

**Submission to the Standing Committee on Social Policy with respect to
Bill 118: Accessibility for Ontarians with Disabilities Act**

**February 1, 2005
Committee Room #1
Main Legislative Building
Queen's Park**

Mr. Chairman and members of the Committee, on behalf of the Yonge-Bloor-Bay Business Association, I would like to thank you for giving us the opportunity to participate in your hearings on Bill 118.

My name is Doug Jure; I am a vice president of our Association. With me this morning are two members of our Association who are retailers – Oriella Stillo and Simone Marie Coenen.

Oriella's shop, *Accessity*, located at 136 Cumberland Street in the Village of Yorkville, is known for its extensive range of women's fashion accessories varied in price and design. *Accessity* carries two of Canada's biggest jewellery designing stars: Rita D. and Tryna.

Simone's shop, *Simone Marie Belgian Chocolates*, located at 126 Cumberland Street in the Village of Yorkville, offers, as its name suggests, authentic Belgian chocolates and chocolate truffles for all occasions.

The aim of Bill 118 is to ensure that Ontarians with disabilities have full accessibility to restaurants, stores, public transit and other services. The Ministry of Citizenship and Immigration estimates that 350,000 public agencies and private businesses — large and small — big box stores and shops — will have to meet standards giving access to people who are deaf, blind, in wheelchairs or have mental disabilities.

Our Association supports the aim of Bill 118. We expect it to be enacted this year, and we would like to sit down at the table to work out those standards.

As you no doubt appreciate, the AODA will have a significant impact on how our members operate their businesses, manage their employees and offer their services to the public. In many respects, the Act parallels and will build upon obligations that currently exist in law, whether in human rights legislation or in building codes.

However, the AODA will also go beyond existing obligations, and over the course of its implementation, we expect that the Act will require our members' landlords to make significant expenditures in terms of time, capital investment and ongoing operating costs.

Unless those standards are set to exempt or grandfather two-to-three-storey, street-front buildings where entrepreneurs, such as our members, carry on their businesses, this legislation will impose onerous and unaffordable building retrofits and structural changes to accommodate those disabled Ontarians who must use wheelchairs and walkers.

To suggest that these building owners can or will afford to install new stairwells and stairways, and install elevators is unrealistic and naïve. The cost of structural renovations will be passed on to the landlords' tenants, our retailers. They in turn will have a choice — pass their increased lease costs to their customers or get out of business.

In communities not just in the Village of Yorkville but throughout Ontario, these two-to-three storey, street-front properties in downtowns and in neighbourhood business districts are integral components of yours and my community's character.

These buildings have been around for a long time. Structural renovations are not only expensive, but in many cases beyond either a design or an engineering solution to improve accessibility for the disabled.

In Yorkville, many of these buildings were originally houses. When they were built, no one thought about putting a closet on the second floor above the closet on the first floor so if an elevator is required; the shaft is already built in.

To install an elevator in either building where *Accessity* and *Simone Marie Belgian Chocolates* reside would cost anywhere from \$80,000 to \$100,000. Tenant leases usually require a contribution to common area expenses. Neither retailer could afford to contribute to such an expense.

But if that is what the relevant sector standard requires, it is too late for these building owners and their tenants.

However, we do want to work with the Ministry by participating in the development of the goals, the relevant sector standard, and the timeframe within which the goals are to be achieved.

To that end, our Association has requested membership on the relevant standards development committee.

We encourage you to ensure that the intent of Bill 118 is to balance the need for accessibility with an expectation that small businesses need not go beyond what is readily achievable.

A men's clothing store may not need Braille merchandise price tags, for example, but the staff must read price tags and describe the clothing selection to a customer with a visual impairment.

A women's fashion accessory store does not have to hire a full-time Sign Language interpreter, but the staff must communicate by pen and paper when necessary.

A specialty food store might need to adjust racks to permit access to people who use a wheelchair, but only if these changes are readily achievable. Alternatives may include staff taking a selection of products to the customer.

Our retailers extend their customer services in a variety of ways to all individuals. Our problem is the potential demand of a sector standard requiring the modification of two to three-storey, street-front buildings for those disabled who require wheelchairs and walkers. The cost to our small business retailers and communities across Ontario is too great.