

 **Ontario**
BUILDING CODE COMMISSION

IN THE MATTER OF Subsection 24 (1) of the Building Code Act, 1992.

AND IN THE MATTER OF Sentence 3.8.3.3.(14) of Regulation 403, as amended by O. Reg. 22/98, 102/98, 122/98, 152/99, 278/99, 593/99, 597/99 and 205/00 (the “Ontario Building Code”).

AND IN THE MATTER OF an application by Mr. Fraser Wilson, OMNI Health Care, Peterborough, Ontario for the resolution of a dispute with Ms Catherine Junop, Director, Building Services, City of Ottawa, Ontario to determine whether the as-installed paired corridor doors containing vision panels and which form part of the fire separation, are held open by magnetic hold open devices and are considered part of the barrier-free path of travel, provide sufficiency of compliance with Sentence 3.8.3.3.(14), regarding vision panels at the Kanata Long Term Care Residence, Campeau Blvd., Ottawa, Ontario.

APPLICANT	Mr. Fraser Wilson OMNI Health Care Peterborough, Ontario
RESPONDENT	Ms Catherine Junop Director Building Services City of Ottawa
PANEL	Mr. Len King, Chair Mr. Michael Steele Mr. Fred Barkhouse
PLACE	Toronto, Ontario
DATE OF HEARING	June 7, 2001
DATE OF RULING	June 7, 2001
APPEARANCES	Ms Gail E. Lamb Gail E. Lamb Incorporated Architect Lucan, Ontario Agent for the Applicant
	Mr. Tim Stewart Building Official City of Kanata Designate for the Respondent

RULING

1. The Applicant

Mr. Fraser Wilson, OMNI Health Care, Peterborough, Ontario, has received a building permit under the Building Code Act, 1992 and has constructed a building known as the Kanata Long Term Care Residence, Campeau Blvd., Ottawa, Ontario.

2. Description of Construction

The Applicant has constructed a long term care facility, having a building height of 5 storeys and a building area of 1, 958 m² according to the Applicant or 1, 619 m², according the Respondent. The facility is classified as a Group B, Division 2, care and treatment occupancy. It is of noncombustible construction and is equipped with a sprinkler system, a fire alarm system and a standpipe and hose system.

There are paired doors throughout the building that provide a double egress, separating the bedrooms of the facility from the common areas on floors two through five. During regular operation all of the doors are held open by magnetic hold open devices that are activated by the fire alarm system. Upon activation, the magnetic hold open devices release and the doors are closed forming a fire separation across the bedroom corridors.

The construction in dispute involves the vision panels that have been installed on the corridor doors that are located in a barrier-free path of travel. Within each door the Applicant has installed a 254 mm x 254 mm (10" x 10") vision panel, the bottom of which is located approximately 1, 524 mm (5 ft) above the finished floor. The Applicant's intent upon installing the vision panels was to provide a clear line of site for staff and firefighters to assist in the evacuation of the facility.

3. Dispute

The issue at dispute between the Applicant and Respondent is whether the paired corridor doors, forming part of the fire separation and located within the barrier-free path of travel, provide sufficiency of compliance with Sentence 3.8.3.3.(14) of the Building Code.

According to Sentence 3.8.3.3.(14), where vision panels are provided in a door located within a barrier-free path of travel, the panel shall be at least 75 mm wide, located not more than 900 mm above the finished floor and not more than 250 mm from the latch side of the door. It should be noted, however, that the Code does not require vision panels as an element of a barrier-free path of travel.

In this instance, the doors in question are located within the barrier-free path of travel and have been installed 1,524 mm (5 ft) above the finished floor. The doors remain open by use of magnetic hold open devices during normal operation of the facility and would be closed only during a fire alarm situation.

4. Provisions of the Ontario Building Code

Sentence 3.8.3.3.(14)

- (14) Where a vision panel is provided in a door in a *barrier-free* path of travel, such panel shall be at least 75 mm (3 in) in width and be located so that
- (a) the bottom of the panel is not more than 900 mm (2 ft 11 in) above the finished floor, and
 - (b) the edge of the panel closest to the latch is not more than 250 mm (9 7/8 in) from the latch side of the door.

5. Applicant's Position

The Agent for the Applicant submitted that the corridor doors, located at two locations on floors two through five, provide a double egress between the sleeping quarters and the common areas of the facility. The doors are held open by magnetic hold open devices and closed only during a fire alarm situation. The push plates to activate the doors are located on one side only with travel through the corridors being on the right side. There is a light located over the active side of the door.

In her submission, the Agent stated that this is not a normal path of travel in the traditional sense. Residents of the facility would not be expected to open the doors in any instance. On the occasion of an evacuation, residents would be assisted from the building by staff members and, during routine operation, the doors will remain open providing a barrier-free path of travel.

She noted that vision panels are not a requirement of the Building Code. In this instance they have been provided at the request of the Fire Department. They would serve the purpose of assisting both staff and firefighters in viewing the corridors during an evacuation situation. To facilitate this, the panels have been located at eye level for an average firefighter. She stated that, if the vision panels were to be removed, the Fire Department may have concern with respect to their abilities in an emergency situation.

6. Respondent's Position

The Designate for the Respondent submitted that he has a concern with respect to the double egress doors in question. He suggested that individuals using a wheelchair and operating the active leaf of the doorway would be located in a position that would block the inactive leaf. For increased safety, he argues, the vision panels should be provided in accordance with the strict wording of the Code and located no higher than 900 mm from the finished floor. This would allow those using a wheelchair to see through to the other side of the doorway.

In response to the assertion by the Agent for the Applicant that the doors are only closed during a fire situation, the Designate advised that the doors will be closed during any alert signal; whenever an initiating device has been activated. The vision panels, he argued, should be available for use by any individual using the door. Given that this is a B2 occupancy, a higher number of wheelchair users could reasonably be expected to traverse these corridors. In addition, visitors to the facility may also require barrier-free access. Magnetic hold open devices, he submitted, are not sufficient to ensure that accidents are avoided.

The Designate recognized that the Code does not require vision panels in a barrier-free path of travel but submitted that, where the designers determine that panels are needed, they must comply with the OBC requirements. He suggested that it may be beneficial if the intent of vision panels, and when they should be provided, are clarified in the Code.

7. Commission Ruling

It is the decision of the Building Code Commission that the as-installed paired corridor doors containing vision panels and which form part of the fire separation, are held open by magnetic hold open devices and are considered part of the barrier-free path of travel, provide sufficiency of compliance with Sentence 3.8.3.3.(14) of the Ontario Building Code at the Kanata Long Term Care Residence, Campeau Boulevard, Ottawa, Ontario.

8. Reasons

- i) The vision panels are not required by the Ontario Building Code
- ii) The vision panels increase the level of safety in the building by assisting firefighters in the event of a fire.
- iii) The doors are held open in the normal use of the building by the magnetic hold open devices.

Dated at Toronto this **7th** day in the month of **June** in the year **2001** for application number **2001-15**.

Mr. Len King, Chair

Mr. Michael Steele

Mr. Fred Barkhouse