



March 1, 2013

Elisheva Bouskila Fox, Policy Advisor  
Ministry of Municipal Affairs and Housing  
Building and Development Branch  
2nd Floor, 777 Bay St  
Toronto ON M5G 2E5

**Re: Conservation Ontario's Comments on the "Proposed Amendment to the Barrier-Free Design Requirements set out in the Building Code Regulation (O. Reg. 332/12) under the *Building Code Act, 1992*"**

Dear Ms. Bouskila Fox:

Thank you for the opportunity to comment on the "Proposed Amendment to the Barrier-Free Design Requirements set out in the Building Code Regulation (O. Reg. 332/12) under the Building Code Act, 1992". The following comments are being submitted for your consideration on behalf of Conservation Ontario, which is the network of Ontario's 36 Conservation Authorities (CAs). Conservation Ontario applauds the aim of the Province to make Ontario fully accessible by 2025 and appreciates the need for, and value of, the proposed amendments to the Ontario Building Code Regulation.

Conservation Authorities appreciate that the new requirements would only apply to extensive renovations and new construction, rather than retroactively to existing buildings. Including accessibility considerations into future building design is much more efficient than attempting to retrofit a building which was not constructed to those standards in the first place. Enhancing accessibility in buildings is an opportunity for Conservation Authorities to show leadership and provide service to our watershed communities and Conservation Authorities support enhanced accessibility whenever feasible.

#### Financial Impacts

CAs are non-governmental public service organizations that are largely funded by their member municipalities. Since the mid 1990s CAs and their member municipalities have had to absorb a significant reduction in provincial funding. In response, CAs have had to reduce services, find ways to self-generate additional revenues and increase municipal levies in order to maintain basic services and carry out their legislated responsibilities.

The substantial cost for CAs to implement the proposed Regulation, including any associated ongoing costs, will largely be levied to their member municipalities. Each CA will have to prepare a detailed business case to request the funding required. Therefore, it is critical that CAs be able to provide their

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municipalities with an accurate estimate of the costs involved, so as not to risk the further restriction of the important public services they provide.

While it is acknowledged that the Province has provided some general costing information in this posting, CA experience has shown that retrofitting administrative buildings is much higher than the 0.59 percent increase in cost suggested in the consultation document. The Province is requested to provide a detailed cost impact analysis for the non-profit sector to assist them to properly plan for the implementation of the Regulation and mitigate the financial and resource impacts of compliance. Moreover all proposed amendments should be given a cost-benefit analysis to ensure that the cost of the amendment will provide the greatest benefit to the most people. To assist with implementing these standards, the Province is also requested to set up a fund, similar to the one administered by the Federal government, to provide financial assistance to non-profits to meet these standards.

Thank you again for the opportunity to provide comments on the "Proposed Amendment to the Barrier-Free Design Requirements set out in the Building Code Regulation (O. Reg. 332/12) under the Building Code Act, 1992". Conservation Ontario supports the aim of the Province to make Ontario fully accessible by 2025. While it is appreciated that the new requirements would only apply to extensive renovations and new construction, the Province is requested to provide a detailed implementation cost impact assessment for non-profit sector organizations. Provincial resources in terms of guidance, case studies and funding will be required to assist these organizations in complying with the Regulation. Due to CAs' unique funding structure, the Province is respectfully requested to carefully review and consider comments submitted by CAs' member municipalities.

If you have any questions or require additional information please contact me at extension 228.

Sincerely,



Leslie Rich  
Policy and Planning Officer