

Recommendations to the Government of Nova Scotia on Accessibility Standards in the Built Environment: **Phase 1**

*Submitted to the Minister of Justice
by the Accessibility Advisory Board*

October 26, 2020

The enclosed recommendations were developed by the Built Environment Standard Development Committee and submitted to the Accessibility Advisory Board in July 2020.

The Accessibility Advisory Board reviewed, made amendments, and approved them for submission to the Minister of Justice.

© Crown copyright, Province of Nova Scotia, 2020

Recommendations to the Government of Nova Scotia on
Accessibility Standards in The Built Environment: Phase 1

ISBN: 978-1-77448-090-8

Table of Contents

Introduction **1**

Background	1
Standards Development Process	2
Approach to Developing Recommendations	3
Instruments Available for Standard Implementation	4

Built Environment Standard Development Committee Recommendations **5**

Definitions and Acronyms	5
Acknowledgements	6
Accessible Parking	6
Pedestrian Facilities	9
Exterior Approaches	11
Emergency Systems	12
Site Selection	14
Wayfinding and Signage	15
Washrooms	16
Interiors	17
Housing and Residences	19
Parks and Recreation	20

Introduction

Background

Nova Scotia's Accessibility Act, enacted in 2017, recognizes accessibility as a human right and sets a goal of an accessible Nova Scotia by 2030. It enables Government to develop accessibility standards in the areas of:

- Built Environment
- Education
- Employment
- Delivery of Goods and Services
- Information and Communications
- Public Transportation and Transportation Infrastructure

In September 2018, Government committed to developing an accessibility standard in the built environment. The scope of this standard is to prevent and remove barriers to accessibility within the built environment. "Built environment" means the human-made space in which people live, work, learn and play and includes buildings, rights-of-way, and outdoor spaces. Federal infrastructure, including airports, container terminals, and buildings owned or leased by the Government of Canada, fall outside of the Built Environment SDC's mandate.

Under the Accessibility Act, the Accessibility Advisory Board (AAB) makes recommendations to Government on standards in the built environment. In March 2019, the AAB established a Built Environment Standard Development Committee (SDC) to assist them with this work.

The Built Environment Standard Development Committee, representing First Voice and other stakeholders from across the province, has been researching, deliberating, and consulting with the community regarding recommendations concerning these standards. This document details the proposal by the Built Environment Standards Committee, with amendments from the Accessibility Advisory Board.

The committee has reviewed existing standards for each area, recognized gaps in current practice, and identified where initial recommendations are needed. Technical recommendations for each area will be identified in Phase 2 of standard development.

Standards Development Process

In March 2019, the AAB established a Built Environment Standard Development Committee (SDC) to assist with the creation of accessibility standards for the built environment. The Built Environment SDC has met approximately every six weeks since April 2019, researching the topic areas, discussing barriers to accessibility, and drafting recommendations.

In March 2020, the draft recommendations were consulted on in a targeted public consultation. The consultation participants included persons with disabilities, Deaf and neurodivergent persons, representatives of organizations representing persons with disabilities, Deaf and neurodivergent persons, representatives of organizations to be subject to the standards, representatives of government entities, and members of the public.

The feedback received during consultation has informed revisions made by the Built Environment SDC to the recommendations presented in this document for review by the Accessibility Advisory Board.

The remaining steps in the standard development process are:

- The Accessibility Advisory Board submits recommendations to the Minister of Justice. These recommendations are made publicly available.
- Minister prepares the proposed accessibility standard, adopting the AAB recommendations in whole, in part, or with any modifications the Minister deems appropriate.
- Minister makes proposed standards publicly available for 60 days.
- Minister consults with the AAB concerning any comments received and revises proposed standards, if necessary.
- Minister recommends accessibility standards to Governor-in-Council for approval as a regulation.

Approach to Developing Recommendations

The Built Environment SDC determined that an incremental approach was most appropriate for developing recommendations and have broken the work down into two phases.

Phase 1: Initial recommendations for each topic area, focusing on addressing gaps in existing regulations: exteriors, interiors, emergency systems, site selection, housing and residences, wayfinding and signage, parks, and recreation.

Phase 2: Technical recommendations for each topic area that will be submitted to Government by the AAB by September 2021.

Instruments Available for Standard Implementation

There are a full range of regulatory and non-regulatory instruments available for implementing the standard recommendations below. These include:

- Policy
- Regulations
- Administrative Order
- Guidelines
- Support Programs

Regulation is a powerful and sometimes necessary instrument of public policy, but it has limits and is not always the best choice. It is envisioned that accessibility standards will be implemented through a constellation of complementary instruments as described by the table below. Each of the recommendations in this report is tagged with the most appropriate instrument(s) for implementation. In some cases, multiple instruments are recommended for each standard.

Accessibility Standard

(to be implemented through one or a combination of Instruments)

IMPLEMENTATION INSTRUMENTS

Policy: a statement of intent by an institution/organization.

Regulations: a legal requirement for a specific undertaking, it could new regulation or amendment(s) to existing regulations such as the NS Building Code.

Administrative Order: an order for an undertaking, which could be a prescribed process within a specific administrative unit such as the provincial government.

Guidelines: a recommended approach or course of action.

Financial Incentives: this may include grants, tax rebates, or other measures to encourage compliance.

Support Programs: an initiative to support the implementation of the standards, an example would be a training program for those implementing the standard.

The Built Environment SDC strongly suggests the enclosed recommendations be implemented fully and unaltered using a combination of instruments as outlined in the following charts.

Built Environment Standard Development Committee Recommendations

The Built Environment Standard Development Committee used a Consensus Decision Making Model to work through all of the recommendations. The SDC endorses all these recommendations unanimously, except for 2 areas:

- 1. Emergency Systems:** one SDC members voted against this area after concern was raised about whether multi-unit apartment buildings required an area of refuge, which the SDC agreed would be addressed in the technical details in phase 2.
- 2. Housing and Residences:** two SDC members voted against this area, citing concerns about the expense to developers and home builders.

The Built Environment Standard Development Committee submits the following recommendations to the Accessibility Advisory Board, as outlined in the following chart.

Definitions and Acronyms

Additional definitions will be determined at the time of drafting regulations.

Renovated: any change in the structural component or style of a building or structure, or any increase in the volume of a building or structure.

Recreational Facility: includes Recreation centres and halls, pools, arenas, athletic fields, parks, and playgrounds and trails, enhanced schools for community use, and other facilities that promote sport and physical recreation.

ADA: Americans with Disabilities Act.

CSA: Canadian Standards Association.

TWSIs: Tactile Walking Surface Indicators.

Acknowledgements

These recommendations were created with references to the existing work of the Canadian National Standards Association, the Rick Hansen Foundation, and the Americans with Disabilities Act. The Built Environment SDC is grateful to the standard established by these organizations and recognizes that the recommendations in this document are made possible, at least in part, by these organizations.

ACCESSIBLE PARKING

1. Administrative Order

The system and processes for obtaining an accessible parking permit in Nova Scotia will be reviewed by the appropriate Government of Nova Scotia Department/ Agency and that this review includes:

- Consultation with persons with disabilities, Deaf and neurodivergent persons.
 - Complete review of professions designated to approve accessible parking permits, with consideration given to physiotherapists and occupational therapists, in addition to family physicians.
 - Complete review of the process for accessible parking permits (permanent and temporary), with consideration given to temporary passes being returned when issued for a specific period and an expiration date clearly marked on temporary permits;
 - Complete review of levels of dedicated parking spaces for seniors, families, etc. to complement the accessible parking permit program and reduce the demand for accessible spaces.
 - Complete review of enforcement processes and procedures associated with the use of accessible parking permits. This review must include input from both provincial and municipal enforcement agencies.
 - Public education surrounding the permit process and enforcement.
- Administrative Order

2. Regulation

Construction or change in the structural component or style of parking lot, or any increase in the volume of a parking lot in Nova Scotia that is not affiliated with a building permit will adhere to the accessible parking specifications as currently outlined in the CSA B-651 as updated from time to time except for the height allowance. Parking lots will follow the Nova Scotia Building Code for height allowance at a minimum. Exemptions may be made for those lots that can prove undue hardship due to the challenges associated with a specific lot. Every lot regardless of undue hardship must provide the minimum number of accessible spaces as outlined in the CSA B-651 standard

3. Building Code Amendment

When constructing or redeveloping existing on-street parking spaces, Municipalities in consultation with community, including the Municipal Accessibility Committees and ensuring First Voice representation, shall determine the need, location, and design of accessible on-street parking spaces. The Municipalities will also ensure that there are curb cuts appropriately located near all accessible spaces so that people can get from the space to the sidewalk, where there is one. Curb cuts will include tactile surfaces that are 70% colour with adjacent surfaces. All Municipalities will appoint a specific person to ensure the enforcement of standards.

4. Regulation

Owners and regulating entities of parking lots will establish a regular maintenance plan for the painting of accessibility symbols, parking space lines, and maintaining of proper accessibility signage for both paved and gravel lots using industry best practice. Signage must be identified as “accessible parking” through vertical signage and pavement marking where relevant.

5. Amendment to the Building Code

All owners of parking lots, including gravel lots, will ensure that at a minimum all accessible parking spots be of a surface that is level, firm, and well maintained and travel from vehicle to destination has a safe pedestrian way avoiding the need to pass through the path of traffic.

6. Guideline

Commercial parking lots with gated entry will ensure that when the gate is not working, in addition to having an emergency call button, there is a communication system in place that allows individuals to communicate by text, email, or alternative technology.

7. Policy

Businesses and Municipalities are required to prioritize snow and ice removal for accessible parking spaces, and curb ramps for both off-street and on-street parking.

8. Regulation

All commercial and public facility parking lots shall have clearly marked accessible pedestrian paths of travel that include pavement markings and vertical signage that are 70% colour contrast at all areas where a pedestrian crosses traffic, illumination with light levels of 20-50 lux from parking spaces to the main entrance, and marked speed limits for vehicles. The accessible path of travel will not encroach into the path of vehicular traffic.

PEDESTRIAN FACILITIES

1. Guideline

All sidewalks shall follow the Transportation Association of Canada (TAC) Guidelines. Where existing infrastructure does not have adequate space to implement the TAC recommendations, Municipalities will meet requirements as closely as possible.

2. Regulation

All curb cuts in will be both tactile and colour contrasted. Newly constructed sidewalks will utilize TWSIs.

3. Guideline

Traffic lights and all new lit intersections will include vibration and audio signals to indicate pedestrian crossing.

4. Guideline

The planning process for new streetscaping will be reviewed by the Municipal Accessible Advisory Committee to ensure new and innovative street designs are accessible.

5. Regulation

All street furniture location and dimensions including sidewalk cafés, bus shelters, banners, flower pots, benches, waste receptacles, utilities, poles, fire hydrants, and other objects required to be close to paths of travel, will allow a clear accessible path of travel for pedestrians and will comply with the following:

- a. Street furniture shall comply with any applicable Land Use By-law.
- b. Street furniture shall be cane detectable and comply with the Canadian Standards Association (CSA) Accessible Design for the Built Environment, CSA Standard B651, as amended from time to time.
- c. The design or the arrangement of, the furniture shall not restrict access to the entrance or emergency exits.
- d. Placement of temporary sidewalks shall not impede pedestrian traffic movement or safety and shall be a minimum of 1100mm.

- e. Temporary sidewalks shall be guarded by a traffic barrier at ends exposed to vehicular travel.
- f. Traffic barriers shall be no less than .81 m (2'-8") in height and no more than 1.05 m (3'-6") in height (in total of all elements).
- g. Traffic barriers shall incorporate reflectors.
- h. Temporary sidewalk surfaces shall be slip resistant.
- i. Temporary sidewalk surfaces shall not impede pedestrian movement.
- j. Where alternate barrier-free access to the principle use property is not available, a ramp shall be provided within the deck area to facilitate barrier-free access that meets CSA B651 Standard, as amended from time to time.
- k. No sidewalk café shall place or permit lighting that may:
 - (a) be confused with any traffic signal light, control sign or device.
 - (b) obstruct or interfere with the movement of motorists or pedestrians at any street intersection,
 - (c) produce or cause glare to motorists, pedestrians or neighbouring premises; or
 - (d) moves or appears to move.

6. Guideline

Municipalities that provide sidewalk snow and ice removal will ensure that all sidewalks and bus stops shall be snow cleared to the same standard as the roadway they are adjacent to, and crosswalk buttons will provide a 860mm clearance to the pole they are on.

7. Policy

At high volume pedestrian traffic intersections and mid-block crosswalks, raised crosswalks with tactile indicators will be considered by the authority responsible for the sidewalk.

8. Regulation

In construction zones that affect pedestrian ways appropriate and accessible signage and safe rerouting shall be provided, as per the CSA B-651 Standard as amended from time to time.

EXTERIOR APPROACHES

1. Zoning By-Law

The planning process for all new construction or renovated buildings reviewed and adjusted so that accessible routes of travel from public spaces to the main entrance of buildings are included in the planning process. These plans should follow the CSA B-651 Standard as amended from time to time for signage, widths, grade, curb-cuts, and cane detectable fixed items. Exterior lighting levels will be 20-50 lux.

2. Policy

Primary accessible building entrances will be located where they are highly visible from sidewalks and open spaces. Where this is not possible, roadside signage for the building will provide clear direction to the main entrance.

3. Guideline

Primary building entrances will be lit so the entrance and path are visible from a distance. Lights will provide even lighting at 20-50 lux and be kept well maintained.

4. Guideline

Pathways from the sidewalk or parking lot to primary accessible entrances and from accessible emergency exits of public buildings will be free from obstructions and clearly marked with tactile indicator strips and 70% colour contrasted marking and clear signage as applicable, in accordance with the CSA B-651 Standard as amended from time to time.

5. Regulation

Tactile indicators, in accordance with the CSA B-651 Standard as amended from time to time, will be used at the top of stairs to signal that the path of travel is descending.

6. Regulation

There will be an alternative compliance mechanism for those buildings that are unable to meet the standard because of structural or space constraints.

7. Building Code Amendment

Exterior doors will utilize some amount of glass to allow visual access to the other side.

EMERGENCY SYSTEMS

1. Regulation

All buildings currently required by the Fire Code to have an emergency plan will post evacuation instructions near the elevators for the building that include a floor plan diagram with clearly marked exit points and areas of refuge. They will be constructed of non-glare material that is not combustible or easily destroyed and will be in braille and tactile, large print, and in high contrast. All signage will be mounted 1200mm from the centre of the sign to the finished floor, near the emergency exit. There will be a clear area of 1200mm x 750mm in front of the sign. New construction will include technology to broadcast evacuation instructions both visually and to assistive hearing devices in an emergency.

2. Guideline

All public and private organizations will update emergency building evacuation procedures to include information about how to assist persons with different disabilities during an emergency evacuation. Procedures must include training for building operators and staff on how to safely and efficiently assist persons with disabilities, Deaf and neurodivergent persons during an emergency. A copy of the updated emergency evacuation plan will be forwarded to responding authorities.

3. Policy

All multi-unit apartment buildings, Provincially and Municipally owned buildings, and buildings offering Education and Health care shall have a voluntary register of disabled occupants that require evacuation assistance, and where these individuals are located within the building. Buildings that have temporary occupants will designate one staff and one alternate to help persons with disabilities, Deaf and neurodivergent persons in an evacuation as part of the building's emergency plan.

4. Policy

Requirement for visual fire alarms in public and commercial buildings. LCD emergency systems that provide captioning are required.

5. Policy

All multi-unit apartment buildings, Provincially and Municipally owned buildings, and buildings offering Education and Healthcare with stairs at accessible entrances and exits must have an evacuation chair or similar equipment available on multiple floors at each stairwell for the evacuation of persons with disabilities. When a fire exit involves stairs, it must be clearly marked at an accessible height how persons with disabilities should evacuate. All accessible exits must identify that the exit is accessible using the universal symbol for accessibility.

6. Building Code Amendment

There will be an area of refuge at each level of one fire exit designated stairway in all buildings that the public can access. The area of refuge will include blade signage and wall mounted signs and will be large enough to accommodate at least two mobility devices (clear width for a person in a wheelchair and a service animal is 850 x 1200mm). An area of refuge shall have a communication system that once initiated is hands free and is not higher than 1200mm from the floor and connected to an emergency response system and that can be used by an individual with hearing loss or visual impairment.

7. Building Code Amendment

Fire doors will include a window. Emergency exit and refuge doors will be 70% colour contrast with adjacent surfaces.

SITE SELECTION

1. Administrative Order

Any site selection process for new Government of Nova Scotia, Public Sector Bodies, and municipal buildings/spaces should be determined with community consultation, including representation from the Municipal Accessibility Advisory Committee, and must include accessibility criteria as follows:

- a. Active Transportation / Sidewalk access directly to the site where possible.
- b. In areas that offer public transportation, transit stops will be as close as possible to the site entrance (main building entrance) while still obeying all relevant bylaws and site usage regulations.
- c. Accessible parking available on-site (per provisions of Nova Scotia Building Code. Where on-site parking is not possible, accessible street parking spaces will be located in front or, or as close as possible to, the main entrance.
- d. Easy and safe drop off locations, close to the main building entrance (per provisions of Nova Scotia Building Code 3.8.3.4 Parking Stalls and Exterior Passenger-Loading Zones.
- e. Barrier free paths of travel (per specifications of Nova Scotia Building Code 3.8.3.2 Barrier Free Path of Travel) are provided from sidewalks/transit stops to site main entrance.
- f. Facility/site is located close to the community and clientele that it is intended to serve.

2. Policy

Accessibility criteria for Government of Nova Scotia and municipal buildings/spaces must be a priority in the site selection process, including the RFP process when leasing or partnering with third parties.

WAYFINDING AND SIGNAGE

1. Regulation

The Province of Nova Scotia will adopt the Wayfinding requirements in the CSA B651 as amended from time to time, as a provincial standard. Signage must be in high contrast.

2. Policy

Communications Nova Scotia accepts responsibility to monitor international best practices in accessible wayfinding and make recommendations when significant improvements in standards and technologies are discovered. Communications Nova Scotia will produce annual reports that outline their findings.

WASHROOMS

1. Policy

The requirement for accessible washrooms in all public and commercial buildings will be stated in Municipal Accessibility Plans and implemented through the building code and public infrastructure investment by provincial and municipal governments. These requirements are for new and renovated buildings.

2. Guideline

All buildings will have clear signage in the lobby and reception areas outlining where the washroom is located. Washrooms will be in close proximity to the lobby and reception areas of the building.

3. Regulation

All accessible washrooms will be situated on a barrier free path of travel and will be accessible via an automatic door opener, or a screen wall entry. Entry door to allow 850mm clearance. Power door to remain open for at least 5 seconds and any turns to ensure allowance for 1700mm turning radius.

4. Regulation

Accessible washrooms will meet the CSA B-651 Standard as amended from time to time.

5. Guideline

All washroom accessories will be in contrasting colours by at least 70% against adjacent surfaces.

6. Guideline

All buildings offering essential services to the public, including areas such as: Community Services, Justice, Public Service Access Centres, Education, Recreation, Libraries, and Healthcare will have at least one adult change table that will meet the CSA B-651 Standard as amended from time to time and accompanying lift in accessible washrooms for people of all genders can access. All washrooms without adult change tables will have signage at the entrance pointing visitors to the accessible washroom with an adult change table. The requirement for adult change tables and lifts also applies to large retail shopping centres and public facilities such as airports.

7. Guideline

All accessible washrooms will have emergency lighting. Buildings that are staffed will have an emergency alert system that connects to a staff member who can coordinate assistance. When there is no staff member available, the alert will be directly linked to 911.

INTERIORS

1. Guideline

All buildings will have a logical and direct path of travel with accompanying signage, ensuring all users are able to easily locate and access key facilities. This includes ensuring that there are areas designated as clear pathways that are unobstructed and that major destination points should be visible from multiple places within a building.

2. Guideline

Emergency navigation and areas of refuge will be included in the design of interior spaces.

3. Guideline

All new and renovated public and commercial buildings, including shopping areas, will include adjustable lighting options for areas of public gatherings, such as meeting rooms. These options will include dimmers on the main light and the availability of task lighting lamps.

4. Regulation

New construction or renovation of hotels/motels must comply with the Nova Scotia Building Code. New construction or renovated hotels will ensure colour contrast in all areas of the hotel, with a specific focus on stairwells. The ADA standards for hotel rooms will be reviewed to determine if there are enhancements that can be made to hotel/motel rooms in the Nova Scotia Building Code.

5. Regulation

Hotels will provide accessible rooms on the lower floors, located close to the elevator. Floors where accessible rooms are located will use low friction materials, suitable for mobility devices.

6. Guideline

Elevators must meet the CSA B-651 Standard as amended from time to time. They must also have technology that is visible in the elevator, such as a large tactile emergency button that will initiate emergency services. Elevators will also have an auditory announcement at each floor.

7. Regulation

All doorways in Provincially and Municipally owned buildings, and buildings offering Education and Health care must meet CSA B-651 as amended from time to time.

8. Regulation

Stairways, ramps, and moving walkways will meet the CSA B-651 Standard as amended from time to time. Additionally, all stairwells will include tactile indicators at the top and bottom of the stairs and a colour contrast nosing on each stair tread.

9. Policy

Doors, except where privacy or safety dictates, will utilize some amount of glass to allow visual access to the other side.

10. Guideline

Interiors will use contrasting colours that enhance depth perception but will not create an excess of visual noise, so that they facilitate visual communication, orientation, and wayfinding.

11. Guideline

Consideration will be given to sound reverberation on hard surfaces. Low pile carpet or sound tile will be utilized in public spaces to help absorb noise.

12. Regulation

There will be an alternative compliance mechanism for those buildings that are unable to meet the standard because of structural or space constraints.

HOUSING AND RESIDENCES

1. Regulation with Financial Incentive

All new multi-units in residential buildings with four or more units that are over three stories and have ground floor or elevator access will be visitable. This means that buildings must have one accessible entrance, clear interior passageways, and at least one bathroom that has an accessible sink and the option for the toilet to be upgraded to an accessible frame.

Alternative Compliance and Undue Hardship process will apply.

2. Guideline with Financial Incentive

For all other residential unit types, the Government of Nova Scotia will adopt an accessible housing guideline along with an awareness and financial incentive program for citizens, private developers, and not-for-profits.

PARKS AND RECREATION

1. Regulation

All newly constructed trails will have accessible sections at the designated trailhead when slope and surface allow. Nova Scotia will adopt the Rick Hansen Foundation Certification Guidelines for accessible trails. Accessibility will be reviewed as part of annual maintenance plans.

2. Policy

Siting of new accessible trails/ beaches/ outdoor spaces will include consideration of access to transit where available.

3. Policy

The Government of Nova Scotia will work with Canadian Parks Council and The Nova Scotia Trails Federation to create a website that will include a standard accessibility rating for all trails listed. It will also include a detailed description of the trail, including length, difficulty level, and where to expect to find points of interest along the trail.

4. Regulation

Where a paved trail crosses a paved road, warning tactile indicators are required. Where a paved trail is near a municipal sidewalk, the trail will be connected to the sidewalk.

5. Regulation

Street furniture location and dimensions in parks and trails will meet provincial standard stated in pedestrian facilities.

6. Regulation

Parks and recreational facilities, including trails, play spaces, and access routes, will be marked with braille and tactile high contrast signage at accessible heights. This signage will state what accessible amenities are available, as well as the slope, distance, and difficulty level of trails.

7. Regulation

In the case of outdoor eating areas, menu signage will include pictures of food, a braille menu, or a handheld menu made available as required. Signage will meet provincial standards stated in Wayfinding and Signage.

8. Policy

New or renovated outdoor play spaces and the path of travel to them will be accessible for both children with disabilities and adult caregivers with disabilities. Ground surfaces will be shock absorbing, while still wheelchair accessible. Play structures will involve a variety of sensory experiences, including low sensory, tactile, and music.

9. Regulation

New or renovated outdoor eating areas will allocate at least 20% of seating as accessible, including wheelchair accessible picnic tables and room for a wheelchair or mobility device adjacent to benches. Outdoor eating tables will be round and accessible for visual communication. Path of travel to the seating will be barrier free.

10. Regulation

Newly constructed or renovated municipally owned swimming pools will have accessible ramps into the shallow end or a lift, and 70% colour contrast along the pool's edge and access points. Tactile warning indicators will be included on edge of pools.

11. Policy

One public beach per recreation/tourism area of the province will be accessible using beach chairs, mobile mats and where possible the accessible beaches should be located near transit routes, and barrier free path of travel from the transit stop and drop off point to the beach.

12. Regulation

Services counters must comply with the provisions of the CSA B-651 Standard as amended from time to time.

13. Regulation

All recreational facilities will have accessible change rooms, including adult change tables, accessible showers, and accessible lockers that meet the CSA B651 Standard as amended from time to time. All accessible beaches will have accessible washrooms and changing rooms.