



STAFF REPORT

TO: COMMITTEE OF THE WHOLE
FROM: JOHN THOMAS, CHIEF ADMINISTRATIVE OFFICER
SUBJECT: ACCESSIBILITY COMMITTEE – LEGISLATIVE COMPLIANCE
MEETING DATE: TUESDAY NOVEMBER 4TH, 2025

PURPOSE

The purpose of this report is to seek Council direction regarding the Town’s approach to meeting accessibility-related legislative obligations under the *Accessible British Columbia Act*, including the establishment and implementation of an accessibility committee, accessibility plan, and public feedback mechanism. This report outlines current status, legislative requirements, and options for compliance to support accessible and inclusive municipal services for all residents.

BACKGROUND

British Columbia’s *Accessible British Columbia Act* (the “Act”) establishes requirements for organizations—including municipalities—to improve accessibility and remove barriers for people with disabilities. These requirements are being phased in for prescribed public-sector organizations. Under the Act and the *Accessible British Columbia Regulation*, local governments are required to:

1. **Establish an Accessibility Committee**
 - At least half of members **must** be persons with disabilities or individuals representing disability-serving organizations.
 - Should reflect the diversity of persons with disabilities in B.C.
 - At least one member is an **indigenous person**.
 - Must assist in identifying, preventing, and removing accessibility barriers
2. **Develop an Accessibility Plan**
 - To identify, remove, and prevent barriers to individuals in or interacting with the Town;

- The plan must be reviewed and updated at **least once every 3 years** (once per term of Council).
- The plan must consider the principles of inclusion, adaptability, diversity, collaboration, self-determination, and universal design.

3. Create a Public Feedback Mechanism

- Allow the public to share accessibility concerns which must be considered when crafting an accessibility plan or reviewing the plan.
- Process must ensure accessibility and timely response.

Council has previously considered the formation and governance model for accessibility oversight:

Date	Meeting Type	Direction / Outcome
October 10, 2023	Committee of the Whole	Accessibility topic discussed; referred to APC for consideration
October 24, 2023	Regular	Motion passed: That members of the APC take on responsibility for reviewing accessibility issues
July 9, 2024	Committee of the Whole	Notice of Motion to bring forward Accessibility Tour proposal
September 24, 2024	Regular	Accessibility Tour referred to APC for coordination
October 24, 2024	APC Meeting	Matter deferred to future discussions

Based on the information available at the time of drafting this report, it appears that:

- a. Council’s prior motion effectively assigned accessibility responsibilities to the APC; however, the APC has not yet advanced the mandate.
- b. The APC may not be the best suited governance mechanism to consider accessibility requirements, and the composition of the APC may not align with the statutory requirements for an Accessibility Committee.
- c. Legislative requirements from the province may require action on the part of the Town.

Options for Council Consideration

Option 1 – Establish a Dedicated Accessibility Committee (Legislative Best Practice)
 Council forms a new **Select Committee** structured to fully meet Act requirements.

Option 2 – Expand APC Membership + Mandate to Meet Accessibility Requirements
 Modify APC composition and Terms of Reference to incorporate accessibility responsibilities and ensure compliance.

IMPLICATIONS

a. Financial:

Minimal incremental cost for at the beginning to establish the committee (e.g., meeting support, recruitment communications). However, Council can expect that additional staffing time will be required as well as dedicated external support (consultant) to develop a comprehensive professional accessibility plan customized for the Town.

b. Policy/Legislation:

This work is not optional, it is legislated. The Town is currently behind schedule on this important work.

c. Strategic Priority:

Supports community inclusion, equity, and wellbeing. It also aligns with Council's commitment to responsive and accessible service delivery.

d. Sustainability:

Futureproofs the community to ensure barriers are removed and accessibility becomes a material consideration in capital project and infrastructure planning.

e. Communication:

Public call for membership should Council approve the creation of a new committee. The creation and rollout of a public feedback mechanism will ensure that the Town receives the public input in the development and review of the accessibility plan for all demographics.

f. Staffing Implication:

Additional staffing time will be required to support this important and statutory work.

The Town is obligated to ensure compliance with accessibility legislation. Council direction is required to clarify the appropriate governance model going forward. Staff recommend Option 1 as a **practical and timely path** to meet legislative requirements.

Recommendation

Staff is recommending option 1.

Sincerely,

John Thomas

Chief Administrative Officer



Memo

TO: Mayor and Council
SUBJECT: Accessibility Committee
DATE: February 10, 2023
FROM: Chief Administrative Officer

BACKGROUND

The B.C. government is requiring certain public-sector organizations to establish their own accessibility committees to reduce barriers for people living with disabilities. The intent is to remove barriers and to create accessibility standards throughout the province.

The [Accessible BC Act](#) came into effect on June 17th, 2021, requiring public sector bodies to establish:

- An Accessibility Committee;
- An Accessibility Plan; and,
- A process to receive public feedback on the Plan.

The deadline to meet the above obligations is September 1, 2023, and the requirement is the establishment of an Accessibility Committee.

Accessibility Committees should have:

- At least half of its members be persons with disabilities or represent a disability-serving organization, and who reflect the diversity of persons with disabilities in British Columbia;
- At least one of member who is an Indigenous person;
- The committee as a whole should reflect the diversity of persons in British Columbia; and,
- The committee may include members from within or without the boundaries of the Town of Lake Cowichan.

A virtual meet was had on January 23rd, 2023 with staff representatives of from the Cowichan Valley Regional District (CVRD), the City of Duncan, the Municipality of North Cowichan and the Towns of Ladysmith and Lake Cowichan on whether a regional committee vs a local committee would be preferable under the *Accessible BC Act*.

Options for the Committee to Consider

1. Whether the Town should form its own Accessibility (Advisory) Committee.

Benefits of going it alone

- Recommendations are made locally and not made from a body that does not fully represent Lake Cowichan;
- No loss of local autonomy;
- No competing interests;
- Smaller committee size; and
- May certainly be cost effective.

Disadvantages

- May not be able to elicit interest from members of the mandated groups such as persons with disabilities to sit on the committee;
 - Interest on serving on the committee generally may not be there; and
 - Inability to meet legislative requirements in a small community such as ours.
2. Whether the Town with the CVRD, the City of Duncan and the Towns of Ladysmith and Municipality of North Cowichan should instead form a regional accessibility committee.

Benefits

- Consistency of approach;
- Transference of responsibility for management to the CVRD;
- Cooperation between the regional local government partners;
- A larger pool to draw members from;
- Problem solving may easier given representation from all areas of the region;

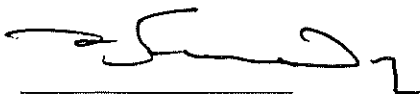
Disadvantages

- Could end up with a large committee;
- Loss of local decision making;
- May require cost sharing for the regional approach; and
- There may be no consensus on approaches to solving accessibility issues.

Conclusion

It may be best to decide which approach the Town should be taking once it is determined what the financial implications would be if a regional accessibility committee option is selected. If council decides to consider a regional accessibility committee approach it may be appropriate for staff to work with the other local governments to ascertain the best approach.

Other CVRD municipalities are still working through that process in the meantime.



Joseph A. Fernandez