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Digital Accessibility in Canada

A practical guide

By Antoine Guilmain

Introduction

In 2022, it was estimated that 8 million Canadians have one or more disabilities that limited them in their daily activities. Over the past two decades, in an effort to reduce the persistent challenges faced by this significant portion of the population, the federal government—and many provincial governments—have introduced accessibility legislation aimed at preventing and removing barriers.

Accessibility refers to the design and delivery of environments, services, products, and information in ways that allow people of all abilities to participate fully in society. While accessibility legislation in Canada covers a broad range of areas, this article focuses specifically on laws that govern digital accessibility in the private sector. It does not address employment-related obligations or broader human rights protections. Instead, it highlights the standards most relevant to digital platforms and services.

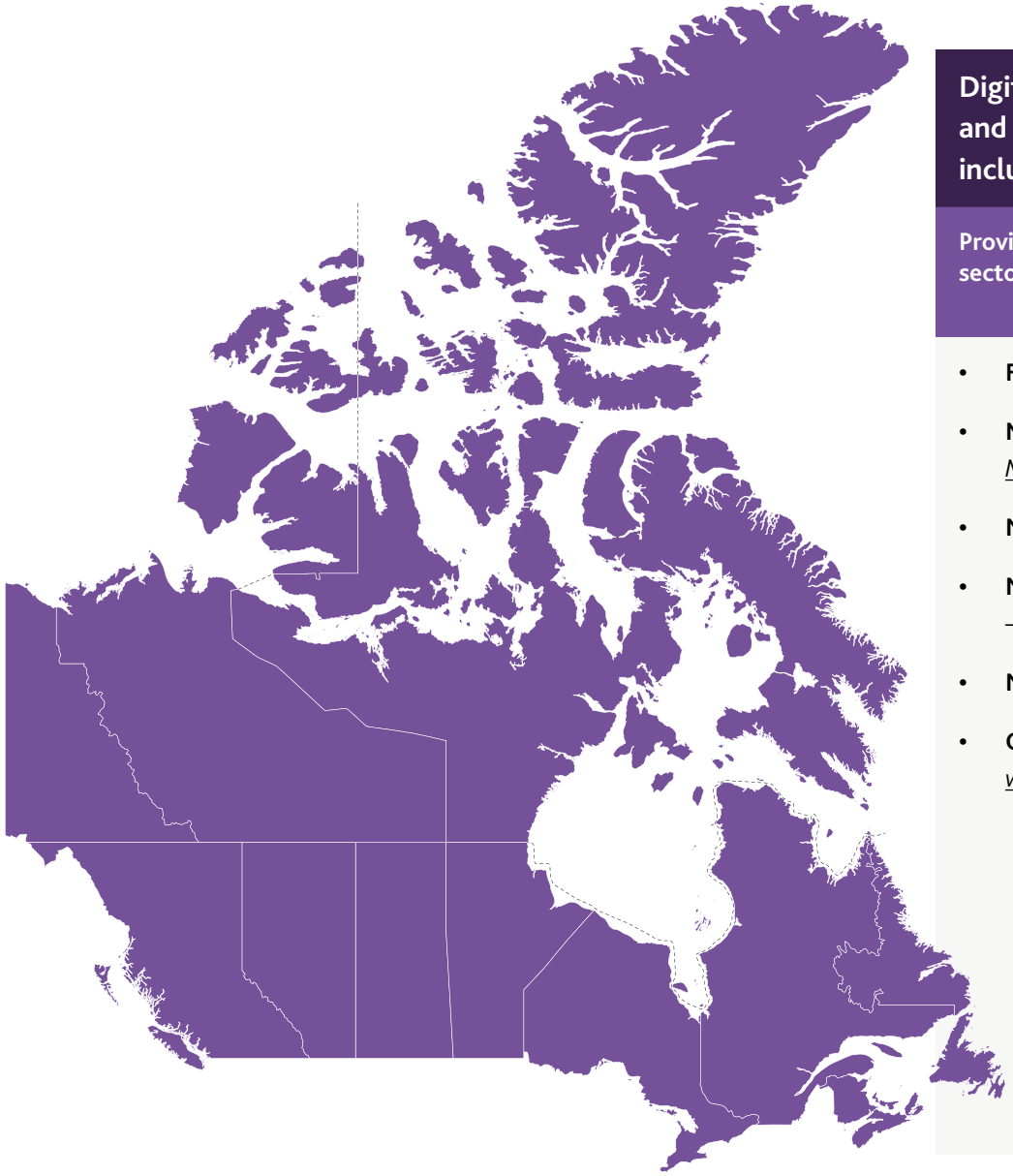
Digital Accessibility

As digital platforms become increasingly central to how Canadians live, work, and connect, governments across Canada have enacted legislation to ensure these platforms are accessible to everyone.

Known as digital accessibility, this concept is evolving from best practice into a legal requirement. It refers to the inclusive design and development of digital technologies—such as websites, mobile apps, and electronic documents—so they can be used by all individuals, regardless of ability.

For organizations operating in the digital space, understanding and complying with these requirements is essential—not only to meet legal obligations, but to promote inclusive service delivery. In this guide, we break down the Canadian legal obligations and applicable accessibility standards.

The Canadian legal landscape



Digital accessibility in Canada is shaped by a patchwork of federal and provincial legislation, each setting its own expectations for inclusive design in digital spaces.

Provinces with specific private sector accessibility legislation	Provinces and territories without specific private sector accessibility legislation
• **Federal** – *Accessible Canada Act* • **Manitoba** – *The Accessibility for Manitobans Act* • **New Brunswick** – *Accessibility Act* • **Newfoundland and Labrador** – *Accessibility Act* • **Nova Scotia** – *Accessibility Act* • **Ontario** – *Accessibility for Ontarians with Disabilities Act*	• **Alberta** • **British Columbia** (only public sector legislation – *Accessible British Columbia Act*) • **Prince Edward Island** • **Quebec** (only public sector legislation – *Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration*) • **Saskatchewan** (only public sector legislation – *The Accessible Saskatchewan Act*) • **Northwest Territories** • **Nunavut** • **Yukon**

The Canadian legal landscape

Federal level: Accessible Canada Act

Canada's federal digital accessibility regime is governed by the *Accessible Canada Act* ("ACA"), which came into force in 2019. The ACA aims to make Canada barrier-free by January 1, 2040, and applies to federally regulated entities, including government departments, Crown corporations, and private-sector organizations such as banks, telecommunications providers, and transportation companies.

Under the ACA, organizations must:

- Develop and publish Accessibility Plans every three years.
- Establish a process for receiving and responding to feedback on the Accessibility Plan.
- Report annually on progress made, in consultation with persons with disabilities.

To support these requirements, Accessibility Standards Canada formally adopted the European Harmonized Standard EN 301 549 (v.3.2.1) as a National Standard of Canada in May 2024 (discussed in greater detail below).

Provincial level

Several provinces have introduced their own accessibility legislation. While some have implemented laws covering both the public and private sectors, others focus solely on the public sector. A few provinces currently have no specific digital accessibility legislation in place, as outlined in the table above.

A review of the different legislation shows a priority to tackle accessibility in areas such as goods and services, employment, the built environment, accommodations, public transportation and education. However, for the purposes of this article we'll be focusing on legislation which tackles accessibility in the Information and Communication Technology ("ICT") sector.

Currently, Ontario, Manitoba, Nova Scotia, Newfoundland and Labrador, New Brunswick, British Columbia and Saskatchewan all include ICT as a thematic priority for accessibility. Alberta, Prince Edward Island, Northwest Territories, Nunavut and Yukon currently do not have specific accessibility legislation. Quebec's legislation does not refer to ICT.

Understanding Digital Accessibility Standards

Overview of applicable accessibility standards to the private Sector

	EN 301 549 Standard	WCAG	To be defined through future regulations
Federal	✓		
Ontario		✓ 2.0 Level AA	
Nova Scotia			✓
Manitoba		✓ 2.1 Level AA	
Newfoundland and Labrador			✓
New Brunswick			✓

Understanding Digital Accessibility Standards

The EN 301 549 Standard

As illustrated in the table above, Canada is currently adopting two different accessibility standards. At the federal level, the government has chosen to adopt the EN 301 549 standard—published as CAN/ASC-EN 301 549:2024—as the official accessibility standard for ICT.

EN 301 549 is the European harmonized standard for ICT accessibility. It outlines requirements for a wide range of digital products and services, including websites, software, mobile apps, hardware, and multimedia. For web content specifically, it references WCAG 2.1 Level AA as the baseline, while also introducing additional requirements for non-web ICT to ensure broader accessibility.

The WCAG Level AA Standard

At the provincial level, several jurisdictions have yet to formally declare which accessibility standard they will adopt, which will be decided through future regulations. However, provinces such as Ontario and Manitoba, which have already implemented accessibility regulations, have chosen to adopt the World Wide Web Consortium's ("W3C") WCAG standard as their benchmark for web accessibility compliance.

The Web Content Accessibility Guidelines ("WCAG") are widely recognized as the global standard for web accessibility. These guidelines provide a comprehensive framework for designing digital content that is accessible to users with a wide range of abilities. WCAG includes three levels of conformance—A, AA, and AAA—and has evolved through multiple versions.

Ontario has chosen to adopt WCAG 2.0 Level AA as their standard, meaning organizations must conform to version 2.0 of the guidelines, published on December 11, 2008, and meet the Level AA conformance criteria. This level is commonly referenced in regulations and legal agreements, as it offers broader accessibility than Level A, particularly for users who rely on assistive technologies.

Manitoba has chosen to adopt WCAG 2.1 Level AA as their standard meaning organizations must conform to version 2.1 of the guidelines, published on May 6, 2025, and meet the Level AA conformance criteria.

No matter the version or the level, the guidelines focus on four key principles: Perceivable, Operable, Understandable and Robust (POUR).

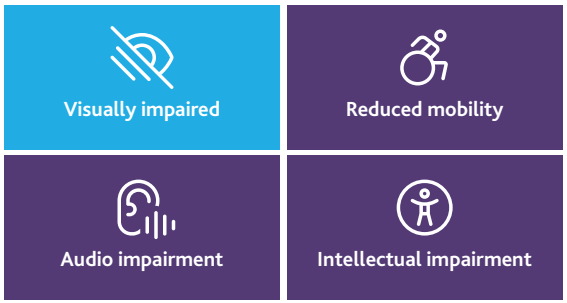
Understanding Digital Accessibility Standards

Examples of applying EN 301 549 standard vs. WCAG standards

As mentioned previously, the WCAG standards are founded on four key principles. These four principles are accompanied by guidelines which provide the basic levels of compliance organizations should work toward in order to make content more accessible to users with different abilities.

On the other hand, the EN 301 549 standards are divided into different functional performance statements and outline the technical requirements for different ICT elements. Below we provide four examples to illustrate the differences between the two standards.

Please note that this is a non-exhaustive list designed to demonstrate the practical application of various standards through examples that businesses are most likely to encounter.



1. Visually impaired user (e.g., colour blindness)

EN 301 549	WCAG
Website compliance: Applies WCAG 2.1 criteria **Other requirements:** • **Functional performance:** Where ICT provides visual modes of operation, the ICT provides at least one mode of operation that does not require vision. This is essential for users without vision and benefits many more users in different situations. • **Generic requirements:** Where visual information is needed to enable the use of those functions of ICT that are closed to assistive technologies for screen reading, ICT shall provide at least one mode of operation using non-visual access to enable the use of those functions. • **Hardware:** if a hardware device (such as a laptop, smartphone, ATMs, etc.) uses colour to communicate something, it must also use another visual method—like text, shapes, or icons—so that people who can't perceive colour can still understand the information or action.	**Website compliance:** For both WCAG 2.0 and 2.1, under the principle of perceivable, guideline 1.4 elaborates that for something to be perceivable, it must be distinguishable. In order to achieve this guideline under Level AA, one of the requirements is that the website must ensure that the contrast of the text respects the following: The visual presentation of text and images of text has a contrast ratio of at least 4.5:1, except for the following: • **Large text:** Large-scale text and images of large-scale text have a contrast ratio of at least 3:1; • **Incidental:** Text or images of text that are part of an inactive user interface component, that are pure decoration, that are not visible to anyone, or that are part of a picture that contains significant other visual content, have no contrast requirement. • **Logotypes:** Text that is part of a logo or brand name has no minimum contrast requirement.

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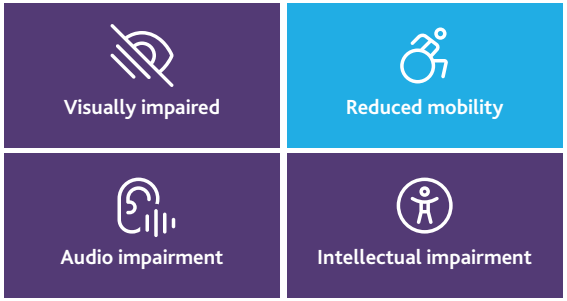

2. User with reduced mobility (e.g., requires the use of a wheelchair)

EN 301 549	WCAG
Website compliance: applies WCAG 2.1 criteria. **Other requirements:** • **Functional performance:** Where ICT requires manual actions, the ICT provides features that enable users to make use of the ICT through alternative actions not requiring manipulation, simultaneous action or hand strength • **General requirement:** Where ICT has operable parts, it shall provide a means to discern each operable part, without requiring vision and without performing the action associated with the operable part. **Hardware for stationary ICT** • **Unobstructed high forward reach:** Where no part of the stationary ICT obstructs the forward reach, at least one of each type of operable part shall be located no higher than 1 220 mm (48 inches) above the floor of the access space. • **Unobstructed low forward reach:** Where no part of the stationary ICT obstructs the forward reach, at least one of each type of operable part shall be located no lower than 380 mm (15 inches) above the floor of the access space.	**Website compliance:** For both WCAG 2.0 and 2.1, under the principle of operable, guideline 2.1 regarding accessible keyboards requires that: • All functionality of the content is operable through a keyboard interface without requiring specific timings for individual keystrokes, except where the underlying function requires input that depends on the path of the user's movement and not just the endpoints.

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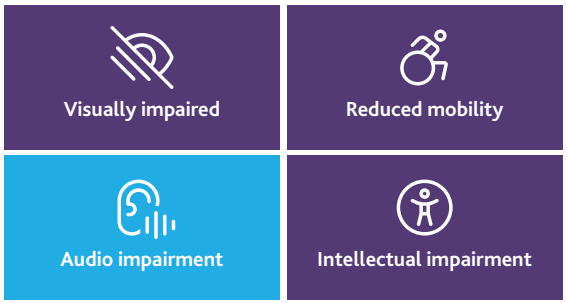

3. User with audio impairment

EN 301 549	WCAG
Website compliance: applies WCAG 2.1 criteria. **Other requirements:** • **Functional performance:** Where ICT provides auditory modes of operation, the ICT provides at least one mode of operation that does not require hearing. This is essential for users without hearing and benefits many more users in different situations. • **Generic requirements:** Where auditory information is needed to enable the use of closed functions of ICT, the ICT shall provide visual information that is equivalent to the auditory output. • **ICT with Video Capabilities:** Where ICT displays video with synchronized audio, it shall have a mode of operation to display the available captions. Where closed captions are provided as part of the content, the ICT shall allow the user to choose to display the captions.	**Website compliance:** For both WCAG 2.0 and 2.1, under the principle of perceivable, guideline 1.2 regarding time-based media requires captions to be provided for all live audio content in synchronized media.

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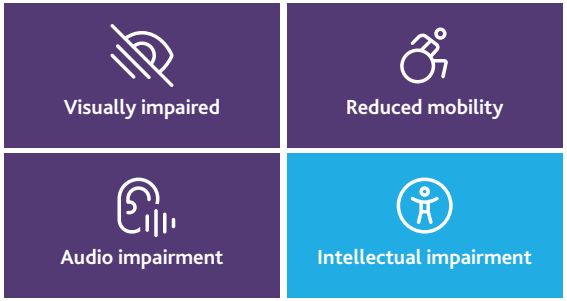

4. User with an intellectual impairment

EN 301 549	WCAG
Website compliance: applies WCAG 2.1 criteria. **Other requirements:** • **Functional performance:** The ICT provides features and/or presentation that makes it simpler and easier to understand, operate and use. This is essential for users with limited cognition, language or learning, and benefits many more users in different situations.	**Website compliance:** For both WCAG 2.0 and 2.1, under the principle of operable, guideline 2.2 regarding providing users enough time to read and use content, requires that: For each time limit that is set by the content, at least one of the following is true: • **Turn off:** The user is allowed to turn off the time limit before encountering it; or • **Adjust:** The user is allowed to adjust the time limit before encountering it over a wide range that is at least ten times the length of the default setting; or • **Extend:** The user is warned before time expires and given at least 20 seconds to extend the time limit with a simple action (for example, "press the space bar"), and the user is allowed to extend the time limit at least ten times; or • **Real-time exception:** The time limit is a required part of a real-time event (for example, an auction), and no alternative to the time limit is possible; or • **Essential exception:** The time limit is essential and extending it would invalidate the activity; or • **20 Hour exception:** The time limit is longer than 20 hours.

Conclusion

Digital accessibility is increasingly recognized as a legal, ethical, and business priority. As Canada moves toward its 2040 goal of full accessibility, organizations should ensure their digital platforms meet evolving standards and legislative requirements.

In addition to helping clients create a privacy-friendly user experience on their digital platforms, our Cyber Security and Data Protection Group is here to provide guidance on aligning with accessibility standards.

If you have additional questions regarding your obligations under Canadian accessibility legislation, contact our Cyber Security and Data Protection Group.

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