

MEMORANDUM

TO: York Region AAC

FROM: Joann Simmons, Commissioner of Community Services and Housing

DATE: March 18, 2005

RE: **Draft Letter Regarding Harmonizing the Ontario Building Code with the
Proposed Accessibility of Ontarians with Disabilities Act, 2004**

At the AAC meeting on February 23, 2005, AAC members proposed that a letter on behalf of the AAC be sent to the Minister of Municipal Affairs and Housing (MAH) requesting harmonization of the Ontario Building Code (OBC) with the proposed Accessibility for Ontarians with Disabilities Act, 2004 (AODA). This recommendation was considered by the Community Services and Housing Committee at their meeting on March 9, 2005. I am happy to report that the Community Services and Housing Committee has endorsed the AAC's recommendation. The attached draft letter is for your review and approval before it is sent to the Minister.

I look forward to hearing your feedback on this letter at the upcoming AAC meeting on March 30, 2005.

Thank you



Joann Simmons

LG/lg

Attachment: Draft Letter to MAH on Harmonizing the Ontario Building Code with the proposed Accessibility for Ontarians with Disabilities

The Honourable John Gerretsen
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON
M5G 2E5

Dear Minister Gerretsen:

**Re: Harmonizing the Ontario Building Code with the Accessibility for
Ontarians with Disability Act (AODA)**

On behalf of the York Region Accessibility Advisory Committee, we are writing to request that any modifications to the Ontario Building Code (OBC) be harmonized with the new *Accessibility for Ontarians with Disabilities Act, 2004* (AODA), to more effectively achieve accessibility of the built environment.

As you know, the proposed new accessibility legislation, if passed into law, will involve the development of mandatory standards that are applicable to persons or organizations that own or occupy a building, structure or premises that is open to the public. An accessibility standard may create different classes of buildings, structures or premises, including the size of buildings, structures or premises. We feel strongly that these standards must be compatible with the standards set out in the OBC in order to ensure effective implementation.

In light of this, we urge the provincial government to provide all sectors with clarity on what is required under both pieces of legislation. Currently, municipalities and other organizations must comply with the standards set out in the OBC. Under the proposed AODA new accessibility standards for the built environment may be developed by standard development committees, which will provide another layer of policy and regulation. This situation is further compounded by municipalities having developed their own standards. Implementation of these various standards will likely result in inconsistencies, duplication of effort and unnecessary costs. What is required is one set of rules that apply province-wide. This will ensure that all standards involving the built environment are compatible and that resources are applied appropriately. We therefore recommend that the Ministry work to resolve any potential conflicts between the standards by harmonizing the requirements under the new AODA with the Ontario Building Code.

We firmly believe that synchronization of the OBC with the new AODA will assist the government in realizing its vision of creating a fully accessible Ontario, within the timelines set in the AODA. On behalf of the York Region AAC we thank you for your consideration of this matter.

Sincerely,

Wilf Morley, Chair
York Region AAC

Joyce Frustaglio, Regional Councillor and
Vice-Chair, York Region AAC

LG:lg

Copy to: The Honourable Marie Bountrogianni
Minister of Citizenship and Immigration

Fareed Amin, Deputy Minister
Ministry of Citizenship and Immigration

Nadia Temple, Director
Accessibility Directorate of Ontario