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The Accessibility for Manitobans Act (AMA)

**Scope and Intent Document for the  
Proposed Accessibility Standard on  
The Design of Public Spaces**

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*Prepared by:*

The Design of Public Spaces  
Standard Development Committee  
In conjunction with the  
Accessibility Advisory Council

May 14, 2019  
Winnipeg MB

This document is available in alternate formats, upon request.

This document is intended to provide an understanding of the scope and intent of the Accessibility Standard for the Design of Public Spaces. A public forum to discuss this document and the proposed standard will be held:

Tuesday, May 14, 2019  
1:30 – 3:30 p.m.  
Main Floor Ballroom  
Viscount Gort Hotel  
1670 Portage Avenue  
Winnipeg MB R3G 2E2

We encourage all stakeholders to attend, including designers, builders, persons with disabilities, representatives from the disability organizations and members of the general public. Improving accessibility for Manitobans involves everyone.

### **Social and Legal Framework**

Barriers to accessibility are a daily reality for persons with disabilities. According to Statistics Canada, one in four Manitobans has a disability. Some are born with a disability. Others develop a disability through accident, illness or as part of the aging process. Nearly every Manitoban has a disability, knows someone with a disability, or will develop a disability in the coming years.

The Accessibility for Manitobans Act (AMA) became law in 2013. The purpose of the legislation is to provide a clear and proactive process for the identification, prevention and removal of barriers. The AMA strives to accomplish this goal by developing accessibility standards in five fundamental areas: customer service, employment, information and communications, transportation and the built environment. Each standard sets out specific requirements and responsibilities regarding the removal of barriers.

Standards provide a legally binding foundation for practice and enforcement. Standards exist for accessible building design in the form of the Manitoba Building Code, but the design of accessible exterior environments is governed only by non-binding guidance documents in Manitoba. The creation of the Design of Public Spaces standards fills a significant gap, and is thus a priority.

The social and legal rationale for the AMA can be summarized as follows:

- Accessibility will improve the health, independence and well-being of persons disabled by barriers
- Barriers create considerable costs to persons disabled by those barriers, their families and friends, and to communities and the economy
- In developing our built environment, barriers have been perpetuated

- A systemic and proactive approach for identifying, preventing and removing barriers complements *The Human Rights Code* in ensuring accessibility for Manitobans
- Under *The United Nations Convention on the Rights of Persons with Disabilities*, which Canada ratified in 2010, member states are expected to take appropriate measures to ensure accessibility and independent living
- The equality rights of all Canadians, including persons disabled by barriers, are enshrined in the *Canadian Charter of Rights and Freedoms*

Barriers are often created and perpetuated through a lack of planning or appreciation of the significance these obstacles can play in people's daily lives. A proactive process of developing accessibility standards and regularly updating them will help create a more inclusive society and benefit all Manitobans, regardless of abilities.

## **Process**

The Minister of Families, Honourable Heather Stefanson, is responsible for the administration of the AMA. The Minister set the [Terms of Reference](#) for all accessibility standards developed under the AMA, including an Accessibility Standard for the Design of Public Spaces.

Under the AMA, the Accessibility Advisory Council (Council) has the responsibility to make recommendations to the Minister regarding the development of accessibility standards. The Council is comprised of nine members with diverse backgrounds and experience, including representatives of organizations of persons with disabilities, business, municipalities and other organizations.

The Council has the authority to establish standard development committees with the expertise required to develop a particular standard. The Council was directed to create a Design of Public Spaces Standard Development Committee and selected its members, approved by the Deputy Minister of Families. Updates to the Manitoba Building Code will be conducted through a separate process, apart from the work of this Committee.

Since it was formed in October 2018, the Committee has met bi-weekly. At the end of May 2019, the Committee is scheduled to submit its recommendations for an accessibility standard for the Design of Public Spaces for Council deliberation before releasing the draft standard for online public review.

## **Scope and Intent**

The Design of Public Spaces includes planning, organization, and construction affecting the exterior environment, as well as the maintenance of these spaces. Public spaces covered by this standard include, but are not limited to:

- Pedestrian access routes and signal systems

- Recreational elements, like trails and beach access routes
- Outdoor public eating areas
- Outdoor parks, play spaces and play structures

Please refer to [Appendix 1](#) for a draft Table of Contents for the proposed standard.

The accessibility standard for the Design of Public Spaces is intended to minimize barriers to access public outdoor spaces and provide specific minimum requirements. It is not intended to limit the creativity of the design process during planning, construction and maintenance of public infrastructure. The design of accessible outdoor public spaces requires the participation of all people; designers, builders, persons with disabilities, and other stakeholders, including property owners and governments. Their diverse perspectives will ensure a collaborative process aimed at the greater good. The Design of Public Spaces accessibility standard could also contribute to research and planning practices related to outdoor spaces.

## **Moving Forward**

Following Council's review of the committee's recommendations, Council will post a proposed standard for the Design of Public Spaces on the Disabilities Issues Office website, [AccessibilityMB.ca](#). This will be an opportunity for the disability community, stakeholders and the public to comment on the proposed standard.

All submissions received will be reviewed and considered. In order to ensure that all comments are received prior to the preparation of the Committee's recommendations, submissions must be received by August 16, 2019. The Design of Public Spaces Standard Development Committee will prepare a final report for the Accessibility Advisory Council for review and approval. The final report, including recommendations for a proposed standard for the Design of Public Spaces, will be submitted to the Minister of Families no later than August 30, 2019. The report will be publicly available and posted on the Disabilities Issues Office website, [AccessibilityMB.ca](#)

This document and the public consultation on May 14, 2019 are among the first steps in establishing an Accessibility Standard for the Design of Public Spaces. For a complete list of the legislatively required steps involved in the developing accessibility standards under the AMA, please see Appendix 2.

## **Appendix 1**

### **Preliminary Topic Areas**

The following is the Committee's current list of topic areas that will be included in the new Design of Public Spaces Standard. The list is not exhaustive and will continue to be refined as the Standard is completed:

1. Exterior accessible path of travel
2. Exterior parking and loading zones
3. Ramps
4. Mechanical lifts
5. Controls
6. Signage
7. Washrooms and Change Facilities
8. Docks
9. Boat launches / sports facilities
10. Counters, tables, service desks
11. Seating
12. Play areas
13. Pedestrian Crossings
14. Lighting
15. Transit Stops
16. Sound / Communication
17. Community Places

## Appendix 2

### **Steps Required for Standard Development** **as required under the AMA**

1. The Accessibility Advisory Council (Council) establishes a committee with expertise to develop a particular standard.
2. The Committee's proposed standard is submitted to the Council for review and/or further development.
3. Based on the Committee's recommendations for a proposed standard, the Council prepares a discussion paper that serves as the basis for public consultations.
4. Depending on the particular standard being considered, the Council, in conjunction with the Committee, use the public input to prepare a draft standard for the Minister responsible for the AMA.
5. The Minister may accept the Council's proposal in whole, in part or with changes.
6. The government's response is posted on the Disabilities Issues Office website for public comment for a 60-day period.
7. The Council and/or the Committee review the submissions and provides suggested amendments to the Minister for consideration.
8. The Minister makes any final amendments before forwarding drafting instructions for the standard to Legislative Counsel.

#### **Proposed Timeline of Milestones and Deliverables:**

May 31, 2019 – Design of Public Spaces Standard Development Committee submits proposed standard to the Accessibility Advisory Council

June 21, 2019 – Council posts recommendations for a proposed Design of Public Spaces Standard on the Disabilities Issues Office website for public comment.

August 14, 2019 – Deadline for submitting public comment for the Design of Public Spaces proposed standard.

August 30, 2019 – Council, in conjunction with the Committee, provide final recommendations to Minister responsible for the AMA.

June 2020 – The Design of Public Spaces Standard Regulation comes into force.