

According to Building Standards Advisory A-5 from September 2000, the following conditions will apply for application of the *National Building Code* (NBC) requirements to child care facilities:

1. Licensed or unlicensed child care homes where overnight (24 hour) care is not provided and care is for **not more than 12 children**, may be classified as a One Unit Dwelling and all applicable NBC requirements shall apply, notably:
 - interconnected and hard-wired smoke alarms on every floor level,
 - guards and handrails on stairs and around openings,
 - at least one means of egress, except when more are required due to building height, travel distance, or shared egress, and
 - at least one window (means of escape) in all bedrooms including basement bedrooms.
2. Licensed child care centers where overnight (24 hour) care is not provided and care is for **not more than 90 children**, none of whom are infants less than 18 months old, shall be classified as an Assembly Occupancy (Group A, Division 2) and all of the applicable NBC 2005 requirements shall apply, notably:
 - Fire separations between storeys and when adjacent to other suites or occupancies in the same building,
 - code-conforming exits and travel distances,
 - a single or 2 stage fire alarm system if occupant load is over 40,
 - smoke alarms in sleeping rooms if a fire alarm system is not required,
 - restricted flame-spread ratings on interior finishes,
 - emergency lighting,
 - spatial separations,
 - fire department access,
 - ventilation,
 - washrooms (at least 1 water closet for each 30 males and 1 for each 25 females),
 - barrier-free access, and
 - professional design.

Requirements that may or may not apply include:

- a sprinkler system conforming to NFPA 13, and
 - service rooms enclosed by a fire separation.
3. Child care facilities where overnight (24 hour) care is provided with **care for not more than 8 children and sleeping accommodation for not more than 10 persons**, may be classified as a residential occupancy and all of the applicable NBC 2005 and UBASA requirements shall apply. See Residential Care Home handouts for requirements. (Sleeping accommodation is calculated as spaces for residents of the dwelling plus spaces for the children being cared for.)
 4. Other licensed child care facilities not described in 1, 2, or 3 above shall be classified as care or detention occupancy (Group B, Division 2) and all of the applicable NBC 2005 requirements shall apply, notably:
 - fire separations between storeys, when adjacent to other suites or occupancies in the same building, and enclosing service rooms,
 - code-conforming exits and travel distances,
 - a sprinkler system conforming to NFPA 13,
 - a single or 2 stage fire alarm system,
 - restricted flame-spread ratings on interior finishes,
 - emergency lighting,
 - spatial separations,
 - fire department access,
 - ventilation,
 - washrooms (at least 1 water closet for each 30 males and 1 for each 25 females)
 - barrier-free access, and

- professional design.

The above requirements are guidelines only. Additional requirements may be considered on a case-by-case basis where necessary to address specific, unusual fire safety or occupant concerns.

When Are Building Permits Required?

A building permit is required when construction will take place or when the occupancy of a building changes. If construction will not occur, the occupancy of the building will not change, and a child care facility simply moves into an existing building, a building permit will only be required as outlined below.

Schools

When a child care facility moves into an existing school, a permit is required only for a day care that provides care for infants under 18 months of age. These are considered to be Care (Group B, Division 2) occupancies and therefore constitute a change in occupancy. Where the portion of the day care for infants does not exceed 10% of the building area, the B2 occupancy may be considered a minor occupancy and will not change the occupancy of the floor area to a B2 occupancy as per Article 3.2.2.8. However, this B2 occupancy must be separated from the rest of the building by a 2 hour fire separation as per Article 3.1.3.1.

A building permit is not required when a daycare providing care for children over 18 months of age or a pre-school occupies a portion of an existing school, as long as there is no associated construction.

Churches

A building permit is required if care will be provided for infants under 18 months of age or if the occupant load of the child care facility exceeds 40 at any one time and no permit has been previously issued for an occupant load in the child care facility for more than 40 people. This is not intended for Sunday schools.

Residential Occupancies

Where overnight (24 hour) care is not provided, a building permit is required if the occupant load exceeds 12 and a permit has not been previously issued for an occupant load exceeding 12. Where overnight care is provided, refer to the Residential Care Home handouts for the requirements.

Other Occupancies, such as Office Buildings or Strip Malls

All new child care facilities will require a building permit. A building permit will be required for facility license renewals if:

- the occupant load increases and will now exceed 12,
- the area of the daycare or pre-school increases, or
- the occupant load exceeds 40 and no permit has been previously issued for an occupant load exceeding 40.

NOTE: The term "renewal" means a renewal of license issued by the City Treasurer's office. This is not intended to mean a renewal of building permit. Once a building permit is issued, no building permit renewals are required.