

# **An Ontario Built for All: Spinal Cord Injury Ontario Submission to the Building Code Consultation Paper – Accessible Built Environment**



Spinal Cord Injury Ontario (formerly the Canadian Paraplegic Association Ontario) is pleased to present its submission to the **Building Code Consultation Paper – Accessible Built Environment**. As Ontario moves forward to become barrier-free by 2025, we must be bold in our approach. This includes applying principles of universal design wherever possible, thereby reducing the likelihood of extensive – and expensive – renovations in the future.

## **There are three core shortcomings with the Code as proposed:**

- 1) **No requirements to barrier-free retrofits to existing buildings.** We recognize that renovation costs to existing buildings as opposed to those constructed with universal design principles from the outset may be costly – and this is why we reiterate the need to invest in accessibility today when constructing new built environments. However, there is a need for a regulatory timeframe to achieve access to existing buildings, complete with transparent benchmarks and deliverables.
- 2) **Cost of accessibility as a detriment to increased access.** It is true that there are some upfront costs with ensuring greater accessibility – if this were not the case, there would be no need for regulation. Nonetheless, a barrier-free Ontario requires that a higher threshold be set across the board than what is presented here. We are either committed in our collective endeavor to become barrier-free, or we are complacent, whereby half-measures are deemed appropriate. By enshrining greater accessibility, we may actually reduce the costs of accommodation – for example, if more door openers must be purchased, this may drive down per unit prices.
- 3) **Lack of clarity around the phase-in period for regulations.** With respect to 2025, the clock is ticking. Implementation of regulations should be monitored against the baseline of accessibility by that date.

We look forward to the outcomes of this consultation, and offer our expertise to develop a *Code* that is accessible, equitable and sustainable.

Our comments on the document are below.

## **1. Renovation**

We question the criteria for extensive renovations; we believe that there should be a standard in place to facilitate the modification of all environments where there are tenants with disabilities.

With respect to home environments, existing home modification supports are limited, and some modifications, such as larger doorways in otherwise accessible suites make all the difference.

The provision that “[extensive] renovations in suites larger than 300 [square meters] and located on an accessible floor level would continue to be subject to full barrier-free design requirements set out in the building code” (p. 13) is problematic; a standard needs to be put in place for smaller units. As written, there is little in the way of standards for units smaller than 300 square meters; as such, this is not in keeping with having Ontario become barrier free by 2025.

It is imperative to recognize that disability is for everyone: larger doorways, for example, do not harm anyone, and may in fact be beneficial when moving furniture and larger items. We support the proposed changes for extensive renovations in smaller suites that are not located on a fully accessible floor level – provided this is for all units.

With respect to small businesses located in older or infill buildings along mainstreets with a small number of entrance steps, we support the increased accessibility within these spaces. However, the lack of a mechanism within the *Code* to address inaccessible exterior entranceways is problematic. The *Code* needs to develop a standard to facilitate the removal of these barriers over time.

## **2. Barrier-Free Path of Travel (Common Access and Circulation)**

While we appreciate the recognition of the need to support power door “rough-ins” for all doors throughout the barrier free path of travel (p. 14), we do not believe this is sufficient, as rough-ins are of little use to those who need accessible access. To move towards a barrier free 2025, power door openers should be used – not rough-ins. Furthermore, while the document notes that there are more manual wheelchair users than there are power wheelchair users, this is in effect irrelevant: people in power wheelchairs deserve barrier-free access as well.

## **3. Vertical Access (Elevators)**

We fully support the change of not including escalators as an accessible option for accessible routes.

We also note that there need to be alternative access routes and points of entry/exit for all buildings with elevators – as single elevators may break down, limiting access; this is especially evident for Group C. As well, access points must be in place for Group A, Division 4 (assembly – open air).

#### **4. Visitable Suites in Multi-Unit Residential Buildings**

The recommendation to increase the number of suites with barrier-free features to no less than 15 percent is not aligned with the goal of a barrier-free Ontario by 2015. At the very least, all units should have some universal, common features such as door openings that can accommodate wheelchairs. It is interesting that the 15 percent figure was arrived at through census data, without accounting for the fact that limiting the availability of accessible suites does not account for the inaccessibility of much of existing housing stock, and that people with disabilities, like those without, deserve a full variety of housing options available to them. In terms of the rationale that a higher number of accessible suites would increase costs and reduce the number of units permitted on one site, we wish to emphasize that this should be viewed as a “cost of doing business”.

#### **5. Adaptable Design and Construction**

The recommendation that 50 percent of Group C (residential) major occupancy apartment building suites be adaptable is an improvement, but in no way aligns with the goal of being barrier free by 2025: people with disabilities want to be able to visit their friends’ places of residence, even if their friends do not have disabilities. Their friends, in turn, may wish to facilitate access by adapting their homes – as such, all suites should be adaptable. This is but one example. Thus, to limit adaptability from the outset only serves to increase barriers and costs down the line. It also makes little sense to limit adaptability if the stated goal of the final proposed standard is to have 100 per cent of suites as visitable – these suites need to be both 100 percent adaptable and visitable.

#### **6. Visual Fire Alarms**

In the rationale, the document speaks to the high cost of some visual fire alarms, and that rough-ins should be used. This is not sufficient, as it assumes that full alarms will be placed in areas of high use by people with visual impairments. However, the very purpose of an alarm is to ensure safety; failure to include accessible safety features cuts corners and puts lives at risk. Multiple features to alert all people as to harm to their safety is beneficial.

## **7. Washrooms**

While we support expanding the number of accessible washrooms within all buildings, we do not support having only one universally accessible washroom on every third floor. As the proposed change includes placing change tables in these washrooms, they are of use to a wide variety of people. Unless one universally accessible washroom is available on each floor, many people will have significant wayfinding challenges. Furthermore, if someone requiring an accessible washroom works on a floor without one, he or she will have to continuously use the elevator to go to the washroom. While the rationale speaks to “mitigating space and cost concerns in washroom design”, we believe that potential changes are insufficient.

## **8. Use of Guidelines and Resource Materials**

While best practices can provide information, recommendations do not have the force and effect of regulations. If there are recommendations that fall outside the scope of the building code that may increase access, every consideration should be given to enshrining them as regulations.

## **9. Other Technical Matters and Administrative Changes**

We note that the provision for barrier-free access in public pools is stated “through a ramp or pool lift”; we believe both should be available. There are many people with disabilities who cannot walk down ramps; lifts would resolve this. Furthermore, the provision is for public spaces, but not for private areas such as condos; where fees are paid for building maintenance, accessibility should be included, including pools and amenities in these buildings.

With regards to access aisles and clearances within parking garages, we recommend the expansion of accessible parking spaces overall. At present, the number of accessible parking spaces for vans/large accessible vehicles is particularly limited.

In terms of accessible seating, we approve of the dispersal of such seating spaces throughout a room, so as not to limit access, and the storage of mobility devices. However, we suggest that the one adjacent companion seat is too limited, as people may travel in groups.

## **Conclusion**

Given the scope of the task at hand, we ask that the policies be evaluated in the spirit of a barrier-free Ontario by 2025. Our comments are not exhaustive, and further deliberation may be needed. Indeed, increased accessibility makes sense – both socially and economically. Here, as the foundation for the built environment is established, it is imperative that we “do it right” in terms of ensuring accessibility for all.