



**City of Kingston
Information Report to Council
Report Number 23-023**

To:	Mayor and Members of Council
From:	Neil Carbone, Commissioner, Corporate Services
Resource Staff:	John Bolognone, City Clerk
Date of Meeting:	January 17, 2023
Subject:	2022 Municipal Election Accessibility Plan

Council Strategic Plan Alignment:

Theme: Regulatory & compliance

Goal: See above

Executive Summary:

In accordance with the requirements of the *Municipal Elections Act, 1996* (the Act), the City Clerk prepared the 2022 Municipal Election Accessibility Plan which identified the accessibility measures to be implemented for the 2022 municipal election and any subsequent by-elections. This Plan was presented to the Municipal Accessibility Advisory Committee (MAAC) on June 2, 2022.

The Act requires that a report be submitted to Council and be made available to the public within 90 days after the election reporting on the success of the measures that were implemented to identify, remove, and prevent barriers for electors and candidates with disabilities.

Overall, the measures that were implemented to identify, remove, and prevent barriers for electors and candidates with disabilities were successful. Based on the input received from the Site Supervisors of the various voting places there were very few complaints related to the accessibility measures.

Accessible voting equipment was available at every voting place on each of the five advance voting days and at all 13 voting places on Voting Day. In total, there were 6 electors who marked their ballot using the accessible voting equipment. In one case the Machine Operator

January 17, 2023

Page 2 of 11

had difficulty feeding the ballot into the AutoMark (the machine that marks the ballot for the elector) so instead, the elector cast their ballot in the traditional fashion, with assistance from the Site Supervisor.

An American Sign Language (ASL) interpreter was available on Friday, October 21 from 9 a.m. to 5 p.m. at the INVISTA Centre voting place. All electors were eligible to vote at this voting place. No electors used the services of the ASL interpreter to cast their ballot.

The City's Municipal Election Accessibility Plan will be updated as best practices and opportunities for enhancements are identified. Staff will review all feedback received and will revise the Accessibility Plan as deemed appropriate for any future by-elections and/or the 2026 municipal election.

The [2022 Municipal Election Accessibility Plan](#) is available on the City of Kingston website.

Recommendation:

This report is for information only.

January 17, 2023

Page 3 of 11

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Neil Carbone, Commissioner,
Corporate Services**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Community Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Transportation & Public Works	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

January 17, 2023

Page 4 of 11

Options/Discussion:**Background**

The City of Kingston understands the importance of accessibility for persons with disabilities. The *Accessibility for Ontarians with Disabilities Act* (AODA) came into force in 2005 and since then the City as a public organization has made significant strides to identify, remove and prevent barriers for persons with disabilities.

For the 2018 municipal election, an Accessibility Plan was prepared and reviewed by the Municipal Accessibility Advisory Committee (MAAC). Internet voting and accessible voting equipment were used to provide electors with options for voting. The accessible voting equipment was available at all voting places, except those located in institutions, retirement homes and long-term care facilities. Electors were able to cast their ballot at any voting place in their District.

Internet voting and accessible voting equipment were used again for the 2022 municipal election and was provided at all voting places, except in institutions, retirement homes and long-term care facilities. There were 5 days of advance voting with 6 voting places. Advance voting places were “vote anywhere” meaning that electors could cast their ballot at any one location in the City, regardless of the District they reside in. On Voting Day, Monday, October 24, 2022, there was one voting place in each District, except for Countryside which had two. In addition, on Voting Day there were 19 dedicated voting places located in various institutions, retirement homes and long-term care facilities for the residents of those buildings only.

Development of the 2022 Municipal Election Accessibility Plan

The [2022 Municipal Election Accessibility Plan](#) was prepared in advance of the 2022 municipal election in compliance with the requirements of the *Municipal Elections Act, 1996* to identify the accessibility measures already in place and/or to be implemented for the 2022 municipal election and any subsequent by-elections. The measures proposed in the Accessibility Plan were intended to ensure that the election process and procedures would be consistent with the core principles of independence, dignity, integration and equality of opportunity.

During the development of the 2022 Accessibility Plan, staff reviewed the 2018 Municipal Election Accessibility Plan as well as various documents, accessibility plans and policies from government agencies and other municipalities. A training booklet for all designated election officials was developed to ensure that electors with disabilities were able to vote in a positive environment and to ensure that all election officials recognized the importance of accommodating an elector's needs whenever possible.

A draft of the 2022 Municipal Election Accessibility Plan was reviewed by the Municipal Accessibility Advisory Committee (MAAC) on June 2, 2022.

January 17, 2023

Page 5 of 11

Mandate of the 2022 Municipal Election Accessibility Plan

“To provide every candidate, elector and election worker with equal opportunity for positive involvement in the 2022 municipal election and any subsequent by-elections”.

Overall Goal of the 2022 Municipal Election Accessibility Plan

“To establish objectives and actions for the 2022 municipal election and any subsequent by-elections which respect the dignity and independence of and address the needs of candidates, electors and election workers of all ability”.

Objectives of the 2022 Municipal Election Accessibility Plan

- that all voting places are accessible;
- that a person with a disability can independently cast a ballot and verify their choices;
- that a person with a disability has full and equal access to all information on where and when to vote and on the candidates for each office;
- that a person with a disability can fully participate in the 2022 municipal election as an elector, candidate, or designated election official; and
- that electors and candidates with disabilities are aware of the accessibility measures available for the 2022 municipal election through such means as the newspaper, media releases, the elections page on the City of Kingston website, and social media.

Accessibility Measures for the 2022 Municipal Election

The accessibility measures that were either already in place and/or that were implemented for the 2022 municipal election are briefly summarized below. For further details on each of the accessibility measures please refer to the [2022 Municipal Election Accessibility Plan](#).

Communications

All relevant information for electors, candidates and third party advertisers was posted to the elections webpage on the City’s website. The webpage included separate tabs for Voters, Candidates and Third Party Advertisers. Every effort was made to ensure that the elections webpage remained current and up to date. The elections webpage was compliant with WCAG 2.0 Level AA and allowed for the use of screen reader software. On request, printed materials were made available in large print and alternate formats. The communications section of the Accessibility Plan also outlined the procedures in the event of service disruptions.

Voting Place Accessibility Audits

Accessibility audits were completed on all voting places. A Voting Location Assessment Project Team comprised of two City staff and one member of MAAC reviewed and evaluated all

January 17, 2023

Page 6 of 11

potential voting places based on an Accessibility Checklist. The Project Team removed from consideration two locations that did not meet the accessibility requirements and did not identify any major issues with the voting place locations that were selected. In finalizing the 2022 voting place locations, the Project Team paid particular attention to key considerations such as:

- Proximity to public transit stop (within 400 metres);
- Parking (i.e., adequate number of accessible spaces, distance to voting place, lighting);
- Building exterior (i.e., pathway firm and free of long slope, level entrance to facility);
- Building entrance (i.e., automatic door openers, door width minimum 32 inches); and
- Building interior (i.e., accessible washrooms, automatic door openers, voting room on same level as entrance).

A post-election survey sent to all Site Supervisors requested comments on whether the voting place was adequate, if there were any complaints or accessibility concerns and if the location should be used in subsequent elections. The responses received noted the following:

- Kingston Gospel Temple: Entrance door was not accessible. Would not recommend using moving forward.
- Archbishop O'Sullivan: No exterior lighting and the accessible door was not working for the exterior entrance.
- Kingston East Community Centre: The voting room was too small and only had one way in/out.
- St. Andrew's by-the-lake Church: The accessible entrance was separate from main entrance which caused some confusion among electors.
- Rideau Heights Community Centre: The parking at rear of building may have contributed to the low number of voters at this location.

The foregoing matters will be taken into consideration during the review of potential voting places and the planning for the 2026 municipal election.

Dedicated Voting Places

In accordance with the requirements of the Act, dedicated voting places were provided on Voting Day in 19 institutions, retirement homes or long-term care facilities throughout the City. These voting places were for the residents of those buildings only and had reduced voting hours, generally 10:00 a.m. to 12:00 p.m. or 2:00 p.m. to 4:00 p.m.

January 17, 2023

Page 7 of 11

Voting Place Setup and Layout

Setting up the voting place to ensure maximum accessibility formed part of the training for designated election officials and the Site Supervisor had the discretion to adjust the voting place setup as needed to address the physical layout of the voting place and thereby ensure accessibility for all. Election staff were also trained to regularly check the entrance to the voting place and the pathway to the room where voting was taking place to ensure that it remained unobstructed throughout the voting days.

An accessible voting area was set up at each voting place that provided the accessible voting equipment (touch screen, audio tactile interface and yes/no paddle buttons) and a separate voting compartment to ensure privacy. Magnifiers were available to assist electors with low vision and a pen and paper were available to communicate with electors with hearing loss. Notices were posted at the entrance to the room where voting was taking place and in the voting compartments to assist electors with way finding around the voting place and to provide directions in marking a ballot.

A post-election survey sent to all Site Supervisors requested comments on whether the voting place was adequate, if there were any complaints and if the location should be used in future elections. The responses received noted the following:

- Regiopolis Notre-Dame: It was noted that there were too many entrances to the building. Electors may have had to walk from the far end of the building to the voting room. This can be mitigated with increased signage.
- INVISTA Centre: It was noted that there were too many entrances to the building. Electors may have had to walk from the far end of the building to the voting room. This can be mitigated with increased signage.
- Kingston East Community Centre: The voting room was too small and only had one way in/out.
- Rideau Heights Community Centre: The parking at rear of building may have contributed to the low number of voters at this location.

The foregoing matters will be taken into consideration during the review of potential voting places and the planning for the 2022 municipal election.

Free Transportation to the Voting Places

The Election Office worked with both Kingston Access Bus and Kingston Transit on the provision of free transportation to the voting places on all voting days. Free transportation on Kingston Access Bus was for registered users of that service as well as any support person accompanying the elector. The elector had to identify the voting place they would be travelling to when booking their transportation. Kingston Access Bus indicated that approximately 26 free trips were provided to and/or from the voting places.

January 17, 2023

Page 8 of 11

Free transportation on Kingston Transit was approved by Council and was available on all voting days to electors who showed their Voter Information Notice when boarding the bus. While ridership for electors was not specifically tracked, no issues or complaints were reported.

In advance of the 2026 election, the Elections Office will approach both Kingston Access Bus and Kingston Transit/City Council with a request for free transportation for electors travelling to or from a voting place.

Accessible Voting Options

The Accessibility Plan outlined the different accessible voting options that were available to electors with a disability, including:

- Accessible Voting Equipment was available at each voting place (touch screen, audio tactile interface, and yes/no paddle buttons) and the procedures for an accessible voting session. In total, there were 6 electors who marked their ballot using the accessible voting equipment. The Machine Operators and Site Supervisors at all voting places were trained on the setup and operation of the accessible voting equipment.
- Online Voting began at 10:00 a.m. on Tuesday, October 5, 2022, and was available until 8:00 p.m. on Voting Day, Monday, October 24, 2022.

Online voting was accessible to everyone and provided electors with the capability to vote from anywhere and at any time if the elector had their Voter Information Notice. Voting from home facilitated the voting process for persons with disabilities who may have mobility restrictions, visual impairment, and/or a difficult time with transportation. Any electors with assistive devices set up in their home could use them to assist with casting a ballot privately and independently. This provides persons with disabilities equal opportunity to participate in the election.

- Designated Voting Places were established in various institutions, retirement homes and long-term care facilities for the residents of those buildings only. If an elector was not able to come to the room where voting was taking place, the Deputy Returning Officer could attend on an elector anywhere within the institution, retirement home or long-term care facility.
- Voting Proxy. An elector could have appointed another eligible elector to vote on his or her behalf. Two electors used this method to cast their ballot.
- Curbside Elector Support. Provisions were made for a designated election official to assist an elector who was at the voting place but could not access the room where voting was taking place. Although specific metrics on the number of electors who used this support are not available, based on feedback received from Site Supervisors staff estimate that this support was utilized by approximately half a dozen electors. Assistive Devices. Any elector with their own assistive device was allowed in any voting place and voting compartment.

January 17, 2023

Page 9 of 11

- **Support Person.** An elector was permitted to be accompanied by a support person in any voting place and voting compartment. If the support person was going to assist in marking the ballot, the support person was required to take an Oath of Secrecy.
- **Assistance by Designated Election Official.** An elector who was not able to mark their own ballot or who did not have access to online voting could request the Site Supervisor or Deputy Returning Officer at a designated voting place to accompany them into a voting compartment and assist with marking the ballot as directed by the elector. Designated election officials assisted electors in this manner at many of the voting places.

Accessibility Training

All designated election officials received accessibility training. A training booklet was developed to ensure compliance with the training requirements of the Integrated Accessibility Standards Regulation.

The training booklet provided an overview of the applicable legislation and the City's Accessibility Standards Policy, outlined overarching customer service principles, and provided guidance for interacting and communicating with electors with disabilities and who may be using assistive devices or be accompanied by a support person or service animal. Each designated election official was required to submit a signed Compliance Form verifying that they had read and understood their requirements and responsibilities for providing accessible customer service during the 2022 municipal election.

In addition, there were designated election officials at every voting place who had been trained on the accessible voting equipment and who could aid electors, as required.

Candidate Information

Several reference documents were posted to the elections webpage to assist candidates with accessible election considerations.

Municipal Accessibility Advisory Committee Consultation

The 2022 Municipal Election Accessibility Plan was presented to the Municipal Accessibility Advisory Committee (MAAC) on June 2, 2022. At the meeting staff responded to questions with respect to the accessibility training being provided to the designated election officials and confirmed that staff at each voting place would receive hands on training on the operation of the accessible voting equipment and that the accessible voting equipment would be available throughout all voting days. Staff also responded to questions about consideration being given to having an ASL interpreter available to assist electors that may be deaf, hard of hearing or have hearing loss and advised that if an elector contacted the Elections Office with an accommodation request staff would make reasonable efforts to provide an interpreter. In response to other comments/questions from MAAC, staff confirmed that the free transportation on Kingston Access Bus was only for registered users of that service and any accompanying support person, revisions were made to the Accessibility Plan and the Ontario Cultural Society of the Deaf was added to the stakeholder consultation list.

January 17, 2023

Page 10 of 11

For the next municipal election in 2022, members of MAAC will again be invited to participate in the review of potential voting places. The 2022 Municipal Election Accessibility Plan will also be presented to MAAC for review and comment. Prior to preparation of the 2022 Accessibility Plan Elections Office staff will initiate discussions with MAAC with respect to such matters as the use of accessible voting equipment and an ASL interpreter (see the Future Accessibility Considerations section below).

Reporting

This report has been prepared in accordance with the requirements of the *Municipal Elections Act, 1996* that within 90 days after the election, a report must be submitted to Council with respect to the success of the accessibility measures that were implemented with respect to the identification, removal and prevention of barriers that affect electors and candidates with disabilities. The report must also be made available to the public and will be posted to the elections webpage on the City's website.

Feedback on Accessibility Concerns

The City has established a process for receiving and responding to feedback about the way it provides goods, services and facilities to persons with disabilities. The Election Team welcomes any further feedback on the 2022 municipal election with respect to any improvements or changes that could enhance the delivery of a fully accessible election or by-election for electors, candidates or election workers. Staff will review all feedback received and will revise the Accessibility Plan as deemed appropriate for any future by-elections and/or the 2026 municipal election.

Notice Provisions:

There are no required notice provisions. In accordance with the provisions of the *Municipal Elections Act, 1996*, this report must be made available to the public. The report has been included on Council's agenda for the January 17, 2023, meeting, which is available to the public, and will also be posted on the elections webpage on the City's website.

Legislated Accessibility Considerations:

Municipal Elections Act, 1996:

Section 12.1

- (1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.
- (2) The clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.
- (3) Within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

January 17, 2023

Page 11 of 11

Subsection 45 (2)

In establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities.

Existing Policy/By-Law:

None

Notice Provisions:

None

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

John Bolognone, City Clerk, 613-546-4291 extension 1247

Other City of Kingston Staff Consulted:

Janet Jaynes, Deputy City Clerk, Office of the City Clerk

Exhibits Attached:

None