



Ontario
Human Rights Commission
Commission ontarienne des
droits de la personne

ONTARIO HUMAN RIGHTS COMMISSION

**Submission to the
Accessible Built Environment
Standards Development Committee**

Regarding

The Initial Proposed Accessible Built Environment Standard

October 16, 2009

The Ontario Human Rights Commission (OHRC) has reviewed the initial proposed Accessible Built Environment Standard prepared by the Accessible Built Environment Standards Development Committee pursuant to the Accessibility for Ontarians with Disabilities Act (AODA).

The proposed Standard sets out specific accessibility requirements for 11 groups of built environment elements, with new construction to apply within one year, change in use / extensive renovations within one to three years, and retrofit provisions within five to thirteen years.

Requirements for accessible housing are separated out under section 13 of the proposed Standard, and are discussed towards the end of this submission.

The OHRC does not purport to be a technical expert on accessibility elements and will therefore defer fine scrutiny of these provisions to others more qualified. For the most part, the OHRC is focusing its comment on the “approach, scope and application” provisions of the Initial Proposed Standard.

The OHRC offers the following comment for consideration by the Committee and the Government as the Committee deliberates and prepares to submit to the Government a final proposed Standard following the public consultation period.

Section 1.3: Approach

The OHRC is pleased to see that the proposed Standard supports the human rights principle of “create no new barriers” by setting out relatively short compliance timelines for new construction and for change in use / extensive renovations.

The OHRC also supports the Government’s and the Committee’s acknowledgement under section 1.3 that, “accessibility standards should ensure access for the greatest number of people but... **individual accommodation will always be required.**” In this regard, the OHRC would recommend that the Accessible Built Environment Standard adopt a similar clause found in the initial proposed Employment Accessibility Standard acknowledging that nothing in the proposed Standard diminishes the duty under the Ontario Human Rights Code to accommodate individuals with disabilities short of undue hardship.¹

As the OHRC recommended in regards to other AODA proposed standards, the Accessible Built Environment Standard should also identify **basic human rights principles** to help guide overall interpretation of the Standard including: create no new barriers, design inclusively, identify and remove existing barriers, favour integration over segregation, provide interim or next best measures where full accommodation is not feasible, as well as consider and accommodate individual needs short of undue hardship by exploring solutions through a cooperative process that maximizes confidentiality and respect.

Section 2.1: Scope

The OHRC recognizes that the Committee has identified a very comprehensive set of over 70 specific elements² grouped into 11 broader categories: common access and circulation, interior accessible routes, exterior spaces, communication, plumbing, building performance and maintenance, special rooms, spaces and other elements, transient residential, recreation elements and facilities, transportation elements, and multi unit residential housing, as well as a number of other elements such as parks and play facilities not currently covered by the accessibility requirements of the Building Code.

It should be noted that although the Committee has also included options for **retrofitting** the existing built environment under section 2.3, as well as options for **new and existing single family houses** under section 13 of the proposed Standard, its terms of reference and the Government's position stipulate that the final Standard will only focus on barrier prevention in the first five years going forward, and that retrofit in general and single family housing in particular will be addressed later on. **The OHRC is concerned by these exclusions** and offers further comment under their respective sections below.

The OHRC is pleased to see that standards have also been developed for **special rooms, spaces and other elements** such as court-rooms, restaurants, pedestrian signals, fire alarms, air quality, movie theatres and other assembly spaces. A number of these elements have been at issue in past human rights cases and inquiries before the OHRC. Having them now addressed in the proposed Standard is a very positive step forward for breaking down systemic barriers.

Accessible **pedestrian crossing signals** under section 5.4 is a systemic accessibility issue that was positively addressed in a 2008 case settlement agreement between the OHRC and the City of Toronto.³

The OHRC is generally supportive of the requirements set out under sections 7.2 for **accessible washrooms** and 7.7 for **universal toilet rooms** in particular. The rationale indicates universal toilet rooms will benefit persons who use mobility devices, caregivers and families with small children. The OHRC would suggest that the rationale might also recognize their benefit to some **transgender individuals**⁴ as well as helping to address gender imbalance in the use of gender segregated washrooms. Moreover, under section 7.2.4, the Committee might wish to consider that where the requirement for the number of toilets per floor is minimal, then perhaps accessible universal toilet rooms should be the minimum instead of accessible stalls in separate gendered washrooms in order to best serve different groups protected under the Human Rights Code.

Accessible parking requirements under section 9.11 are another important area that has been raised many times with the OHRC, particularly in relation to its inquiry into restaurant accessibility.

And while the OHRC is pleased to see that **captioning and descriptive video** devices for movie theatres are covered under section 9.17, the OHRC is concerned that the proposed requirement only calls for the greater of three screens or 20% of screens to be equipped with captioning devices for new construction. This falls below the terms of settlement reached by the OHRC in cases before the Human Rights Tribunal of Ontario, which cover both new construction and retrofit.⁵ **The OHRC recommends** that the Committee further examine and consult on this proposed standard with the OHRC and other parties involved in the settlements.

Standards for restaurants proposed under section 9.8 will be helpful for addressing many of the issues raised during the OHRC's 2004-06 inquiry into **restaurant accessibility**.⁶ While the proposed Standard will help bring about accessibility for larger chain restaurants, a lack of retrofit requirements in a final Standard would continue to prolong barriers in typically smaller restaurants located in older facilities.

Fire safety requirements in hotel and other guest suites under section 10 of the proposed Standard, including fire alarms that have visual and audible signal as well as vibrating pagers, pillow or bed shakers to notify persons with hearing loss that a fire alarm has been activated, represent positive progress building on the OHRC's related 2008 settlement.⁷ Section 13 of the proposed Standard also addresses fire and safety measures for other forms of housing. Technical requirements for emergency systems in general are yet to be developed for section 6.7.

The OHRC is also pleased to see that section 8.2 of the proposed Standard addresses **air quality** and recognizes the significant effect it can have on building occupants but especially **persons with environmental sensitivities**, many of whom have limited access to most buildings due to common environmental exposures. This was a serious concern raised during the OHRC's public consultation on rental housing discrimination and has been identified in the OHRC's new Policy on Human Rights and Rental Housing.⁸

The Committee identified that "there are **areas of the initial proposed standard where additional expertise input and further Committee consideration is required**, which the Committee will likely not have an opportunity to address in any depth within its current mandate." Examples include: security systems, transit stations, bus shelters and bus stops, accessibility around construction sites, exhibition display systems, waiting line-up and queuing areas.

The OHRC urges the government to ensure that there are sufficient resources available to address these elements before the final Standard is passed into regulation. In the alternative, these elements could remain as "placeholders" in the final Standard, with timelines amended to the Standard at a later date, and with a Standards Development Committee created or reconstituted to complete their development.

2.2: Application

This section states that the “initial proposed standard covers elements currently regulated by the **Building Code** (Ontario Regulation 350/06) and also elements that are not currently regulated by the Building Code such as play areas and amusement parks.”

This section goes on to say that, “where the standard does not make explicit reference to an element in the Building Code or other existing regulation, the requirements within the regulation will prevail” [emphasis added]. Clarification is required as to whether reference to “the regulation” means Building Code Regulation 350/06, or the Standard at such point that it is passed into regulation. If the latter, then the Accessible Built Environment Standard would be the most current and last word on compliance. If the former, then the Accessible Built Environment Standard would not represent much departure or progress from the status quo of the Building Code.

Regardless, the above provisions cause concern for the OHRC in terms of the principle of **harmonization** and can lead to confusion for those with legal responsibility for ensuring accessible design and use of built environments under other laws including the Building Code, the Planning Act and the Ontario Human Rights Code.⁹

While the proposed Standard recognizes a nexus between the Standard, the Building Code, and the Human Rights Code, it is neither clear nor sufficiently developed. **The OHRC recommends** further public consultation on how best the relationship could be harmonized in law.

The OHRC is pleased that the proposed Standard, subsection 2.2.3 in particular, has adopted the **principle of objective based accessibility** from the Building Code and would permit the possibility of adapting the accessibility requirements set out in the Standard to unique circumstances in order to achieve the same objective with alternative solutions, particularly where the relevant requirement might otherwise be unfeasible or result in undue hardship in situations involving change in use or extensive renovations or retrofit.

The OHRC would note that any application of the defence of undue hardship must meet the high threshold set by the Human Rights Code, OHRC policy, and the courts. A **definition of undue hardship** might be set out in the Standard accordingly.

The OHRC is also supportive that this section stipulates the application of the proposed Standard “should not reduce the safety, performance levels and functions of these facilities; it should meet or exceed the proposed requirements.”

Monitoring compliance with the Accessible Built Environment Standard and **measuring** its impact on the lives of persons with disabilities will also be important to its success. The Committee should give consideration to how the Standard might set out requirements for identifying indicators, collecting data and measuring progress.

2.2.1.2: Change of Use / Extensive Renovation

It appears the definition set out in this section would mean that for the proposed Standard to apply, **both a change in use and an extensive renovation of a building element would have to be present.** If extensive renovations were intended without change in use, or if a change in use was intended that did not require extensive renovation, then accessibility features of the Standard would not be required. The OHRC recommends that this definition be amended to also require accessibility when either one of these conditions exists alone.

As well under this definition, the accessibility provisions of the Standard would only apply if the “performance level of a building after material alteration or repair is less than the performance level that existed prior to renovation or repair” [emphasis added]. The OHRC suggests that the underlined stipulation be clarified.

The OHRC is supportive of the Committee’s intent of this section, “that the triggers (more than 300 metres square, entry step, etc.) that exist within the Building Code today would no longer apply.” This represents progress over the status quo.

However, the OHRC shares the Committee’s concern that where built environment **elements are governed by different bodies**, situations will arise where, for example, a building has been made accessible, but the exterior path to it has not. This type of situation was raised many times with the OHRC during its inquiry into restaurant accessibility¹⁰ and in other areas as well. This is an issue of **harmonization** of obligations that causes great concern for the OHRC as indicated above under section 2.2. The OHRC strongly recommends it be given more creative consideration. For example, a provision might be proposed for the Standard as follows: where one element is being erected or rendered accessible for whatever reason (including any obligations under the Standard), “retrofit” obligations would be triggered for any inaccessible secondary element that would otherwise impede access to the first element.

2.2.1.3 Routine Maintenance and Repair of the Built Environment

The OHRC recommends the definition in this section be amended to recognize that routine maintenance and repair must include **existing accessibility features** such as elevators and automatic door openers, accessible washrooms etc. as well as ensuring that paths of travel remain free from **transient obstacles**, such as the repositioning of garbage cans or displays or illegally parked cars, that can cause barriers to persons with disabilities.

2.2.2 Exemptions – New Construction and Change of Use / Extensive Renovation

The Committee recommends exemption from the Standard for “an area that is not normally occupied on a daily basis by people such as, but not limited to, crawl spaces, catwalks, elevator machine rooms, and utility vaults. For the purpose of employment,

individual accommodations may be required to provide accessibility to those facilities for people with disabilities.”

In addition, the Committee has set out partial exemptions where compliance might:

- a. be technically infeasible; or
- b. be structurally impractical; or
- c. affect the natural, cultural or heritage value of a protected facility or environment;
or
- d. create undue hardship as expressed by the Ontario Human Rights Code.

The OHRC has serious concerns with these exemptions and their scope, particularly in regards to new construction.

The OHRC’s initial view is that there should be **no exemptions for new construction**. As much as possible, the Accessible Built Environment Standard should represent the most current and best available information on accessibility for all the known elements in the Standard. Presumably the Standard would not include accessibility requirements that are unfeasible. Nor should buildings or other built environments be proposed or designed in a way that would exclude the feasibility of applying the Standard’s accessibility requirements.

Of course, other **elements or situations unforeseen** during the development of the Standard might come to light over time. These would naturally be exempt because they would not be in the Standard. Nonetheless, there would still remain a duty under the Ontario Human Rights Code to consider and accommodate individual requests short of undue hardship in regards to unforeseen elements.

As for **areas not frequented by people on a routine basis**, such as crawl spaces or elevator machine rooms, it may be that the Committee wishes to recommend, and the Government wishes to agree, that the development of standards for such spaces are not a current priority. However, such elements should not be excluded in perpetuity through an exemption clause. These issues must eventually be addressed as much as possible if we are to consider Ontario a place that strives to be fully accessible.

With respect to the **“undue hardship” exemption**, it is not obvious to the OHRC how this could be upheld **for new construction**. A key principle of human rights, “create no new barriers,” should be key for the AODA and this Standard as well. **The OHRC’s initial view** is that if the accessibility provisions of the Standard cannot be met, then the element should not be constructed, erected or extended, until such time that alternate solutions can be devised.

With respect to **“change of use / extensive renovations”**, the four exemptions set out above might be appropriate depending on the circumstances.

Consistent with the OHRC's Policy on Disability and Duty to Accommodate, accessibility requests or requirements that are found to be **"technically infeasible" or "structurally impractical"** for a particular situation would not constitute "appropriate" forms of accommodation. **Alternative or next best solutions** that could otherwise meet or maximize the objective of the accessibility standard in question would then have to be considered and applied.

With respect to accessibility requirements that **"affect the natural, cultural or heritage value of a protected facility or environment,"** the OHRC's Disability Policy states that there can be no "general exemption" from these types of elements. The Policy does provide, however, that the "test of altering the essential nature or substantially affecting the viability of an enterprise allows the preservation of the defining features of a heritage property to be taken into account as a justifiable factor in assessing undue hardship." The Policy does recognize that "the cost of making the proposed accommodation may be increased by the necessity to preserve defining historic design features. However, aesthetic features... that are not historic design features, are not to be included in the assessment." **The OHRC's position** is that this is the test that needs to be set out for this part of the exemption. The extent of the "change in use / extensive renovations" involved would also impact on what historic features can be said to remain "essential" and which ones would now be considered "aesthetic."

Where accessibility requirements are said to "create **undue hardship** as expressed by the Ontario Human Rights Code" for situations involving change in use / extensive renovations, there would need to be **objective evidence** relating to cost, health or safety and the effect would have to be so substantial that it would, for example, be detrimental to the viability of the new intended use, or prevent otherwise extensive renovations needed for health and safety reasons.

2.2.3: Alternative Solutions

This section would permit alternative solutions to a provision of the Standard, as long as the alternative would otherwise meet the stated accessibility objective and be approved as acceptable. While this section could benefit from further clarification, the OHRC agrees with this approach in principle, but it would depend each time on an assessment of individual circumstances. As noted earlier, for example, alternative solutions might be appropriate in situations involving change in use / extensive renovations or retrofit that would otherwise result in undue hardship.

2.3: Existing Barriers and Retrofit

While the government's position is that the Standard will only cover new construction and change in use / extensive renovation at this time, the OHRC agrees with the view of this Committee that retrofit is important and should be included in the Standard and addressed as early as possible if we are to achieve a barrier free Ontario by 2025.

The OHRC is generally supportive of the Committee's progressive approach to addressing existing barriers and retrofit, including **prioritizing elements for retrofit** such as main entrance doors and washrooms, and removing simple obstacles such as planter boxes from paths of travel, in order to provide minimum access to services and facilities. Staggering implementation over time starting with essential public services and higher use facilities is also a logical approach to progress.

Regardless of whether government sets out timelines now or in the future, barrier removal and retrofit requirements should still be fixed into the Standard to **promote understanding and voluntary compliance**. At minimum, the Standard should require **barrier identification and retrofit planning** to begin early as a prerequisite to barrier removal and retrofit.

The OHRC is also supportive of the detailed and creative approach the Committee has proposed for **compliance planning** under section 2.3.2.1, including: identifying what actions can be implemented to achieve compliance with the Standards without causing undue hardship; prioritizing barrier-free entry to a building when compliance is to be staged over time; and, objective evidence to support claims of undue hardship along with proposals for alternate or next best solutions towards achieving the standard's objective short of undue hardship.

The OHRC also supports the Committee's recommendation that **government administer compliance** with the Standard, whether directly or through an arms length body, with a mandate to:

- Receive **mandated compliance plans** no later than 3 years prior to the date by which compliance is required under the Standard.
- **Direct changes** to plans that fall short. Compliance shall not be required if the Administration deems it to cause undue hardship.
- **Order adjustments** to timelines, the standard or means so that compliance to the highest possible level is achieved that does not result in undue hardship.
- Order compliance for **earlier timelines** than those set out in the regulation if they can be "reasonably" achieved without major impact on the organization.
- Require full or partial compliance through other means including **individual accommodation**.

More specifically, under section 2.3.3.4, the administration responsible for enforcing the Standard could require **retrofit compliance at an earlier date** than proposed in the Standard if it identifies measures that can **reasonably be achieved** without major impact on the organizations or persons responsible.

The OHRC suggests while it may be appropriate to require **compliance to the highest possible level** of the Standard that can reasonably be achieved without causing undue hardship, plans should maintain steps for eventual full compliance with the standards. Those responsible should not be permanently absolved of the potential for compliance at a future date.

The OHRC is generally supportive of these provisions for retrofit compliance. Taken together, they offer a balanced and flexible approach that help ensure progress continues towards the 2025 target but with the possibility of earlier compliance for those with the means, and an undue hardship defence for those who cannot comply to the Standard within the required timelines.

Overall, the Committee's approach for barrier removal and retrofit planning and compliance under the proposed Standard would promote harmony with current public institution planning requirements under the Ontarians with Disabilities Act 2001, and with the obligation to consider and implement individual accommodation requests to retrofit facilities, short of undue hardship, under Ontario's Human Rights Code.

2.4: Timelines

The proposed Standard includes a timetable for compliance based on occupancy categories used in the Building Code, with public sector built environments leading the way on retrofitting existing environments. It calls for: **new construction** to comply with all requirements for accessible built environment elements within one year; **change in use / extensive renovations** to comply within 12 to 36 months (the Committee did not settle on a specific time limit); and compliance with **retrofit** requirements within 5 to 13 years (set out under section 2.3.1 on a sliding scale relative to occupancy / organization type).

The OHRC notes that many elements – arguably some of the more significant **elements – of the proposed Accessible Built Environment Standard overlap with pre-existing accessibility requirements under the current Building Code**; though presumably, the newer proposed elements reflect the most current and best understanding of accessibility. The Building Code's accessibility requirements already apply immediately. In this light, it is difficult to see how this new AODA Standard and its implementation timelines would constitute a significant advancement over the current Building Code, particularly with the intent to exclude retrofit requirements and single family housing from the final Standard at this time. This is a significant concern.

2.5 Format of the Standard

This section provides that relevant applicable clauses throughout the Standard should not simply be viewed as stand alone provisions, but rather, considered and applied together.

Similarly, **the OHRC recommends** that the Standard require this **harmonized approach** be taken in regards to other AODA standards, including customer service, transportation, communications and employment. Moreover, other applicable laws such as the ODA 2001, the Building Code, the Planning Act and the Ontario Human Rights Code, as well as the most current and best accessibility practices developed by other entities like the Canadian Standards Association or under other jurisdictions, should

also be considered together, particularly when considering alternative solutions for achieving the same accessibility objective.

2.6: Other

The OHRC agrees with the Committee's proposal that within 36 months of enacting the Standard, it "shall" be supported by review of programs, including certification programs, intended to **train or provide supplementary training** to those who are engaged in the design, construction or operation of the Built Environment, to ensure the content of the courses support the implementation of the Standard.

Section 13: Housing

The OHRC is generally supportive of the **general accessibility requirements set out under section 13.3 for housing** including: exterior ramp; accessible entrance; door width and sill and threshold; door levers; power door openers for multi-unit buildings; entrance manoeuvring; garage entry; decks; interior mobility within a unit; accessible main floor washroom within a unit; kitchen size, access and adaptability; spacing and location of electrical switches, outlets and other controls, including power outlet over main entrance to support installation of power door openers; visible and audible fire and other safety alarms; multi-unit residential common elements; air quality elements including materials, heating and ventilation.

The OHRC is also supportive of the Committee seeking input on **other elements that may be difficult to implement** including: accessible appliances; emergency backup for assistive devices; balconies; stairs; and framing for elevators (one creative option would be to stack closets in alignment between floors to allow for future conversion).

Application of all these requirements depends on the options and recommendations made by the Committee by type of housing dwelling.

The OHRC is pleased to see that specific accessibility requirements for **multi-unit residential housing** such as rental apartments and condos, as well as hotels and other more transient forms of housing have been identified in the proposed Standard. In particular, section 13.2.3.3 proposes that all **newly constructed multi-unit residential buildings** would require at least one elevator. Other **general requirements under section 13.3** would appear to apply to new multi-unit construction as well.

While the Government's terms of reference for the Committee excluded retrofit provisions, the OHRC is concerned that sections 13.2.5.3 proposes no other **retrofit requirements for multi unit residential buildings** with elevators and section 13.2.5.4 proposes very little requirements for multi-unit buildings with no elevators. The OHRC would prefer to see here the type of flexible approach proposed above for other types of built environment retrofit that would at least set compliance audit and planning requirements, but also implementation timelines with an undue hardship defence.

And while the Government's terms of reference for the Committee have excluded **new construction of single family houses** including single detached, semi-detached, and row houses and other types of units,¹¹ and rooming housing under eight boarders from inclusion in the Standard at this time, the OHRC is supportive that the Committee has proposed accessibility options for this very common form of housing.

In particular, the OHRC is supportive of the Committee's adoption of concepts and proposed options for making new construction of single family houses¹² at least "**adaptable**" for home buyers with disabilities who wish to reconfigure new home floor plans to support their accessibility needs. The OHRC also supports the Committee's provision that would require new home construction design to be "**visitable**" to allow persons with disabilities to at least enter the main floor of a house and enter its principal rooms for visiting, dining and washroom access. Both these provisions would constitute further progress following on initial gains made by the OHRC in its 2005 **case settlement with Mattamy Homes** that resulted in a protocol for addressing house design needs of home buyers with disabilities.¹³

The OHRC recommends that the concepts of "adaptable" and "visitable" homes also be considered for application to situations involving **change in use / extensive renovation of single family houses**.

It is not clear to the OHRC to what extent all the **other general requirements under section 13.3** would also apply to new construction and change in use / extensive renovations of single family houses, but presumably many would if the concepts of "adaptable" and "visitable" homes were to be accepted into the Standard.

In regards to **retrofitting single family houses**, section 13.2.5.2 proposes that this **would not be required**, with one option that it might be required for boarding and rooming houses and bed and breakfast accommodations. The OHRC would like to see further consideration given to this section.

The OHRC can appreciate that retrofit of single family houses and other single units would be one of the most challenging aspects of the AODA's goal of a fully accessible Ontario by 2025. Even if the final Standard does not compel retrofit at this time, creative ways should be found to at least **encourage voluntary implementation of "adaptable" and "visitable" accessibility features**. For example: land transfer tax or other real estate related fees might be discounted for home buyers who install accessibility feature in their new homes. Similar to energy audits, government might also provide resources to encourage barrier audits for these types of single family homes. With the results in hand, many homeowners might more easily make changes to bring about some degree of accessibility, particularly to address changing family needs such as frail older family members or children with disabilities.

ENDNOTES

¹ The OHRC is concerned that organizations might misinterpret the Standard to mean they have no duty to accommodate prior to the specified timeline. Under the Code, OHRC policy, and human rights jurisprudence, all organizations have an immediate and ongoing duty to respond to individual accommodation requests and explore and provide solutions as soon as possible, short of undue hardship.

² Specific elements include: Entrances, Doors and Doorways, Elevating Devices, Ramps, Stairs, Ground and Floor Surfaces, Overhanging and Protruding Objects, Rest Areas, Interior Accessible Routes, Curb Ramps, Pedestrian Crossing Signals, Street Furniture, Signage, Information/Visual Display Systems, Wayfinding, Public Address Systems, Public Telephones, Exhibition and Display Systems, Emergency Systems, Security Systems, Lavatories, Washrooms and Accessories, Water Closets and Stalls, Urinals, Universal Toilet Room, Shower Areas, Bath Tubs, Drinking Fountains, Saunas and Steam Rooms, Property Maintenance, Air Quality, Acoustics, End User Controls and Operating Mechanisms, Interior Lighting, Exterior Pedestrian Lighting, Detectable Indicators (on escalators etc).

³ See City to install more accessible pedestrian signals /

<http://wx.toronto.ca/inter/it/newsrel.nsf/7017df2f20edbe2885256619004e428e/44314beae7ce361f8525750d006a3d16?OpenDocument>

⁴ Consistent with the OHRC's Policy on Discrimination and Harassment Because Of Gender Identity, while transgender individuals have the right to access sex-specific washrooms based on their lived gender, some transgender individuals may benefit from access to universal washrooms, such as for privacy during gender transition, or if they have safety concerns.

⁵ See the OHRC's 2007 settlement press release, "Human Rights Commission Settles Claim With Respect to the Exhibition of Closed Captioned Movies" /

<http://www.ohrc.on.ca/en/resources/news/closedcaption/view>

⁶ OHRC 2004 Report: Dining Out Accessibly /

http://www.ohrc.on.ca/en/resources/discussion_consultation/diningout/view. OHRC Final Report on the Restaurant Accessibility Initiative 2006 /

http://www.ohrc.on.ca/en/resources/discussion_consultation/RestaurantRepBarrierFreeENG/view

⁷ See OHRC's 2008 press release settlement, "Human Rights Settlement Wins Hotel Visual Fire Alarms for Deaf and Hard of Hearing Guests" / <http://www.ohrc.on.ca/en/resources/news/dodd/view>

⁸ See OHRC's 2009 Policy on Human Rights and Rental Housing /

<http://www.ohrc.on.ca/en/resources/Policies/housing/view> as well as the OHRC's 2008 consultation report Right at Home / http://www.ohrc.on.ca/en/resources/discussion_consultation/housingconsultationreport

⁹ "Harmonization" principle also addressed in the 2002 Submission Of The Ontario Human Rights Commission Concerning Barrier-Free Access Requirements In The Ontario Building Code /

<http://www.ohrc.on.ca/en/resources/submissions/SubmBldngCode2/view>

¹⁰ See Note 6

¹¹ Includes single detached, semi-detached, and row houses, stacked rowhouses, duplexes and triplexes, boarding and rooming houses, bed and breakfast accommodation, apartments above stores

¹² 13.2.5.7 Other Units: Existing basement, second floor flat, flat above a garage, granny flat, coach house or attic units within homes will not need to be altered to meet the requirements of the proposed standards.

¹³ OHRC Mattamy Homes Settlement Press Release:

<http://www.ohrc.on.ca/en/resources/news/NewsRelease.2006-05-19.4856708283/view>