



**City of Kingston**  
**Information Report to Municipal Accessibility Advisory Committee**  
**Report Number MAAC-24-003**

---

**To:** Chair and Members of the Municipal Accessibility Advisory Committee

**From:** Jenna Morley, Director, Legal Services & City Solicitor

**Resource Staff:** Janet Jaynes, City Clerk

**Date of Meeting:** January 25, 2024

**Subject:** Committee Orientation

---

**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

This report provides an overview of the roles and responsibilities of members of the Municipal Accessibility Advisory Committee (MAAC). This information includes the legislative background and obligations of MAAC under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and participation on City of Kingston project teams. Additional information is provided regarding the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), conflict of interest, and committee procedure.

**Recommendation:**

This report is for information only.



January 25, 2024

Page 3 of 7

## Options/Discussion:

### Background

The following information will provide MAAC members with an overview of participation on a City of Kingston advisory committee. The first section of this report is devoted to describing the role of MAAC and its members, as well as how members participate in project teams. The second section of the report includes an overview of privacy legislation, conflict of interest, and committee procedure.

### Role of Accessibility Advisory Committees

The AODA requires that municipalities with a population of more than 10,000 people establish an accessibility advisory committee. In Kingston, this committee is known as MAAC. Under the AODA, the role of MAAC includes:

- Advising Council on the requirements and implementation of accessibility standards and accessibility reports, including the [City of Kingston 2023 – 2025 Multi-Year Accessibility Plan](#) and its annual update reports;
- Reviewing site plans and drawings as described in the *Planning Act*;
- Advising Council on the accessibility for persons with disabilities of buildings that Council purchases, constructs, significantly renovates or leases;
- Advising City staff with respect to determining the proportion of on-demand accessible taxicabs required in the community and the progress towards meeting the need for on-demand accessible taxicabs;
- Advising City staff with respect to the construction or redevelopment of recreational trails, outdoor play spaces, and rest areas on exterior paths of travel; and
- Advising City staff on the need, location and design of accessible parking spaces.

City staff may also bring reports and seek advice from MAAC members on any other areas of work within the City if feedback is sought regarding accessibility for persons with disabilities.

The above consultation takes place in two different ways. The first method is via the annual committee work plan. Staff from select departments bring reports advising of work undertaken in the past year and scheduled for the coming year with respect to accessible consultation requirements. Committee members are given the opportunity to ask questions and provide feedback.

The second method of consultation occurs outside of committee meetings with MAAC members having the opportunity to serve on project teams. Project teams are comprised of two or more committee members who work directly with staff to provide advice and feedback on specific

January 25, 2024

Page 4 of 7

projects. These projects can be related to the built environment, such as the renovation or construction of a City facility or the renovation or construction of a City park. Project teams can also be formed to discuss development or redevelopment of City policies and programs.

MAAC has two standing project teams for which members are sought annually. The site plan review project team is responsible for reviewing site plan drawings for development applications to ensure that built form accessibility requirements and considerations are met. Five to six members serve on the team at any given time. Members receive extensive training at the beginning of their term. The time commitment for the project team is approximately one-to-two hours per week, with work primarily occurring in late spring, summer and early fall.

The awareness and education project team is responsible for working with Accessibility Office staff on the creation of the annual awareness campaign for National AccessAbility Week. Project team members also assist in the organization of the [Celebrating Accessibility Awards](#) and the selection of award recipients.

### **Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**

MFIPPA is provincial legislation that governs how the City collects, uses, discloses and disposes of records. A record is any piece of recorded information, how ever it is recorded; this includes emails, agendas, minutes or reports.

Under MFIPPA, the public has the right to access records in the custody and control of the City, subject to specific exceptions. Additionally, the City is obligated to protect the privacy of individuals. A balance needs to be struck between openness and transparency and protecting individual privacy.

Committee members do not have any special right to access City information; they have the same access rights as the general public. Any requests for information should be put through the committee clerk, who can determine if the information can be provided, or if a formal request is required under MFIPPA.

Records created by a committee member that relate to their responsibility as a committee member may be subject to MFIPPA disclosure requirements. This makes it important to use discretion when creating records related to committee business.

### **Municipal Conflict of Interest Act and Member Code of Conduct**

The *Municipal Act, 2001* requires municipalities to establish codes of conduct for members of Council and local boards. In Kingston, the [Member Code of Conduct](#) (the “Code”) establishes the ethical standards of behaviour for members of Council and committees.

January 25, 2024

Page 5 of 7

Within the Code are provisions relating to:

- Rules of decorum;
- Use of City property;
- Gifts and benefits;
- Confidentiality;
- Improper use of influence; and
- Conflicts of interest.

The Code requires committee members to:

- Promote and uphold the purpose of the City;
- Participate actively and in good faith;
- Uphold the law and act with the highest degree of ethical behaviour and integrity;
- Treat members of staff and the public with respect;
- Ensure the public trust;
- Comply with the City's Respect in the Workplace Policy; and
- Declare actual and perceived conflicts of interest.

It is important to note that committee members are appointed by Council and may be removed by Council.

Under the Code, members must avoid conflicts of interest. This includes real conflicts of interest under the *Municipal Conflict of Interest Act* and perceived or apparent conflicts of interest.

Only a committee member can determine if they have a conflict of interest. Staff cannot provide advice in this regard or determine if there is a real or apparent conflict of interest. There are questions a member can ask when assessing a potential conflict of interest:

- Have I been or am I in any way involved with the matter personally or professionally?
- Are any of my business partners or family members connected with the matter?
- Am I capable of addressing this matter without bias? Is my mind open to following a course of action that may be different from my original position?
- Have I considered public interest as a priority?
- What would a reasonable person, apprised of all the relevant facts, believe about whether I am influenced by my personal and/or business interests if I vote on this matter?

January 25, 2024

Page 6 of 7

If you have determined that you have a conflict of interest, you must declare it at the start of the meeting under the agenda item Disclosure of Pecuniary Interest. When the matter is being considered by the committee you will be able participate in the discussion; however, you will not vote on the matter.

### Committee Procedure

The following are tips and advice regarding meeting procedure:

- Committee meetings are held virtually using Zoom. Details regarding participation in virtual meetings can be found in the [Electronic Meeting Management Guide](#).
- When voting, members are asked, if able, to physically raise their hand to indicate their vote. You cannot abstain from a vote; any member that does not indicate their vote will be recorded as an 'opposed' vote. A member may also indicate their vote orally, or use the Raise Hand function in Zoom.
- Under Approval of the Agenda, members have an opportunity to change the order of business or add items to be considered under Other Business.
- Confirmation of Minutes is where members have a chance to correct errors or add omissions to the record. The minutes are the official record of the meeting and are recorded by the clerk without note or comment. They are not a verbatim transcript of the meeting. Once confirmed by the committee, minutes are posted to the City website.
- Delegations are an opportunity for members of the public to speak to the committee. Delegations are provided five minutes to speak, followed by a question & answer period. Each committee member may ask a maximum of two questions per delegation. A maximum of five delegations may appear on the agenda, speaking to either agenda items or non-agenda items that are topics within the mandate of the committee. The public cannot ask questions during a delegation.
- Briefings are presentations from staff regarding an agenda item. There is a 10-minute maximum speaking time, followed by unlimited questions from the committee. The public cannot ask questions during a briefing.
- Motions are requests by committee members to Council to direct staff to provide information to the committee. A motion must be submitted in advance to the committee clerk no later than seven days prior to the meeting. No committee has authority over a City department and a committee cannot direct staff to spend money or undertake work. A motion approved by a committee must also be approved by Council.
- Notices of Motion are an opportunity for a member to advise the committee of a motion that the member intends to bring forward at a future meeting.

January 25, 2024

Page 7 of 7

- Other Business is where members may provide a brief update on topics of interest to the committee. A request to speak under Other Business must be added during the Approval of Agenda. No debate or advancing of business is allowed under Other Business.
- Correspondence is where letters and emails received from the public regarding committee business are received. There is no debate or discussion permitted; however, correspondence can be referenced during the Business portion of the agenda.

**Existing Policy/By-Law**

[Accessibility for Ontarians with Disabilities Act, 2005](#)

[Ontario Regulation 191/11, Integrated Accessibility Standards Regulations](#)

[City of Kingston 2023 – 2025 Multi-Year Accessibility Plan](#)

**Financial Considerations**

None

**Contacts:**

Derek Ochej, Deputy City Clerk, 613-546-4291 extension 1252

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

None