

Policy and Program Options to Promote Permanent Accessibility Improvements to Buildings

ISSUE

Building accessibility standards were first introduced in Saskatchewan in 1988. To date, many buildings built prior to 1988 remain non-accessible. This report identifies potential measures the City of Saskatoon (City) may implement to improve barrier-free access in existing buildings.

BACKGROUND

The Standing Policy Committee on Transportation (Committee), at its meeting held on March 12, 2018, considered a report from the Saskatoon Accessibility Advisory Committee, along with correspondence from the Riversdale Business Improvement District, related to a building permit application to provide a permanent barrier-free access to a Riversdale property.

The Committee resolved that Administration report further on policy and program options available to promote permanent accessibility improvements to existing buildings city-wide.

Current Approach and Status

The City's current approach is focused on assisting building owners in meeting the minimum accessibility requirements through the building and development permit process and supporting the use of public sidewalks where the minimum pedestrian walkway requirements can be maintained.

Barrier-free accessible building improvements are reviewed through the Building and Development Permit Program. Through the permitting process, reviews are completed to ensure the minimum construction requirements of *The Uniform Building and Accessibility Standards Regulations* (UBAS Regulations), National Building Code (NBC) and related civic bylaws are met.

The current approach does not include targeted education to promote accessible improvements, nor does the City have other methods in place to incentivize accessible building improvements.

Public sidewalks within the established Business Improvement Districts (BIDs) have limited space available to accommodate the construction of permanent ramps to individual buildings and maintain the minimum accessible pedestrian walkway requirements. Building owners may request approval to use the public right-of-way or sidewalk for improvements, such as barrier-free ramps through the building encroachment permit process. Approval to use the public right-of-way is granted where

there is sufficient room on the sidewalk to maintain minimum accessible pedestrian walkway design requirements.

Through streetscaping improvements, as well as asset management plans, opportunities to improve the accessibility of pedestrian walkways throughout Saskatoon are considered.

In the fall 2020, an assessment was completed to provide an approximate percentage of accessible buildings present within the Downtown, Riversdale, and Broadway BIDs. Approximately 52% of the buildings are accessible. The table below provides a breakdown within the respective BIDs. The assessment included a visual assessment of the exterior of the building. For the assessment, buildings with existing ramps were considered to be accessible, though it is noted these buildings may not fully comply with the minimum requirements of the NBC.

| Business Improvement District | Accessible Buildings |
|-------------------------------|----------------------|
| Downtown | 66% |
| Riversdale | 30% |
| Broadway | 60% |

Public Engagement

In summer 2020, conversations with the BIDs identified financial costs and the loss of usable building area as two key barriers for building owners in undertaking proactive building upgrades to improve permanent barrier-free access to existing buildings.

When asked what options should be considered by the City to improve accessibility, BIDs identified creating targeted financial grants, tax abatements and exploring opportunities to share the use of the public right-of-way.

Conversations with building and development permit applicants identified similar barriers to improving accessibility as being financial costs and the loss of usable building area. Most permit applicants were not aware they may be eligible for federal grant opportunities to support these improvements.

Approaches in Other Jurisdictions

Legislation

In addition to administering the minimum requirements of the NBC, Ontario, Manitoba, and Nova Scotia currently have accessibility legislation in place. British Columbia and Newfoundland and Labrador are developing accessibility legislation for their provinces.

Saskatchewan has just begun the process of developing new accessibility legislation. The new accessibility legislation is intended to address gaps in existing legislation and direction so communities can be inclusive for people of all abilities. The first phase of public engagement was completed by the Province in March 2021. A report on the findings will be published in summer 2021.

As accessibility legislation develops, at both the provincial and federal level, the province of Saskatchewan will make regulatory amendments to the *UBAS Regulations*, to ensure Saskatchewan is in compliance with its interprovincial agreements and is able to address local needs through Saskatchewan-specific amendments to the NBC.

Existing Grant Programs

Annual funding is available through federal grants for projects that make Canadian communities and workplaces more accessible through the Enabling Accessibility Fund. In 2020, the Enabling Accessibility Fund included three different program components. The small projects component provided up to \$100,000 for items such as building ramps, accessible doors and accessible washrooms. The 2021 funding will be announced in late spring.

A limited scan of available provincial and municipal grant opportunities was conducted in preparation of this report. The inclusion of barrier-free accessible eligibility criteria to fund building accessibility upgrades is utilized in British Columbia, Nova Scotia and the City of Edmonton.

OPTIONS

Administration has identified three options to help improve barrier-free access in existing buildings. The options range from improving education and awareness, to developing targeted financial grants, to creating new regulations that would help improve permanent barrier-free access in existing buildings. Each option is described further below.

A Triple Bottom Line assessment was utilized in evaluating the options with an emphasis on:

- 1) Ability to impact the pace of accessible upgrades for existing buildings in Saskatoon.
- 2) Financial impacts to building owners
- 3) Financial impacts to the City of Saskatoon.
- 4) Alignment with current provincial and municipal bylaws and policies.

Option 1 – Increase Education and Awareness

Under this option, work would be undertaken to develop targeted educational materials and communication tools to connect building owners with existing grant programs that are available for accessibility upgrades. The key messages would also focus on encouraging building owners of the importance of creating an inclusive community for people with disabilities.

Implications

This option aims to connect building owners with existing grant opportunities to reduce financial barriers and encourage proactive uptake of accessible improvements within existing non-accessible buildings in Saskatoon.

With this option, more accessible improvements may be realized, though pace of the improvements will be dependent on funding availability from other levels of government or agencies and the desire of individual building owners to improve accessibility within their building.

There are no financial or legislative implications associated with this option for the City.

It is estimated that two months of administrative time would be needed to complete work to implement this option. It is recommended this work be undertaken in collaboration with the Saskatoon Accessibility Advisory Committee and can be completed within 2021.

Option 2 – City of Saskatoon Accessibility Grant

Under this option, work would be undertaken to develop a grant program and funding plan to provide building owners with financial support for barrier-free accessible building upgrades.

Implications

This option is intended to address financial barriers to building owners in providing proactive accessible building upgrades. Implementation of this option would require development of a grant program, along with sustainable funding options to be developed for City Council's approval.

The potential to increase the pace of accessibility improvements is dependent on the level of funding provided and the desire of individual building owners to improve accessibility within their building. With the addition of grant funding, this option is intended to increase the pace of accessibility improvements that may be realized with Option 1.

Full financial impacts of this option are not known at this time. This option would require the creation of either an operating request (for an ongoing grant program) or a capital project (for a limited short term grant program) and the funding request to be brought forward for consideration at the 2022-2023 Business Plan and Budget deliberations.

In addition, to implement this option, policy or bylaw changes may be required and this would be investigated during program development. Program development would involve further engagement with the community and BIDs, with respect to the grant eligibility criteria related to accessible building components and to develop further recommendations around the level of financial support needed to align with the desired accessibility goals, for City Council's approval.

Option 3 – Develop a Business Case for Increased Accessibility Regulations

Under this option, further work would be undertaken to develop a business case with the intent to regulate accessibility standards within Saskatoon to a higher standard than

current provincial legislation. This would seek to address gaps in existing legislation and set direction so Saskatoon can be inclusive for people of all abilities.

Implications

Of the three options, this option provides the greatest opportunity for the City to set targets around the level and timing for existing buildings to become accessible. Property owners with non-complying buildings will be financially impacted. Setting targets in advance will allow property owners to plan for the financial impacts and spread them over a defined period of time.

However, with similar work already underway at the provincial level, this option also presents the potential for the duplication of work. In addition, should the province define a higher level of regulation than Saskatoon, the City would be required to amend regulations to meet the Provincial legislation.

This option would require the creation of a capital project and funding request to be brought forward for consideration at the 2022-2023 Business Plan and Budget deliberations.

RECOMMENDATION

That the Standing Policy Committee on Transportation recommend to City Council:

1. That Option 2 – City of Saskatoon Accessibility Grant be approved; and
2. That a capital project and funding request to support a City of Saskatoon Accessibility Grant be brought forward for consideration at the 2022-2023 Business Plan and Budget deliberations.

RATIONALE

Option 2 – City of Saskatoon Accessibility Grant provides the ability to improve barrier-free access in existing buildings through targeted financial support for accessibility improvements. While the City has existing grant programs related to various building improvements, these programs are not specific to accessibility and therefore do not provide the financial support needed to address the barriers identified by building owners.

With the establishment of a grant program, City Council will have the ability to make future funding decisions to align with City Council’s desired pace for accessible public building improvements.

FINANCIAL IMPLICATIONS

Financial implications associated with Option 1 are identified within the report.

Full financial implications associated with Option 2 are not known at this time. The initial financial implications to develop a grant program will be outlined in a capital project submission with future funding options brought forward for City Council’s consideration during the 2022-2023 Business Plan and Budget deliberations, should this option be chosen.

Full financial implications associated with Option 3 are not known at this time. The initial financial implications to develop new regulations will be outlined in a capital project submission with the 2022-2023 Business Plan and Budget deliberations, should this option be chosen.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

No additional implications or considerations are associated with Option 2.

COMMUNICATION ACTIVITIES

Communication and engagement activities to support Option 2 will be outlined in a capital project submission.

REPORT APPROVAL

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