



An Overview of the Accessibility Amendments To Ontario's Building Code

(Ontario Regulation 368/13)

HIGH RISE TRAINING SERIES

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This presentation is intended to cover the highlights of the changes to the 2012 Ontario Building Code resulting from the filing of O. Reg. 368/13, *as they apply to "Part 3" multi-residential buildings.*

This presentation is posted on-line at:
<http://www.codenews.ca>

TOPICS

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The Accessibility for Ontarians with Disabilities Act, 2005 (AODA)

- The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) became law on June 13, 2005.
- The purpose of the AODA is to develop, implement and enforce accessibility standards.
- The goal is to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises by January 1, 2025.

The Accessibility Standards

- In 2005, the Ontario government committed to the development of five accessibility standards under the Accessibility for Ontarians with Disabilities Act.
- Five accessibility standards have already become regulations under the Accessibility for Ontarians with Disabilities Act:
 - Customer Service
 - Information and Communications
 - Employment
 - Transportation
 - Design of Public Spaces (subset of the Accessibility Standard for the Built Environment)

Accessibility Standard for the Built Environment – Public Spaces

- “Final” Proposed Accessible Built Environment Standard published in July, 2010
 - Contained proposed public spaces and Building Code requirements
- The Design of Public Spaces standard, O. Reg. 191/11, as amended by O. Reg. 413/12 was filed on Dec. 14, 2012
 - The regulation is posted at:
http://www.e-laws.gov.on.ca/Download/elaws_src_regs_r12413_e.doc

Accessibility Standard for the Built Environment – Building Code

- MMAH held a Consultation on Proposed Accessibility Changes to the Building Code from December, 2012 – March, 2013
- Ontario Regulation 368/13:
 - Was made on Dec. 11, 2013
 - Was filed on Dec. 27, 2013
 - Comes into effect on January 1, 2015.

Application of the Barrier-Free Design Requirements of Section 3.8.

Section 3.8. applies to ALL BUILDINGS, except:

- houses, including semi-detached houses, duplexes, triplexes, town houses, row houses and boarding or rooming houses with fewer than 8 boarders or roomers
- buildings of Group F, Division 1 major occupancy
- buildings that are not intended to be occupied on a daily or full time basis, including automatic telephone exchanges, pumphouses and substations
- **camp**s for housing of workers *[NEW]* **3.8.1.1.(1)**

Barrier-Free Pedestrian Entrances

- The principal entrance of every building shall be barrier-free. *[NEW]* 3.8.1.2.(2)
- If the building has 4 or 5 pedestrian entrances, at least 2 entrances shall be barrier-free. *[no change]* 3.8.1.2.(1)
- If the building has more than 5 pedestrian entrances, at least 50% of the entrances shall be barrier-free. *[no change]* 3.8.1.2.(1)

Power Door Operator for Pedestrian Barrier-Free Entrance

Pedestrian barrier-free entrances required by Article 3.8.1.2. (Including separate A, D, & E suites) shall be equipped with a power door operator if the building contains any of the following *occupancies*:

- **Group A** [EXISTING 2012
OBC: only if the building area is over
300 m²]
- Group B, Division 2 [no change]
- Group B, Division 3 [no change]
- **Group C** [EXISTING 2012 OBC: hotel only]
- **Group D** [EXISTING 2012
OBC: only if the building area is over 300 m²]
- **Group E** [EXISTING 2012
OBC: only if the building area is over 300 m²] **3.8.3.3.(4)**

Power Door Operator for Vestibules in Pedestrian Barrier-Free Entrance

- “Ditto” for vestibules. 3.8.3.3.(5)

Public Washroom Doors and Party Rooms in Apartments

A door shall be equipped with a power door operator where the door serves, *[NEW]*

- (a) a washroom for *public use* required to be *barrier-free*, or
- (b) a *Group A occupancy* within a *Group C major occupancy apartment building*.

3.8.3.3.(6)

The Closed Fist Standard



The Closed Fist Standard

.....controls for the operation of *building* services or safety devices, including electrical switches, thermostats and intercom switches, intended to be operated by the occupant and located in a *barrier-free* path of travel shall be operable **using a closed fist** **3.8.1.5.(1)**

.... the control for a power door operator shall be operable **using a closed fist** **3.8.3.3.(17)**

Every barrier-free water closet stall in a washroom shall,

(b) be equipped with a door that shall,

(i) be capable of being latched from the inside with a mechanism that is operable **using a closed fist**,

3.8.3.8.(1)

Barrier-Free Access to All Other Floor Areas [Elevators] 3.8.2.1.

Barrier-Free Access is required to all floor areas and rooftop amenity spaces in:

- Group A occupancy
- Group B occupancy [exemption for small occupancies]
- Group C occupancy in a building > 600 m² in building area
- Group C occupancy in a building > 3 storeys in height
- Group D occupancy in a building > 600 m² in building area
- Group D occupancy in a building > 3 storeys in height
- Group E occupancy
- At least one vehicle parking level, if it is served by an elevator

[EXISTING 2012 OBC: only if served by elevator, etc.]

Barrier-Free Path Dimensions

Barrier-free path less than 1600 mm wide requires ~~1600 x 1600~~ **1800 x 1800** mm space at 30 m or less.

3.8.1.3.(4)

Doorways and Doors

***STANDARD 1 3/4" X 3 FT. WIDE DOORS
ARE EFFECTIVELY BANNED***

Every doorway that is located in a barrier-free path of travel shall have a clear width of not less than ~~850~~ **860** mm when the door is in the open position.

3.8.3.3.(1)

Distance Between Doors in a Vestibule

Vestibules located in a barrier-free path of travel a distance between the doors of at least ~~1 200~~ **1 500** mm plus the width of any door that swings into the space in the path of travel from one door to another.

3.8.3.3.(11)

Curb Ramps

A curb ramp shall have a width of not less than ~~1 200~~ **1 500** mm exclusive of flared sides.

3.8.3.2.(3)

Visitable Suites in Apartment Buildings

3.8.2.1.(5)

Applies to not less than ~~10%~~ **15%** of all residential suites:

Provide a barrier-free path of travel from the suite entrance door to:

- at least one bedroom*,
- at least one ‘visitable” bathroom*,
- a kitchen* or kitchen space*, and [NEW]
- a living room* or space*. [NEW]

* must be located at the same level

Visitable Suite Proportionality in Apartment Buildings

- 1, 2 or 3 or more bedrooms accessible suites shall be in proportion to the number of suites of residential occupancy having 1, 2 or 3 or more bedrooms in the remainder of the building. 3.8.2.1.(7)
- The accessible suites shall be distributed among storeys, having regard to the height of the suite above grade. 3.8.2.1.(8)

Visitable (15%) Apartment Bathroom

Must:

- (a) contain a lavatory,
- (b) contain a water closet,
- (c) contain a bathtub or a shower,
- (d) have wall reinforcement installed in conformance with Sentence 3.3.4.9.(1), and
- (e) contain a wheelchair **open turning space not less than 1 500 mm in diameter**

3.8.2.1.(6)

Tactile Attention Indicator

A tactile attention indicator conforming to Article 3.8.3.18. shall be installed,

- (a) at the top of the stairs starting one tread depth back from the edge of the top stair, and
- (b) at the leading edge of landings where a doorway opens onto stairs. **3.4.6.1.(2)**

Where a tactile attention indicator is required, it shall conform to Clauses 4.1.1. and 4.1.2. of ISO 23599, “Assistive Products for Blind and Vision-Impaired Persons – Tactile Walking Surface Indicators”. **3.8.3.18.(1)**

Table 3.8.2.3.A.

Minimum Number of Universal Washrooms per Building

Number of <i>Storeys</i> in <i>Building</i>	Minimum Number of Universal Washrooms per <i>Building</i>
1 to 3	1
4 to 6	2
Over 6	3, plus 1 for each additional increment of 3 <i>storeys</i> in excess of 6 <i>storeys</i>

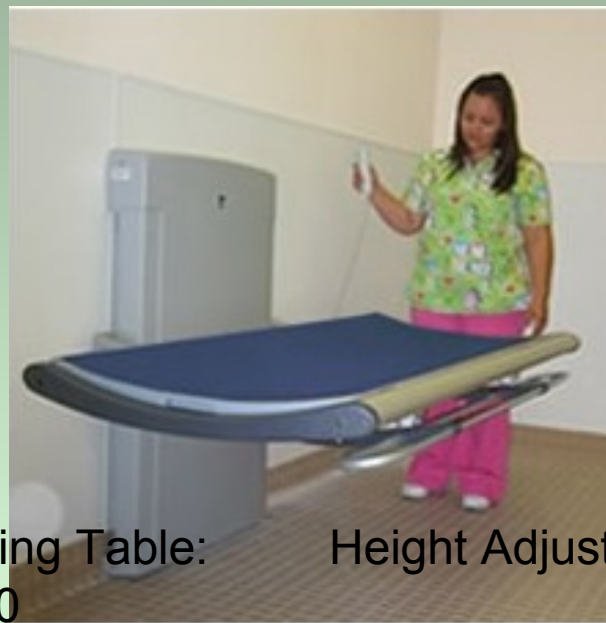
Universal Washrooms

A universal washroom requires:

- an emergency call system **3.8.3.12.(2)**
- 810 mm wide and 1 830 mm long clear space for an adult-size change table **3.8.3.12.(3)**



Pressalit Care 3000 Changing Table:
Model R8520021 \$7,343.00



Height Adjustable:



Adult Length

<http://www.max-ability.com>

Universal Washrooms

An adult-size change table is not required if,

(a) it is located in an individual *suite* that,

(i) is used for an Group A, D, E, or F
occupancy, and

(ii) is less than 300 m² in building [?] *area*, or

(b) another conforming universal washroom is provided on the same floor level within 45 m.

3.8.3.12.(6)

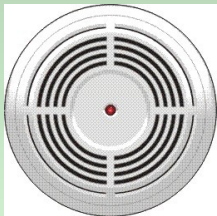
ALSO: Check out all new washroom dimensions ...!

Visual Smoke Alarms

Smoke alarms in dwelling units and sleeping rooms shall have a visual signalling component conforming to the requirements in 18.5.3. (Light, Color and Pulse Characteristics) of NFPA 72, "National Fire Alarm and Signaling Code".

[NEW]

3.2.4.22.(13)



Visual Signal Devices for Fire Alarm and Detection Systems

..... visual signal devices shall be installed in addition to audible signal devices,

.....

(b) in a *public corridor* serving a Group A, B, **C**, D or E occupancy,

.....

(e) in a washroom for *public use* described in Sentence 3.8.2.3.(2), (3), (4) or (6), and **[NEW]**

(f) **in the living space in a suite of residential occupancy in a Group C major occupancy apartment building.**

[NEW]

3.2.4.19.(4)

Access to Pools and Spas

- 3.11.3.2. Barrier-Free Path of Travel for Outdoor Pool Deck [NEW]
- 3.11.3.3. Access into Public Pools [NEW]
- 3.12.3.2. Access into Public Spas [NEW]

Renovations

..... the proposed construction within an existing suite shall comply with the requirements of Sentences 3.8.1.3.(6) [walking surfaces within a barrier-free path of travel], 3.8.2.3.(6) [washroom], 3.8.3.1.(6) [tactile sign], 3.8.3.3.(19) [doorways], 3.8.3.7.(1) [assistive listening systems], 3.8.3.15.(5) [telephone counter] and 3.8.3.16.(4) [drinking fountain] where new interior walls or floor assemblies are installed and **only one** of the following requirements is met:

- (a) the suite has an area greater than 300 m², **or**
- (b) the suite is located [within 200 mm of ground level] or in a normally occupied floor area [accessible by a passenger elevator and serving an entrance storey within 200 mm of ground level].

11.3.3.2.(3)

Resources

- The “Final” Proposed Accessible Built Environment Standard, published in July, 2010, is available at:
<http://www.codenews.ca/archived/Ontario-Final-Proposed-Accessible-Built-Environment-Standard-July-2010.pdf>
- The **public consultation paper** on proposed Building Code accessibility changes (Dec. 2012 to Mar. 2013) is available at:
<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10044>
- An **annotated version of the accessibility amendment**, edited by Alek Antoniuk, is available from the codenews.ca web site at:
<http://www.codenews.ca/docs/AnnotatedAccessibility-O.Reg.368-13-CodeNews.ca.pdf>
- **O. Reg. 368/13, in MS Word format**, is available for download from the Ontario government's e-laws web site at:
http://www.e-laws.gov.on.ca/Download/elaws_src_regs_r13368_e.doc

Trends in Code Development

Limited Building Code advisory services:

- NRC Canadian Codes Centre (CCC) staff provide opinions on the requirements in the National Model Construction Codes only to regulatory officials (building, plumbing and fire officials responsible for enforcing the codes)
- The role of the Building and Development Branch has changed
- Ontario's Building and Development Branch is a part of MMAH's Municipal Services Division, which is oriented to providing services primarily to its client municipalities
- Reluctance of MMAH to issue Binding Interpretations by the Minister – see Section 28.1 of the Building Code Act

Trends in Code Development

- Municipalities have time constraints on plan review services
- Can designers rely on unbiased Building Code advice from municipalities?
 - Municipal priorities include risk management
 - Municipal priorities are not likely aligned with the owner's and designer's priorities
 - Code interpretation varies among municipalities
- Barriers to access the Building Code Commission
- Need for Building Code Consultants

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