



# THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE REPORT

**Subject:** Facility Accessibility Design Standards (FADS)  
**Director:** Corporate Services  
**Manager:** Legislative Services  
**Report Number:** Legislative Services-2023-16  
**Meeting Date:** Wednesday, August 9, 2023

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## **Recommendation:**

That The Corporation of the Municipality of Kincardine adopt the City of London's Facility Accessibility Design Standard for municipally-owned facilities to help support and achieve the goals of accessibility and inclusion; and

Further, that the Municipality may opt not to follow the Facility Accessibility Design Standard if it is not technically and economically feasible to do so.

**Date to be considered by Council:** Wednesday, August 9, 2023

## **Report Summary:**

In 2005, the Municipality of Kincardine passed a resolution, to adopt the London Facility Accessibility Design Standards (FADS), as amended from time to time, as a GUIDE where technically and economically feasible to do so. Since that time, the FADS have grown substantially, and the Accessibility Advisory Committee would like Council's re-commitment to use the FADS as a Municipal Standard, when preparing work plans and budgets on Municipal facilities.

**Origin:** Accessibility Advisory Committee

## **Existing Policy:**

Resolution # 2005-236 That Council adopt the use of the London Facility Accessibility Design Standards, as amended from time to time, as a GUIDE where technically and economically feasible to do so and include, this document as part of the 2005-2006 Municipal of Kincardine Accessibility Plan.

## **Background/Analysis:**

The Accessibility Advisory Committee made a Delegation to Council on June 19, 2023 outlining Committee priorities. Priority #1 was to receive Council's endorsement to use the 2021 City of London's Facility Accessibility Design Guidelines Standards (FADS) as a Municipal Standard. The Delegation indicated the recommended motion for Council:

“The Accessibility Advisory Committee fully endorses this document for use for the Municipality of Kincardine’s facilities, would like to receive Council’s commitment to use it as ‘Municipal Standard’, to achieve accessibility and inclusion in Municipal owned buildings, throughout the Municipality of Kincardine.

And whereas, Council can opt not to because of the financial burden that it would put on the Municipality.”

The City of London, in collaboration with the London Accessibility Advisory Committee, developed the [2021 Facility Accessibility Design Standards \(FADS\)](#), which is a technical design document to be used by City Staff, to enhance accessibility beyond the requirements of the Ontario Building Code (OBC). The FADS are used when planning and designing municipal facilities, as an aid to remove and prevent barriers for people with disabilities. It was originally developed in 2001, and has been updated substantially in the 2021 FADS. The FADS reflect extensive research on accessible and inclusive environments.

Municipal Staff recognize that the OBC requirements set the legal framework for buildings, and the FADS go beyond existing accessibility regulations to incorporate the principals of universal design. Universal design and accessibility provide a benefit for people of all ages and abilities.

By the Municipality of Kincardine adopting the FADS as a Municipal Standard, the requirements of the scope and application of the standard will be:

- mandatory for all newly constructed and retrofitted facilities owned, leased or operated by the Municipality; and
- encouraged for all other facilities, whether new or retrofitted.

The FADS also encompass the intent of the Ontario Human Rights Code, in terms of respecting the dignity of persons with disabilities. Every person in the Municipality of Kincardine has the right to fully participate in society.

Where conflicts exist between legislation requirements, the most accommodating requirement shall apply, which will result in the most accommodating environment, but never less that the minimum requirements of the applicable OBC.

For clarity, the Accessibility for Ontarians with Disabilities Act (AODA) refers to “accessibility standards” in the legislation and they are defined as an accessibility standard made by regulation by the Lieutenant Governor in Council. There is only one such standard [O.Reg. 191/11 Integrated Accessibility Standards](#). By definition, this term does not encompass Municipally adopted accessibility standards such as the London FADS.

## **Integrated Strategy 2020 - 2025**

**Financial Implications:** Financial implications will be outlined with each project during the annual Budget process

**Attachments:** City of London FADS 2007; and [City of London FADS 2021](#)

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