financial assistance programs should investigate adding criteria that considers the expenses facing people with disabilities when determining eligibility;
7. Marketing and promotions targeting citizens with disabilities should include the City's communications to its residents.

Following the discussion, the committee agreed on the following resolutions:

1. That the Vaughan Accessibility Advisory Committee does not see a need to provide a reduction in Recreation fees for people with disabilities at this time; and
2. That staff review the criteria of the RecAssist program to determine whether it takes into consideration the overall financial challenges facing people with disabilities; and,
3. That staff report back to the Committee at a future date on this matter.

As noted previously, Recreation and Culture has already begun a review of the eligibility criteria for the RecAssist program and will consider the comments from VAAC in the review. With respect to the marketing and promotions targeting citizens with disabilities, although already embedded in our process, extra attention will be applied on a go forward basis when planning promotions.

#### **Municipal Comparison**

In summary, most municipalities do not provide reduced fees for persons with disabilities. Assistance is usually available to residents based on financial need.

MUNICIPALITY	REDUCED FEES		ELIGIBILITY
	YES	NO	
Brampton		√	No reduced fees for persons with disabilities.
Markham		√	No reduced fees for persons with disabilities. Markham residents experiencing financial difficulty may request a fee assistance application.
Mississauga	√		20% discount for adult rate for fitness and aquatic memberships and drop-in rates. Eligibility criteria: individual must show that they are on ODSP (Ontario Disability Support Program) and provide doctor's note. Note: Mississauga's program is currently under review. Preliminary information suggests they may be returning to financial based criteria only.
Oakville		√	No reduced fees for persons with disabilities.

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Richmond Hill		√	No reduced fees for persons with disabilities. A support worker is provided for children with special needs for summer camp free for the first week.
Toronto		√	No reduced fees for persons with disabilities. Welcome Policy Subsidy program provides assistance based on financial need.
Vaughan		√	No reduced fees for persons with disabilities. RecAssist program provides assistance based on financial need.
York Region		√	No reduced fees for persons with disabilities. Offer fee assistance through Play Program and Camp Program.

#### **Implication of Reducing Fees and Budget Impact**

Disability is becoming increasingly common in Canada. The disability rate in 2006, permanent or temporary, was 14.3%, meaning that over 4.4 million Canadians, or about one in seven, had a disability. Disability rates vary across Canada's provinces and territories, and also steadily increase with age. The disability rate among seniors is much higher than among children - 43.4% of seniors aged 65 and over compared to 3.7% of children aged 14 and under have a disability.

Every person with a disability has a unique experience. Severity of a disability can impact all dimensions of a person's life. The more severe a person's disability, the more barriers he or she may encounter. The majority of Canadians with disabilities have mild to moderate activity limitations. Overall, across Canada, 8.6% of people experience mild to moderate disabilities, and another 5.7% experience severe to very severe disabilities.

For reduced fees to be provided to persons with disabilities, the challenge is to define which disability is eligible for assistance. As shown in the description above, the definition is very complex and is the reason that most municipalities utilize income as the criteria rather than disability.

Based on the Recreation department's 2013 budget forecast of \$18,292,130 in overall revenue, budget impact can be estimated as providing a discount to 15% of the total revenues (based on 15% of the population).

<b>15% of Department Revenues</b>	<b>Discount example</b>	<b>Budget Impact</b>
\$2,743,800	10%	\$274,380
	20%	\$548,760
	30%	\$823,140

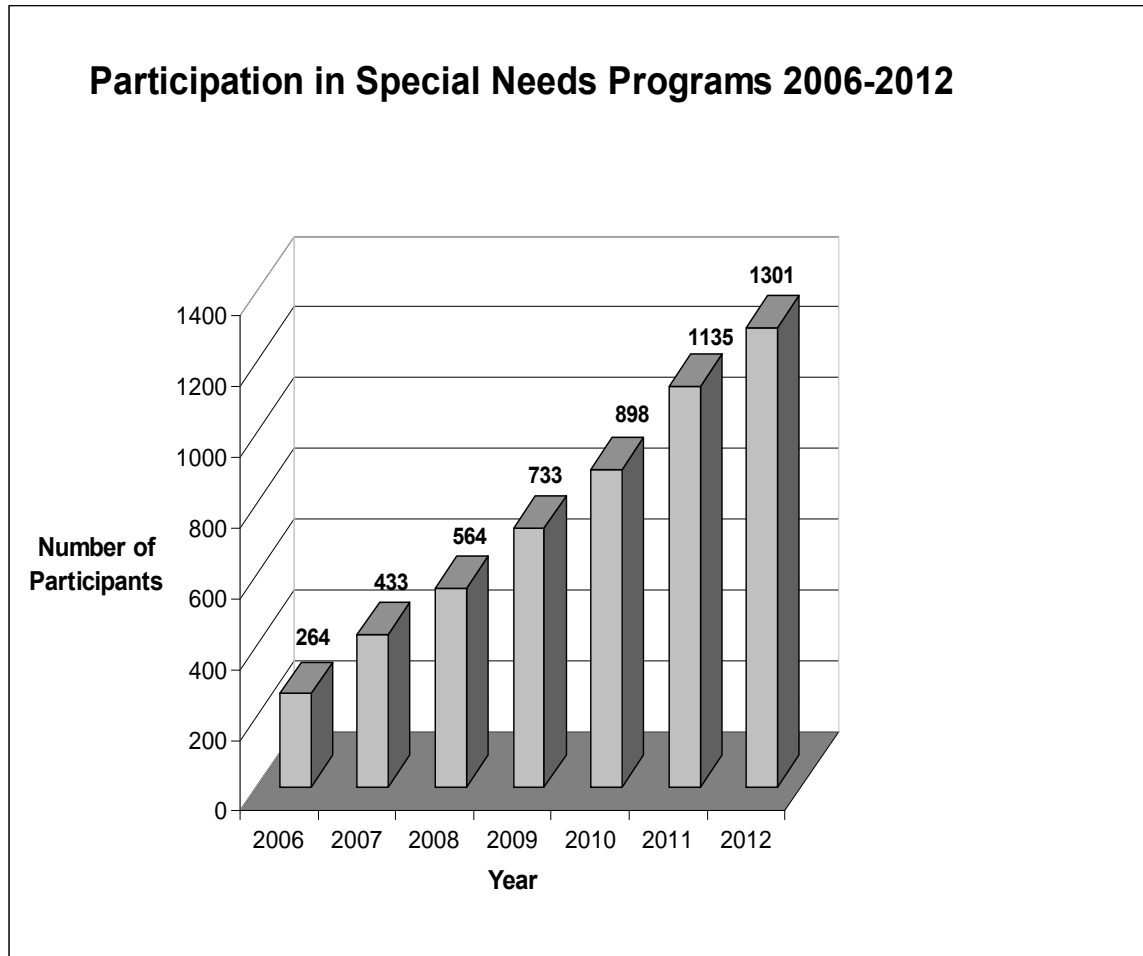
#### **Special Needs Programs and Program Participation in Vaughan**

Specialized programs are offered throughout the City at various community centres giving children, youth and adults with disabilities, the opportunity to participate in year-round programs that provide recreation and social programming. These programs include a wide range of options: social skills, fitness, aquatics, summer camps for children, youth and adults, health and wellness and other integrated leisure activities.

The chart below illustrates the growth in special needs programming provided to the citizens of Vaughan over the last six years.

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Additional services are provided to the disabled population through community partners such as the “Hanging Out” program at Father Ermanno Bulfon Community Centre, VITA at Al Palladini Community Centre and DANI at Garnet A. Williams Community Centre

It should be noted that all community centres are accessible with many drop-in and registered programs suitable for all abilities. This includes swimming pools, meeting rooms and fitness centres. Fitness centre staff adapt exercise programs to suit the needs of the disabled. Additionally, a pilot specialized group fitness training program for persons with disabilities has been implemented at the Maple Community Centre.

**Relationship to Vaughan Vision 2020/Strategic Plan**

In consideration of the strategic priorities related to Vaughan Vision 2020, this report will provide:

- **STRATEGIC GOAL:**  
Service Excellence – Providing service excellence to citizens
- **STRATEGIC OBJECTIVES:**  
Enhance and Ensure Community Safety, Health and Wellness.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

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**Regional Implications**

There are no regional implications as a result of this report.

**Conclusion**

The current fee assistance programs administered by the Recreation and Culture Department facilitate equal participation opportunities to low-income families including persons with disabilities and are consistent with surrounding municipalities and York Region.

The Recreation and Culture Department is continuously reviewing its practices and procedures to ensure the equal inclusion and well-being of persons with disabilities in programs and in its delivery of services. This is done by addressing the community needs through the initiatives identified in the City of Vaughan Accessibility Plan and Accessibility Policy and through the review of the RecAssist program.

**Attachments**

None.

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