



# WHISTLER

## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** February 4, 2020

**REPORT:** 20-012

**FROM:** Resort Experience

**FILE:** 7082.01

**SUBJECT:** DEVELOPMENT OF RMOW ACCESSIBILITY POLICY

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

**That** the recommendation of the General Manager of Resort Experience be endorsed.

### RECOMMENDATION

**That** Council endorse the proposed approach, work plan, project team and timeline for creating a comprehensive Accessibility Policy for the Resort Municipality of Whistler that considers concepts and standards reflected in Universal Design, the BC Building Code, the Rick Hansen Foundation Accessibility Certification Program and the *Accessible Canada Act*.

### REFERENCES

Appendix “A” – Universal Design in the Updated OCP (Relevant Excerpts)

Appendix “B” – Use of RHFAC by Other Governments

### PURPOSE OF REPORT

The purpose of this Report is to present the proposed project approach and timeline for creating a comprehensive Accessibility Policy for the Resort Municipality of Whistler (RMOW). Staff propose to use Universal Design (UD), the BC Building Code (BCBC), the Rick Hansen Foundation Accessibility Certification (RHFAC) Program and the *Accessible Canada Act* as the key concepts in the development of the Accessibility Policy.

### DISCUSSION

#### Background

Despite Whistler having a younger and more active demographic than the rest of the province, there is still a demand for accessibility. In fact, everyone benefits from accessibility. People’s abilities are in a constant state of change, whether this is recovering from a broken leg, managing age-related health deterioration, learning to walk or simply dealing with the temporary inconvenience of walking with ski boots on. The RMOW needs to plan to accommodate all abilities at all ages.

Generally, people still view accessibility as something utilized by a very small percentage of the population, when in fact according to Statistics Canada’s Canadian Survey on Disability, 3.8 million Canadians had some form of disability in 2012 and 9 million Canadians consider accessibility when thinking of places to visit and which to avoid as reported by the Angus Reid Institute. In a 2015 study of travel habits of Americans with disabilities, the Open Doors Organization reported that 70 per cent of

Americans with disabilities had travelled in the last two years, typically travelling with one or more adults, and having an economic impact on travel of \$34.6 billion USD annually.

Additionally, we need to acknowledge that our population is aging and with this comes the onset of many age related disabilities. The consumer market for people with a physical disability that impairs their mobility, vision or hearing currently makes up about \$165 billion, or 14.3 per cent of the total consumer market in Canada, which is predicted to increase by 50 per cent by 2030 with spending swelling to \$316 billion annually. These consumers are potential visitors that are calling for their needs to be met.

In preparation for the 2010 Olympic and Paralympic Winter Games, the RMOW created a commitment to accessibility and inclusion within the RMOW. Ongoing initiatives and funding related to improving accessibility in Whistler have been undertaken through RMOW work programs, capital projects and working with stakeholders through the Measuring Up Select Committee of Council (MUSCC). Proposed developments are also assessed for accessibility considerations and the application of BCBC requirements, which are limited in scope and applicability. The proposed Accessibility Policy will support ongoing efforts through a comprehensive policy framework. This framework is intended to provide clarity, consistency and direction on evaluation criteria, standards and targets so that the RMOW can progressively enhance accessibility consistent with municipal objectives and authorities.

### **Project Approach**

RMOW staff conducted a preliminary review of the scope and limitations of the BCBC as well as the RMOW's building bylaw, zoning bylaw and provincial regulations that govern building and municipal authority. RMOW staff also considered best practices for accessibility and inclusion. This review concluded that a formal and comprehensive Accessibility Policy should be developed for the RMOW to help ensure Whistler is progressive in the areas of accessibility and inclusion as well as meet the policy objectives related to UD in the newly proposed Official Community Plan (OCP).

The proposed project approach is to incorporate the key concept of UD, along with consideration of best practices advanced by the RHFAC Program and the *Accessible Canada Act*. These are summarized as follows.

#### *Universal Design*

UD is a key accessibility concept and a UD philosophy is included as a policy objective in the RMOW's newly proposed OCP, which is currently at third reading. The new OCP includes the following definition of UD:

The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. Universal Design is based on seven principles:

- (1) **Equitable Use:** The design is useful and marketable to people with diverse abilities.
- (2) **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities.
- (3) **Simple and Intuitive Use:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills or current concentration level.
- (4) **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

- (5) **Tolerance for Error:** The design minimizes hazards and the adverse consequences of accidental or unintended actions.
- (6) **Low Physical Effort:** The design can be used efficiently and comfortably and with a minimum of fatigue.
- (7) **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility. (Mace 1985) (Centre for Excellence in Universal Design)

In the newly proposed OCP, UD is included through Chapter 5: Land Use and Development's Residential and Visitor Accommodation sections as well as Chapter 8: Health, Safety and Community Well-Being's Accessibility section. Appendix "A" provides the full policy statements from the newly proposed OCP.

#### *RHFAC Program*

The RHFAC Program is a LEED-style rating system that measures the accessibility of buildings and sites, promoting increased access through the adoption of UD principles. It also uses the Canadian Standards Association's B651 standard, which provides technical specifications on how to make buildings and the exterior environment accessible and safely usable by persons with physical, sensory, or cognitive disabilities. The RHFAC Program complements and extends beyond the BCBC, such as addressing accessibility in public spaces, wayfinding within buildings and parking standards. The RHFAC Program has two levels of formal certification: 'RHF Accessibility Certified' or 'RHF Accessibility Certified Gold.' The levels of certification and associated requirements will be explored through the process of developing the Accessibility Policy.

#### *Accessible Canada Act*

The *Accessible Canada Act* is federal legislation to ensure a barrier-free Canada. According to the Government of Canada, "This legislation will benefit everyone in Canada, especially persons with disabilities, by helping to create a barrier-free Canada through the proactive identification, removal and prevention of barriers to accessibility wherever Canadians interact with areas under federal jurisdiction." The Government of Canada summarizes the areas affected by the act as follows:

1. **Service Design and Delivery:** Receive services that are accessible to all
2. **Built Environment:** Move freely around buildings and public spaces
3. **Employment:** Access to employment opportunities and accessible workplaces
4. **Information and Communications Technologies:** Accessible digital content and technologies
5. **Communications:** Barrier-free services and spaces for persons with communication disabilities
6. **Transportation:** Barrier-free federal transportation network
7. **Procurement:** Ensure purchases of accessible goods, services and facilities

The *Accessible Canada Act* received royal assent on June 21, 2019 and it is now being implemented. Relatedly, public consultation on provincial accessibility legislation in BC closed on November 29, 2019 and it is anticipated that the provincial accessibility legislation will follow the areas of focus of the *Accessible Canada Act*.

## **Project Work Plan, Team and Timeline**

As the project approach is anticipated to address areas of focus in the *Accessible Canada Act*, a staff project team from various RMOW departments will be assembled to correspond to these areas.

Once the staff team has been assembled, a situation analysis will be conducted by staff on all policies, procedures and regulations that pertain to their particular departments in relation to accessibility and inclusion. The Measuring Up Coordinator will also gather and develop materials, like an analysis of the costs and procedures required to build to RHFAC standards versus regular building practices. A Council update will occur after this initial research and analysis is completed by staff. Staff will then consult with key stakeholders, including MUSCC, the Advisory Design Panel (ADP) and the Whistler Housing Authority (WHA). Following this stakeholder input, staff will draft the Accessibility Policy and then review the draft policy with Council. Community engagement will begin after incorporating any Council input into the draft policy. The policy content will then be further refined based on public input and presented to MUSCC and the RMOW's Senior Leadership team, before it is refined and presented to Council. Key project deliverables and the anticipated timeline are presented in the table below.

The policy is expected to relate to both municipal and private initiatives and will address the methods by which the policies may be implemented taking into consideration statutory authorities and limitations, for example through zoning, development permits, and municipal project and programs.

Part 1: Inform & Gather	Part 2: Outreach & Update	Part 3: Council
Feb – May 2020	June – Aug 2020	Sept – Oct 2020
<ul style="list-style-type: none"> <li>• Report to Council to endorse approach to use RHFAC and <i>Accessible Canada Act</i> as basis for Accessibility Policy</li> <li>• Establish staff team</li> <li>• Following <i>Accessible Canada Act</i> areas of focus, compile &amp; review existing municipal policies &amp; practices that incorporate accessibility</li> <li>• Develop materials</li> <li>• Council update</li> </ul>	<ul style="list-style-type: none"> <li>• Present RHFAC &amp; developed materials to MUSCC, ADP &amp; WHA; gather feedback</li> <li>• Draft Accessibility Policy</li> <li>• Council review</li> <li>• Community engagement on initial draft:               <ul style="list-style-type: none"> <li>➢ Community open house</li> <li>➢ Online tool(s) to collect further feedback</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Finalize policy content based on public &amp; stakeholder input; amend Draft Accessibility Policy</li> <li>• Present final Draft to MUSCC</li> <li>• Present Draft Accessibility Policy to Senior Leadership</li> <li>• Refine Draft Accessibility Policy</li> <li>• Present to Council</li> </ul>

## WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
BUILT ENVIRONMENT	The built environment is safe and accessible for people of all abilities, anticipating and accommodating well-being needs and satisfying visitor expectations.	The process to develop the Accessibility Policy will explore how public realm and municipal facilities can be built to be universally accessible for people with disabilities (PWD) and how the RMOW can actively work to remove barriers in the existing built environment.
HEALTH & SOCIAL	Whistler is accessible and inclusive for community members and visitors with disabilities.	It is anticipated that the Accessibility Policy will consider municipal service provision, communications and the built environments to strive to improve accessibility and inclusion for visitors and residents.
ARTS, CULTURE & HERITAGE	<p>A range of authentic and creative arts, cultural and heritage opportunities are meaningful, accessible and financially affordable to residents and visitors.</p> <p>There is a physical and organizational focal point for the diversity of arts, culture and heritage activities that spread throughout the community.</p>	The development of the Accessibility Policy will explore how to secure a place for visitors and residents to experience art, cultural and heritage opportunities, as well as including people of all abilities in the creation of art and recognizing their contribution to our heritage.
ECONOMIC	<p>Whistler has a diversified and year-round tourism economy.</p> <p>Physical and social infrastructure attract and support work and investment.</p>	The economic benefits of increasing the accessibility of the physical and social infrastructure will allow tapping into the large number of unemployed or under employed PWD, which could create lift in the economy's productive capacity and also increase consumer spending. Additionally, it could increase the accessible tourism market.
FINANCE	The long-term consequences of decisions are carefully considered.	The development of the Accessibility Policy will recognize parallels between the needs of PWD and those with age-related loss of abilities. For this reason, the long-term planning will better prepare Whistler for the upcoming aging demographic.
MATERIALS & SOLID WASTE	The community is committed to providing infrastructure capable of continually decreasing our residual wastes.	By working towards creating more accessible environments and housing, the Accessibility Policy will explore opportunities to alleviate the need to rebuild or retrofit and thus, decrease residual construction waste.
PARTNERSHIP	Decisions consider the community's values as well as short and long-term social, economic and environmental consequences.	Considering that our abilities are in a constant state of change, the development of the procurement section of the Accessibility Policy will explore opportunities for partnerships that will accommodate all abilities within the context of whatever the RMOW may be undertaking.
RECREATION & LEISURE	<p>Residents and visitors of all ages and abilities enjoy activities year-round that encourage healthy living, learning and a sense of community.</p> <p>Recreation and leisure are part of the Whistler lifestyle and all community members are able and encouraged to participate.</p>	The development of the Accessibility Policy will examine opportunities to create outstanding recreational experiences for visitors and residents of all abilities.

	Visitors are aware of and have access to a variety of recreation and leisure offerings at a range of price points.	
RESIDENT HOUSING	The planned flexibility within neighborhood design, housing form, and housing tenure enables the adaptability to meet changing housing needs and future affordability considerations.	The development of the Accessibility Policy will examine the changing housing needs of the aging demographic and will look toward opportunities to move towards a more adaptable housing model that will allow aging in place. The project will also consider how purpose built rental accessible housing options can be included in large rental developments and the mechanisms to ensure these units remain intact as accessible units.
	Whistler has a sufficient quantity and appropriate mix of quality housing to meet the needs of diverse residents (Target: 75% of Whistler employees live in the resort community).	
	Residents enjoy housing in mixed-use neighbourhoods that are intensive, vibrant and include a range of housing forms.	
	Housing is healthy and livable, and housing design, construction and operations are evolving toward sustainable and efficient energy and materials management.	
TRANSPORTATION	The transportation system efficiently meets both the short- and long-term needs of all users.	The development of the Accessibility Policy will explore how public transit providers or delegated transportation providers are able to accommodate PWD. Through the process of reviewing existing municipal policies and practices and community consultation, there may be an opportunity to shed light on some of the gaps in the transportation systems to and from Whistler.
	The transportation systems to, from and within the resort community are accessible and offer affordable travel options.	
VISITOR EXPERIENCE	Visitors feel genuinely welcome.	Visitors feel genuinely welcomed when their needs have been anticipated or considered. The development of the Accessibility Policy will consider policies to make municipal communications, services, activities and the public realm more accessible and inclusive.
	Communication, travel and services are accessible, seamless and convenient at all phases of visitors' trips, from prior to departure until after returning home.	
	Whistler proactively anticipates market trends.	
	A diverse range of year-round activities is developed and offered.	
	The resort is comfortable, functional, safe, clean and well-maintained.	

Developing the RMOW's Accessibility Policy in a manner that considers concepts and standards reflected in UD, the BCBC, the RHFAC Program and the *Accessible Canada Act* does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

## OTHER POLICY CONSIDERATIONS

It is anticipated that a number of existing RMOW policies, procedures and bylaws may be affected and potentially require revisions as the municipal Accessibility Policy will follow the focus areas in the federal government's *Accessible Canada Act*.

## **BUDGET CONSIDERATIONS**

The development of the RMOW's Accessibility Policy is included within the Planning Department's budget and 2020 work plan. The project will include consideration of cost implications to implement various policy initiatives and standards.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

As stated above, there will be comprehensive consultation with staff on drafting the municipal Accessibility Policy. Direct outreach and consultation with the MUSCC, ADP and WHA will refine the draft content. Community engagement opportunities will be provided at an open house and through online tools.

## **SUMMARY**

The RMOW currently does not have a formal and comprehensive policy that pro-actively addresses accessibility within the resort community. This Report presents an approach to developing a municipal Accessibility Policy for Council's consideration. In particular, the Report presents the proposed approach, work plan, project team and timeline for creating a comprehensive RMOW Accessibility Policy that takes into consideration UD, the BCBC, the RHFAC Program and the *Accessible Canada Act*.

Respectfully submitted,

Sarah Tipler  
MEASURING UP COORDINATOR

for  
Jan Jansen  
GENERAL MANAGER OF RESORT EXPERIENCE

## UNIVERSAL DESIGN IN THE UPDATED OCP (RELEVANT EXCERPTS)

### RESIDENTIAL ACCOMMODATION

5.3. Goal Promote a diversity of housing forms, tenures, residential uses and densities to support the resort community's needs.

5.3.1. *Objective* Encourage flexibility and adaptability in residential land uses.

5.3.1.1. Policy Encourage residential neighbourhood and building design to meet *Universal Design* standards and best practices.

### VISITOR ACCOMMODATION

#### Our Shared Future

... A supportive reinvestment strategy has facilitated maintenance and enhancement of visitor accommodation properties, thereby helping Whistler to remain internationally competitive. Reinvestment has incorporated green building practices and Universal Design to further the diversity, sustainability and accessibility of the visitor accommodation sector.

### ACCESSIBILITY

8.8. Goal Ensure Whistler is an inclusive and accessible resort community.

8.8.1. *Objective* Encourage and promote *Universal Design* principles in the development and maintenance of Whistler's built environment.

8.8.1.1. Policy Encourage development and redevelopment to implement Universal Design principles.

8.8.1.2. Policy Encourage recreation activity operators to implement Universal Design principles.

8.8.1.3. Policy Promote land use patterns, transportation routes and community facilities, amenities and spaces that meet the needs of an aging demographic.



**USE OF RHFAC BY OTHER GOVERNMENTS**

**Government of BC**

- Included RHFAC during an RFQ process for organizations who wished to bid on Work BC locations; giving priority to respondents who had either achieved RHFAC certification or who were in the process of achieving certification
- In October 2017, granted the Rick Hansen Foundation \$9 million to launch the RHFAC program and associated BC Accessibility Grants Program

**City of Vancouver**

- Using information gathered through the auditing process to inform feasibility studies to identify and prioritize work required to either renovate or upgrade facilities to provide universal access
- 47 municipal and private sites assessed through RHFAC in Vancouver

**City of Richmond**

- Uses *Enhanced Accessibility Design Guidelines*, which is based on CSA B651 and UD, to guide accessible design of all city facilities, including for community amenity contributions
- Allows floor area exemption for incorporation of basic universal housing features
- Has had eight sites assessed through RHFAC and references continued participation with the Rick Hansen Foundation in a staff report to the Planning Committee

**City of Surrey**

- Using RHFAC to assess and improve the accessibility of all municipal buildings and public spaces
- Has had 40 sites assessed through RHFAC

**City of Port Moody**

- Changed OCP to allow the high density Flavelle Oceanfront Development that is using RHFAC in the pre-construction phase for all public spaces and pathways and for a portion of residential development
- Residential development is using the pre-construction certification as a marketing tool for pre-sales

**Province of Nova Scotia**

- Identifies and prefers for applicants to have RHFAC qualifications for the Provincial Built Environment Standard Development Committee
- *Access by Design 2030: Achieving an Accessible Nova Scotia* recommends promoting RHFAC for accessible built environments

## **Halifax Regional Municipality**

- The Mayor and the Executive Standing Committee directed staff to designate the Cogswell District Redevelopment Project and any lands within that district to achieve RHFAC gold accessibility standard

## **Town of Wolfville**

### *Policies*

- Ensure that all new municipal buildings (including major renovations) meet the RHFAC gold standard
- Encourage private developers to have existing buildings RHFAC-certified and for new developments to meet the RHFAC gold standard
- Offer density bonusing to private developers who meet the RHFAC gold standards within the Core Area
- Regard RHFAC as a “public benefit” under the Density Bonus Program

### *Priorities*

- For renovations to private buildings that aim to meet RHFAC, fast track the approval and waive the development fee
- For new developments that aim to achieve RHFAC, consider deducting the cost of certification from development fees and fast tracking these applications
- Provide accessibility training to the town’s Building Inspector, through the RHFAC training offered by Nova Scotia Community College

## **Government of Canada**

- Prioritizing accessibility in the renewal of the Parliamentary Precinct led by Public Services and Procurement Canada, which includes pre-construction assessments and consultation by RHFAC professionals

## **Canadian Chamber of Commerce**

- Designed and built a new office in Ottawa based on RHFAC design priorities and has been successfully certified as accessible
- Passed a resolution encouraging the federal government and Chambers and Boards of Trade across Canada to be early adopters of the RHFAC program

## **National Housing Strategy**

- Of all units built as a part of the National Housing policy and receiving funding through the National Housing Co-investment fund, 20% must be built to a UD standard