

## Ontario's Building Code

ONTARIO ONLY	PROPOSED CHANGE TO THE 2012 BUILDING CODE		
CHANGE NUMBER	A-01-04-01	CODE REFERENCE	Div. A /1.4.1.2.(1)
DESCRIPTION OF PROPOSED AMENDMENT	Delete the definitions of <i>care or detention occupancy</i> and <i>care and treatment occupancy</i> , revise the definition of <i>care occupancy</i> , <i>detention occupancy</i> and <i>residential occupancy</i> , and introduce new definitions of <i>care</i> , <i>treatment</i> , and <i>treatment occupancy</i> to harmonize with the model National Building Code of Canada		

EXISTING 2012 BUILDING CODE PROVISION(S)

**1.4.1.2. Defined Terms**

*Care or detention occupancy* means the *occupancy* or use of a *building* or part of a *building* by persons who,

- (a) are dependent on others to release security devices to permit egress,
- (b) receive special care and treatment, or
- (c) receive supervisory care.

*Care and treatment occupancy* (Group B, Division 2) means an *occupancy* in which persons receive special care and treatment.

*Care occupancy* (Group B, Division 3) means an *occupancy* in which persons receive special or supervisory care because of cognitive or physical limitations, but does not include a *dwelling unit*.

*Detention occupancy* (Group B, Division 1) means an *occupancy* in which persons are under restraint or are incapable of self preservation because of security measures not under their control.

*Residential occupancy* means the *occupancy* or use of a *building* or part of a *building* by persons for whom sleeping accommodation is provided but who are not harboured or detained there to receive medical care or treatment or who are not involuntarily detained there.

PROPOSED CODE CHANGE

**Delete the following definitions and make corresponding editorial changes to the affected provisions in the Building Code:**

*Care or detention occupancy*  
*Care and treatment occupancy*

**Revise the following definitions to harmonize with the model National Building Code (mNBC) definitions:**

*Care occupancy* (excluding the reference to behavioural limitations)  
*Detention occupancy*  
*Residential occupancy*

**Adopt the following modified definitions from mNBC:**

*Care*  
*Treatment*  
*Treatment occupancy*

## Include associated commentary adopted / adapted from mNBC

### 1.4.1.2. Defined Terms

~~Care or detention occupancy means the occupancy or use of a building or part of a building by persons who, (a) are dependent on others to release security devices to permit egress, (b) receive special care and treatment, or (c) receive supervisory care.~~

~~Care and treatment occupancy (Group B, Division 2) means an occupancy in which persons receive special care and treatment.~~

Care means the provision of services other than treatment by or through care facility management to residents who require these services because of cognitive or physical limitations. \*\*

Care occupancy (Group B, Division 3) means the occupancy or use of a building or part of a building where care is provided to residents.

Detention occupancy (Group B, Division 1) means the occupancy by persons who are restrained from or are incapable of evacuating to a safe location without the assistance of another person because of security measures not under their control.

Residential occupancy means the occupancy or use of a building or part of a building by persons for whom sleeping accommodation is provided but who are not harboured for the purpose of receiving care or treatment and are not involuntarily detained.

Treatment means the provision of medical or other health-related intervention to persons, where the administration or lack of administration of these interventions may render them incapable of evacuating to a safe location without the assistance of another person.

Treatment occupancy (Group B, Division 2) means the occupancy or use of a building or part of a building for the provision of treatment, and where overnight accommodation is available to facilitate the treatment.

\*\* Does not include the reference to behavioural limitations contained in mNBC.

### Associated Commentary

#### A-1.4.1.2. Defined Terms

##### Care Occupancy

Support services rendered by or through care facility management refer to services provided by the organization that is responsible for the care for a period exceeding 24 consecutive hours. They do not refer to services provided by residents of dwelling units or suites, or to services arranged directly by residents of dwelling units or suites with outside agencies.

In the context of care occupancies, these services may include a daily assessment of the resident's functioning, awareness of their whereabouts, the making of appointments for residents and reminding them of those appointments, the ability and readiness to intervene if a crisis arises for a resident, supervision in areas of nutrition or medication, and provision of transient medical services. Services may also include activities of daily living such as bathing, dressing, feeding, and assistance in the use of washroom facilities, etc. No actual treatment is provided by or through care facility management.

Inherent in receiving special or supervisory care services for cognitive or physical limitations are the residents' limited capacity for self-preservation and reliance on staff for assistance in evacuation to a point of safety in the event of a fire emergency. Residents requiring assistance to evacuate could include persons who:

- are incapable of independent mobility;
- require assistance to use or access a mobility aid, e.g., transferring to and from a wheelchair or accessing a walker or cane;
- are incapable of following directions under emergency conditions; or
- are capable of self-evacuation, but not without direction or within time frames considered necessary for safe evacuation in an emergency situation.

## **Treatment**

The ability to evacuate unassisted implies that a person is capable of recognizing and responding to an emergency given their physical, cognitive and behavioural abilities, and able to move to a safe location without the assistance of another person. For example, such persons must be able to arise and walk, or transfer from a bed or chair to a means of mobility, and leave the building or move to a safe location on their own.

## **Treatment Occupancy**

"Treatments" may include such things as surgery, intensive care, and emergency medical intervention. Treatment services differ from the services provided by care occupancies like personal care assistance or the administration of medication, and from those provided by business and personal services occupancies like dentistry or day procedures.

## **RATIONALE FOR CHANGE**

### **Problem / General Background**

The Vulnerable Occupancies Technical Advisory Committee (TAC) identified that the current definitions would benefit from additional clarity in that:

- they include terms and phrases that are not clearly defined;
- the definition for care occupancy requires clarification that the care occupancy standards apply whether the care is received directly or indirectly through care facility management; and

the current exemption for dwelling units potentially allows for the unintended exemption of buildings in which residents receive special or supervisory care based on the physical layout rather than the actual use.

### **Justification / Explanation**

Recommended by the Vulnerable Occupancies Technical Advisory Committee [D-REC 1].

The proposed harmonization with the model National Building Code definitions, as supplemented by commentary, will reduce the ambiguity in the determination of the appropriate classification for buildings where occupants receive care or treatment and thereby provide for improved clarity in application and enforcement.

### **Cost / Benefit Implications**

No cost implications.

### **Enforcement Implications**

Improved clarity in application and enforcement.

### **Who is Affected**

Building owners/operators, designers, builders, and enforcement authorities.

### **Objective-Based Analysis**

Proposed changes relate to Division A. Objective and functional statements are available only for Division B.

Provision	
Objective	
Functional Statement	

### Ontario's Building Code

ONTARIO ONLY	PROPOSED CHANGE TO THE 2012 BUILDING CODE		
CHANGE NUMBER	B-03-02-01	CODE REFERENCE	Div. B/3.2.2.44, 3.2.2.46., 3.2.2.47., 3.2.4.8., 3.2.5.13., 3.2.6.8.
DESCRIPTION OF PROPOSED AMENDMENT	Enhanced fire safety requirements for retirement homes regulated by the Retirement Homes Act, when classified as residential occupancies by the Building Code. Those retirement homes classified as care occupancies by the Building Code will continue to be regulated through the care occupancy requirements.		

EXISTING 2012 BUILDING CODE PROVISION(S)
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**3.2.2.44. Group C, up to 4 Storeys, Noncombustible Construction**

- (1) .....
- (2) The *building* referred to in Sentence (1) shall be of *noncombustible construction*, and,
  - (a) except as permitted by Sentence (3), floor assemblies shall be *fire separations* with a *fire-resistance rating* not less than 1 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* not less than 1 h, and
  - (d) *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.46. Group C, up to 3 Storeys, Increased Area**

- (1) .....
- (2) The *building* referred to in Sentence (1) is permitted to be of *combustible construction* or *noncombustible construction* used singly or in combination, and,
  - (a) except as permitted by Sentences (3) and (4), floor assemblies shall be *fire separations* with a *fire-resistance rating* not less than 1 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* not less than 1 h, and
  - (d) *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.2.47. Group C, up to 3 Storeys**

- (1) .....
- (2) The *building* referred to in Sentence (1) is permitted to be of *combustible construction* or *noncombustible construction* used singly or in combination, and,
  - (a) except as permitted by Sentences (3) and (4), floor assemblies shall be *fire separations* with a *fire-resistance rating* not less than 45 min,
  - (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* not less than 45 min, and
  - (c) *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly.

**3.2.4.8. Signals to Fire Department**

(1) If a fire alarm system is required to be installed and a single stage system is provided, the system shall be designed to notify the fire department in conformance with Sentence (4) that an *alarm signal* has been initiated in,

- (a) a Group A *occupancy* having an *occupant load* more than 300,
- (b) a Group B *occupancy*,
- (c) a Group F, Division 1 *occupancy*,
- (d) a *building* regulated by the provisions of Subsection 3.2.6., or
- (e) a *building* containing *interconnected floor space* required to conform to Articles 3.2.8.3. to 3.2.8.11.

**3.2.5.13. Automatic Sprinkler Systems**

(1) Except as permitted by Sentences (2) to (4), an automatic sprinkler system shall be designed, constructed, installed and tested in conformance with NFPA 13, “Installation of Sprinkler Systems”.

(2) .....

(3) NFPA 13D, “Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes”, is permitted to be used for the design, construction, installation and testing of an automatic sprinkler system installed in a *building* of *residential occupancy* that contains not more than two *dwelling units*.

**3.2.6.8. Voice Communication System**

(1) A voice communication system conforming to Article 3.2.4.23. shall be provided in a *building* if,

- (a) the floor of the top *storey* is more than 36 m above *grade*, or
- (b) a *floor area* or part of a *floor area* located above the third *storey* is designed or intended for use as a Group B, Division 2 or 3 *occupancy*.

PROPOSED CODE CHANGE

Add new Clauses 3.2.2.44.(1)(e), 3.2.2.46.(2)(e), 3.2.2.47.(2)(d):

**3.2.2.44. Group C, up to 4 Storeys, Noncombustible Construction**

(1) .....

- (2) The *building* referred to in Sentence (1) shall be of *noncombustible construction*, and,
  - (a) except as permitted by Sentence (3), floor assemblies shall be *fire separations* with a *fire-resistance rating* not less than 1 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* not less than 1 h,
  - (d) *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly, and
  - (e) retirement homes regulated by or under the *Retirement Homes Act* shall be *sprinklered*.

**3.2.2.46. Group C, up to 3 Storeys, Increased Area**

(1) .....

- (2) The *building* referred to in Sentence (1) is permitted to be of *combustible construction* or *noncombustible construction* used singly or in combination, and,
  - (a) except as permitted by Sentences (3) and (4), floor assemblies shall be *fire separations* with a *fire-resistance rating* not less than 1 h,
  - (b) *mezzanines* shall have a *fire-resistance rating* not less than 1 h,
  - (c) roof assemblies shall have a *fire-resistance rating* not less than 1 h,
  - (d) *loadbearing* walls, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly, and
  - (e) retirement homes regulated by or under the *Retirement Homes Act* shall be *sprinklered*.

**3.2.2.47. Group C, up to 3 Storeys**

(1) .....

(2) The *building* referred to in Sentence (1) is permitted to be of *combustible construction* or *noncombustible construction* used singly or in combination, and,

- (a) except as permitted by Sentences (3) and (4), floor assemblies shall be *fire separations* with a *fire-resistance rating* not less than 45 min,
- (b) *mezzanines* shall have, if of *combustible construction*, a *fire-resistance rating* not less than 45 min,
- (c) *loadbearing walls*, columns and arches shall have a *fire-resistance rating* not less than that required for the supported assembly, and
- (d) retirement homes regulated by or under the *Retirement Homes Act* shall be *sprinklered*.

Add new clause 3.2.4.8.(1)(f):

**3.2.4.8. Signals to Fire Department**

(1) If a fire alarm system is required to be installed and a single stage system is provided, the system shall be designed to notify the fire department in conformance with Sentence (4) that an *alarm signal* has been initiated in,

- (a) a Group A *occupancy* having an *occupant load* more than 300,
- (b) a Group B *occupancy*,
- (c) a Group F, Division 1 *occupancy*,
- (d) a *building* regulated by the provisions of Subsection 3.2.6.,
- (e) a *building* containing *interconnected floor space* required to conform to Articles 3.2.8.3. to 3.2.8.11., or
- (f) a *building* containing a retirement home regulated by or under the *Retirement Homes Act*.

Modify Sentences (1) and (3):

**3.2.5.13. Automatic Sprinkler Systems**

(1) Except as ~~permitted~~ provided by Sentences (2) to (4), an automatic sprinkler system shall be designed, constructed, installed and tested in conformance with NFPA 13, “Installation of Sprinkler Systems”.

(2) .....

(3) NFPA 13D, “Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes”, is permitted to be used for the design, construction, installation and testing of an automatic sprinkler system installed in a *building of residential occupancy* that contains not more than two *dwelling units*, except that a minimum 20 minute water supply is required for sprinkler systems in *buildings* containing retirement homes regulated by or under the *Retirement Homes Act*.

Add new Clause 3.2.6.8.(1)(c):

**3.2.6.8. Voice Communication System**

(1) A voice communication system conforming to Article 3.2.4.23. shall be provided in a *building* if,

- (a) the floor of the top *storey* is more than 36 m above *grade*,
- (b) a *floor area* or part of a *floor area* located above the third *storey* is designed or intended for use as a Group B, Division 2 or 3 *occupancy*, or
- (c) a *floor area* or part of a *floor area* located more than 18 m above *grade* is designed or intended for use as retirement home regulated by or under the *Retirement Homes Act*.

RATIONALE FOR CHANGE

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**Problem / General Background**

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Retirement homes when not classified as care occupancies are considered as residential occupancies. Such buildings are therefore not subject to the same level of fire safety requirements as care occupancies up to a certain building size.

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**Justification / Explanation**

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Recommended by the Vulnerable Occupancies Technical Advisory Committee [FCE-REC 3].

The Technical Advisory Committee recognized that residents of retirement homes regulated by or under the Retirement Homes Act in buildings that are currently classified as residential occupancies are vulnerable to fire due to age and frailty and all such facilities should be subject to enhanced fire safety beyond the current standards for residential occupancies.

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**Cost / Benefit Implications**

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Enhanced fire safety for vulnerable occupants. Additional cost due to the requirements of sprinklers and other proposed fire safety features.

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**Enforcement Implications**

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No enforcement implications are anticipated.

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**Who is Affected**

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Building owners/operators, designers, builders, and enforcement authorities.

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**Objective-Based Analysis**

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Provision	Div. B/3.2.2.44.(2)(e), 3.2.2.46.(2)(e), 3.2.2.47.(2)(d), 3.2.4.8.(1)(f), 3.2.6.8.(1)(c) – All new
Objective	Sentence 3.2.5.13.(3) – Fire Safety / Fire Protection
Functional Statement	Sentence 3.2.5.13.(3) – [F02, F81, F82-OP1.2] [F-02, F81, F82-OS1.2]



### Ontario's Building Code

ONTARIO ONLY		PROPOSED CHANGE TO THE 2012 BUILDING CODE	
CHANGE NUMBER	B-09-10-01	CODE REFERENCE	Div. B/9.10.20.6.
DESCRIPTION OF PROPOSED AMENDMENT	Enhanced fire safety requirements for retirement homes regulated by the Retirement Homes Act, when classified as residential occupancies by the Building Code. Those retirement homes classified as care occupancies by the Building Code will continue to be regulated through the care occupancy requirements.		

EXISTING 2012 BUILDING CODE PROVISION(S)

None

PROPOSED CODE CHANGE

Add new Article 9.10.20.6.:

**9.10.20.6. Automatic Sprinkler Systems**

(1) Retirement homes regulated by or under the *Retirement Homes Act* shall be *sprinklered* in accordance with Sentence 9.10.1.3.(8).

RATIONALE FOR CHANGE

**Problem / General Background**

Retirement homes when not classified as care occupancies are considered as residential occupancies. Such buildings are therefore not subject to the same level of fire safety requirements as care occupancies up to a certain building size.

**Justification / Explanation**

Recommended by the Vulnerable Occupancies Technical Advisory Committee [FCE-REC 3].

The Technical Advisory Committee recognized that residents of retirement homes regulated by or under the Retirement Homes Act in buildings that are currently classified as residential occupancies are vulnerable to fire due to age and frailty and all such facilities should be subject to enhanced fire safety beyond the current standards for residential occupancies.

**Cost / Benefit Implications**

Enhanced fire safety for vulnerable occupants. Additional cost due to the requirements of sprinklers.

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**Enforcement Implications**

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No enforcement implications are anticipated.

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**Who is Affected**

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Building owners/operators, designers, builders, and enforcement authorities.

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**Objective-Based Analysis**

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Provision	Div. B/9.10.20.6. – new
Objective	
Functional Statement	