

Frequently Asked Questions Accessibility and Ontario's Building Code

1. What is the Accessibility for Ontarians with Disabilities Act (AODA)? What are accessibility standards?

- In 2005, the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) was introduced with a goal of an accessible Ontario by 2025.
- The Act requires the development of accessibility standards. In 2005, government announced the development of five standards to be phased in over a 20 year period: customer service, information and communications, employment, transportation, and the built environment.
- Five external standards development committees developed and submitted proposed standards for the government's consideration.
- The Ministry of Economic Development, Trade, and Employment (MEDTE) leads the implementation and enforcement of accessibility standards through the Accessibility Directorate of Ontario (ADO).
- Regulated standards for accessible customer service, information and communication, employment, transportation and public spaces are now in place.

2. Why were recommendations split up between the Building Code and the Integrated Accessibility Standard Regulation?

- The scope of the Final Proposed Standard for the Accessible Built Environment included public and private sector buildings, and public spaces such as parks, recreational trails and play spaces.
- The Accessibility Directorate for Ontario is responsible for requirements for accessibility in public spaces (regulated under the Integrated Accessibility Standards Regulation).
- The Ministry of Municipal Affairs and Housing is responsible for accessibility requirements in the Building Code.
- This dual approach ensures that construction requirements remain consolidated in the Building Code, in keeping with the government's commitment to streamline regulatory requirements where possible. Continuing to regulate barrier-free requirements through the Building Code also ensures that requirements are enforced locally through the building permit process.

3. What are the new accessibility requirements for buildings?

- Ontario's Building Code was recently amended to significantly enhance accessibility requirements for new construction and extensive renovations.
- New and updated requirements for new construction include:
 - Requirements for visual fire alarms to be installed in all public corridors of multi-unit residential buildings and in all multi-unit residential suites;
 - Requirements for all smoke alarms in all buildings, including houses, to include a visual component;
 - Requirements for an elevator or other barrier-free access to be provided between storeys in most buildings, with some exemptions for buildings such as small residential and business occupancy buildings;
 - Requirements for power door operators to be provided at entrances to a wider range of buildings, at entrances to barrier-free washrooms, and at entrances into common rooms in multi-unit residential buildings;
 - Updated requirements for barrier-free washrooms;
 - New requirement for at least one universal washroom for every building;
 - Requirements for barrier-free access to public pools and spas; and
 - Updated requirements for accessible and adaptable seating spaces in assembly buildings.
- All extensive renovations, including in smaller suites or suites not located on a fully accessible floor level, will be required to include certain barrier-free upgrades, such as wider clear door widths, visual cues for glass doors, and provision of an ambulatory accessible washroom stall.

4. When do new requirements take effect?

- New accessibility requirements come into force on January 1, 2015.

5. Are retrofit requirements included for existing buildings?

- No. Ontario's Building Code is a go-forward regulation and generally does not apply to the maintenance or retrofit of existing buildings (with the exception of health and safety requirements for sewage systems).
- New requirements apply only to the new construction, change of use and extensive renovation of existing buildings.

6. Do any changes affect houses?

- No, with one exception. Accessibility requirements in the Building Code generally do not apply to houses, including single detached houses, duplexes, and townhouses. However, smoke alarms with a visual component will be required in all residential buildings including houses.

7. Why are elevators not required in all buildings?

- New requirements represent a significant step forward, by requiring a barrier-free path of travel (elevator, ramp, or lift) between storeys in a broad range of buildings and occupancies.
- With limited exemptions, all assembly buildings such as theatres, schools, and churches would be required to provide access to all floors, as would large residential and business buildings.
- However, the new requirements exempt small residential and business occupancies, mitigating the cost, space impact, and design complexity of installing elevators in small buildings.

8. How was the 15 per cent requirement for visitable units developed? What is the evidence behind it?

- A requirement for at least 15 per cent of suites to be visitable reflects statistical information on Canadian population characteristics and current demographic projections:
 - According to 2006 Statistics Canada data, 2.93 million Canadian adults (11.5 per cent) reported some limitations due to a mobility disability. This includes all reported mobility disabilities, classified as mild, moderate, severe, or very severe.
 - Projections suggest that by 2020, one in five Ontarians will have a disability. Of those, 2006 data indicates that roughly 9.5 per cent of Canadians reporting disabilities use manual or electric wheelchairs or scooters as a mobility aid.
 - In addition, the number of seniors in Ontario aged 65 and over is projected to more than double from 1.9 million in 2011 to 4.2 million by 2036.

9. Will changes to visual fire and smoke alarm requirements cause the Building Code to be out of sync with the Fire Code?

- No. Ontario's Building Code sets requirements for new construction and renovations, while the Fire Code sets requirements for existing buildings.
- Changes to the Fire Code are the decision of the Minister of Community Safety and Correctional Services.

10. Does the visual component of a smoke alarm require battery back-up?

- The intent is that battery back-up is not required for the visual signal component of a smoke alarm. This requirement applies only to the audible alarm.

11. Does the visual component of a smoke alarm have to be integrated with the audible alarm?

- Both integrated and add-on visual components meet the requirements of the regulation.

12. How will new requirements for smoke alarms with a visual component apply to renovations?

- If a renovation of an existing home is undertaken, the new Building Code requirements would apply depending on the extent or type of renovation:
 - If an extension or total rebuild of a home is undertaken, the new Code requirements would apply.
 - If an extensive renovation is undertaken within the existing building envelope, the requirements would vary depending on what type of renovation is being undertaken.
 - For a minor renovation, it is likely existing requirements would continue to apply in order to simply maintain the existing level of safety – removing one non-load bearing wall, for example, would not trigger the new fire safety requirements.
- Municipal building departments are responsible for enforcing the requirements of the Building Code, including requirements that apply to significant renovations.

13. What are universal washrooms and where will they be required?

- Universal washrooms are enclosed washrooms providing an accessible toilet and sink and turning space to accommodate a wheeled mobility device.
- Universal washrooms can provide privacy and dignity for people of all abilities, including people with disabilities who may need the assistance of an attendant.
- Universal washrooms can also benefit families with small children and are not required to be designated for people with disabilities only.
- Amendments to the Building Code require at least one universal toilet room in all buildings in which a washroom is required. Multi-storey buildings must provide one universal washroom for every three floors. Universal washrooms can be located wherever is most appropriate within the building.
- Space for an adult change table will have to be provided in all universal washrooms, except in buildings or suites under 300 square metres.

14. Will multi-unit residential buildings such as condo or apartment buildings be required to provide a universal toilet room on every third floor?

- No. The intent of the new requirements is to provide universal washrooms in uses and occupancies where washrooms are required, not to require washrooms where they had not been required previously.
- Multi-unit residential buildings will be required to provide a universal toilet room only where common amenity spaces are provided.
 - Common amenity spaces would include features like party rooms, swimming pools, spas, or exercise rooms.
- Floors of apartments without common amenity space would not require a universal washroom, nor would underground parking below the building.

15. What accessibility requirements will apply to renovation projects?

- New amendments will require a number of barrier-free upgrades in all extensive renovations in smaller suites or suites not located on a fully accessible floor level.
 - Extensive renovations are defined as the installation of new interior walls, floors, or ceilings.
- Required upgrades represent elements that provide accessibility to people with a range of disabilities who may not require a wheelchair, and represent lower space and cost impacts to the building owner.
- Examples of changes that would apply to all extensive renovations include:
 - Wider clear door widths (minimum 860 mm clear space);
 - Lever door handles;
 - Visual cues for glass doors; and
 - Provision of an “ambulatory accessible stall” in cases where a barrier-free stall or washroom is not provided.
- Extensive renovations in suites larger than 300 m² and located on an accessible floor level would continue to be subject to full barrier-free design requirements set out in the Building Code.

16. What is an ambulatory accessible stall?

- Ambulatory accessible stalls can accommodate certain kinds of assistive devices used by people with disabilities (e.g. individuals with limited balance or who walk with a cane or walker).
- These stalls are slightly larger than standard washroom stalls and are equipped with parallel grab bars, a barrier-free water closet, widened clear door widths, and door latches.
- However, they do not include the larger turning space required for individuals using wheelchairs.

17. What support will MMAH be providing to municipalities and the building industry related to new requirements?

- The Ontario Building Code Compendium has been updated to include appendix notes clarifying the intent behind many of the new requirements.
- In addition, MMAH and the Accessibility Directorate of Ontario are working together to develop a Building Code Guideline for Barrier-Free Design, which will clarify the intent behind many of the new requirements and provide additional design tips and best practices.